

# Screening Protocols in an Age of Driver Shortages



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## Thank You for Joining Us!

- This webcast will cover ...
  - A regulatory overview
  - Best practices in compliance
  - A case study in implementation
  - Question & Answer session
- You will be muted during the event.
- Please use the Q&A feature to send in questions. We'll try to answer them during the Q&A period if they are not covered in the presentation.
- The slides and recording will be posted within 7 days at: [www.ijkeller.com/nptcinfo](http://www.ijkeller.com/nptcinfo)



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## Meet Your Speakers



<b>Gary Petty</b> President & CEO National Private Truck Council	<b>Tom Bray</b> Sr. Industry Business Advisor J. J. Keller & Associates, Inc.	<b>Tom Moore, CTP</b> Executive Vice President National Private Truck Council	<b>David Barth, CTP</b> Transportation Area Manager Wegmans Food Markets, Inc.
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## Hours of Service Regulations

Tom Bray  
J. J. Keller & Associates, Inc.

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### The Regulations

- The hours-of-service regulations fall into three core areas:
  - Limits - §395.3 and §395.5
  - Logs
    - Electronic (ELDs) – Subpart B to Part 395
    - Paper - §395.8
  - Exceptions to limits and logging
    - §390.3, §395.38, and §395.39
    - §390.23 and .25 (declared emergencies)
    - §395.1(b) to (x)
    - Temporary ones granted by FMCSA and due to



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### Limits

- §395.3 - Property-carrying driver limits
  - 14-hour limit (consecutive)
  - 11-hour driving limit
  - 8-hour driving limit
  - 60/70-hour in 7/8-day limit
- §395.5 - Passenger-carrying driver limits
  - 10 hours driving
  - 15 hours on duty (accumulated)
  - 60/70-hour 7/8-day limit



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# Screening Protocols in an Age of Driver Shortages

## Logs

- Correctly known as Records of duty status, or RODS
  - Electronic (ELDs)
    - Subpart B are the regulations
    - Appendix to Subpart B are the technical standards
  - Paper - §395.8
    - Can only be used if the driver is exempt from the ELD regulations



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## ELDs - Driver

- Automatically capture driving time
  - Move 5 mph or more = driving
  - Stop for 5 minutes = on duty (unless driver enters another status)
- Data captures automatically done at specific times
- Driver does other duty changes and makes manual entries:
  - Unit numbers and shipment numbers
  - Edits to correct errors (comment required)
  - Comments when an exemption is used
  - Certify the record at the end of the day and then submit within 13 days



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## ELDs - Driver

- During log in, the driver must accept or refuse any unassigned driving time on the ELD
- During a roadside inspection, the driver must be able to:
  - Present display to officer outside of vehicle or printed logs,
  - Transfer the current and previous 7 days' ELD records to the officer, and
  - Present user's guide, transfer and malfunction instructions, and 8 blank logs



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## ELDs – The Back Office

- Accounts must be assigned to a specific individual- no “generic” or “ghost” accounts
- Deal with unassigned driving time
  - Only two options
    - Assign to a specific driver, or
    - Attach a comment explaining why it could not be assigned to a specific driver



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## False Electronic Logs and Spotting Them

- Log out and drive (unassigned driving time)
- Edit to create more available hours (pattern to edit)
- Misuse of special driving category (audit using system reports)
- Log on-duty time as off-duty time (manual auditing)
- Use another driver’s log in (no logs submitted when expected)
- Unplug (jumps in the location, mileage, and engine data)



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## Paper Logs

- Haven’t changed much!
  - §395.8(b) and (c) – Statuses and recording locations
  - §395.8(d) – Contents
  - §395.8(e) – True and accurate
  - §395.8(f), (g), and (h) – Instructions, including update at each duty change
- Can only be used if exempt from ELDs
  - Only occasionally log (8 or fewer days in last 30 days)
  - Certain driveaway/towaway drivers
  - Drivers driving vehicle older than MY 2000 (VIN or engine)
  - Rental rented for 8 days or less
  - Other exemptions granted by FMCSA to small groups



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# Screening Protocols in an Age of Driver Shortages

## Exemptions

- Can only be used if the conditions are met - See the regulation for details
- Only exempt from what the exemption states
- Most commonly used exemptions
  - §395.1(b) – Adverse conditions (up to an extra two hours on daily limits)
  - §395.1(e) – Short-haul logging exemption (time records rather than logs)
  - §395.1(g) – Split sleeper break (using two separate breaks to create required break)



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## Exemptions

- Most commonly used exemptions (continued)
  - §395.1(k) – Agricultural operations (limits and logging regulations do not apply when within 150 miles of the source)
  - §395.1(n) – Utility service vehicle (limits and logging regulations do not apply when operating, maintaining, or repairing utility infrastructure)
  - §395.1(o) - Property-carrying driver 16-hour exemption (short-haul driver can drive up to the 16<sup>th</sup> hour once per week\*)



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## Top 10 HOS Violations on the Road

