


Texas Department of Public Safety  
Commercial Vehicle Enforcement

# Electronic Logging Device (ELD) Rule

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## Definitions


Paper RODS – Log Book

Logging Software – a computer software program of application on a phone or tablet that does not comply with 395.15. Not connected to the engine data. An electronic version of a paper log.

AOBRD – Automatic On-board Recording Device, complies with 395.15. Connected to the engine data. Automatically records the drivers duty status

ELD – Electronic Logging Device – a device that automatically records a driver's driving time and meets the requirements in the new subpart B of Part 395. Connected to the engine data

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### Overview of the Electronic Logging Device Rule (ELD) Mandate

Final rule publication date was December 16, 2015

<u>AOBRD</u>	<u>ELD</u>
Automatic on-board Recording Device	Electronic Logging Device
FMCSR 395.15	FMCSR Subpart B 395.20 – 395.38
Current Regulation	New regulation

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### AOBRD and Devices with Logging Software & Applications

**AOBRD (49 CFR 395.2 & 395.15)**


Integrally synchronized  
Automatically records driving status

**Device with logging software and/or application**

Not integrally synchronized  
Manually input driving status  
Logging software regulatory guidance 395.8 Q28



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**Logging software regulatory guidance 395.8**

**Question 28: May a driver use a computer, tablet, or smartphone (that is not an Automatic On-Board Recording Device) to create, electronically sign, and store the record of duty status (RODS)?**  
**Guidance:**

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**Question 28 Answer**

Yes. A driver may make manual duty-status entries to a computer, tablet, or smartphone program that is used to generate the graph grid and entries for the record of duty status (RODS) or log book, provided the electronically-generated display (if any) and output includes the minimum information required by §395.8 and is formatted in accordance with that section. The driver must sign the RODS (manually or electronically) at the end of each 24-hour period to certify that all required entries are true and correct.

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**Question 28 Answer Continued**

If electronic signatures are not used:  
 The driver must print and manually sign the RODS daily.  
 The driver must have in his or her possession the printed and signed RODS for the prior seven consecutive days (if required on those days).  
 The driver should be given an opportunity to print and manually sign the current day's RODS at the time of the inspection.

If RODS have been electronically signed:  
 At the time of an inspection of records by an enforcement official, the driver may display the current and prior seven days RODS to the official on the device's screen.  
**If the enforcement official requests printed copies of the RODS, the driver must be given an opportunity to print the current and prior seven days RODS (if required on those days) at the time of inspection.**

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**Best Practice for Logging Software**


If using a software program to record hours of service

Have a printer on-board and able to print current day and 7 previous days

Make sure driver is familiar with the email function

If the enforcement officer request a print out and there is no printer on-board, driver could be placed OOS for No Log Book

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**Tow Truck Exemptions from ELD**

FMCSR 390.23 Tow trucks responding to emergencies

**Must be** at the request of a local, State, or Federal police officer

To moved a wrecked or disabled motor vehicle

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**What is an ELD?**

A device that will;

- Automatically record a driver's driving time
- Facilitate the accurate recording of drivers HOS
- Meets the technical specifications of the ELD rule
- Is integrally synchronized with the engine of the CMV

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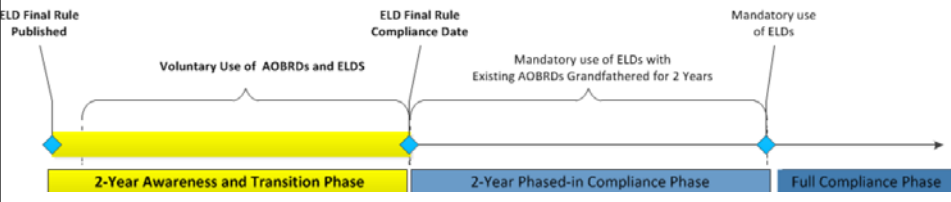


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### ELD Transition

Effective Date February 16, 2016	Compliance Date December 18, 2017	Full Compliance Date December 16, 2019
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The diagram illustrates the ELD transition timeline. It starts with the 'ELD Final Rule Published' date. A yellow bar represents the '2-Year Awareness and Transition Phase' leading to the 'ELD Final Rule Compliance Date'. A blue bar represents the '2-Year Phased-in Compliance Phase' leading to the 'Mandatory use of ELDs' date. The final 'Full Compliance Phase' begins after the mandatory use date. A note indicates 'Mandatory use of ELDs with Existing AOBDRs Grandfathered for 2 Years' between the compliance and mandatory use dates.

