



# Pennsylvania Conference of Teamsters

## Strength in Numbers 95,000

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## LEGISLATIVE ACTION ALERT

**Beginning in December 2017, a new rule by the Federal Motor Carrier Safety Administration would require all over-the-road freight carriers to use electronic logging equipment in trucks.**

**The new electronic logs, which many companies and carriers have already adopted, will be used in place of the old paper logs drivers have traditionally used**

An article in the Patriot News© posted on October 24, 2017 explained that electronic logs are designed to improve safety, requiring drivers to take a 30 minute break after driving eight hours. By law drivers -- of whom there are an estimated 3.5 million on the road -- can only drive 11 hours a day. The article

concluded that opponents of the rule argue that using the electronic logs limits drivers freedoms, doesn't necessarily allow for leeway, and places an expensive mandate on the industry. Electronic logging device can cost from \$500 to \$700 and require a monthly service fee.

The [electronic logging device \(ELD\) rule](#) – congressionally mandated as a part of MAP-21 – is intended to help create a safer work environment for drivers, and make it easier and faster to accurately track, manage, and share records of duty status (RODS) data. An ELD synchronizes with a vehicle engine to automatically record driving time, for easier, more accurate hours of service (HOS) recording.

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## Electronic Logging Devices to be Required Across Commercial Truck and Bus Industries

WASHINGTON – The U.S. Department of Transportation's Federal Motor Carrier Safety Administration (FMCSA) today announced the adoption of a Final Rule that will improve roadway safety by employing technology to strengthen commercial truck and bus drivers' compliance with hours-of-service regulations that prevent fatigue. "Since 1938, complex, on-duty/off-duty logs for truck and bus drivers were made with pencil and paper, virtually impossible to verify," said U.S.

Transportation Secretary Anthony Foxx. "This automated technology not only brings logging records into the modern age, it also allows roadside safety inspectors to unmask violations of federal law that put lives at risk."

The Final Rule requiring the use of electronic logging devices (ELD) will result in an annual net benefit of more than \$1 billion – largely by reducing the amount of

required industry paperwork. It will also increase the efficiency of roadside law enforcement personnel in

reviewing driver records. Strict protections are included that will protect commercial drivers from harassment. On an annual average basis, the ELD Final Rule is estimated to save 26 lives and prevent 562 injuries resulting from crashes involving large commercial motor vehicles.

“This is a win for all motorists on our nation’s roadways,” said FMCSA Acting Administrator Scott Darling.  
“Employing technology to ensure that commercial drivers

comply with federal hours-of-service rules will prevent crashes and save lives.” An ELD automatically records driving time. It monitors engine hours, vehicle movement, miles driven, and location information.

Federal safety regulations limit the number of hours commercial drivers can be on-duty and still drive, as well as the number of hours spent driving. These limitations are designed to prevent truck and bus drivers from becoming fatigued while driving, and require that drivers take a work break and have a sufficient off-duty rest period before returning to on-duty status.

### The four main elements of the ELD Final Rule include:

- Requiring commercial truck and bus drivers who currently use paper log books to maintain hours-of-service records to adopt ELDs within two years. It is anticipated that approximately three million drivers will be impacted.
- Strictly prohibiting commercial driver harassment. The Final Rule provides both procedural and technical provisions designed to protect commercial truck and bus drivers from harassment resulting from information generated by ELDs. [A separate FMCSA rulemaking further safeguards commercial drivers from being coerced to violate federal safety regulations and provides the agency with the authority to take enforcement actions not only against motor carriers, but also against shippers, receivers, and transportation intermediaries.]
- Setting technology specifications detailing performance and design requirements for ELDs so that manufacturers are able to produce compliant devices and systems – and purchasers are enabled to make informed decisions.
- Establishing new hours-of-service supporting document (shipping documents, fuel purchase receipts, etc.) requirements that will result in additional paperwork reductions. In most cases, a motor carrier would not be required to retain supporting documents verifying on-duty driving time.

The ELD Final Rule permits the use of smart phones and other wireless devices as ELDs, so long as they satisfy technical specifications, are certified, and are listed on an [FMCSA website](#). Canadian- and Mexican-domiciled drivers will also be required to use ELDs when operating on U.S. roadways. Motor carriers who have previously installed compliant Automatic On-Board Recording Devices may continue to use the devices for an additional two years beyond the compliance date.

A copy of the ELD Final Rule announced today is available at: <https://www.fmcsa.dot.gov/hours-service/elds/electronic-logging-devices-and-hours-service-supporting-documents>.

Further information, including a comprehensive, searchable list of frequently asked questions, and a calendar of upcoming free training webinars, is available <https://www.fmcsa.dot.gov/elds>.

You can also go the PA Conference of Teamsters web site at: <http://www.pacfteamsters.com/legislativeactionalert/legactionalertpg2.html> to learn more about this rule.

