



USDOT
FMCSA Updates
April 2018
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Agenda

- Electronic Logging Device (ELD) Rule Background – where it came from
- What is an ELD
- Who Must Use an ELD
- Implementation Dates
- Enforcement Preparedness
- Regulatory Updates





ELD Background

- 2012 Highway Reauthorization Bill “Moving Ahead for Progress in the 21st Century” (MAP-21) section 32301
 - Required that FMCSA develop a rule mandating the use of electronic logging devices (ELDs)
 - FMCSA published Final Rule December 16, 2015
- **No** changes made to the hours of service regulatory requirements in the ELD final rule





What is an ELD?

- A device that:
 - Automatically records a driver's driving time
 - Facilitates the accurate recording of the driver's hours of service
 - Meets the minimum technical specifications of the ELD rule listed in Appendix A to Subpart B of Part 395
 - Is integrally synchronized with the Engine Control Module (ECM) of the commercial motor vehicle (CMV)
 - Must be registered with FMCSA – manufacturers self-certify
 - Can transfer data electronically to safety officials





Is the Device Registered with FMCSA? <https://csa.fmcsa.dot.gov/ELD/List>

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FMCSA
Federal Motor Carrier Safety Administration

ELECTRONIC LOGGING DEVICES [ELD Login](#)

Home [Create an Account](#) [Find a Device](#) [Manufacturer Tools](#) [About ELDs](#)

Registered ELDs

The listed devices are self-certified by the manufacturer. The Federal Motor Carrier Safety Administration does not endorse any electronic logging devices. [View Revoked Devices](#)

Device Name	Model Number	Software Version	ELD Identifier	Company	Phone	Email
<input type="text" value="Search by Device"/>	<input type="text" value="Search by Model"/>	<input type="text" value="Search by S"/>	<input type="text" value="Search by I"/>	<input type="text" value="Search by Compa"/>	<input type="text" value="Search by Phi"/>	<input type="text" value="Search by Email"/>
+ !Compliance Now	GEO001	1702.6723 or higher	GEO001	Geosavi Inc. https://geosavi.com	1-800-261-4361	support@geosavi.com
+ !Compliance Now	GEO002	1723.6723 or higher	GEO002	Geosavi Inc. https://geosavi.com	1-800-261-4361	support@geosavi.com
+ " ACCURATE ONE "	RT-ONE-BT01	1.0.14.27 (11/17/17)	RTOA47	Rollingtrans.com	(844) 5-E-TRANS	info@rollingtrans.com
+ " DataTrack247 ELD"	DT247-BT-ELD	3.0.6	WLI001	Tamir Alima	7183952239	sales@datatrack247.com
+ "1.0 TruxBox ELD" by TruxTrax	TTB-100	3.0.1 and higher	TTBELD	TruxTrax Inc.	1-877-515-5885	sales@truxtrax.com
+ "All-In-One" ELD by HOS247	FLT4	4.1 and up	247HOS	HOS247 LLC	415-839-9977	hello@hos247.com





Who is required to use an ELD?

- Interstate CMV drivers currently required to keep paper records of duty status (RODS)
 - Subject to requirements in 49 CFR 395
- Drivers of CMVs defined in 49 CFR 390.5
 - $\geq 10,001$ pounds
 - Placarded hazmat
 - More than 8 or 15 passengers





ELD (not Hours of Service) Exemptions

- 100 air-mile radius drivers
- 150 air-mile radius non-CDL property carrying drivers
- Required to prepare paper RODS for not more than 8 days during any 30-day period
- Conducting “drive away-tow away” operations in which the vehicle being driven is part of the shipment or the vehicle being transported is a motor home.
- Driving vehicles manufactured before model year 2000





Agriculture Exemption

- Transporting agricultural commodities from source of the commodities
- Delivering supplies and equipment for agricultural use from a wholesale or retail distribution point
- Within 150 air mile radius

Exempt from recording the driving and working hours performed within 150 air mile radius

For addition information see the Agriculture Fact Sheet:

<https://www.fmcsa.dot.gov/sites/fmcsa.dot.gov/files/docs/regulations/hours-service/elds/81736/eldshours-service-and-agriculture-exemptions.pdf>





ELD Rule Implementation Timeline

- The rule is being implemented in three phases over a four-year period:





Transition Guidance

- Temporary waiver from the ELD requirement for transporters of **agricultural related commodities until June 18, 2018.**
- 90 day waiver thru April 19, 2018 for **rental vehicles** with agreements 30 days or less. After April 19, 2018 with agreements of 8 days or less until October 11, 2022.





