



ELECTRONIC LOGGING DEVICE TOOLKIT

Provided by: StreetSmart Insurance

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INTRODUCTION

In December 2015, the Federal Motor Carrier Safety Administration (FMCSA) published an electronic logging device (ELD) [final rule](#). The rule is intended to help create a safer work environment for commercial motor vehicle (CMV) drivers and make it easier and faster to accurately track, manage and share records of duty status (RODS) data. An ELD synchronizes with a vehicle engine to automatically record driving time for easier, more accurate hours of service (HOS) recording. The final rule also prohibits certain drivers from operating a CMV without an ELD.

The final rule became effective on **Feb. 16, 2016**, and will be implemented in three phases. Compliance with the rule is expected by **Dec. 18, 2017**.

Besides requiring certain CMV drivers to install and use ELDs, the final rule also does the following:

- Clarifies the rules on supporting documentation for ELD records
- Establishes measures to prevent ELD-related harassment

This toolkit includes several resources published by the FMCSA to help carriers and drivers with the implementation of this rule. These resources include answers to frequently asked questions, an implementation timeline and checklists.

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Background

In April 2010, the FMCSA issued its first rule regarding electronic recording of HOS for CMVs. However, this rule was vacated by a federal court, primarily because the final rule did not include sufficient provisions to prevent carriers from harassing drivers who operated ELD-equipped CMVs. This final rule addresses the issues raised in the court's decision and responds to the comments received after publication of its proposed final rule from March 28, 2014.

The final rule varies from the proposed rule in the following ways:

- It reduces the number of supporting documents a carrier must retain;
- It reduces the number of options for the telematics and local transmission of data; and
- It requires ELDs to provide either a display or printout of HOS records to facilitate roadside inspections and to ensure that authorized safety officials have continuous access to inspection data upon request.

The final rule is expected to reduce the overall burden on motor carriers and drivers by automating the creation and preservation of HOS records. The final rule is also expected to increase carrier and driver compliance with HOS and RODS regulations.

ACTION STEPS

The FMCSA has published a [list of certified ELD providers](#) on its website. Carriers wishing to voluntarily comply with the final rule should check with the FMCSA for this update.

Carriers should also become familiar with the final rule's anti-harassment procedures, including the definition of ELD-related harassment, the potential penalties for harassment and the procedures implemented to report harassment.

Mandatory ELDs

The final rule requires drivers to install and use an ELD if they are currently required to create and maintain RODS data, also known as driver logs. The final rule allows some limited exceptions to the ELD mandate. These exceptions apply only to the installation and use of ELDs. Drivers who qualify for an exception must continue to create and maintain RODS. Exceptions to the mandate apply to the following:

- Drivers who operate using the timecard exception;
- Drivers who use paper RODS for up to eight days during any 30-day period;
- Drivers who conduct driveaway-towaway operations (the vehicle being driven must be the commodity being delivered); and
- CMV models that were manufactured before the year 2000.

The final rule requires nonexempt drivers and carriers to install and use ELDs by **Dec. 18, 2017**. A two-year extension is available to drivers and carriers that are currently using compliance automatic onboard recorders (AOBRDs).

IMPLEMENTATION PHASES

Phase 1: Awareness and Transition Phase

- Feb. 16, 2016 – Dec. 18, 2017

Phase 2:

- Phased-in Compliance Phase
- Dec. 18, 2017 – Dec. 16, 2019

Phase 3:

- Full Compliance Phase
- After Dec. 16, 2019

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ELD Technical Specifications

The final rule also establishes various technical specifications an ELD must meet to be compliant. The following list includes some of these specifications. Compliant ELDs must meet the following requirements:

- Capture and transfer identical data regarding a drivers' HOS status to authorized safety officials
- Automatically record all driving time
- Make it easy for drivers to record and transfer off-duty, sleeper berth and on-duty, not-driving time
- Record the date, time, location information, engine hours, vehicle miles and identification information for the driver, the authenticated user, the vehicle and the motor carrier at certain intervals (the ELD must also allow the driver to prevent the ELD from recording this information when he or she is using the vehicle for authorized personal reasons)
- Allow the driver to indicate when a change of duty status takes place or change to a special driving category
- Indicate when there is a malfunction or data diagnostic event
- Allow safety officials to select one "telematic" (wireless web services or email) and one "local" (USB 2.0 or Bluetooth) electronic data transfer method to review data when conducting roadside traffic enforcement and inspections
- Include a mute function to ensure that drivers can prevent interruptions while they are in the sleeper berth
- Allow for limited record editing by carriers and drivers, while preserving an unaltered original copy of the record

The final rule explicitly indicates that ELDs are not required to track a CMV or driver in real time or to include the ability to facilitate communications between the driver and the motor carrier.

