

**ISSUE NUMBER**

25-019-DRV

**ISSUE NAME**

Operational Policy 14 - RODS Violations

**STATUS**

Open

Driver-Traffic Enforcement Committee

**NAME**

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I'd like to request a change in Operational Policy 14, specifically the HOS falsification portion. This policy states that a false record of duty status charge should be listed once for every 24-hour period where the record of duty status is false. I'd also like to request a limitation of citing failure to certify and unassigned driving time once per report.

**JUSTIFICATION OR NEED**

False record of duty status is a charge that carries numerous SMS points against a carrier's profile. If a record of duty status is falsified, even by a minute, an inspector may cite the charge. The charge can be cited, even if the falsification is inadvertent. Falsification can be cited, even if the driver never exceeds HOS limitations. Eight charges for falsification can be levied against a driver, which will also cause a tremendous amount of points to go against the carrier, even if the violation is minuscule and is not an imminent hazard. Inspectors who choose enforcement for every violation can cause serious harm to a carrier's SMS score, even if the falsification is accidental due to a lack of knowledge in operating an ELD.

I also believe we should cite one violation per report for failure to certify and unidentified driving time, for uniformity and to avoid claims of the punitive enforcement practices for non-imminent hazards.

I am a CVSA Part A instructor and Safety Investigator. I've seen the non-uniformity in how these violations are cited and how they can negatively affect carriers.

**REQUEST FOR ACTION**

Please review my request to alter Operational Policy 14 only to cite false RODS, failure to certify ELD, and unidentified driving time once per report, instead of each 24-hour period. Thank you for your consideration.

**SUPPORTING DOCUMENTS/PHOTOS**

- [Ops-Policy-14-HOS.PNG](#)