Transition Guidance (cont)

- To ease the transition to ELDs, FMCSA's partners at the Commercial Vehicle Safety Alliance had previously announced a delay in placing non-ELD compliant vehicles out-of-service until April 1, 2018, which would allow continued time for carriers and law enforcement to adjust to the new technology. In addition, FMCSA announced that violations cited during the time period of December 18, 2017 through April 1, 2018 would not count against a carrier's Safety Measurement System scores.





Effective April 1, 2018

- Drivers operating without a registered ELD or an AOBRD when required, will be placed Out of Service for 10 consecutive hours.
- Driver will be allowed to travel to last scheduled stop.
- Driver cannot be dispatched again in that truck until an ELD is installed.
- Motor carrier will be subject to further enforcement action if dispatched again without a ELD.





Enforcement Preparedness

- FMCSA has developed a software application (eRODS) to accept data from an ELD to check hours of service at roadside & during investigations/audits.
 - If data transfer fails or is unavailable, hours of service compliance will be checked using ELD display or printout





ELD Malfunctions/Non-Compliant ELD – 49 CFR Part 395.34

- Within 5 days of driver notifying carrier, send letter to the Division Administrator of the state where PPOB is:
 - Date of issue noticed
 - Brief Description of issue
 - Motor carrier name/DOT Number
 - ELD Provider Name
 - Device Name





ELD Malfunctions/Non-Compliant ELD – 49 CFR Part 395.34 continued

- Software version
- ELD Model Number
- Date of installation
- Carrier's Plan of action
 - Fix?
 - Replace? If so, with which one
 - Date plan will be carried out





Regulatory Update

- **Entry-Level Driver Training**
- **Drug & Alcohol Clearinghouse**
- **Crash Preventability Program**
- **Personal Conveyance**
- **National Registry II**





(New) Entry Level Driver Training (ELDT)

- Compliance date of Feb. 7, 2020 – 1st time (not renewals) Class A/B or P, S, or H endorsement or upgrades to A/B
- ELDT is the product of a negotiated rulemaking- FMCSA, Industry, law enforcement partners
- Requires minimum curriculum standards for training new drivers, Behind The Wheel (BTW) and classroom instruction.
- Approved providers will be listed in a Training Provider Registry (TPR)
- No mandated BTW/classroom hours- instructor decision



Drug and Alcohol Clearinghouse

- Compliance date of January 2020
- Establishes an electronic clearinghouse of drug/alcohol violations of CDL holders
- Final Rule has 3 main elements:
 - MROs and employers must REPORT positive tests and refusals to the Clearinghouse
 - Employers must check Clearinghouse at time of hire, and annually
 - State Drivers License Agency (SDLA) must check Clearinghouse before issuing or renewing a CDL



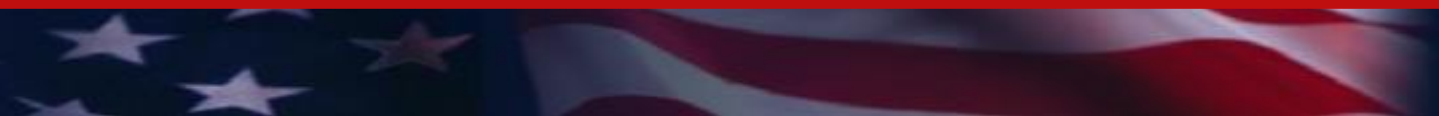
National Registry II

- Will speed up submission of medical information on CMV driver physicals by having Medical Examiners (ME) upload exams to FMCSA
- FMCSA or ME's will transmit exams directly to SDLAs
- Rule will require ME's to report results of physicals within 24 hours
- Eliminate or GREATLY reduce chance of fraudulent medicals
- Compliance date of 2018 (?) but going to be extended out...



Personal Conveyance

- Guidance coming on the “personal conveyance” provision (comment period 2/20/18).
 - Focus on reason driver is operating CMV while off-duty regardless if vehicle is laden or not
 - Movement should not benefit the carrier.





Crash Preventability Demonstration Program





Studies show that crash involvement is a strong indicator of future crash risk.

The Crash Preventability Demonstration Program allows FMCSA to gather data to examine the feasibility, costs, and benefits of making crash preventability determinations on eligible crashes. FMCSA will use the information from the program to evaluate if these preventability determinations improve the Agency's ability to identify the highest-risk motor carriers.

