



ELD Enforcement Beginning April 1, 2018



U.S. Department of Transportation
Federal Motor Carrier Safety Administration

Beginning April 1, 2018, if a commercial motor vehicle (CMV) driver is stopped and found to be operating a CMV without a required electronic logging device (ELD) or automatic onboard recording device (AOBRD) the following procedure will be followed.

FMCSA will be providing public notice of this policy, and training State Law enforcement officials prior to implementation.

1. The carrier will be cited for failing to have the proper record of duty status.
2. The driver will be placed out-of- service (OOS) for 10 hours in accordance with the Commercial Vehicle Safety Alliance Out-of-Service Criteria. (Passenger carriers would be placed OOS for 8 hours, noting en-route inspections of passenger carriers are prohibited.)
3. At the end of the 10 hours, the driver will be permitted to continue the trip to their final destination, provided the driver has documented their duty status using paper logs and has a copy of the inspection report and/or citation.
4. The driver may not be dispatched again until they are equipped with a compliant ELD.
5. If the same driver is stopped following the next dispatch and found to still not be equipped with a compliant device, the driver will again be placed out of service for 10 hours, then permitted to continue using paper logs, as outlined above.
6. Violations will be counted against a carrier's Safety Measurement System (SMS) scores, which will drive the FMCSA's carrier selection for investigation program. The Agency will monitor the data to determine appropriate additional action against noncompliant motor carriers.

The Roadside inspection and citation issued to the driver must reflect the bill of lading number and origin and destination corresponding with the 395.8(a) violation to confirm the duration of the OOS.