



Commercial Vehicle Safety Alliance

Improving uniformity in commercial motor vehicle safety and enforcement

August 25, 2017

Daphne Jefferson
Deputy Administrator
Federal Motor Carrier Safety Administration
1200 New Jersey Avenue, SE, 6th Floor
Washington, DC 20590-9898

Dear Deputy Administrator Jefferson,

On behalf of the Commercial Vehicle Safety Alliance (CVSA), I am writing to express our strong opposition to any effort to delay implementation of the congressionally mandated electronic logging device (ELD) requirement. The December deadline for this important safety regulation was established by the Federal Motor Carrier Safety Administration (FMCSA) in 2015 following a decade of regulatory inquiry, study, litigation and ultimately a congressional mandate in 2012 as part of the Moving Ahead for Progress in the 21st Century Act – MAP-21. Motor carriers have had two full years to prepare for the requirement and obtain devices for their vehicles. FMCSA's own research has found that the use of ELDs results in a reduction in a motor carrier's crash rate and hours-of-service violations. It is time to move forward with this regulation.

I also want to assure you that, despite what opponents of the mandate may argue, the enforcement community is ready to begin enforcement of the requirement on Dec. 18, 2017. On that date, inspectors and roadside enforcement personnel will begin documenting violations on roadside inspection reports and, at the jurisdiction's discretion, will issue citations to commercial motor vehicle drivers operating vehicles without a compliant ELD.

In order to ease the transition and to help those motor carriers that have not prepared for the ELD requirement, CVSA has elected to begin applying the out-of-service criteria (OOSC) associated with the ELD mandate on April 1, 2018. Setting a new April 1, 2018 effective date for applying the ELD OOSC will provide the motor carrier industry, shippers and the roadside enforcement community with time to adjust to the new ELD requirement with minimal disruption to the delivery of goods. However, on April 1, 2018, non-compliant drivers will be placed out of service.

CVSA member jurisdictions have used this phased in approach in the past when implementing a significant change in regulatory requirements. The CVSA Board of Directors, in consultation with FMCSA and the motor carrier industry, agreed that the phased approach to implementation of the ELD requirements outlined in the North American Standard Out-of-Service Criteria will help promote a smoother transition to the new ELD requirement.

CVSA works to closely monitor, evaluate and identify potentially unsafe transportation processes and procedures as well as to help facilitate and implement best practices for enhancing safety on our highways. Commercial motor vehicle safety continues to be a challenge and we need the involvement of all affected parties to help us better understand these issues and put into place practical solutions. We appreciate the agency's commitment to safety and stakeholder involvement.

If you have further questions or comments, please do not hesitate to contact me by phone at 301-830-6149 or via email at collinm@cvsa.org.

Respectfully,

A handwritten signature in black ink, appearing to read "Collin B. Mooney". The signature is fluid and cursive, with the first name "Collin" being the most prominent part.

Collin B. Mooney, MPA, CAE
Executive Director
Commercial Vehicle Safety Alliance