

INFORMATION BULLETIN



January 16, 2024

ELECTRONIC LOGGING DEVICES FOR INTRASTATE MOTOR CARRIERS AND DRIVERS

Since December 18, 2017, Federal Motor Carrier Safety Regulations have required *interstate* motor carriers operating commercial motor vehicles (CMV) to install, and require each of their drivers to use, an Electronic Logging Device (ELD) to record the driver's record-of-duty status (RODS) in accordance with Title 49 of the Code of Federal Regulations (CFR), Part 395, Subpart B, unless otherwise exempted. As of January 1, 2024, Title 13 of the California Code of Regulations (CCR), Section 1213, is amended, and Title 13, CCR, Section 1213.3, is added, to align California state ELD regulations with federal ELD regulations.

Effective January 1, 2024, Title 13, CCR, Section 1213(a)(1), requires motor carriers to install, and each driver to use, an ELD to record the driver's RODS, unless specifically exempted by regulations.

Title 13, CCR, Section 1213.3, requires both *interstate* and *intrastate* motor carriers and drivers to comply with the federal ELD regulations adopted under Title 49, CFR, Part 395, Subpart B, as those regulations now exist or are hereafter amended, and requires the ELD utilized to meet the technical specifications contained in these same federal regulations. Both CFR and CCR regulations require motor carriers to ensure drivers are trained regarding the proper operation of the ELD.

NOTE: California maximum *intrastate* driving and on-duty hours, contained in Title 13, CCR, Sections 1212 and 1212.5 have not changed as a result of the amendments to RODS and ELD regulations.

Pursuant to Title 13, CCR, Section 1213(a)(3), drivers meeting any one of the following conditions are not required to use ELDs, but shall instead record their RODS in accordance with Title 13, CCR, Section 1213(a)(2):

- The driver is operating a CMV in a manner requiring completion of RODS no more than eight days within any 30-day period.



- The driver is in a driveway-towaway operation (transporting empty vehicles for sale, lease, or repair), provided the vehicle driven is part of the shipment being delivered.
- The vehicle being driven was manufactured before model year 2000, as reflected in the vehicle identification number and as shown on the vehicle's registration.
- The motor carrier, driver, or vehicle is subject to federal regulatory guidance, a waiver, or an exemption issued by the Federal Motor Carrier Safety Administration pursuant to Title 49, CFR, Part 395, which specifically exempts the use of an ELD.

The regulations requiring *intrastate* motor carriers and drivers to use an ELD do not change current HOS rules, requirements, or exceptions. *Intrastate* 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, as set forth in Title 13, CCR, Section 1213(b), is met.

NOTE: *Intrastate* drivers shall be required to use an ELD for RODS when they do not comply with "Short Haul" exemptions contained in Title 49, CFR, Section 395.1. Additionally, *Intrastate* drivers shall continue to keep RODS, when an ELD is not required, pursuant to Title 13, CCR, Section 1213(a)(2) unless they comply with the exemption contained in Title 13, CCR, Section 1212(e).

When the use of an ELD is not required pursuant to the conditions of Title 13, CCR, Section 1213(a)(3), a driver's RODS may be documented in one of the following ways:

- Manually recorded using a paper logbook, as prescribed in Title 13, CCR, Section 1213(a)(2)(A).
- Using an automatic on-board recording device (AOBRD) or electronic logging software meeting the requirements of Title 13, CCR, Section 1213.2 (AOBRD), or Title 13, CCR, Section 1213.3 (ELD), respectively, as prescribed in Title 13, CCR, Section 1213(a)(2)(B).

Pursuant to Title 13, CCR, Section 1213(b), drivers of the following vehicles are not required to maintain RODS, provided documentation of their total days worked, and time of reporting on and off duty each day is maintained by the motor carrier for six months:

- Vehicles owned and operated by any forestry or fire department.
- Vehicles owned and operated by local law enforcement agencies, engaged in the transportation of inmates or prisoners.



- Vehicles designated as Authorized Emergency Vehicles.
- Vehicles operated by a driver who is operating pursuant to Title 13, CCR, Section 1212(e).

If a driver is found to be in violation of the ELD requirements, enforcement personnel should take the appropriate enforcement action beginning January 1, 2024.

Questions regarding this Information Bulletin should be directed to the Commercial Vehicle Section, at (916) 843-3400.

OFFICE OF THE COMMISSIONER

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