



June 21, 2017

Electronic Logging Device Mandate

### **Talking Points**

- The ELD mandate is a one-size-fits-all approach to an industry that is anything but one-size-fits-all.
  - o Long haul, short haul, truckload, less-than truckload, diverse commodities, regional and geographical nuances, etc.
  - o ELDs simply won't work for many trucking operations, in particular small-business truckers.
  
- The ELD mandate is expected to cost the trucking industry \$2 billion, making it one of the costliest unfunded mandates in history.
  - o Small-business truckers will bear the majority of these costs without realizing any safety, economic, or productivity benefits.
  - o Mega carriers already using ELDs simply want to impose additional costs and compliance burdens on small-business truckers.
  
- The ELD mandate was pushed through Congress and DOT under the guise of improving highway safety, yet ELDs will do absolutely nothing to improve highway safety.
  - o They are nothing more than an electronic means of recording hours-of-service.
  - o An examination of the safety records of large fleets with ELDs reveals that merely installing ELDs does not achieve safety benefits as crash rates per 100 power units of ELD-equipped fleets is significantly higher than crash rates of non-ELD equipped fleets.
  - o An ELD study requested by FMCSA concluded that there has been no documented improvement in compliance or safety with carriers that use ELDs and that even the most effective on-board technology is not capable of determining how drivers conduct themselves while they are off-duty and/or on-duty not driving (i.e. factors that contribute to fatigue).
  
- FMCSA has failed to address a variety of issues associated with the mandate.
  - o The agency refuses to certify any ELD as compliant with the rule, thus leaving consumers with no idea if a device they purchase is indeed compliant.
  - o The agency has failed to answer important questions from Congress and industry stakeholders, including issues related to enforcement, connectivity, data transfers, cybersecurity vulnerabilities, and many other legitimate real world concerns.