



# Electronic Logging Devices

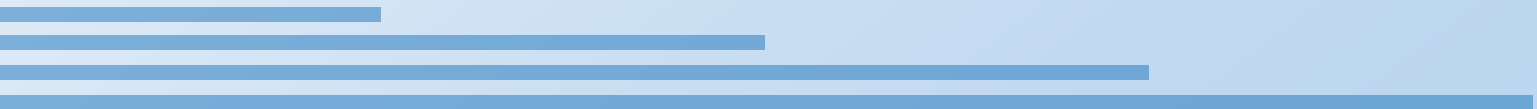


## Intrastate Motor Carriers and Drivers



# What is an Electronic Logging Device?

An Electronic Logging Device (ELD) is a device which automatically records a driver's driving time by synchronizing with a vehicle's engine for more efficient and accurate hours-of-service (HOS) recording.



# ELD Benefits

- **ELDs make keeping driver logs easier and quicker.**
- **ELDs limit mistakes, and reduce form and manual-entry errors.**
- **ELDs provide information to drivers and motor carriers to better manage fatigue and scheduling issues.**

# ELD Benefits *(continued)*

- **ELDs more accurately record location and track duty status.**
- **ELDs are a good management tool to improve HOS compliance and carrier efficiency.**
- **With ELDs, there is less paperwork, and driver logs are more orderly, clear, and accurate.**

# How ELDs Work

- **An ELD records actual time for each duty status entered or automatically generated.**
- **ELDs cannot be set to record minimum duty status durations, such as 15-minute intervals.**
- **ELDs record data every hour, when a vehicle is moving and there has not been a duty status change or interim recording in the previous hour.**

# ELD Duty Status Categories

## **“Driving”**

An ELD automatically switches to driving status once the vehicle is moving at a speed of no more than five miles per hour.

## **“On-Duty, Not Driving”**

When the vehicle has not been in motion for five consecutive minutes, the ELD will prompt the driver to confirm driving status or enter the proper status. If the driver doesn't respond within one minute, the ELD will automatically switch to on-duty, not driving.

## **“Off-Duty”**

The driver should indicate off-duty status or must edit and annotate the records of duty status (RODS) later. Periods of authorized personal use (see Special Driving Categories) may also be considered off-duty time.

## **“Sleeper Berth”**

The driver should indicate sleeper berth status, for sleeper berth periods, or must edit and annotate the RODS later.

# Special Driving Categories to Note

## **“Authorized Personal Use”**

**A driver can record periods when using a vehicle for authorized personal use.**

## **“Yard Moves”**

**A driver can record periods of yard moves.**

## **“Adverse Operations”**

**A driver can annotate the record to document sudden bad weather, crashes, or other unforeseeable conditions.**

## **“Oilfield Operations”**

**A driver can annotate the record to indicate oilfield operations.**



# Why are ELDs Necessary?

- ELDs are congressionally mandated as part of the Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21).
- The ELD rule requires ELD use in commercial motor vehicles (CMV) involved in interstate commerce, when operated by drivers who are required to keep RODS.

# Key Requirements of the ELD Rule

- **Mandates ELD use by commercial drivers who are required to prepare HOS RODS.**
- **Sets ELD performance and design standards and requires ELDs to be certified and registered with the Federal Motor Carrier Safety Administration (FMCSA).**
- **Establishes what supporting documents drivers and carriers are required to keep.**
- **Prohibits harassment of drivers based on ELD data or connected technology.**

# Supporting Document Types

- **Bills of lading, itineraries, schedules that show starting and ending location for each trip.**
- **Dispatch records or trip records.**
- **Expense receipts (e.g., meals, lodging, fuel).**
- **Fleet management system communication records.**
- **Payroll records, settlement sheets showing payment to a driver.**

# Preventing Driver Harassment

**The ELD rule provides several provisions to help prevent harassment:**

- **Prohibits carriers from harassing drivers.**
- **Provides a process for drivers to file written complaints.**
- **Mandates an ELD mute function to ensure a driver is not interrupted in the sleeper berth.**

# Preventing Tampering

## Includes anti-tampering provisions:

- **Limited editing ability for ELD records, by either a driver or motor carrier.**
- **Required driver certification, when a carrier edits an ELD record.**
- **Preservation of original ELD records, even when later edited.**