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### Implementation Phase 1

ELD	AOBRD	Logging Software	Paper
Yes	Yes	Yes	Yes

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### Implementation Phase 2

ELD	AOBRD	Logging Software	Paper
Yes	Yes *	*	*

\* If AOBRD was installed prior to December 18,2017

\* Vehicles & carriers that are exempt for ELD rule can continue to use paper RODS or logging software

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### Implementation Phase 3

ELD	AOBRD	Logging Software	Paper
Yes	No	*	*

\* Vehicles & carriers that are exempt from ELD rule can continue to use paper RODS or logging software

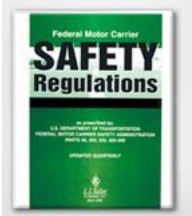
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### ELD Rule

- Requires new technical specifications for ELD's
- Mandates ELD's for drivers currently using RODS (there are exceptions)
- Clarifies supporting document requirements
- Provides protection for drivers from being harassed by carriers




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### ELD Display Requirements


Visible Display




Daily Header



Graph Grid




Detail Log Data



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### ELD Daily Header

Record Date	USDOT #	Driver License Number	Driver License State	ELD ID	Trailer ID
20-Nov-14	123456789	D000368210361	IL	987654	Unit #
Time Zone	Driver Name	Co-Driver Name	ELD Manufacturer	Shipping ID	Data Diagnostic Indicators
CST	Smith, Richard		Acme ELDs	BL1234567890	No
24 Period Starting Time	Driver ID	Co-Driver ID	Truck Tractor ID	Unidentified Driver Records	ELD Malfunction Indicators
Midnight	1234567			No	No
Carrier	Start End Odometer	Miles Today	Truck Tractor VIN	Exempt Driver Status	Start End Engine Hours
Acme Trucking	39564 - 39984	420	1M2P267Y5AM022445	No	758.2-765.7
Current Location	File Comment		Print/Display Date		
6 mi. NE North Auburn, CA			20-Nov-14		

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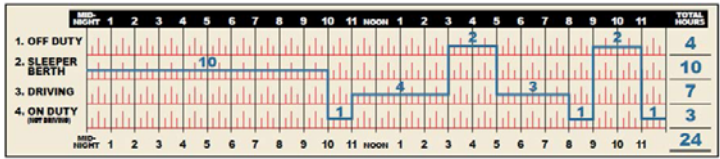
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### 24-Hour Duty Status Grid



	1	2	3	4	5	6	7	8	9	10	11	NOON	1	2	3	4	5	6	7	8	9	10	11	TOTAL HOURS
1. OFF DUTY																								4
2. SLEEPER BERTH																								10
3. DRIVING																								7
4. ON DUTY (OFF BEHAVIOR)																								3
																								24

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### Detail Data Log

Time	Location	Odometer	Eng Hours	Event Type/Status	Origin
20-Nov-14					
0:00	49 mi NNE Fallon, NV	39564	758.2	SB	Driver
10:00	49 mi NNE Fallon, NV	39564	758.2	Login	Driver
10:00	49 mi NNE Fallon, NV	39564	758.2	ODND	Driver
10:52	49 mi NNE Fallon, NV	39564	758.2	Power Up	Auto
11:00	49 mi NNE Fallon, NV	39564	758.2	Driving	Auto
12:00	2 mi E Fernley, NV	39624	759.3	Int Location	Auto
13:00	7 mi NNE Truckee, CA	39684	760.3	Int Location	Auto
14:00	6 mi SSE Meadow Vista, CA	39744	761.3	Int Location	Auto
15:00	3.5 mi SW Davis, CA	39804	762.3	Off Duty	Driver
17:00	3.5 mi SW Davis, CA	39804	762.3	Driving	Auto
18:00	1 mi E Emeryville, CA	39864	763.4	Int Location	Auto
19:00	4 mi SSW Univ. of California, CA	39924	764.4	Int Location	Auto
20:00	6 mi NE North Auburn, CA	39984	765.5	ODND	Driver
21:00	6 mi NE North Auburn, CA	39984	765.7	Off Duty	Driver
23:00	6 mi NE North Auburn, CA	39984	765.7	ODND	Driver
23:58	6 mi NE North Auburn, CA	39984	765.7	Cert	Driver
23:58	6 mi NE North Auburn, CA	39984	765.7	Logout	Driver

