

# AOBRD vs ELD

## for Roadside Inspection Officers



SCENARIO	ELD	AOBRD
<b>Manner of presentation of record of duty status to officers:</b>	<p>1) Telematics method: Be able to electronically transfer data to an authorized safety official on demand via wireless web services and email, OR</p> <p>2) Local transfer method: Be able to transfer data to an authorized safety official on demand via USB2.0 and Bluetooth</p> <p>NOTE: The device must only be able to use one of the two general methods, not both. However, within the selected general method, the device must be able to use both of the methods.</p> <p>There is no direct assignment for the backup methods. The device can use either backup, regardless of what it uses as the means of transfer. Display or printout must include header, grid graph, and detailed list of all data captures for the 24-hour period.</p>	<p>Display or printout (§395.15(b)(1)) that includes a sequenced list of duty changes, see §395.15(i)(5) for list of required information that must be provided on display or printout (no grid-graph or form and manner requirements). If officer wants a hard copy of the records the driver and/or carrier have 48 hours to forward them to the officer after the inspection (Interpretation Question 6 to §395.15).</p>
<b>Rules found in:</b>	395 Subpart B & 395 Appendix	395.2 & 395.15
<b>Can device be used to satisfy the requirement as of December 18, 2017?</b>	Yes, provided it is listed on the ELD registry.	Yes, provided it was placed in service prior to December 18, 2017.
<b>Exemptions after December 18, 2017?</b>	<p>1) Units older than model year 2000 (verified through the vehicle's VIN number) and units newer than model year 2000 that have been retrofitted with an engine older than model year 2000 (verified through the engine's serial number)</p> <p>2) Drivers that are not required to complete paper logs on eight or fewer days out of the last 30 days</p> <p>3) Drivers operating a power unit that is part of a driveaway/towaway shipment</p> <p>4) Drivers that are driving or towing a recreational vehicle that is part of a driveaway/towaway shipment.</p> <p>5) Drivers that are driving a vehicle that has been rented under a terms of a rental agreement that is 8 days or less in duration.</p>	
<b>Technical Specifications:</b>	<p>The device must consider the driver as driving when the vehicle reaches 5 miles per hour.</p> <p>The device must default to on duty when the vehicle is stopped (unless the driver indicates otherwise).</p> <p>Locations must be automatically generated by the device.</p> <p>All "users" in the system must have an "account" and user ID.</p> <p>All drivers' accounts must include the driver's license information (license number, state of issue, along with other information).</p> <p>An ELD must be able to present a graph grid of driver's daily duty status changes either on a display or on a printout.</p>	<p>The device must use engine data to determine when the driver is driving. All other duty changes can be made by the driver.</p> <p>Locations can be automatically generated or entered by the driver.</p> <p>Not identified and/or required.</p> <p>Not identified and/or required.</p> <p>A graph grid is not required.</p>

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<b>Whenever the vehicle is in operation, the driver must have with him/her:</b>	Records for the current day and the previous seven days in the ELD, plus: <ul style="list-style-type: none"> <li>• A user's manual</li> <li>• An instruction sheet on data transfer during roadside inspections</li> <li>• An instruction sheet detailing malfunctions and actions to take in case of certain malfunctions</li> <li>• A supply of blank paper logs (at least eight days) to be used if the device fails</li> </ul>	Records for the current day and the previous seven days in the ELD, plus: <ul style="list-style-type: none"> <li>• An instruction sheet on how to retrieve and present the data during roadside inspections</li> <li>• Enough blank logs to complete the current trip</li> </ul> Note: An ELog vendor letter certifying that the device meets the regulatory requirements under 395.2 and 395.15 does not have to be in the vehicle. However, having it in the driver's possession is a best practice.
<b>Data capture must include:</b>	<ul style="list-style-type: none"> <li>• Date and time</li> <li>• Location (accurate to within one mile in normal operation, 10 miles during personal use)</li> <li>• Engine hours</li> <li>• Vehicle miles</li> <li>• Driver</li> <li>• Vehicle</li> <li>• Carrier</li> </ul>	Only basic data (time, duty status, and location) is required to be captured at duty changes (display requirements do not include location) (§395.15(c), (d), and (i)(5)).
<b>Special driving categories?</b>	<ol style="list-style-type: none"> <li>1) Personal use: To be used when the driver is using the commercial vehicle as a personal vehicle to commute to a purely personal destination. The driving will be recorded by the device as off-duty time.</li> <li>2) Yard time: To be used when the driver is operating the vehicle off of the public roadway. The driving is captured as on-duty time and does not count toward the driver's driving limit.</li> </ol>	AOBRDs do not have "special driving categories," §395.15 only details four duty status lines: OFF, SB, D, and ON (§395.15(c)).
<b>Editing of logs?</b>	Under this final rule, drivers are allowed to enter missing information and make edits to the records. Supervisors can request edits, but all supervisor edits must be approved by the driver.  All edits must include an explanation of why the change was made. The system must also indicate which user made the change. If an edit is made, the record in the system must include the original record, the updated record, and the details of the change.  If the record has already been submitted and it was edited, the driver will need to recertify and resubmit the record.	Drivers or supervisors can make edits. Edits made by supervisors must be approved by the driver. A record of the original and all changes must be retained. The record must include the date and time of the edit, and the name of the person doing the edit (Interpretation Question 2 to §395.15). This information does not have to be visible on the display.
<b>Record retention</b>	6 months	6 months

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