

Understanding ELDs and How They Will Affect Your Business



ELD Update

- In an effort to improve safety and reduce the number of accidents, FMCSA will now require the use of an Electronic Logging Device (ELD) on commercial motor vehicles.
- ELDs will be **mandatory** as of **December 18, 2017**.
- Carriers already using **AOBRDs** have until **12/2019**.
- The law will affect nearly 3½ million drivers.



Applicability

The Hours-of-Service rules are found in 49 CFR, section 395. These rules apply to the following:

- Any vehicle with a **GVWR of 10,001 lbs. or more**.
- Any vehicle carrying **hazardous materials that requires placarding**.
- Passenger vehicles designed or used to transport more than **8 passengers for hire or 15 passengers not for compensation**.



Compliance

- Hours-of-Service violations are commonly cited during roadside inspections and last year accounted for 5 of the top 10 violations.
- In 2015, 40% of all driver violations were due to non-compliance with HOS regulations.
- Violations of HOS rules can result in **civil penalties** of up to \$11,000 per day, \$16,000 to the company, and can include \$3,750 to the driver.
- Criminal violations.



Benefits of ELDs

- **Saves time and simplifies driver duties** by automatically inputting certain fields and recording changes of duty.
- **Reduces the time for the administrative record keeping process and improves the accuracy of records.**
- **Reduces the number and severity of roadside violations.** *(improved CSA scores)
- **Reduces fines.** \$\$\$\$
- Data can be used for IFTA and **other** mileage-based reports.
- Data can be used to increase efficiency through route planning, time management, speed monitoring, and engine idling.



Critical Juncture



- It is imperative that all motor carriers have a full understanding and comply with the current HOS rules before moving forward into ELDs.
- Misunderstanding or disregard for the rules will create serious compliance issues when transitioning to ELDs.



Definitions

On-Duty Time –

- All time from when a driver begins to work or is required to be in readiness to work.
- Includes all duties performed by a driver (not just driving).
- Compensated work for an outside employer.

Driving Time –

- All time spent behind the wheel.



HOS Summary for Property Carrying CMVs

- A driver must have **10 consecutive hours off-duty** prior to driving.
- A driver can NOT exceed **11 hours of driving time**.
- A driver can NOT exceed **14 consecutive hours on-duty**.
- The driver must take a **30-minute rest break** within the **first 8 hours** of coming on-duty.
- A driver may not exceed **60 hours in a 7-day period** or **70 hours in an 8-day period**.
- For drivers of groundwater well drilling equipment, any period of 7 or 8 days may be re-started after a period of 24 or more consecutive hours off-duty.



100 Air-Mile Exemption

- The driver operates within **100 air-miles** of their normal work reporting location.
- The driver returns to that location and is released from duty within **12 hours**. (clock hours)
- The driver has at least **10 consecutive hours off-duty** between each 12-hour shift.
- The carrier maintains **true and accurate time records** of the individual that reflect actual starting times and ending times.
- Driver cannot exceed the 60/70 hour limits.



100 Air-Mile Map



Final Warning



- Once again! It is imperative that the company, its drivers and staff, are fully informed of the HOS rules prior to moving forward with ELDs.
- Drivers not familiar with the rules may be unknowingly recording irreversible records that can result in violations and have an effect on overall DOT compliance, CSA scores, and a company's authority to operate.



The regulations regarding ELDs can be found in FMCSR Section 395.20



ELD Mandate

- Specifies who is covered by the rule and exceptions to it.
- Provides for ELDs to be certified, registered, and listed on a FMCSA website.
- Includes technical specifications to ensure ELDs are standardized and compliant.
- Includes a phased implementation timeline to give drivers and carriers time to comply.
- Includes provisions to help prevent **data tampering** and harassment of drivers.
- Creates standard data displays and data transfer processes, making it easier to demonstrate compliance and faster to share RODS with safety officials.



Automatic-On Board Recording Devices

- Any company who is currently using an AOBRD or voluntarily chooses to purchase and require drivers to use an AOBRD by **12/18/2017** will be granted an additional 2 years to become compliant with the ELD regulations.



ELD Interface

- ELDs must be "integrally synchronized" to truck engine and interfaced with the control module to record several inputs.
 - Record motion, miles driven, engine hours, and engine power status.
 - Must be registered with FMCSA.



Who's Exempt from ELDs?

- | Exempt | Not Exempt |
|--|---|
| <ul style="list-style-type: none"> • 100 air-mile radius drivers. • Non-CDL 150 air-mile radius drivers. • Drive away-tow away operations. • Trucks manufactured before model year 2000. | <ul style="list-style-type: none"> • Owner operators. • Small fleets. • Passenger carriers. • Leased/rented trucks. • Mechanics. |



100/150 Air-Mile Exemption

- Drivers operating either under the 100 air-mile exemption or the non-CDL 150 air-mile exemption will not be required to use an ELD.



