FMCSA-ELD-395-Q031(2022-03-10)

**Question:** Are motor carriers that meet the agricultural exemption defined in 49 CFR 395.1(k) or the covered farm vehicle § 395.1(s) subject to the Electronic Logging Device (ELD) rule?

**Guidance**: The ELD rule does not change any of the current hours of service exemptions. Therefore, motor carriers that meet the exemptions defined in § [395.1](https://www.ecfr.gov/search?flag=invalid_reference&search%5Bquery%5D=395.1) are not subject to part [395](https://www.fmcsa.dot.gov/regulations/title49/part/395), including the ELD rule while they are operating under the terms of the exemption. The duty status of the driver may be noted as either off-duty (with appropriate annotation), or “exempt.” Learn more about the [agriculture exemption](https://www.fmcsa.dot.gov/hours-service/elds/agricultural-commodity).

**Contact Info:** FMCSA ELD Information, 1-800-832-5660 or ELD@dot.gov.

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*Note: This guidance document does not have the force and effect of law and is not meant to bind the public in any way.  It is intended only to provide information and clarity regarding existing requirements under the law or agency policies.*

**Regulatory Topic: ELD Guidance**

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