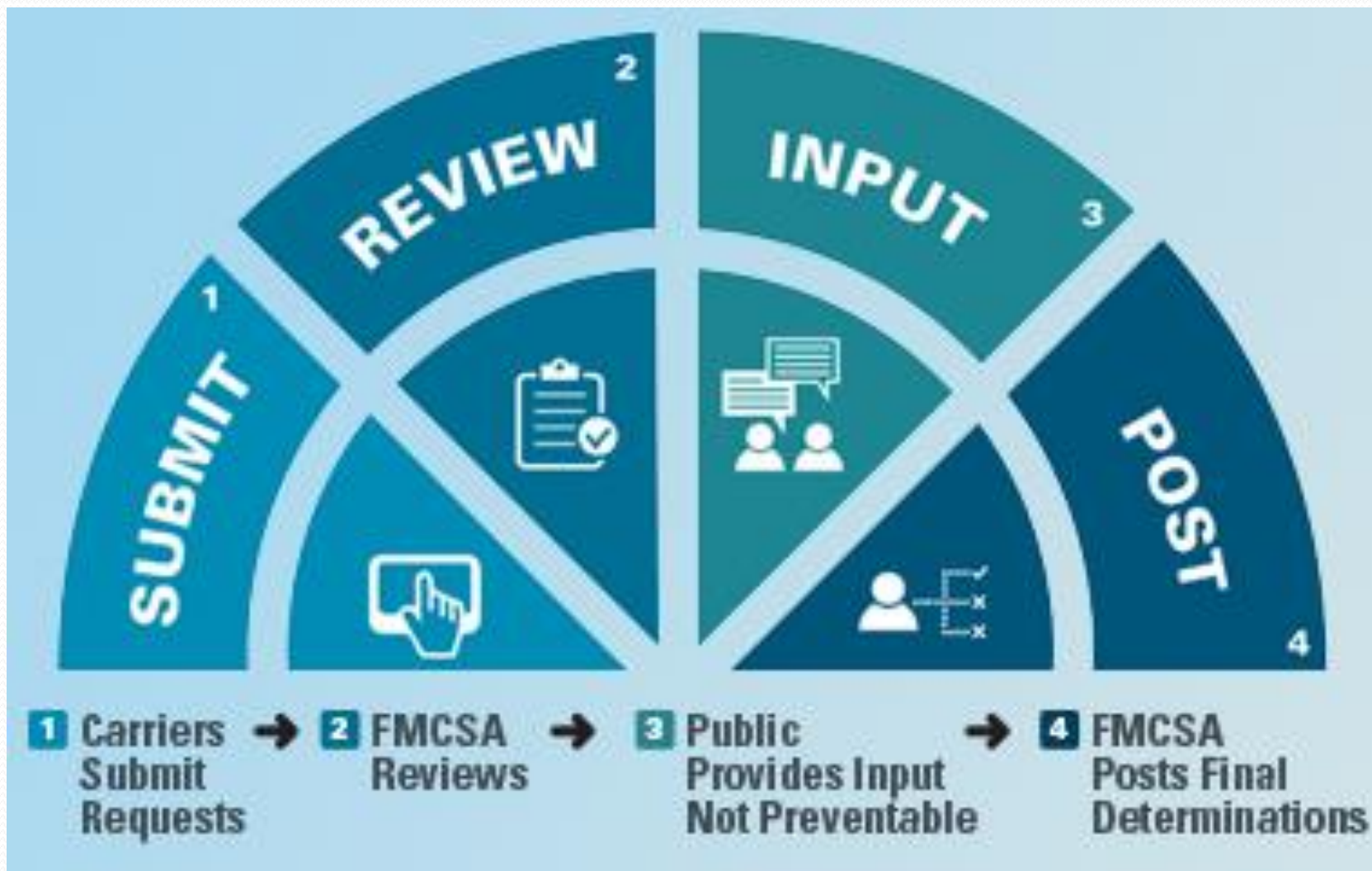




Participation Criteria

- Motor carriers and drivers that have an eligible crash that took place on or after June 1, 2017 and evidence to show that the crash was not preventable, you can participate in the Crash Preventability Demonstration Program.
- Visit DataQs to submit a crash preventability Request for Data Review (RDR).
<https://dataqs.fmcsa.dot.gov>





STEP 1 Motor carriers can submit requests through DataQs

STEP 2 FMCSA reviews requests and determines crashes are:
PREVENTABLE
NOT PREVENTABLE
UNDECIDED

STEP 3 General public can provide input for Not Preventable crashes

STEP 4 FMCSA posts final determinations to the Safety Measurement System (SMS)





Where can I find more information on the Crash Preventability Demonstration Program?

<https://www.fmcsa.dot.gov/safety/crash-preventability-demonstration-program>





Where can you get more Information?

- **Visit the website** www.fmcsa.dot.gov/elds
 - Sign up for the ELD newsletter to receive email updates
 - Visit the Training and Events section for upcoming opportunities hosted by FMCSA
- **Public email questions to:** ELD@dot.gov
- **ELD FAQs:** <https://www.fmcsa.dot.gov/hours-service/elds/faqs>
- **FMCSA Website:** <https://www.fmcsa.dot.gov/>