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### ELD Technical Requirements 395.26

When elements are recorded	When data is captured
Date	Change of duty status
Time	Intermediate recording (1 per hour)
Location information	Special driving (personal or yard)
Engine hours	Certification of log
Vehicle miles	Log in
Driver or authenticated user	Log out
Vehicle	Engine power up
Motor Carrier	Malfunction & data diagnostic event


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<b>ELD User Accounts</b>	
<p>All drivers and support personnel must have a unique user name and password</p> <p>Driver account must include DL information to provide unique ID</p> <p>Driver account must not have administrative rights</p> <p>If driver is also the administrator, must have a separate administrative account</p>	

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### Driver ELD Updates


Driver must have the ability to add/update

- Update CMV number
- Update trailer number
- Shipment information

Output comment – Used by roadside enforcement to add a key word or phrase when requesting a data transfer. Supports up to 60 characters

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### ELD Driver Interaction – Fixed Mounted

Portable (including hand-held)

ELD's must be in a fixed and mounted position during operation

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### ELD Automatic Duty Status Changes


Driving time is automatically calculated

Records driving time when vehicle reaches 5 MPH


Device requires an alert if the vehicle stops moving for 5 minutes

Defaults to "On-Duty" if no driver entry occurs within 1 minute

Other automatic duty status settings are prohibited



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### ELD Special Driving Categories

The motor carrier can enable access for the driver to use two other types of driving


Authorized personal use of CMV (PC) – Off duty

Yard moves – On Duty, Not Driving



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### Roadside Display Requirements

It is required that ELD RODS be shared in one of two way roadside  
Choice of the driver/carrier



Printout




Screen Display

Visible to enforcement at a reasonable distance without entering the cab

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### Roadside Data Transfer

FMCSA has developed a standard by which roadside enforcement will examine the electronic HOS beyond the required screen display or in-cab printout

An enforcement application (to be developed by FMCSA) will receive raw data from the ELD)


Raw data will be transferred to the inspectors computer and all "required" information will be displayed

This will be a one step process



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### ELD Transfer Methods

Option1 – Telematics Transfer Methods


- Web Services 
- Email 

Option 2 – Local Transfer Methods

- Bluetooth 
- USB 2.0 


Bluetooth

ELD provider will determine the option, and the enforcement officer will determine which method within that option



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### Drivers Currently Using RODS

All drivers that are required to maintain RODS must comply unless exempted

Exemptions


**Short Haul Driver Exemption (100 air-mile drivers)**  
 May only use paper logs up to 8 days in any 30 day period  
 Any Short Haul Driver that uses a paper log for more that 8 days in a 30 day period must install an ELD

**Driveaway-towaway operations**  
 Vehicle driven is the commodity being delivered (RV exemption)

**CMV manufactured before year model 2000**

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### ELD Rule Summary



ELD rule is being phased in  
 Voluntary use of ELD's began on  
 February 16, 2016  
 Compliance date is 2 years after rule was  
 published (December 18, 2017)

AOBRD's compliant with 395.15 that were installed before the compliance  
 date can be grandfathered for 2 additional years (December 16, 2019)

AOBRD's must be upgraded or replaced with ELD's by December 16, 2019

For now, drivers can meet the HOS requirements by using paper logs,  
 logging software, an AOBRD, or an ELD

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### Selecting an ELD

- **Most Important:** Make sure that the **specific ELD model** you are considering **is on FMCSA's list of registered ELDs** by visiting **<https://3pdp.fmcsa.dot.gov/ELD/ELDLlist.aspx>**. The vendors on this list have self-certified that their device is compliant with all of the ELD technical specifications, and registered each ELD model with FMCSA.
- • Take a few minutes to **research the ELD provider** by checking with the Better Business Bureau and looking at online reviews for their products and customer service.
- • While many ELDs may be part of a Fleet Management System (FMS) or include FMS functions, **there is no requirement for Fleet Management functionality**. An ELD that complies with FMCSA requirements is what is required by the ELD rule.

