

ELD Mandate Continues Forward as U.S. Supreme Court Denies Cert

JUNE 13, 2017

Yesterday, on Monday, June 12, 2017, the U.S. Supreme Court declined to hear the appeal of the Owner-Operator Independent Drivers Association (“OOIDA”) challenging the electronic logging device (“ELD”) mandate set forth by the U.S. Department of Transportation (“USDOT”). OOIDA had previously challenged the mandate in the Seventh Circuit Court of Appeals on the grounds that the mandate violated drivers’ constitutional rights protecting them from warrantless searches and seizures. Unless the U.S. Congress or the USDOT change course on the mandate, which is highly unlikely, the U.S. Supreme Court’s denial of certiorari effectively clears the way for this industry-altering event.

The fast-approaching December 18, 2017 deadline generally requires motor carriers and drivers to utilize approved ELDs to record hours of service, supplanting the long established paper log system. ELD manufacturers are required to self-certify their devices with the Federal Motor Carrier Safety Administration.

Implementation of ELDs can be a difficult transition for motor carriers and requires careful planning in order to remain compliant and limit operational interference. If you have questions about compliance with the mandate or need help with strategic implementation (employee drivers or independent contractors models), please feel free to contact a member of Benesch's [Transportation & Logistics Practice Group](#).

Marc Blubaugh at mblubaugh@beneschlaw.com or 614.223.9382

Eric Zalud at ezalud@beneschlaw.com or 216.363.4178

Matthew Selby at mselby@beneschlaw.com or 216.363.4458