

May an ELD device be used to track mileage for tax reporting purposes?

The device manufacturer may offer that service as part of a fleet management package but mileage tracking for tax reporting purposes is not part of the ELD data established in Part 395.

How should the ELD handle the dashboard odometer display not matching the odometer value returned by the Engine Control Module (ECM)? For instance, when the engine is replaced and the value is not synchronized.

The ELD is required to obtain and display the ECM value at all times. Safety officials will use the odometer value reported on the ELD. Note that documentation of engine changes is required by 49 CFR Part 379 Appendix A to be maintained at the carrier's place of business.

The Electronic Logging Device (ELD) rule.

The info below provides technical specifications in the ELD rule.

Integral synchronization interfacing with the CMV engine electronic control module (ECM), to automatically capture engine power status, vehicle motion status, miles driven, engine hours. (CMVs older than model year 2000 exempted.)

ELD time must be synchronized to Universal Coordinated Time (UTC); absolute deviation must not exceed 10 minutes at any time.

What are the key requirements of the Electronic Logging Device (ELD) rule?

Requires ELD use by commercial drivers who are required to prepare hours-of-service (HOS) records of duty status (RODS). Sets ELD performance and design standards, and requires ELDs to be certified and registered with FMCSA. Establishes what supporting documents drivers and carriers are required to keep. Prohibits harassment of drivers based on ELD data or connected technology (such as fleet management system). The rule also provides recourse for drivers who believe they have been harassed.

How long must a motor carrier retain electronic logging device (ELD) record of duty status (RODS) data?

For six months, a motor carrier must keep both the ELD RODS data, and a back-up copy of that data on a separate device. The carrier must ensure that these records are stored securely to protect driver privacy.

How many supporting documents must be retained by motor carriers, and when must drivers submit them to the motor carrier?

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.

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.

What is the level of precision for commercial motor vehicle (CMV) location information recorded by an electronic logging device (ELD)?

During on-duty driving periods, the location accuracy is approximately within a 1-mile radius. When a driver operates a CMV for personal use, the position reporting accuracy would be approximately within a 10-mile radius.

What must a driver do if there is an electronic logging device (ELD) malfunction?

If an ELD malfunctions, a driver must:

1. Note the malfunction of the ELD and provide written notice of the malfunction to the motor carrier within 24 hours;
2. Reconstruct the record of duty status (RODS) for the current 24-hour period and the previous 7 consecutive days, and record the records of duty status on graph-grid paper logs that comply with 49 CFR 395.8, unless the driver already has the records or retrieves them from the ELD; and
3. Continue to manually prepare RODS in accordance with 49 CFR 395.8 until the ELD is serviced and back in compliance. The recording of the driver's hours of service on a paper log cannot continue for more than 8 days after the malfunction; a driver that continues to record his or her hours of service on a paper log beyond 8 days risk being placed out of service.

Helpful links

ELD final rule - <https://www.gpo.gov/fdsys/pkg/FR-2015-12-16/pdf/2015-31336.pdf>

FAQ Dec 2017 - <https://www.fmcsa.dot.gov/hours-service/elds/faqs>

Part 395 Hours of Service regulations – <https://www.ecfr.gov/cgi-bin/retrieveECFR?gp=1&ty=HTML&h=L&mc=true&=PART&n=pt49.5.395>

Parts 395.22, 395.24, 395.26, 395.28, 395.30 and Appendix A

Registered ELDs - <https://csa.fmcsa.dot.gov/ELD/List>

FMCSA field offices <https://www.fmcsa.dot.gov/mission/field-offices>