Carriers and drivers will be required to use a provider from the [list of certified ELD providers on the FMCSA website](#) in order to comply with the final rule. Motor carriers will be able to select an ELD that works for their business needs, since ELDs will transfer identical data sets to law enforcement regardless of the transfer protocol they will use to accomplish the transfer.

Supporting Documentation

Motor carriers are already required to retain up to eight supporting documents for every 24-hour period an ELD-using driver is on duty. RODS and supporting documents must be retained for at least six months. The final rule requires drivers to submit supporting documents to their carriers no later than **13 days** after receiving them. Supporting documents must include all of the following:

- Identifying information that can link a vehicle to a driver (driver's name, carrier-assigned identification number or the vehicle unit number);
- Time information (date and time of day); and
- A location (including name of nearest city, town or village).

Sometimes drivers will not receive documents that meet all these criteria. If a driver has fewer than eight documents that include the four elements, a document that contains all of the elements except "time" is considered a supporting document; otherwise, it is not considered a supporting document. A carrier is under no obligation to create or annotate documents that it did not otherwise generate or receive in its normal course of business.

If a driver submits more than eight documents to the motor carrier for a single day, the motor carrier must include the first and last documents for that day among the eight documents that must be retained. If a driver submits fewer than eight documents, the motor carrier must keep each document.

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The FMCSA classifies supporting documents into the following five categories:

1. Bills of lading, itineraries, schedules or equivalent documents that indicate the origin and destination of each trip;
2. Dispatch records, trip records or equivalent documents;
3. Expense receipts;
4. Electronic mobile communication records, reflecting communications transmitted through a fleet management system (FMS); and
5. Payroll records, settlement sheets or equivalent documents that indicate payment to a driver.

Motor carriers must retain supporting documents in a way that allows them to be matched to a driver's RODS. Drivers or carriers cannot destroy or deface a supporting document or alter information on a document. Drivers are required to make the supporting documents in their possession available to authorized officials upon request. However, the driver only has to provide the documents in the format in which the driver has them available.

On a case-by-case basis, the FMCSA may authorize exemptions to allow a motor carrier to use a supporting document self-compliance system.

Preventing Driver Harassment

The final rule provides a definition of ELD-related harassment. The FMCSA explicitly prohibits a motor carrier from harassing a driver. The FMCSA defines harassment as an action by a motor carrier toward one of its drivers that the motor carrier knew, or should have known, would result in the driver violating HOS rules. HOS rules prohibit carriers from requiring drivers to drive when their ability or alertness is impaired due to fatigue, illness or other causes that compromise safety. To be considered harassment, the action must involve information available to the motor carrier through an ELD or other technology used in combination with an ELD.

To prevent harassment, the final rule prescribes that ELDs must meet the following requirements:

- Include a mute function so that drivers can prevent interruptions while they rest in the sleeper berth;
- Create objectively reliable documents by preventing unauthorized edits and annotations of original records and the reduction of recorded driving times;
- Avoid providing real-time tracking of CMVs; and
- Report CMV locations within a 1-mile radius.

In addition, the final rule creates a process that drivers can use to file complaints regarding ELD-related harassment and imposes penalties on carriers that are found guilty of harassment.

Implementation

Compliance with the final rule's mandatory ELD usage and supporting documentation provisions is voluntary until its compliance date on **Dec. 18, 2017**. After the compliance date, the FMCSA will apply the rule in its enforcement activities.

ELD-related harassment is “an action by a motor carrier toward one of its drivers that the motor carrier knew, or should have known, would result in the driver violating HOS regulations, which prohibits an ill or fatigued driver from operating a CMV.”

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However, carriers that have already installed a compliant AOB RD will have an additional two years to comply (until Dec. 16, 2019).

