



ELDs Phase II: Managing ELD Hours of Service Greater New Jersey Motorcoach 2018

Federal Motor Carrier Safety Administration



Agenda

- Phase II of the ELD Rule
- Compliance Investigations with ELD Systems
 - Know Your System
 - Ensuring Successful Data Transfers
- ELD Policies and Procedures
 - ELDs and Hours of Service
 - HOS FAQs
 - Managing ELD Hours of Service
- ELD Training and Events



ELD Rule Compliance - Phase II

- December 18, 2017 – All drivers are required to record HOS using an ELD unless they meet one of the limited exemptions.
 - AOBRD Grandfather period begins
- CVSA ELD Out-of-Service Criteria effective April 1, 2018
- No points assessed against your CSA score for this period.
- **HOWEVER**, be aware that at least 11 state jurisdictions have announced they will be issuing citations for violations of operating without an ELD when an ELD is required. (Officer discretion, California, Colorado, Delaware, Idaho, Indiana, Minnesota, New Hampshire, New Mexico, Washington, West Virginia, Wyoming)



Compliance Investigations with ELD Systems

- The ELD rule did not change the Hours of Service Rules, the investigative driver selection or the way FMCSA prioritizes driver selections.
 - Only changed the way the hours of service are recorded
 - **And...** the way you will be receiving, analyzing and providing driver selections.
- KNOW WHAT HOS SYSTEM YOU ARE USING!
 - Check with your provider (ELD or AOBRD)
 - Transfer of data not required for AOBRD
- ELD rule requires the data to be provided by a subset of drivers, a subset of vehicles for a subset of the record retention period.
 - 8 day period roadside
 - Could be 30 days or more at the motor carrier principle place of business



Successful Data Transfers

- Ensure your provider is set up to transfer more than 8 days for Compliance Investigations
- Ensure all required data fields are populated.
 - 4.3.2.1. Driver's Entry of Required Event Data Fields
 - CMV Unit number
 - Trailer (if applicable)
 - 4.8.2.1.1
 - Driver Last Name / First Name
 - Username
 - License Issuing State
 - Driver's License Number...etc.



Unidentified Driving Process

- Assign driving time to the appropriate driver
- Annotate why the driving time is not assigned to a driver
 - Exempt Driver (Assigning exempt driver account will minimize administrative action)
 - Mechanic or Washers/Fuelers moving equipment
 - Outside maintenance facility picking up vehicle for repairs or service
- Maintain Unidentified driving records for 6 Months
- Must provide to requesting safety official



Unidentified Driving Policy

- Company Policy on Unidentified Driving
 - Unidentified driving prevention
 - Ensure drivers know when to log in/ always log out
 - Create appropriate accounts (exempt driver)
 - Procedure for accepting or rejecting unidentified driving
 - Documentation proving ownership of unidentified driving assignment
 - Disciplinary action for rejection of assignment when ownership is documented
 - Later accepted driving/time can contribute to hours of service violations



ELD Malfunction

- Policy should include specific instructions for reporting malfunctions
 - Address time frame and method for reporting malfunction
 - 24 hour notice required
 - Motor carrier may be more stringent
 - Written notification required
 - Identify who will receive notifications and facilitate the repairs
 - May include an electronic message, such as an email, text and/or a Fleet Management Systems (FMS) message.
- Procedures for Reconstructing the previous 7 days
 - May email driver .pdf version on personal device (Telematics system)
 - Assist driver with accurate reconstruction



ELD Malfunction (Motor Carrier)

- Retain any paper RODS generated during the malfunction
- Ensure Policy and Procedures address an action plan to repair or replace malfunctioning device.
 - Driver trouble shoot instructions
 - Maintenance item for quarterly/semi-annual inspection process.
- Monitor malfunctions for tampering indications
 - Power compliance, Engine Synchronization (Odometer/Hours jumps)
- Rule requires repair/replacement within 8 days - Can request an extension



Special Driving Conditions

- Carrier Policy on when a driver may use the CMV for personal reasons (PC)
 - ELD is required to allow a carrier to configure a driver account for PC
 - Motor carriers are not required to allow drivers to use PC
- Define when a driver may use Yard Moves (YM)
 - Personal property with no public access



Hours of Service Alerts/Violations

- Dispatch training and disciplinary policy
 - Ensure all operational and sales staff are adequately trained in the HOS rules
 - Designate individual ultimately in charge of receiving and handling HOS alerts
 - Define action plan for prevention and intervention of HOS violations while under dispatch
 - Outline disciplinary Policy
- Driver training and disciplinary policy
 - Provide clear instructions for prevention of HOS violations
 - Tour itinerary changes, trip delays and breakdowns (COMMUNICATION)
- Outline disciplinary policy



Annotations

- Adverse Driving Conditions
 - Provide clear instructions on documenting/annotations
- Operating under Exemptions
 - HOS exemptions 395.1
 - Emergency relief (complete exemption from 395)
 - Annotate driving time
 - Logging into ELD is not required
 - Annotate Unidentified Driving accordingly



Procedures for End of Workday

- If additional responsibilities are needed away from the vehicle
 - Change duty status to on-duty not driving
 - Log off
 - Log back in when work is completed
 - Enter any missing data
- Requirement for certifying record of duty status for each 24 hour period.
- Timeframe to submit RODS to the motor carrier
- Within 13 days of being generated is required.
 - Carrier can be more stringent (Everyday, after every trip, etc.)
 - If system does not support telematics



Intermittent and Drivers with Multiple Employers

- Providing the Previous 7 Days Records of Duty Status
 - Previous 7 day statement
 - Paper Logs
 - Printout from device installed with logging software
 - Printout from an Automatic On-Board Recording Device (AOBRD)
- Driver may insert previous hours into the ELD
 - Not required by rule
 - Motor carrier discretion



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ELD Webinars

Training and Events

FMCSA ELD Rule and Implementation Plan Webinars and Events

- <https://www.fmcsa.dot.gov/hours-service/elds/training-and-events>
- ELD Phase I: Awareness and Transition
- ELD Phase II: Phased In Compliance Phase
- Electronic Logging Device Technical Specification Public Meeting



Questions?

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