# **ELD Implementation for Interstate Carriers and Drivers**

- **The FMCSA established an implementation timeline for the mandatory use of ELDs to record driver's RODS.**
- **Interstate carriers and drivers subject to the ELD rule were required to use manufacturer-certified ELDs registered with the FMCSA no later than December 18, 2017.**

# **ELD Implementation for California Intrastate Carriers and Drivers**

- **Title 49, Code of Federal Regulations (CFR), Part 350, establishes requirements for states to remain compatible with the Federal Motor Carrier Safety Regulations.**
- **CHP's current regulatory action, titled Electronic Logging Devices for Intrastate Motor Carriers and Drivers, adopts the federal ELD rule.**
- **The regulations for intrastate ELDs, to be codified in the California Code of Regulations (CCR), were noticed to the public on November 4, 2022.**



## What is the Effective Date of Enforcement?

Effective **January 1, 2024**, a motor carrier operating CMVs in *intrastate* commerce shall require each of its drivers to record the driver's RODS using an ELD, unless otherwise exempted.





**What specific federal regulations must *intrastate* carriers and drivers comply with?**

- **Affected individuals shall comply with federal ELD regulations adopted by Title 49, CFR, Part 395, Subpart B, as those regulations now exist or are hereafter amended.**
- ***Intrastate* drivers may comply with California HOS regulations pursuant to Section 1212 and 1212.5, CCR, or federal HOS limits.**



## **Who is impacted by the California ELD regulatory action?**

### **Carriers:**

- **Evaluate and select ELDs that are certified and registered with the FMCSA.**
- **Ensure that ELDs are installed, and that drivers and administrative staff are properly trained to use them by January 1, 2024.**



## **Who is impacted by the California ELD regulatory action?**

### **Drivers:**

- **Understand and be able to use ELDs.**
- **Know how to annotate, edit, and certify RODS.**
- **Prepared to collect required supporting documents.**
- **Know how to display and transfer data to safety officials when requested.**

# ELD Driver Requirements

- **A driver must have only one driver account with a carrier.**
  - **Must have a unique identification number and password.**
- **An owner/operator must have an account as a driver, and a separate account for administrative functions (setting up user accounts, etc.).**

# ELD Driver Requirements

- **If the driver forgets to log onto the ELD:**
  - **A warning will be issued from the device to remind the driver to stop and log in.**
  - **The device will record the accumulated driving time, in accordance with ELD defaults, under an unidentified driver profile.**
- **ELD events logged under the “Unidentified Driver” profile should be added to the driver’s record.**

# ELD Exemptions

**Drivers meeting any one of the following conditions are not required to use ELDs:**

- **Driver is operating a CMV in a manner requiring completion of RODS no more than 8 days within any 30-day period.**
- **Driver is in driveaway-towaway operation (transporting empty vehicles for sale, lease, or repair), provided the vehicle driven is part of the shipment.**
- **Vehicle being driven was manufactured before model year 2000.**
- **Motor carrier, driver, or vehicle is subject to federal regulatory guidance, a waiver, or an exemption issued by FMCSA pursuant to Title 49, CFR, Part 395, which specifically exempts the use of an ELD.**

**NOTE: A carrier may choose to use an ELD, even if it is not required.**



# RODS REQUIRED

- The proposed regulations requiring *intrastate* motor carriers and drivers to use an ELD do not change current HOS rules, requirements, or exceptions.
- Motor carriers and drivers are still required to keep RODS, even when the use of an ELD is not required, unless an exception for the requirement to keep RODS is met.

# Documenting RODS when ELD Not Required

- **When the use of an ELD is not required, a driver's RODS may be documented in the following ways:**
  - **Manually recorded using a paper logbook.**
  - **Using an automatic on-board recording device or other compliant electronic logging software.**



# RODS Exceptions

**A driver's RODS is not required for drivers of the following vehicles:**

- **Vehicles owned and operated by any forestry or fire department.**
- **Vehicles owned and operated by local law enforcement agencies, engaged in transportation of inmates or prisoners.**
- **The vehicle is an Authorized Emergency Vehicle.**
- **A vehicle being operated by a driver who is operating pursuant Subsection 1212(e), CCR.**

# Questions?



**For more information, visit the CHP's Regulatory Actions website at  
<https://www.chp.ca.gov/News-Alerts/Regulatory-Actions>**

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