The effective date of the rule's anti-harassment provisions depends on the implementation of ELD use. Therefore, carriers that voluntarily use ELDs before the compliance date are subject to the rule's anti-harassment provisions.

HOW TO CHOOSE A REGISTERED ELD

Consider the following tips when choosing an ELD. A checklist of key features and functions that every ELD must provide is in the appendix of this toolkit.

- Make sure that the specific ELD model you are considering is on FMCSA's [list of registered ELDs](#). The vendors on the FMCSA list have self-certified that their device is compliant with all of the ELD technical specifications and have registered each ELD model with the FMCSA.
- Check the [Better Business Bureau](#) website to research the ELD provider before making your final decision.
- Be aware of the fact that the ELD rule requires an ELD that complies with FMCSA requirements only. Although some ELDs are part of a FMS or include FMS functions, there is no requirement for fleet management functionality. If an ELD is FMS-compliant, but not FMCSA-compliant, it doesn't meet the requirements of the ELD rule.

The devices on the FMCSA's [list of registered ELDs](#) are self-certified by the manufacturer. Neither Zywave, nor the FMCSA endorse any electronic logging devices.

FAQS

The FMCSA has released answers to some frequently asked questions (FAQs) to provide plain language information regarding the ELD rule and rule implementation. Below you will find a few selected FAQs and their answers.

About ELDs

What is an electronic logging device?

An ELD is technology that automatically records a driver's driving time and other aspects of the HOS records. This allows easier, more accurate HOS recordkeeping. An ELD monitors a vehicle's engine to capture data on whether the engine is running, whether the vehicle is moving, the miles driven and the duration of engine operation (engine hours). ELD manufacturers must certify that ELDs meet technical standards in the ELD rule.

How is an ELD different than an AOB RD?

An ELD must be certified and registered with the FMCSA. Each ELD model will have a unique registration number that can be found on its display or printout. A list of registered devices will be available on the ELD rule on its effective date of Feb. 16, 2016.

Can a driver use a portable ELD?

Yes, a portable ELD must be mounted (secured in a fixed position) while the driver is operating the vehicle. It must also be visible to the driver from a normal driving position.

Can an ELD be comprised of a smartphone or other wireless device?

Yes, as long as it meets the technical specifications and is certified and registered with the FMCSA.

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Is an ELD required to collect data about vehicle performance?

No, ELDs are not required to collect data on vehicle speed, braking action, steering function or other vehicle performance parameters. ELDs are only required to collect data to determine compliance with HOS regulations.

Do the specifications in the ELD rule include requirements to automatically control the vehicle, such as other safety systems that may automatically reduce acceleration or apply braking?

No, the rule does not include requirements to control the vehicle or any other safety systems.

What is the level of precision for CMV location information recorded by an ELD?

During on-duty driving, location is accurate within an approximate 1-mile radius. During off-duty personal use, reporting is accurate within an approximate 10-mile radius. ELDs record the location city, town or village—or the compass direction and distance to the nearest city, town or village.

What does engine synchronization mean for the purposes of ELD compliance?

In order to be compliant, an ELD must be able to directly monitor the vehicle's engine operation to automatically capture engine power status (on or off), vehicle motion, miles driven and engine hours.

Will GPS-derived data for mileage be allowed as a substitute for data that cannot be readily obtained from a vehicle electronic control module (ECM)?

No, the ELD must be able to monitor engine operation to automatically capture required data. A GPS is not integrally synchronized with a vehicle's engine and cannot be a substitute for required ECM data to comply with the ELD rule.

Why must an ELD collect engine hour data?

Engine hours provide a cross-check to verify the odometer data collected.

Can an ELD have a feature to warn drivers about approaching HOS limits?

Yes, the ELD rule allows, but does not require, warning or notification to drivers when they are nearing their HOS limits.

Who is responsible for certifying and registering ELDs?

Manufacturers are responsible for certifying and registering their ELDs.

Why must ELDs be certified and registered?

An ELD that is not certified and not registered is not compliant with the requirements of the ELD final rule. Carriers and drivers should ensure that any ELD is on the list of registered ELDs prior to procurement.

ABOUT THE ELD RULE

What does the ELD rule address?

The ELD rule addresses the following:

- Requires 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 FMCSA
- Establishes what supporting documents drivers and carriers are required to keep

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- Prohibits harassment of drivers based on ELD data or connected technology (such as a fleet management system). The rule also provides recourse for drivers who believe they have been harassed.

