Electronic Logging Devices (ELDs) Final Rule

Beginning December 18, 2017, the Congressional mandate for usage of electronic logging devices (ELDs) is set to go into effect. By mandate, all drivers who fall under the hours-of-service rule will be required to use the device. Hours-of-service regulations stipulate that truckers can drive a maximum of 11 hours following a period of 10 consecutive hours of off duty time. Drivers are also allowed a 14 hour period in which they can drive up to their 11 hour maximum following their 10 hours of off duty time.

The U.S. Department of Transportation’s Federal Motor Carrier Safety Administration (FMCSA) has announced that the Agency will be providing guidance related to the enforcement of the new rule and procedures for the transition period. This includes a 90-day waiver from December 18, 2017 to March 18, 2018 for those transporting agricultural commodities. Below is information and links that will help you navigate this rule as it is transitioned to full implementation.

What qualifies as an “agricultural commodity” under the 90-day waiver?

FMCSA has indicated that "any agricultural commodity, non-processed food, feed, fiber, or livestock” qualifies for the definition under the 90-day waiver.

Are there any exemptions to the ELDs mandate?

Yes, drivers or carriers who meeting the following criteria are exempt from the mandate:

- Drivers who operate under short-haul exceptions may continue using timecards and will not be required to use ELDs;
- Drivers who use paper records of duty (RODs) not more than 8 days out of a 30-day period;
- Drivers who conduct drive-away-tow-away operations where the vehicle being driven is the product being delivered;
- Drivers of vehicles manufactured before the year 2000.

What ELD documentation must be onboard a driver’s commercial vehicle?

- A user manual with information detailing how the ELD operates;
- An instruction sheet describing the data transfer processes supported by the ELD and how to transfer hours-of-service driver data to an authorized official;
- Instructions on ELD malfunction reporting requirements, how to report ELD malfunctions, and how to keep records during an ELD malfunction;
- At least an 8 day supply of blank records of duty status grids.

When is the full compliance date for the ELDs rule?

After December 16, 2019, all drivers and carriers who are subject to the rule must use a self-certified ELDs that is registered with FMCSA. Drivers who had been using automated on-board recording devices (AOBRDs) installed prior to the phase-in date of December 18, 2017 must use an ELD after the December 16, 2019 full compliance date.

More details on ELD requirements and a comprehensive list of frequently asked questions can be found on the FMCSA website. Guidance for transitioning to ELDs can be found here.

Guidance for the 90 day waiver period granted by FMCSA can be found here.