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### ELD Checklist

Before choosing an ELD, have the vendor verify that its device meets **all** of the ELD specifications contained in the rule.

While this list is not a complete list of all required ELD functions, at a minimum have the vendor demonstrate or show you all the features and functions on the following slides.

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### ELD Checklist

- Provides separate accounts for drivers and administrative (non-driver) ELD users
- Has "integral synchronization" with the engine control module to automatically record engine power status, vehicle motion status, and other data
- Automatically records all driving time and at intervals of 60 minutes. Records date, time, location, engine hours, vehicle miles, and driver identification
- Records location with an accuracy of one-mile radius during on-duty driving periods
- Reduces location accuracy to a 10-mile radius when vehicle is used for authorized personal use

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### ELD Checklist

- ELD time is synchronized with UTC (coordinated universal time)
- Retains data for the current 24-hour period and the previous 7 consecutive days
- Prevents tampering; does not allow anyone to alter or erase information originally collected for driver ELD records
- Requires driver to review unidentified driver records – and either acknowledge assignment of this driving time, or indicate that the records do not belong to the driver
- Allows a driver to obtain a copy of his/her ELD records on demand – either through a printout or electronic file
- Supports one of two options for electronic data transfer:
  - Telematic type: using wireless web services or email
  - Local transfer type: using USB2.0 or Bluetooth

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### ELD Checklist

- Displays all required standardized data to authorized safety officials on demand – through a screen display or printout that includes three elements: a daily header, graph grid showing driving duty status changes, and detailed daily log data. The graph grid, if printed, must be at least 6 inches by 1.5 inches
- Requires driver certification and annotation (written explanation) for any edits to records that are made by the driver or any other ELD user
- Requires certification of driver records at the end of each 24-hour period
- ELD provider furnishes user's manual, instructions for handling malfunctions and record-keeping during malfunctions, and instructions for transferring ELD hours of service records to safety officials
- Volume control or mute option for any audio feature

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### Texas ELD Rule 4.12

Texas DPS adopted the ELD rule for intrastate operations

Between now and December 16, 2019 intrastate operations can use any one of the four record of duty status recording options

- Paper logs
- Electronic Apps
- AOBRD
- ELD

After 12/16/2019 carriers must convert to ELD's unless able to claim an exception

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### FAST ACT – RV in Driveaway-towaway

Towing vehicle is exempt from ELD

Does not have to be part of the driveaway-towaway shipment





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# FAQ's

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Can an electronic logging device be on a smartphone or other wireless device?

Yes if the device meets the ELD rule's technical specifications.

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Are rented or leased commercial motor vehicles exempt from the ELD rule?

No. Motor carriers or drivers that operate rented or leased commercial motor vehicle are required to record hours of service with an ELD, unless the driver or commercial motor vehicle is exempt from the requirements of the ELD rule.

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How soon can electronic logging devices (ELDs) be installed and used in commercial motor vehicles (CMVs)?

Since February 16, 2016, ELD manufacturers have been able to register and self-certify their ELDs with FMCSA, and motor carriers have been able to elect to use ELDs listed on the website. All motor carriers and drivers subject to the requirements in the ELD rule must begin using an ELD or "grandfathered AOB RD" on December 18, 2017, the compliance date of the ELD rule.

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What is a “grandfathered” automatic onboard recording device (AOBRD)?

A “grandfathered” AOBRD is a device that a motor carrier installed and required its drivers to use before the electronic logging device (ELD) rule compliance date of December 18, 2017. The device must meet the requirements of 49 CFR 395.15. A motor carrier may continue to use grandfathered AOBRDs no later than December 16, 2019. After that, the motor carrier and its drivers must use ELDs. See Section 395.15 (a) of the ELD final rule

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According to § 395.8, if a motor carrier “installs and requires a driver to use an AOBRD...before December 18, 2017 they may continue to use the AOBRD until December 16, 2019.” Does this mean I can move an AOBRD from one vehicle to another after December 18, 2017?