Does the ELD rule require real-time tracking of CMVs with ELDs?

No, real-time tracking of CMVs is not required in the ELD rule. Vehicle location is only recorded at certain intervals with limited accuracy. Yet, a motor carrier may use technology to track its CMVs in real time for business purposes. A motor carrier is free to use this data as long as it does not engage in harassment or violate the Federal Motor Carrier Safety Regulations (FMCSRs). However, in transmitting data to safety officials, ELDs must limit location information to protect driver privacy.

Compliance

Who must use an ELD?

The ELD rule applies to motor carriers and drivers who are currently required to keep RODS on paper or with an AOB RD under the HOS regulations.

Drivers who use the timecard exception, and don't keep paper RODS, will not be required to use ELDs. The following drivers may keep paper RODS:

- Drivers who keep RODS no more than eight days during any 30-day period;
- Driveaway-towaway drivers (transporting a vehicle for sale, lease or repair), provided the vehicle driven is part of the shipment; and
- Drivers of vehicles manufactured before model year 2000.

However, a carrier can choose to use an ELD, even if it is not required.

Does the ELD rule also apply to buses?

Yes, passenger carriers must also use ELDs when required by the rule.

Are Canada- and Mexico-domiciled drivers required to use ELDs when they are operating in the United States?

Yes, Canada- and Mexico-domiciled drivers are required to use ELDs when they are operating in the United States, unless they qualify for one of the exceptions to the ELD rule. A driver who operates in more than one country can note information in the ELD for periods of operation outside the United States.

What exceptions are allowed by the ELD rule?

Drivers who are not required to keep RODS are not required to use ELDs. In addition, the following drivers are not required to use ELDs, but must maintain paper logs when required:

- Drivers who keep RODS no more than eight days during any 30-day period;
- Driveaway-towaway drivers (transporting an empty vehicle for sale, lease or repair), provided that the vehicle driven is part of the shipment; and
- Drivers of vehicles manufactured before model year 2000.

Is there an exception to the requirement to use ELDs for drivers who infrequently use RODS?

An exception was made to provide relief for those drivers who use RODS infrequently (that is, no more than eight days in any 30-day period). This includes those who only occasionally drive commercial vehicles and short-haul drivers who use timecards rather than RODS.

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Can drivers operate CMVs equipped with ELDs if they are not required to use them due to an exception?

Yes. A motor carrier can configure an ELD to show an exception for a driver who is exempt from using an ELD. The carrier can also use the ELD notes (annotation) capability to record the driver's exempt status.

How soon can ELDs be installed and used—and when must they be used in CMVs?

Manufacturers can begin certifying and registering ELDs 60 days after the publication date of the rule (the effective date). Carriers or drivers can use registered ELDs as soon as they are available.

All motor carriers and drivers subject to the ELD rule must use either an ELD or an AOBRD by the compliance date (two years from the publication date of the final ELD rule). Within four years after the publication date, all carriers and drivers subject to the rule must use only ELDs.

Driver Harassment

What is the definition of harassment in the ELD rule?

Harassment is action taken by a motor carrier that the carrier knew (or should have known) would result in a driver violating the HOS rules or a situation where the driver is operating while ill or fatigued. The carrier's action must be based on information from an ELD or other technology used in combination with an ELD. FMCSA explicitly prohibits a motor carrier from harassing a driver [49 CFR 390.36].

How does the ELD rule address harassment of drivers using ELDs?

The ELD rule prevents the use of ELDs to harass drivers in several ways, including the following:

- It specifically prohibits carriers from harassing drivers.
- It provides a process for drivers to file written complaints [49 CFR 368.12(b)].
- It mandates a mute function to ensure a driver is not interrupted in the sleeper berth.
- It includes the following anti-tampering provisions:
 - Limited ability to edit ELD records for both drivers and motor carriers
 - Driver certification to indicate the accuracy of data when a carrier edits an ELD record (with drivers having the option not to certify, if an edit is inaccurate)
 - Preservation of original ELD records, even when edited

An underlying violation of the HOS rules must be found in order to find a harassment violation. A carrier who harasses a driver is subject to a civil penalty for harassment in addition to the penalty for the HOS violation [49 CFR 392.3 or part 395].

