

# Intrastate ELD Requirements

➤ Today, most interstate drivers of commercial motor vehicles (CMVs) are required to use electronic logging devices (ELDs) to record their hours of service. Currently, many states are in the process of updating their intrastate adoptions of the Federal Motor Carrier Safety Regulations (FMCSRs) to include the ELD requirements.

## What is Intrastate Commerce?

Two things are considered when establishing transportation as intrastate: first, the actual movement of the driver, vehicle and its contents; and second, the intent and movement of the shipment.

Intrastate commerce includes:

- Not crossing state lines,
- Not traveling over the border into and/or from Canada or Mexico, and
- Traveling between two places within a state, and the cargo is not part of a trip that began or will end in another state or foreign country.

## Why Adopt?

States have three years from the effective date of a regulation to adopt intrastate regulations that are compatible with the federal requirements. If a state's intrastate regulation is not compatible, the state risks losing millions of dollars in federal assistance directed to its motor carrier enforcement program. Rarely does a state adopt a regulation that is not compatible.

## Do Intrastate Operations Need ELDs?

When it comes to the issue of whether intrastate operations need ELDs, it isn't a matter of "if," but a matter of "when." If your state hasn't adopted ELDs for intrastate operations yet, it will be coming soon. Being prepared is the best course of action, as a state's adoption can become effective in a relatively short period of time. Having ELDs in place and making sure your intrastate drivers know how to use them will ensure you are in compliance when the time comes.

**Adoption Status by State** *(see back)*



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## Intrastate ELD Adoptions

The following states have adopted the ELD requirements for drivers of property-carrying CMVs. Note that applicability of the requirements can vary from state-to-state.

State	Effective Date
Arkansas, Colorado, Connecticut, Indiana, Iowa, Kansas, Louisiana, Michigan, Montana, Nebraska, Nevada, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Utah, Washington, Wyoming	12/18/2017
Alaska	12/6/2018
Arizona	5/1/2018
Georgia	1/1/2019 AOBRDs installed prior to 12/18/2017 may be used until 12/16/2019
Illinois	12/19/2017
Oregon	Currently in effect Yes (placardable hazmat) No (non-hazardous cargo)
Texas	12/16/2019
Minnesota, North Dakota, Virginia	Currently in effect

The following states have not yet adopted the ELD requirements for drivers of property-carrying CMVs. Adoption for intrastate operations is expected in the near future.

State	Current Status
California	Proposed rule expected to be issued at later date
Florida	Legislation expected at later date
Hawaii	ELDs are not required per §395.1(i)
Idaho	Proposal expected to be issued at later date
Maryland	Not required per TA 25-111
New York	Previous proposal challenged and withdrawn New proposal expected to be issued at later date
Oregon	Yes (placardable hazmat) No (non-hazardous cargo)
Wisconsin	Proposed rule expected to be issued at later date

**Note:** Information is current as of 11.29.18. We continue to monitor each state's developments.



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