If your operation uses AOBRDs and you replace vehicles in your fleet with new commercial motor vehicles, you can install existing AOBRDs in the new CMVs. However, you may not purchase and install a new AOBRD in a vehicle after December 18, 2017.

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When are motor carriers and drivers required to comply with the supporting document requirements?

Motor carriers must retain up to eight supporting documents for every 24-hour period that a driver is on duty. Drivers must submit their records of duty status (RODS) and supporting documents to the motor carrier no later than 13 days after receiving them. If a motor carrier retains more than 8 supporting documents, the motor carrier must maintain the first and last document generated during the regular course of business

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What are the categories of supporting documents?

Supporting documents required in the normal course of business are important to verify a driver's records of duty status (RODS). They consist of five categories,

- Bills of lading, itineraries, schedules, or equivalent documents that indicate the origin and destination of each trip;
- Dispatch records, trip records, or equivalent documents;
- Expense receipts related to any on-duty not-driving time;
- Electronic mobile communication records, reflecting communications transmitted through a fleet management system; and
- Payroll records, settlement sheets, or equivalent documents that indicate what and how a driver was paid.

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**Can a user edit or change driving time** that has been recorded by an electronic logging device (ELD) to non-driving time?

No. An ELD automatically records all of the time that a CMV is in motion as driving time that cannot be edited or changed to non-driving time

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What procedure should be followed if **multiple, compatible electronic logging devices (ELDs)** are used to record a driver's record of duty status (RODS) within a motor carrier's operation?

If multiple, compatible ELDs are used to record a driver's RODS within a motor carrier's operation, the ELD in the vehicle the driver is operating must be able to produce a complete ELD report for that driver, on demand, for the current 24-hour period and the previous 7 consecutive days.

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What procedure should be followed **if multiple, incompatible electronic** logging devices (ELDs) are used to record a driver's record of duty status (RODS)?

The motor carrier and the driver are responsible for ensuring that all of the RODS information required by the HOS rules is available for review by authorized safety officials at the roadside. If the driver uses multiple ELDs that are not compatible (e.g., the data file from one system cannot be uploaded into the other (system), the driver must either manually enter the missing duty status information or provide a printout from the other system(s) so that an accurate accounting of the duty status for the current and previous seven days is available for the authorized safety official

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What must a driver do with unassigned driving time when he or she logs into the electronic logging device (ELD)?

A driver must review any unassigned driving time when he or she logs into the ELD. If the unassigned records do not belong to the driver, the driver must indicate that in the ELD record. If driving time logged under this unassigned account belongs to the driver, the driver must add that driving time to his or her own record.

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What must a motor carrier do with unassigned driving records from an electronic logging device (ELD)?

A motor carrier must either explain why the time is unassigned or assign the time to the appropriate driver. The motor carrier must retain unidentified driving records for at least six months as a part of its hours of service (HOS) ELD records and make them available to authorized safety officials.

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Are drivers allowed to edit their records of duty status (RODS) using the electronic logging device (ELD) back office support systems once they leave the commercial motor vehicle (CMV)?

Yes. Drivers may edit their RODS using ELD back office support systems. While these edits or corrections are allowed to ensure an accurate record of the driver's duty status, the electronic record must retain what was originally recorded, as well as the date, time, and identity of the individual entering the corrections or edits.

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If a driver is permitted to use a Commercial Motor Vehicle (CMV) for personal reasons, how must the driving time be recorded?

The driver must identify the driving time as personal conveyance on the device.

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When will an electronic logging device (ELD) automatically change the duty status from driving to the default duty status of on-duty not driving?

When the duty status is set to driving, and the commercial motor vehicle (CMV) has not been in motion for five consecutive minutes, the ELD must prompt the driver to confirm a continued driving status or enter the proper duty status. If the driver does not respond to the ELD prompt within one minute, the ELD must automatically switch the duty status to on-duty not driving.

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How does the electronic logging device reflect personal conveyance when the personal conveyance status is selected and the commercial motor vehicle (CMV) is driven?

All miles driven are recorded, regardless of the status the driver has selected. However, when the personal conveyance status is selected (as allowed and configured by the motor carrier), the CMV's location is recorded with a lower level of precision (i.e., an approximate 10-mile radius). Personal conveyance will be reflected on the ELD using a different style line (such as dashed or dotted line).

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# Questions?

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