

The Elusive Co-Driver

While reviewing a driver's log, you discover vehicle movement during an off-duty or sleeper-berth period, but no co-driver is listed. Driver claims a co-driver was just dropped off before arriving at your location. So, how do you deal with this?

Reminder: August 16, 2022 Safety Notice – [No Co-Driver Listed in ERODS](#)

Apparently, some inspectors have accepted co-driver logs sent directly from the carrier.

Problem:

1. Takes up too much inspector time; and,
2. Carriers can provide false logs because PDF's are easily manipulated.

The regulation is very clear. All drivers operating the vehicle during the previous 7 days **must** be listed in the **ELD users tab**. See FMCSR 395.38 – 4.8.2.1.2 (big book only).

Q & A

During a recent ELD meeting, FMCSA staff reiterated CCD's Safety Notice instructions and provided the following Q & As:

1. **If each driver is using their own phones to record HOS data, will the RODS show both users in the user tab?**
Yes. If the drivers are logged into the same vehicle, the header should contain the information of the current co-driver. If there is no active co-driver at the time of inspection, then this field should be left blank. **If a co-driver has been active during the record retention selection, the co-driver will be listed in the user list of the data transfer file.** For the back-up print or display, providers may list the co-driver active for that day in the daily header.
2. **Once a co-driver leaves the commercial motor vehicle (CMV), how long will they continue to be listed as a co-driver in the file header?**
The co-driver is no longer listed after they leave the CMV. **However, as noted above, the co-driver will be listed in the ELD users tab of eRODS.**

Summary

When eRODS reveals vehicle movement during a sleeper-berth or off-duty period and no co-driver is listed in the ELD Users Tab, no credit is given for a co-driver. Drivers attempting to show inspectors something different on drivers' phones changes nothing. Be sure to advise the driver/company what the regulation says.

Perspective

In the days of paper logs, when an inspector discovered a vehicle moving during off-duty/sleep-berth periods (i.e., via a scale crossing), the driver was not allowed to simply write in a co-driver name at the time of inspection. If no co-driver was listed, no credit was given. Electronic logs do not change this.