What are the differences between harassment and coercion?

Harassment is very specific; harassment occurs when a driver commits an HOS violation based on carrier actions that were related to ELD use.

Coercion is much broader, and is not limited to HOS violations. Coercion occurs when a motor carrier, shipper, receiver or transportation intermediary threatens to withhold work from, take employment action against, or punish a driver for refusing to operate in violation of certain provisions of the FMCSRs, Hazardous Materials Regulations and the Federal Motor Carrier Commercial Regulations. Coercion may be found to have taken place even if a violation has not occurred. FMCSA has published a separate rule on coercion.

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Enforcement

How can states impose supporting document standards that are different than the federal standard in the ELD rule?

States can impose requirements that are stricter than the federal standard, unless the Secretary of Transportation determines any one of the following:

- The state law has no safety benefit.
- The state law is incompatible with the federal regulation.
- The state law would impose an unreasonable burden on interstate commerce.

State laws or regulation that are less strict than the federal regulation cannot be enforced.

What will be the enforcement procedures for registered ELDs installed and used in CMVs prior to the compliance date of the ELD rule?

Use of ELDs is voluntary until the compliance date (two years from the publication of the final ELD rule). During this two-year period, drivers and carriers can use any of the following:

- Registered ELDs listed on the FMCSA website
- AOBRDs that meet the requirements of 49 CFR 395.15
- Devices with logging software programs to complete RODS that meet the July 10, 2014, “Regulatory Guidance Concerning RODS Generated by Logging Software Programs” (79 Federal Register 39342)
- Paper logs

Authorized safety officials must distinguish the methods and devices being used and cite the appropriate regulations and guidance for enforcement purposes.

Will drivers be allowed to continue to use AOBRDs following the compliance date for the ELD rule?

Carriers who installed compliant AOBRDs prior to the ELD compliance date can continue to use them for two years following the compliance date.

How are drivers and carriers expected to comply with the regulations for ELDs and AOBRDs during the two-year period following the compliance date of the ELD rule?

During this time, safety officials will enforce the requirements of the ELD rule for ELDs and the requirements in 49 CFR 395.15 for AOBRDs. The supporting document requirements for drivers and carriers using either device will take effect on the compliance date for the ELD rule (two years after final rule publication).

How will safety officials receive data electronically from the two different types of ELDs with options for different methods of electronic data transfer (“telematics” and “local”)?

Safety officials will be able to select at least one wireless transfer method (web services or email) and one local transfer method (thumb drive, USB 2.0 or Bluetooth) for each type of ELD.

Source: Federal Motor Carrier Safety Administration

IMPLEMENTATION TIMELINE

The ELD rule is being implemented in several phases:

The Effective Date

Feb. 16, 2016

is the date 60 days after the rule's publication in the Federal Register.

The Compliance Date

Dec. 18, 2017

is two years from the publication date.

2016 *Feb. 16, 2016 - Dec. 18, 2017*



PHASE 1: Awareness and Transition

This is the two-year period following publication of the ELD rule Feb. 16, 2016, to Dec. 18, 2017. During this time, carriers and drivers subject to the rule should prepare to comply, and may voluntarily use ELDs.

Carriers and drivers subject to the rule can use any of the following for records of duty status (RODS):

- Paper logs
- Logging software
- AOBRDs (automatic onboard recording devices)
- ELDs that are registered and listed on the FMCSA website

2017 *Dec. 18, 2017 - Dec. 16, 2019*



PHASE 2: Phased-in Compliance

This is the two-year period from the compliance date to the Full Compliance Phase (four years following ELD rule publication) Dec. 18, 2017, to Dec. 16, 2019.

Carriers and drivers subject to the rule can use:

- AOBRDs that were installed prior to Dec. 18, 2017.
- Certified, registered ELDs following rule publication Dec. 16, 2015.

2019 *Dec. 16, 2019 - Onward*



PHASE 3: Full Compliance Phase

After Dec. 16, 2019, all drivers and carriers subject to the rule must use certified, registered ELDs that comply with requirements of the ELD regulations.



