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June 25, 2018

Raymond P. Martinez
Administrator
Federal Motor Carrier Safety Administration
1200 New Jersey Ave., SE
Washington, DC 20590

Dear Administrator Martinez:

We have been contacted several times over the past month by RV transport companies and drivers regarding the exemption from the requirement for electronic logging devices (ELD) for RV driveaway/towaway operations. As you know, the 2015 FAST Act highway bill legislation contained provisions exempting commercial vehicles involved in RV driveaway/towaway operations for motor homes and travel trailers from the requirement to utilize an electronic logging device. This exemption allows a driver to use paper records of duty status forms to record hours of service status.

However, several states have been misinterpreting this provision or are otherwise unaware of it and have been taking RV transport drivers out of service for not having an ELD. Some have done it while the drivers were pulling a trailer heading to a dealer, and others have done it while the drivers were returning to their home base empty. So far, we have heard reports of drivers being taken out of service for not having an ELD in Indiana, Ohio and Missouri.

I would like to ask that FMCSA provide us with an interpretation letter on this policy to make clear that RV transporters do not need an ELD on either the trip between manufacturer and dealer or on the return trip back to the manufacturer. We could then provide copies of this letter to our transporter members, so their drivers could provide it to state DOTs when questioned. I have no doubt that we will continue to see situations like this in other states.

Thank you for any assistance you can provide in this matter. Please feel free to contact me if you have any questions or concerns.

Sincerely,

A handwritten signature in black ink that reads 'Michael Ochs'.

Michael Ochs
Director, Government Affairs