

ARE YOU READY?

WHAT YOU NEED TO KNOW ABOUT THE ELD MANDATE

Sept 2017

Hello to all of our customers and friends,

We just heard the latest news on the ELD mandate. First, here is a little history. The FMCSA made it a law back in 2015 that interstate truckers must implement Electronic Logging Devices by December 18th, 2017. The FMCSA is convinced that the use of ELDs will result in fewer crashes. However, until the government figures out how to measure and enforce a driver's actual sleep time, it can all seem rather silly.

The larger trucking companies went to ELDs several years ago. However as we all know, larger trucking companies make up a very small percentage of the industry. The average interstate trucker is still using paper logs. The Owner-Operator Independent Drivers Association (OOIDA) has been fighting mandatory ELDs from the beginning; trying to make the case that the rule is too costly and burdensome. After trying to block the ELD mandate in the appellate courts, their case was just recently denied a hearing from the U.S. Supreme Court.

There was a list ditch effort to sway members of congress to postpone or shoot down the mandate. Some lawmakers did commit to trying. However, they just returned back to work from their most recent break and are faced with a mountain of more weighty issues. There is much doubt that congress will intervene. Besides, the bigger money is in support of the larger carriers who are not the least bit interested in stopping or slowing things down. Most of them have already paid the price and want the smaller carriers to have to do the same.

Now, the rest of the story: Last week, the Commercial Vehicle Safety Alliance (CVSA) announced that no truck would be put out of service for not having an ELD until April 1, 2018. That means if a truck is found to not have an ELD during an inspection, a citation may be issued or a warning given, but the truck will not be taken out of service. That's a good thing! Imagine loads sitting at scale houses while the impounded truckers order and install ELDs. Currently, that process can take up to 2-weeks. Furthermore, as the OOIDA pointed out in their arguments, many states (roughly half of them) don't even have statutes in the books to enforce ELD laws.

Clearly, somebody had to do something to slow things down. Not many days ago, analysts were predicting up to a 20% increase in spot market prices. One researcher said that the ELD mandate would result in a re-benchmarking of the industry. I believe both were real potential consequences. We can hope that with the postponed enforcement, the consequences will be less severe.

Be safe,

Mark



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