APPENDIX

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Compliance Checklist—Carriers

Action	Early VOLUNTARY Adoption (Prior to December 2017, focus will be on HOS compliance, looking at standard output—printout or display—from ELDs)	Required Compliance (After December 2017)
Review and understand key ELD rule requirements affecting drivers.	<ul style="list-style-type: none"> Learn from FMCSA webinar and site content. Know when you must have and use ELDs in your vehicles. 	In addition to the things required during the voluntary period, know how to handle exemptions that may pertain to your drivers.
Understand the HOS requirements in 49 CFR 395.8.	HOS violations for a driver using an ELD will be cited under 49 CFR 395.8 in the same manner as any HOS violation.	49 CFR 395.8 applies ONLY if a driver must keep paper logs under exceptions to the rule or temporarily during ELD malfunctions.
Develop implementation plan and timeline to ensure compliance.	<ul style="list-style-type: none"> Know that ELDs must be certified as compliant and listed on FMCSA's website. Take advantage of FMCSA's online list of compliant ELDs. 	Same
Evaluate and select ELDs.	Voluntary	Required (unless already using grandfathered AOBDRs)
Develop tailored ELD processes and guidance for drivers and administrative staff.	Create or adopt best practices for the following: <ul style="list-style-type: none"> Guidance for consistent and clear annotation Processes for submission and retention of required supporting documents Processes for reporting and resolving ELD malfunctions or other technical issues 	Same
Develop training tailored for compliance managers, drivers, administrative personnel and other authenticated users.	Include the following: <ul style="list-style-type: none"> Compliance requirements and processes Supporting document requirements and processes ELD operation Proper editing and annotation of records ELD data retention Understanding and preventing harassment ELD troubleshooting/malfunctions 	Same
Install and test ELDs, and establish user accounts.	Create accounts for the following: <ul style="list-style-type: none"> Drivers Admin users Other authenticated users 	Same
Conduct training.	Provide the following: <ul style="list-style-type: none"> Initial/orientation training 	Same

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	<ul style="list-style-type: none"> • Follow-up or refresher training • “Spot” training or user tips for common mistakes 	
Ensure drivers have required user documentation in vehicles.	<p>Recommended documentation in vehicles:</p> <ul style="list-style-type: none"> • ELD user manual • Instruction sheet on reporting ELD malfunctions and recordkeeping procedures during ELD malfunctions • A supply of paper tracking forms (grid graphs) for at least eight days, in case of ELD malfunction 	<p>Must keep the following:</p> <ul style="list-style-type: none"> • ELD user manual • Instruction sheet for transferring HOS records to safety officials • Instruction sheet on reporting ELD malfunctions and recordkeeping procedures during ELD malfunctions • A supply of paper tracking forms (grid graphs) for at least eight days, in case of ELD malfunction
Retain required supporting documents.	<p>Ensure drivers keep supporting documents that verify the information recorded on the driver’s record of duty status, per 49 CFR 395.8.</p>	<ul style="list-style-type: none"> • New supporting documents apply to all drivers • Carriers retain no more than eight documents per day for each driver • Carriers retain documents for six months (digital versions acceptable)
Retain ELD data and backup on separate systems.	<ul style="list-style-type: none"> • Six months’ retention is recommended for ELD and backup data. • Secure storage to protect driver privacy. 	Same
Understand harassment and the penalties for it.	<p>Know that:</p> <ul style="list-style-type: none"> • Harassment applies if a carrier uses ELD data to pressure a driver to take action that results in an HOS violation or to drive when ill or fatigued. • Carriers will be subject to a penalty for harassment as well as the penalty for the HOS violation. 	Same

NOTE: AOBRD requirements (49 CFR 395) are the same as prior to the ELD rule, but all AOBRD users are subject to the new supporting document requirements in the ELD rule starting on the compliance date.

All paper log users are also subject to the new supporting document requirements in the ELD rule starting on the compliance date.

