



Unassigned Driving Time

- Unassigned driving events occur any time a vehicle equipped with an automatic onboard recording device (AOBRD) or electronic logging device (ELD) is moved without a driver being logged into, or associated with, the device and vehicle. Without exception, **every fleet will have unassigned driving events that need to be resolved to remain compliant.** The key is knowing how to find and correct them in your ELD system.

Know the Regulations

According to section 395.32 of the Federal Motor Carrier Safety Administration (FMCSA) regulations:

- Drivers must be presented with, and either accept or deny, any unassigned driving events
- If denied, the carrier's back office must investigate and choose to:
 1. Assign the time to the correct driver, or
 2. Attach a comment explaining why the time couldn't be assigned to a driver.

Ignoring unassigned time, hiding it elsewhere in the system, or deleting it is not an option.

Prevent Falsification

One reason FMCSA has included special requirements in the regulations for unassigned driving is that it is one of the most common methods drivers use to drive longer than the hours-of-service limits allow, essentially, to falsify their logs. Common falsification methods include:

- Logging out and continuing to drive once a limit is reached
- Logging in late to "create" a full 8- or 10-hour break
- Logging in late to extend the workday

All of these activities create unassigned driving time and are considered "false logs."

To prevent unassigned driving time, a carrier should provide login credentials to any employee who might move a vehicle. Employees use these credentials any time they move a vehicle that is equipped with an ELD or AOBRD, no matter the distance.

How to Find and Correct Unassigned Driving Events in Your ELD System (see back)

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Train Your Drivers

Carriers should train drivers on:

- Logging in before moving the vehicle and not logging out until completely done with the vehicle for the day
- Accepting unassigned driving time when it is presented to them
- Manually locating and accepting unassigned driving time if not completed as part of a daily routine
- Paying attention to any warnings issued by the device
- Using the personal use special category when commuting to a purely personal destination
- Using the yard move special category when moving a vehicle in a yard

Follow Best Practices

Carriers need to assign someone to **review unassigned drive time daily**. These events can accumulate if unchecked for any length of time, quickly becoming unmanageable.

The longer you go before correcting these, the more unassigned driving events the driver will create. And if you are audited, the unassigned driving events in the Unassigned Driver account will be the focus of the investigator. If you are not **managing these events correctly**, the investigator will be able to assign the time or determine that it is false driving.

Not all unassigned driving events are caused by drivers attempting to falsify. They can be honest mistakes or simply instances of the device losing cell reception. No matter what the reason, **make sure someone talks directly to the driver(s) involved and conducts timely training** whenever an unassigned driving event comes into the back office.

If you **consistently address unassigned driving events**, drivers will become increasingly disciplined about logging in and out correctly, accepting unassigned driving events when they are presented to them, not attempting to falsify by driving when logged out, etc. The net result is a downward trend in the number of unassigned driving events you have to deal with in the back office.

Find and Correct Unassigned Driving Events in Your ELD System

As a carrier, you are responsible for finding and correcting unassigned driving time. To avoid potential non-compliance with hours-of-service regulations and reduce the chance of an audit, **it is in your best interest to address these events early and often**. Some solutions, like the J. J. Keller® Encompass® system, include reporting to simplify this process. If your ELD provider's reporting methods make it difficult to locate unassigned driving events in your system, or require an onerous process for resolving

these events, your company could be at risk. Familiarize yourself with the regulations, make sure your drivers and staff understand their involvement in the process, and determine if your ELD provider offers the technology and support you need to stay compliant.



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