Electronic Logging Devices

On December 16, 2015 legislation was passed to mandate the use of Electronic Logging Devices (ELDs) for most trucking operations. We've compiled the following information, timelines, and tips to help your organization comply with the Federal Motor Carrier Safety Administration's ruling.

The FMCSA's ruling impacts how hours of service (HOS) are logged. The rule includes a number of compliance and technical specifications that affect how your drivers log their HOS.

WHAT HASN'T CHANGED?
The ruling doesn't change the current HOS standard regarding allowable driving and break times.

WHO'S IMPACTED?
The new rule applies to all commercial motor vehicle drivers involved in interstate commerce who are subject to HOS logging requirements. This includes non-trucking motor carriers if they fall under HOS regulations. Small fleets or leased and rented vehicles will be required to have ELDs if applicable. It's important to remember that the rule is driver-specific. If you have a diverse fleet operation with both covered and non-covered drivers, you can select which vehicles will need ELDs or you can opt to have ELDs record HOS for all drivers, including exempt drivers.

WHO'S EXCLUDED?
There are some exceptions to the ELD rule, allowing certain parties to continue using other HOS recording methods. Exceptions to the rule include:

- Drivers not currently covered by HOS rules, including government drivers, fire rescue and emergency personnel, utility workers, and railroad workers.
- Drivers who only record HOS on paper logs for less than eight of the last 30 days in a rolling period, and those on a "short haul" exception.
- Drivers operating a towaway or driveaway vehicle.
- Drivers operating a towing or recreational vehicle.
- Drivers operating a vehicle that has a VIN and registration date older than model year 2000.

IMPLEMENTATION PHASES
To help you achieve compliance, the new regulation will be implemented in phases.

Phase 1: Awareness and transition
A two-year probationary period following the ELD ruling ends on December 18, 2017. Until then, drivers can continue using paper logs, logging software, Automatic Onboard Recording Devices (AOBRDs), or ELDs.

Phase 2: Phased-in compliance
From December 18, 2017 until December 16, 2019, drivers will be required to be using a AOBRD installed prior to the deadline or a certified ELD device. Unless exempt, paper logs and other systems not meeting either definition can no longer be used to record hours-of-service.

Phase 3: Full compliance
After December 16, 2019, all drivers and carriers subject to the rule must use a certified and registered ELD.

ELD REQUIREMENTS

All ELDs will be required to connect directly to a truck's engine control module and collect driving and engine data, including:

- Carrier information
- Vehicle specs
- Driver details
- Location data
- Date and time data
- Engine hours
- Miles driven

ELDs will also capture vehicle start-up, shutdown, and change-of-duty entries. When necessary, drivers will be allowed to manually enter and revise duty changes, including off-duty and on-duty non-driving time. As the carrier, you'll be responsible for auditing your driver logs to verify the acceptable use of these driving categories.

ELD data will be used to create driver logs. These logs will be stored on the device, uploaded to your fleet management system, and made available to enforcement agencies during roadside inspections or compliance reviews. Drivers will need to certify and submit logs for each 24-hour period. Any unassigned driving time will be visible on the log, and will likely be scrutinized by management or enforcement.

Many AOBRD manufacturers are expected to provide software or hardware updates to make their devices ELD-compliant. Check with your AOBRD manufacturer to determine if this is an option for your fleet.

PHYSICAL DOCUMENTATION

The ELD ruling requires that drivers keep the following items in their vehicle cab:

- An ELD user manual
- An ELD troubleshooting guide
- Paper instructions on how to transfer logging data
- A supply of blank paper logs (minimum eight days)

Drivers will also need to collect supporting documentation as evidence of their location, time, and date. These documents will be used to cross-reference ELD data to ensure HOS compliance. A total of eight documents must be available for inspection; these documents must include information that supports the driver's beginning and conclusion of the work day. As a carrier, you are responsible for training drivers on what constitutes a supporting document.

