***Reference P. 9 - Section (o)(3)***

**Background of suggested change:**

There are issues other than sensor failures that can result in incorrect or unrecorded data. Some system type failures or tampering attempts may be virtually impossible to detect as they occur. However, such events are quite likely to result in data irregularities that are readily detectable. The use of a data diagnostics self test, while not a complete failsafe, will certainly add an additional level of data integrity assurance. This self test would also alert the driver of any data irregularities to provide timely information for the driver to ensure complete and accurate logs are available, even if logs need to be manually reconstructed at that point.

**Current proposed language for sensor failure self-test diagnostic:**

(o) **Performance of recorders**. A motor carrier that uses an EOBR for recording a driver's records of duty status instead of the handwritten record must ensure the EOBR meets the following requirements:

 (3) The EOBR must be able to perform a power-on self-test, as well as a self-test at any point upon request of an authorized Federal, State, or local official. The EOBR must provide an audible and visible signal as to its functional status. It must record the outcome of the self-test and its functional status as a diagnostic event record in conformance with appendix A to this part. If any EOBR component or sensor is determined to in a failed or below acceptable performance status, the self-test will trigger recording of such failures consistent with the requirements of Appendix A, Table 3.

**Additional proposed language to be added to (o)(3) to include data diagnostics as part of self-test:**

In addition to the power-on self-test for sensor failure, the EOBR must perform a data diagnostics self-test when a driver logs-on or there is a data transfer from the support system to EOBR via wireless or digital media. This self-test shall also be initiated on-demand at the request of an authorized Federal, State, or local official. If any data exceptions are identified with the data diagnostics test, the EOBR must provide an audible signal and a display of the duty status records or diagnostic event records associated with the exceptions. Data exception criteria are defined in Appendix A, Table 4. Records of data exceptions are to include the event diagnostic code with each EOBR record associated with the exception also as defined in Appendix A, Table 4..

***Reference P. 16 App A – Table 3 – to immediately follow:***

**Proposed:**

 **Appendix A – Table 4:**

**Table 4 – Data Diagnostic Events**

|  |  |
| --- | --- |
| **Diagnostic Event Code** | **Data Exception Criteria** |
| D1 | Changes in Vehicle’s GPS position indicate recording gaps or error |
| D2 | Changes in GPS position per Driver ID indicate recording gaps or error |
| D3 | Changes in Vehicles odometer reading indicate recording gaps or error |
| D4 | Changes in odometer per Driver ID indicate recording gaps or error |
| D5 | Date/Time stamps of duty status records indicate recording gaps or error |
| D6 | Duty status record missing required data fields  |
| D7 | Diagnostic event record missing required data fields |