

# Are you ELD prepared?

## A guide to preparing for the Electronic Logging Device mandate in Nova Scotia.

On June 12, 2021, updates to the Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005/313) came into force.

These changes make it mandatory for federal motor carriers to have their commercial motor vehicle drivers use an Electronic Logging Device to record their Hours of Service.

### What is an ELD?

An Electronic Logging Device or “ELD” is a tamper-resistant device or technology which automatically records driving time and other information by syncing with the vehicle’s engine.

### What are the benefits of ELDs?

ELDs make it faster and easier for drivers (and motor carriers) to maintain and review a driver’s Record of Duty Status (RODS), more commonly referred to as a “daily log”.

ELDs help to ensure that drivers are compliant with Hours of Service requirements, reducing driver fatigue and improving road safety.

ELDs also serve as a reliable electronic record and replace a paper-based log system, which can be manipulated.

### Do these requirements apply to me?

As a general guide, at this time, if you are a federal motor carrier, and are currently required to complete a daily log under Hours of Service requirements, a certified ELD is required.

### Are Hours of Service requirements changing?

No, the current Hours of Service requirements are not changing. As of January 1, 2023, an ELD replaces a paper-based method of maintaining a driver’s RODS (where required).

The introduction of ELDs does not change which drivers are required to follow Hours of Service requirements or who is required to carry and maintain a RODS.

### When does this take effect?

On March 7, 2022, the Canadian Council of Motor Transport Administrators (CCMTA) released a message for industry confirming that all jurisdictions support a period of progressive enforcement without penalties until **January 1, 2023**, including elevated education and awareness for motor carriers and drivers.

For CCMTA’s announcement, visit their website: <https://ccmta.ca/en/>



### Are there exemptions?

Yes. You will be exempt from ELD requirements if you are:

- Driving within 160 km of where you began your day and return at the end of the day to the same location where you began
- Driving a rented commercial motor vehicle, if the rental agreement is 30 days or less and has not been extended or renewed
- Driving a commercial motor vehicle with a model year before 2000 (model year 2000 or newer vehicles but with a pre-2000 engine are not exempt)
- Operating under a federal permit issued by a provincial director
- Operating under an exemption granted under section 16 of the *Motor Vehicle Transport Act*

### Are there specific ELDs that must be used?

Yes. Only ELDs certified by a certification body accredited by Transport Canada may be used.

You can find a list of certified ELDs on the Transport Canada website.

<https://tc.canada.ca/en/road-transportation/electronic-logging-devices/list-certified-electronic-logging-devices>



## What are the key responsibilities of motor carriers in respect of ELDs?

---

Key responsibilities for motor carriers include:

- Purchasing, installing, and maintaining an ELD (where required)
- Ensuring ELDs are certified and compatible with the engine type of the commercial motor vehicle
- Ensuring ELDs are mounted in a fixed position during the operation of the commercial motor vehicle and is visible to the driver in the normal driving position
- Ensuring that the ELD is viewable from outside of the vehicle for the purpose of roadside inspection
- Creating and maintaining a system of distinct and personal accounts for each driver who will be required to use the ELD
- Ensuring drivers who are required to complete a RODS only drive a commercial motor vehicle that is equipped with a certified ELD
- Monitoring drivers Hours of Service and ensuring that RODS are being completed properly
- Ensuring that an information packet that includes a user's manual, an instruction sheet describing how to transfer data to an officer, measures the driver shall take if the ELD malfunctions, and a sufficient number of RODS forms to record at least 15 days is kept in the vehicle
- Maintaining prescribed records in the event the ELD malfunctions

## What are the key responsibilities of drivers in respect of ELDs?

---

Key responsibilities for drivers of commercial motor vehicles include:

- Ensuring they only drive a commercial motor vehicle that is equipped with a certified ELD (where required)
- Logging into the ELD using unique user identification provided by the motor carrier to enter the RODS
- Ensuring the accuracy of information being automatically recorded and manually entered into the device
- Making any necessary annotations
- Making, approving or rejecting any required edits
- Producing RODS for inspection to an officer both on the device (or printout if that is an option) and through electronic transfer

### Malfunctions

- Notifying the motor carrier in the event the device malfunctions (as soon as the vehicle is parked)
- Using an alternative method to maintain and document RODS in the event the device malfunctions (until the ELD is repaired or replaced)
- Record the malfunction code on their alternate RODS

## What are the associated penalties?

---

Penalties under the *Motor Vehicle Transport Act* can reach as high as \$5 000 for an individual and \$25 000 for a cooperation.

## What if I only travel within Nova Scotia?

---

In Nova Scotia, Intra-provincial motor carriers at this time, are not required to have their commercial motor vehicle drivers use an Electronic Logging Device

### Additional Information

---

*Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313)*

<https://laws-lois.justice.gc.ca/eng/regulations/SOR-2005-313/>



*Transport Canada – ELDs*

<https://tc.canada.ca/en/road-transportation/electronic-logging-devices>



*Canadian Council of Motor Transport Administrators (CCMTA)*

<https://ccmta.ca/en/>



*Nova Scotia ELD website*

<https://novascotia.ca/tran/trucking/eld.asp>

