

# EIGHT THINGS YOU NEED TO KNOW ABOUT ELDs

Electronic-logging devices for commercial motor vehicles have sparked controversy for years, with questions centering on safety and privacy. ELDs synchronize with vehicle engines to automatically record driving time. Even with a federal law mandating the devices now on the books, debate continues to rage. A court in Chicago is set to hear arguments Sept. 13 in a lawsuit challenging the regulation, and a ruling could take months.

Meanwhile, as a December 2017 implementation deadline approaches, you need to familiarize yourself with the law and the technology so you can make important decisions regarding your business. No matter where you stand on the debate, it's time to study the details and start making a plan. If/when you decide to take the plunge, run dual systems—your old one and the electronic-logging device—for a week to a month. This will enhance your understanding of how the ELD works and how to best fit it into your daily routine. In the meantime, here are eight things you need to know about ELDs:



## YOUR RESPONSIBILITY UNDER THE FEDERAL MANDATE

The rule applies to most drivers and carriers required to maintain records of duty status. But there are some exceptions. If you drive a pre-2000-model-year truck, you're exempt. Owner-operators running under the various short-haul exemptions to logging records of duty status will not be required to use an ELD unless they cross the air-mile threshold of their particular exemption for more than eight days in any 30-day period.

## REGULATION DEADLINES

If you use paper logs or logging software, the federal rule requires you to transition to an ELD by Dec. 18, 2017. If you are using or begin using a CFR 395.15-compliant automatic onboard recording device prior to Dec. 18, 2017, you must transition to an ELD no later than Dec. 16, 2019.

## THE BEST TIME FOR MAKING A SWITCH

Because of the aforementioned lawsuit, many owner-operators are taking a wait-and-see approach. The Owner-Operator Independent Drivers Association is the lead plaintiff in the case and is backing two owner-operators who are also plaintiffs. The 7th U.S. Circuit Court of Appeals, the court set to hear arguments, vacated the Federal Motor Carrier Safety Administration's previous limited mandate for ELDs in 2011.

Cost could be another factor in favor of restraint. Regulations requiring a product usually prompt manufacturers to create more varieties, and that has been the situation with ELDs. The market has grown substantially since release of the ELD final rule in December 2015. Increased competition has the potential to drive down prices.

## WHETHER IMPLEMENTATION MAKES SENSE FOR YOUR BUSINESS, EVEN IF THE FEDERAL RULE DOESN'T STAND

Steve Wilhelms, vice president of business development at Vigillo LLC, a commercial transportation technology firm, says 15 to 20 percent of brokerage firms require ELDs—or the shipper the broker is handling freight for requires them. He predicts that number could multiply rapidly.

## STATE RULES ARE POSSIBLE

States could adopt the federal regulation or something similar to it. Pay attention to any ELD-related actions by states in which you operate.

## WHICH DEVICES MEET THE FEDERAL-MANDATE REQUIREMENTS

According to FMCSA, ELD manufacturers must ensure their products conform to certain technical specifications, certify their ELDs and register them with the agency. The only approved devices, according to the ELD final rule, are those listed in [FMCSA's ELD device registry](#).

## BASIC INFO ABOUT THE RANGE OF DEVICES ON THE MARKET

Check out a [comparison chart](#) by *Overdrive* magazine that provides information on costs, compatibility (iOS, Android, etc.) and other capabilities besides logs for more than 25 devices.

## HOW MUCH DATA YOU WANT TO GATHER

The federal ELD mandate requires devices to collect a limited amount of data, but many products on the market capture much more—speed, hard brakes, rapid acceleration and vehicle-performance parameters, for instance. If you manage it, this can be helpful information from both safety and business perspectives. Owner-operators who run small fleets should be aware they could be responsible for their drivers' actions if they gather this data. Fleets should be aware they could be responsible for their drivers' actions if they gather this data.