CAUTION



Drivers who would otherwise be exempt from ELDs but who have exceeded the 100 air-mile or 150 air-mile radius more than **8 days in a 30-day period** must begin to use ELDs!



Drive Away-Tow Away Exemption

- Drive away-tow away operation means an operation in which an empty or unladen motor vehicle with one or more sets of wheels on the surface of the roadway is being transported:
- (1) Between vehicle manufacturer's facilities;
- (2) Between a vehicle manufacturer and a dealership or purchaser;
- (3) Between a dealership, or other entity selling or leasing the vehicle, and a purchaser or lessee;
- (4) To a motor carrier's terminal or repair facility for the repair of disabling damage (as defined in §390.5) following a crash; or
- (5) To a motor carrier's terminal or repair facility for repairs associated with the failure of a vehicle component or system; or
- (6) By means of a saddle-mount or tow-bar.



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Truck Older than Model Year 2000



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Harassment

- FMCSA has added a section to the rule that prohibits a motor carrier from using information gathered on an ELD to harass a driver.
- These rules prohibit carriers from requiring drivers to drive when their ability or alertness is impaired due to **fatigue, illness, or other causes that compromise safety.**
- Fines up to \$16,000.



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Editing

- Both the driver and authorized carrier staff member can make **limited edits** to an ELD record to correct mistakes or add missing information.
- All original information is retained in the record after an edit. All edits must include a note (annotation) to explain the reason for the edit.
- The driver must approve the change.



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Supporting Documents

Motor carriers must retain supporting documents and can include:

- Bills of lading, itineraries, schedules, or equivalent documents that show the starting and ending location for each trip;
- Dispatch records, trip records, or equivalent documents;
- Expense receipts related to "on-duty/not driving" periods (meals, lodging, fuel, etc.);
- Fleet management system communication records;
- Payroll records, settlement sheets, or equivalent documents showing payment to a driver.

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Managing the Transition to ELD

- Do not purchase and install ELDs just for the sake of meeting the requirement. The decision to go with an ELD takes an **all-in commitment.**
- The change must be **embraced by management** as a move toward safety, reduced violations, and improved efficiency.
- Assign an individual or team to oversee the transition that has a good knowledge of HOS rules.
- Plan **training sessions** for drivers, mechanics, dispatch, and anyone else associated with your company's HOS program and records.



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First Steps



- Identify a reputable ELD provider that suits your business needs and can lead you through the entire process.
- Leave ample time before the deadline to get the system installed and all the bugs worked out.
- Develop a written policy that standardizes ELD use for all drivers and provide extensive training.
- Expect and encourage drivers to continue to use paper logs until they (and management) feel comfortable with the transition to ELDs.



ELDs Operation



- ELDs are linked directly to a truck's Electronic Control Module and therefore the data gathered is directly related to vehicle motion and operation (ignition on/off, idle, speed, mileage, braking, etc.)
- The ELD records changes to duty status based on both automatic and driver inputs.
 - ✓ At 3 mph, automatically changes from on-duty to driving.
 - ✓ When driver signs on, from off-duty to on-duty.
 - ✓ Engine shutdown, from driving to on-duty or after 6 minutes of no motion, from driving to on-duty.



Management Responsibilities

- Within certain parameters, an ELD can be configured to a company's business model.
- Manage ELD accounts, including creating, deactivating, and updating accounts.
- Assign a unique ELD username to each user account with the required user identification data.
- Ensure that a driver's license used in the creation of an ELD driver account is valid and corresponds to the driver using the ELD account.
- Ensure that information entered to create a new account is accurate.



Myth-Busters

- Drivers will quit if forced to use ELDs?... **False!**
- ELD is completely automatic?... **False!** Drivers must make certain entries.
- ELDs will shut down a truck if a driver runs out of hours?... **False!**
- Drivers must have the ability to print from ELD at roadside?... **False!**
- Trucks cannot be used for personal use or yard time?... **False!**



What's It Cost?



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- Many different types - dash mounted models, hand-held models, cell phone compatible.
- Different manufacturers have different designs, different purchase programs, and price points.
- Most have a per/unit purchase cost ranging from \$200 - \$1,000.
- Monthly service charges per/unit range from a few dollars a month to \$50 depending on the plan and depth of data required for your needs.



Bottom Line

- Shop around and ask a lot of questions.
- Ask for live demonstrations.
- Determine how much info you need based on the size of your business.
- Determine what other applications you can use the data for.
- Be careful of extra charges and/or unnecessary options.
- Choose a reputable dealer based on customer satisfaction, industry input, and reliability.



Decision Time!

ELDs do not change the current law requiring drivers and owners to track their on-duty and driving time. You must understand the law as it is now and assess how you currently operate your business.

Ask yourself these questions.

- Are you and your drivers currently complying with HOS rules?
- Can you structure your business practices to legally qualify for the ELD exemptions?
- Can you operate consistently within those parameters?
- If not???



ELDs are coming! Are you ready?



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