

# Learning from the Electronic Logging Devices (ELD) Mandate

The controversy over the effectiveness of mandatory Electronic Logging Devices (ELD) rages on, but despite the outcry, the law requiring that many commercial trucks be outfitted with an ELD remains firmly in place. The final milestone for this phased-in regulation is December 18, 2019, when all vehicles subject to the law must have a federally certified ELD installed. Automatic onboard recording devices (AOBRD) that were grandfathered in for two years will no longer be acceptable.

Because the ELD requirement is unlikely to disappear anytime soon, the smart bet for trucking companies is to use the data and experiences created by ELD adoption to improve their own operational strategies, while its trade groups push for changes that will lead to a safer, more productive and more profitable industry.

Here are a few steps that trucking companies can take to make the best of the ELD mandate.

The FMCSA reports that in May 2018, only 0.64% of driver inspections found at least one hours-of-service (HOS) violation. In May 2017, that figure was more than double, with 1.31% of driver inspections reporting at least one HOS violation.



## Avoid Violations.

The monetary cost of fines is bad enough, but a potentially worse outcome of an ELD violation is the removal of a driver from his route. Besides forcing drivers to park their trucks for a penalty period, ELD violations negatively affect a driver's compliance, safety, accountability (CSA) score compiled by the Federal Motor Carrier Safety Administration (FMCSA).

Fortunately, compliance with ELD use has been excellent since the mandate went into effect in December 2017, and full enforcement began in April 2018. The FMCSA reports that in May 2018, only 0.64% of driver inspections found at least one hours-of-service (HOS) violation. In May 2017, that figure was more than double, with 1.31% of driver inspections reporting at least one HOS violation.



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### Communicate with Customers.

Shippers should by now understand the impact of ELDs on the practices and priorities of truck drivers, but some may not. It is critical for trucking companies to stress to their customers the importance of fast, efficient operations at shipping docks. Time wasted waiting for a shipment has always been a problem, but never more than now. Drivers who need to compensate for lost time, and who know that their movements are being tracked by an ELD, may participate in riskier driving behavior to stay on schedule and avoid losing money.



### Educate Drivers.

Drivers on the road must know what they need to know in case of an inspection. This includes information as simple as whether they're running an ELD or an AOBDR, to knowing about any exemptions they have, to having easy access to necessary compliance documentation. It's also important that drivers with an ELD are technically adept enough to transfer the relevant data upon request.



### Stay Informed.

Components of the ELD mandate have changed from its inception; new exemptions have passed and more modifications are proposed. This is a fluid situation, so it is critical to stay up on the latest news and to know how it affects you and your company. The **FMCSA's ELD site** is a good place to find the latest info, as are the various trade groups (e.g., American Trucking Associations and National Association of Small Trucking Companies) and publications (e.g., American Trucker).

**Looking further down the road, the Blockchain in Transportation Alliance (BiTA) is developing industry standards and educating members and others on blockchain applications/solutions and distributed ledger technology (DLT).**



### Make the Most of the Technology.

ELD technology is evolving. Companies are releasing new advancements and improvements all the time, including some that involve tablets and smart phones. ELD adoption can also be a good time to review other management systems and software to ensure that all facets of the organization are working optimally.

Sometimes lost in the ELD debate is the fact that these devices are designed to better enforce HOS rules that were in place long before the mandate. The ELD regulation is meant to enforce the federal hours-of-service rule, which limits time behind the wheel to no more than 11 hours a day within a 14-hour workday. Drivers must then be off duty for 10 consecutive hours.

While some drivers, companies and trucking interests have protested the intrusive nature of ELDs, forward-looking trade groups and legislators are focusing on fine-tuning the HOS rules that inspired the ELD regulation.

In June 2018, ATA president Chris Spear said, "Now that the trucking industry is coming into full compliance with the electronic logging mandate, the next step in improving truck safety and supply chain efficiency is to use the data these ELDs collect to make needed improvements to the underlying hours-of-service rules."

Proposed HOS reform legislation floundered in the House of Representatives in 2018. However, on March 29, 2019, at the Mid-America Trucking Show in Louisville, U.S. Transportation Secretary Elaine Chao announced a Notice of Proposed Rulemaking on HOS reform.

Chao was unable to provide details because it was still undergoing review at the Office of Management and Budget. However, past and current proposals have called for permanently exempting agricultural haulers from ELD requirements, reducing the amount of documentation that drivers are required to carry, providing more flexibility for drivers as it relates to rest periods, and creating uniformity in HOS regulations for short-haul drivers.



Looking further down the road, the Blockchain in Transportation Alliance (BiTA) is developing industry standards and educating members and others on blockchain applications/solutions and distributed ledger technology (DLT). Founded in August 2017, the group grew into the largest commercial blockchain alliance in the world, with nearly 500 members in more than 25 countries. Its members are primarily from the freight, transportation, logistics and affiliated industries.

FreightWaves, an online data and content forum, explains, “The blockchain is simply a digital distributed triple ledger/accounting system that tracks and monitors all transactions. Transactions are grouped in blocks and recorded one after another to form a chain of blocks. The links between the blocks and the data held in the blocks are protected cryptographically, thus previous transactions cannot be altered. This makes the ledger and the network trusted without a central authority.”

BiTA envisions a day when blockchain technology will allow for vastly more efficient operations. “The technology in the trucking ecosystem will speed up transactions, secure data transfer, and eliminate intermediaries,” notes FreightWaves contributor Asif Rahman.

Connecting ELD and blockchain will not only ensure that the fleet is in compliance and improve driver efficiencies, it will allow for the creation of a roadmap of items in transit. “The truckers are allowed to drill down and know the expected movement of the shipment from pickup to delivery, as well as individual items within the shipment. Manufacturers and distributors will be able to track items from source to the point of sale,” Rahman writes.

The ELD mandate is clearly here to stay. The only logical play for trucking and shipping companies is to accept and adapt to it, leverage the quantitative and anecdotal data it provides, and look for ways to use the ELD experience to boost company performance and, on a broader scale, enhance the health of the industry.

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