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Compliance Checklist—Drivers

Action	Early VOLUNTARY Adoption (Prior to December 2017, focus will be on HOS compliance, looking at standard output—printout or display—from ELDs)	Required Compliance (After December 2017)
Review and understand key ELD rule requirements affecting drivers.	Know the following: <ul style="list-style-type: none"> • Specifications • How to file harassment and coercion complaints 	In addition to the things required during the voluntary period, know: <ul style="list-style-type: none"> • If you are subject to the rule • When you must have and use ELD in your vehicle
If you are exempt from using ELDs, ensure proper documentation to support the exemption.	N/A	Know if you are required to maintain timecards or paper logs.
Obtain training and review user documentation to ensure you can use all required ELD functions.	Know how to do the following: <ul style="list-style-type: none"> • Log in • Assign unassigned driving hours • Record duty status changes • Edit records • Annotate records • Certify records • Access RODS data • Provide ELD display, printout (if available), and send a copy of the printout via email or fax to inspectors • Identify and fix data diagnostics • Report ELD malfunctions 	In addition to the things required during the voluntary period, know how to transfer data electronically to the inspector (email and web services, or Bluetooth and USB).
Review and understand the ELD printout/display information: header, 24-hour duty status grid and detailed log data.	Refer to your ELD documentation or user guide.	Same
Understand the HOS requirements in 49 CFR 395.8.	HOS violations for a driver using an ELD will be cited under 49 CFR 395.8 in the same manner as any HOS violation.	49 CFR 395.8 applies ONLY if a driver must keep paper logs under exceptions to the rule or temporarily during ELD malfunctions.
Refer to ELD user documents in the vehicle.	Recommended documentation: <ul style="list-style-type: none"> • ELD user manual • Instruction sheet on reporting ELD malfunctions and recordkeeping procedures during ELD malfunctions • A supply of paper tracking forms (grid graphs) for at least eight days, in case of ELD malfunction 	Must keep: <ul style="list-style-type: none"> • ELD user manual • Instruction sheet for transferring HOS records to safety officials • Instruction sheet on reporting ELD malfunctions and recordkeeping procedures during ELD malfunctions • A supply of paper tracking forms (grid graphs) for at least eight days, in case of ELD malfunction

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Review and take action on any unassigned driving hours.	<ul style="list-style-type: none"> Annotate the record if the unassigned hours are not yours. Add the unassigned hours to your records if they are yours. 	Same
Understand and maintain required supporting documents.	Keep supporting documents that verify the information recorded on the driver's record of duty status, per 49 CFR 395.8.	<ul style="list-style-type: none"> Collect and submit all supporting documents to the carrier Include documents from throughout the day and submit to the carrier within 13 days of receiving them: <ul style="list-style-type: none"> Bills of lading, itineraries, schedules, or equivalent with the origin and destination of each trip Dispatch records, trip records or equivalent Expense receipts related to on-duty (not driving) periods Electronic mobile communication records Payroll records, settlement sheets or equivalent Toll records, if an ELD is not used
Record change of duty status before powering down the engine.	Best practice to help limit edits/annotations, and to avoid potential ELD malfunctions.	Same
Add notes (annotation) to explain any edits or additions to records.	<ul style="list-style-type: none"> Edits are limited with ELDs; for example, driving time cannot be changed. Edits are only to add missing information or correct mistakes. Annotation is used to provide explanations for records or to give the reason for an edit. 	Same
Certify records (or recertify records after edits by carrier or driver).	Certify edits only if they are correct/true.	Same
Report harassment.	<p>Know the following:</p> <ul style="list-style-type: none"> That harassment applies if a carrier uses ELD data to pressure a driver to take action that results in an HOS violation or to drive when ill or fatigued That harassment must be reported within 90 days How to report using the National Consumer Complaint Database at https://nccdb.fmcsa.dot.gov/nccdb/home.aspx or with the FMCSA division administrator for the state where the driver is employed (www.fmcsa.dot.gov/mission/field-offices) 	Same
Report coercion.	<p>Know the following:</p> <ul style="list-style-type: none"> The coercion is broader and can involve carriers, shippers, brokers and others 	Same

ELECTRONIC LOGGING DEVICE TOOLKIT

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| | <ul style="list-style-type: none">• That coercion must be reported within 90 days• How to report using the National Consumer Complaint Database at https://nccdb.fmcsa.dot.gov/nccdb/home.aspx or with the FMCSA division administrator for the state where the driver is employed (www.fmcsa.dot.gov/mission/field-offices) | |
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NOTE: AOBRD requirements (49 CFR 395) are the same as prior to the ELD rule, but all AOBRD users are subject to the new supporting document requirements in the ELD rule starting on the compliance date.

All paper log users are also subject to the new supporting document requirements in the ELD rule starting on the compliance date.

Source: Federal Motor Carrier Safety Administration