Types of supporting documents include:

- Dispatch records
- Bills of lading and shipping papers
- Receipts that provide information collaborating on-duty time
- Payroll records
- GPS or mobile tracking system records

Your fleet management system should audit and reconcile supporting documents with ELD data to ensure there are no information gaps. All ELD records and supporting documentation must be archived for six months.

CREATE AN ACTION PLAN

We suggest you develop an action plan that details required tasks, who is responsible for completing each task, and what the end result will look like for your organization.

- **Put together a project team** comprised of management, operations, dispatch, maintenance, and drivers. Be sure to identify a project leader. This team will oversee all aspects of implementing your new ELD program.
- **Choose an ELD.** Consider available resources, timelines for task completion, and device features.
- **Develop written policies and procedures for ELD use.** Policies should cover topics like troubleshooting, handling enforcement interventions, and driver expectations.
- **Develop an ELD deployment plan** that outlines procedures for device installation and training for your drivers and operations team.
- **Determine how you will accommodate the inflow of ELD data.** Consider the IT demands of downloading and archiving this data. Records will need to be securely stored for six months. Consider information security issues like data encryption and backup.

SELECTING AN ELD

There are many factors to consider when selecting the best ELD for your fleet. You can choose a device that only performs HOS logging, or a device that provides additional capabilities such as GPS tracking, vehicle inspection reports, vehicle diagnostics monitoring, and driver scorecard benchmarking.

Items to consider when selecting an ELD:

- **Hardware requirements**—If you currently don't have much technology hardwired into your trucks, a smartphone app may work well for you.
- **Software options**—Many manufacturers can turn on the ELD component of existing telematic devices through a software update.
- **Contract cost and length**—The cost of your ELD system can be offset by productivity improvements, a reduction in compliance violations and fines, and risk reduction. Select a device that meets your needs and provides a return on your financial and administrative investment.
- **Device capabilities**—Talk to your ELD provider about how drivers and enforcement officials will interact with the ELD and securely transfer data upon request. Your ELD vendor should provide an encryption method for data.

PILOTING AND DEPLOYING YOUR ELD PROGRAM

ELD deployment challenges will be specific to your fleet and operation. Even the most prepared fleets are concerned about temporary mileage and revenue losses. The following considerations can help reduce the pain of rolling out a new ELD program:

- **Consider the cultural change** of implementing an ELD. If your company has been lax about HOS compliance in the past, take time to retrain drivers on the HOS regulations. Start checking driver logs for accuracy and flagging violations now. This will help prepare everyone for the switch to ELDs.
- **Explore two or three possible ELD options.** Work with manufacturers to run 30-day trials.
- **Select two or three driver-evaluators for ELD testing.** Select drivers who are adaptable to change and new technology.

- **Schedule a kickoff meeting** between management and driver-evaluators to discuss challenges and expectations. Let drivers know their skills and opinions are important, and encourage honest feedback on ELD performance.

- **Track feedback and results from initial testing.** Identify what worked, what didn't work, the pros and cons of different devices, features and benefits of each device, and feedback on ELD performance and function. Be open to negative feedback from drivers.

- **Continue to monitor drivers** who resist or struggle with ELD use. Thoroughly audit ELD records for cheating, unassigned drive time, shared log-ins, questionable off-duty or personal time, and poor documentation.

- **For fleets with owner-operators who need to transition to ELDs, consider an upfront purchase agreement** to get all trucks on the same device. Drivers using different devices can create issues with data download, troubleshooting, and electronic HOS record storage.

The switch to ELDs will have a profound impact on how you do business. As your company works through the process, you should find vendors willing to answer questions and provide assistance. We encourage you to seek out other carriers who have deployed ELDs and talk to them about their successes, challenges, and insights.

While the transition may be painful, ELDs are a valuable tool for carriers. They can improve the safety and efficiency of your drivers, saving you money over the long run. If there's anything we can do to guide you through this process, please contact your Safety Consultant. We're here to help.