

ISSUE NUMBER

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ISSUE NAME

OOSC, Part I, Item 9.a.(6) and (7) - False RODS

STATUS

Open

Driver-Traffic Enforcement Committee

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Over the last 4-5 months, seeing a large increase of inspections revealing what appears to be some manipulation of the ELD App file. The initial inspection of the driver's ELD through ERODS does not indicate any discrepancies or "red flags" such as mileage jumps, locations jumps while in an off duty or sleeper berth status, and virtually look completely 100% compliant. However, upon comparison to supporting documents (BOLs, receipts...if available), are indicating discrepancies in the times, dates and locations as compared to the driver's ELD file. Often times in my experience, times loading or unloading at shipper/receiver are compressed so required data points still indicate same locations/odometer of driver's loads, therefore unless compared to supporting documents, no discrepancies are noted. I have continuously reported this same issue to ELD Tech through ERODS on multiple different ELD apps.

In my experience, most often these compressions or manipulations of the times are used to show the driver in a 34-hour reset on his ELD or better said to "Squeeze" in a 34-hour reset. Through the driver interview I have learned the following:

- Most of the driver's are not aware of their HOS change in the ELD. Most often, appears company changing behind scene, not known to driver and Driver is not able to explain when shown inaccuracies or how ELD changed.
- Driver's can "request" more hours, pay fee and the changes are made. Specifically, one driver stating he doesn't make major changes but sometimes needs ½ hr, will make the request and done. Yet another driver indicated trying to support family, once low on hours, will make request and changes made and keeps rolling.
- Reportedly less likely to be "available" on more "reputable" name brand ELD apps. AI is assisting in making these changes...to make files look legit. AI will take into consideration other factors such as if driver traveled through states where inspectors may have access to LPR's, EZ Pass, etc.
- Majority times when driver is asked "Last legitimate 34 hour reset?" remember or Weeks...when ELD will often indicate 34-hour reset in last few days.

The current OOSC (Page 8, (7) False record of Duty status - full wording seen below) in summary requires the inspector to determine if the "inaccuracy disguises the driver being over the...60/70- hours rule at the time of inspection." My experience has been, it would be virtually impossible to determine the current status of the driver or to recreate their hours, as the hours have been changed, manipulated so much over last 7/8 days.

JUSTIFICATION OR NEED

Based on increased occurrences of above scenarios, determination by inspector of the current status of Driver's

hours (60/70 Rule) is very difficult or near impossible. Additional language in OOSC would make violation of this rule more clear and potentially force driver into reset or possible 10 hr rest break.

REQUEST FOR ACTION

Requested Change: Add line or language to OOSC that if the inaccuracy is part of a reported 34-hour reset...Declare driver OOS until eligibility to drive is re-established.

However since re-creation of hours is difficult or near impossible, second option may be for flat 10 hr rest break...Declare driver OOS for 10 hrs.

SUPPORTING DOCUMENTS/PHOTOS

- [CVSA-False-OOSC-Requested-Change.docx](#)

ACTION TAKEN BY COMMITTEE

Associate Voting Member expressed concern that there is a bigger issue at hand, why do ELD manufacturers allow these manipulations and falsifications? FMCSA encouraged inspectors to continue to report ELD's that are being manipulated and falsified. Enforcement is seeing 2-3 of these falsifications a day using LPR data. Multiple ELD falsifications with this method of editing the logs are being found and it seems likw this is a safety issue and this may be being underreported to FMCSA via eRODS. It was cautioned to change the OOSC OOSC regarding false logs at this point. It was recommended that reporting edited false logs to FMCSA should be done. Another idea was to reach to Information System Committee and add a checkbox in SafeSpect to identify and track these edited devices. Inspectors should be reporting edited devices to NCCDB or ELD@dot.gov.

This issue was reopened by the Driver-Traffic Enforcement Committee in 2025 for further action based on tampering of ELDs.