

Manage HOS During an ELD Malfunction

§ 395.22 Motor carrier responsibilities—In general.

(h) ***In-vehicle information.*** A motor carrier must ensure that its drivers possess onboard a commercial motor vehicle an ELD information packet containing the following items:

- (1) A user's manual for the driver describing how to operate the ELD;
- (2) An instruction sheet for the driver describing the data transfer mechanisms supported by the ELD and step-by-step instructions for the driver to produce and transfer the driver's hours-of-service records to an authorized safety official;
- (3) An instruction sheet for the driver describing ELD malfunction reporting requirements and recordkeeping procedures during ELD malfunctions; and
- (4) A supply of blank driver's records of duty status graph-grids sufficient to record the driver's duty status and other related information for a minimum of 8 days.

395.34 ELD malfunctions - driver responsibilities

(a) ***Recordkeeping during ELD malfunctions.*** In case of an ELD malfunction, a driver must do the following:

- (1) Note the malfunction of the ELD and provide written notice of the malfunction to the motor carrier within 24 hours;
- (2) Reconstruct the record of duty status for the current 24-hour period and the previous 7 consecutive days, and record the records of duty status on graph-grid paper logs that comply with [§ 395.8](#), unless the driver already possesses the records or the records are retrievable from the ELD; and
- (3) Continue to manually prepare a record of duty status in accordance with [§ 395.8](#) until the ELD is serviced and brought back into compliance with this subpart.