

**ISSUE NUMBER**

19-001-DRV

**ISSUE NAME**

Electronic Logging Device Mounting Requirements - 395.22(g)

**STATUS**

Closed

Driver-Traffic Enforcement Committee

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395.22- Motor carrier responsibilities- In general.

(g) Portable ELDs. If a driver uses a portable ELD, the motor carrier shall ensure that the ELD is mounted in a fixed position during the operation of the commercial motor vehicle and visible to the driver when the driver is seated in the normal driving position.

If you stop a driver that has a hard wired ELD (not portable), what are the mounting requirements? Is the ELD required to be visible. One of my officers stopped a suspect today with hard wired eld laying on the floor. Company states it is not portable, therefore the (g) does not apply. I find no guidance reference this issue.

**JUSTIFICATION OR NEED**

Need to have mounting requirements for non-portable ELD.

**REQUEST FOR ACTION**

Have the Driver-Traffic Committee discuss petitioning for change to language to state:

395.22- Motor carrier responsibilities- In general.

(g) ELDs. If a driver uses an ELD, the motor carrier shall ensure that the ELD is mounted in a fixed position during the operation of the commercial motor vehicle and visible to the driver when the driver is seated in the normal driving position.

**ACTION TAKEN BY COMMITTEE**

The FMCSA representatives in the meeting said the technical specs intended the ELD to be mounted. It must be in the drivers view while they are in the driver seat wearing a seatbelt. In addition, they cited two technical specs that also make it necessary for the ELD to be mounted.

**4.8.1.2. Display Requirements**

(a) This section does not apply if an ELD produces a printout for use at a roadside inspection.

(b) An ELD must be designed so that its display may be reasonably viewed by an authorized safety official without

entering the commercial motor vehicle. For example, the display may be untethered from its mount or connected in a manner that would allow it to be passed outside of the vehicle for a reasonable distance

#### 4.6.2.1. Visual Malfunction Indicator

(a) An ELD must display a single visual malfunction indicator for all drivers using the ELD on the ELD's display or on a standalone indicator. The visual signal must be visible to the driver when the driver is seated in the normal driving position

After reviewing this information the committee decided to take no action and the chair closed the action item.