- So far in 2022:
  1. §395.8(e): False report of drivers record of duty status
  2. §395.8(a) ELD: No record of duty status - no ELD when required
  3. §395.8: Record of Duty Status violation - general/form and manner
  4. §395.24(d) - ELD cannot transfer ELD records electronically
  5. §395.8(f) – Driver’s record of duty status not current
  6. §395.22(h) - Driver failed to maintain supply of blank drivers records of duty status
  7. §395.24(c) - Driver failed to manually add shipping document number
  8. §395.30(b) - Driver failed to certify the accuracy of the information gathered by the ELD
  9. §395.22(g) - Portable ELD not mounted in a fixed position and visible to driver
  10. §395.22(h) - Driver failing to maintain ELD instruction sheet



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## Avoiding Problems

- False logs, missing information, operating over hours, driver can't transfer logs, log not certified, driver couldn't present required materials
  - Training, auditing, counselling
- No log when required
  - Make sure you and your drivers know when a log is to be used/submitted

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## FREE Log Auditing Checklist! Ask About J.J. Keller® ENCOMPASS

VEHICLE TRACKING DRIVER APPS DASH CAM TECHNOLOGY ELOGS & EDVIRS FLEET MANAGEMENT COMPLIANCE & GUIDANCE

FREE LOG AUDITING CHECKLIST



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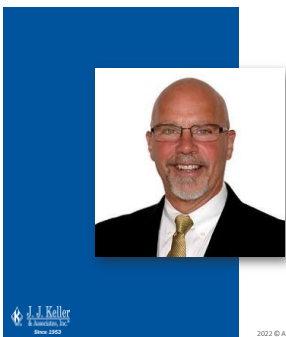
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**Beyond Compliance**  
*Tom Moore, CTP*  
National Private Truck Council



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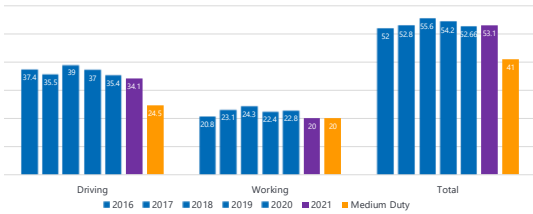
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## Typical Driver's Workweek



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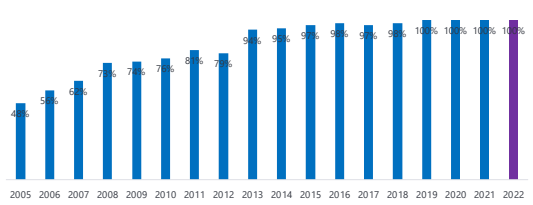
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## Universal Adoption of Onboard Technology



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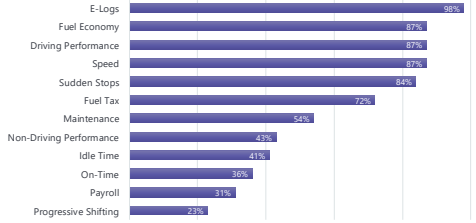
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## How Technology is Deployed



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# Screening Protocols in an Age of Driver Shortages

## Benefits of ELDs

- Improve compliance
- Enhance corporate visibility
- Optimize staff support and compliance
- Reduce driver hassle
- Provide more data

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## Why the Regs Aren't Followed

- Poor communication
- Conflicting goals
- Processes that lead to poor follow-through

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## Driving within the Regulations

- Train the drivers that:
  - They own their hours of service
  - Captain of the Ship Policy
  - Review the regulations regularly
  - How to use the on-board system
- Private fleets use
  - On board systems to find violations
  - Coach drivers when they violate the regulations
  - Document coaching and training

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## A Fleet's Perspective

David Barth, CTP  
Wegmans Food Markets, Inc.



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## Wegmans Food Markets, Inc.

- Living with ELD's and the HOS Regulations
- Personal Conveyance Policy
- Combatting Fatigue



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## Wegmans Food Markets, Inc.

- Founded in 1916
- Family-owned grocery store chain
- 108 Stores in northeast
  - (DE, NY, PA, NJ, MD, MA, VA, NC)
- 350 company drivers
- 120 third party dedicated drivers
- 180 tractors
- 1200 trailers
- 25 million miles in 2021



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# Screening Protocols in an Age of Driver Shortages

## Living with ELD's and the HOS Regulations

Table 6: Top Five Driver OOS Violations – U.S.

Violation Category	# of OOS Driver Violations	% of OOS Driver Violations
False Logs	1,901	45.00%
Wrong Class License	1,045	24.70%
Suspended License	251	5.90%
No Medical Card	222	5.30%
Other	205	4.90%



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## Living with ELD's and the HOS Regulations



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## Living with ELD's and the HOS Regulations



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## Living with ELD's and the HOS Regulations

**FMCSA** Federal Motor Carrier Safety Administration

**WEGMANS FOOD MARKETS INC.** (DOT# 0014 89462)

**Working Together for Safety.**

**SMS** Safety Measurement System

**WEGMANS FOOD MARKETS INC.**  
U.S. DOT# 001489462  
Address: 1200 BROWN AVE  
ROCKFORD, WI 54224  
Number of Vehicles: 188  
Number of Drivers: 188  
Number of Inspections: 11

**Safety Rating & OOS Rates**  
Risk of FMCSA 2022 updated data from 5/2022

Category	Value	National Avg %
Out of Service Rates	21.4	21.4
Type	OSR %	National Avg %
Vehicle	21.4	21.4
Driver	6.8	6.8
Recurate	6.8	6.8

**Licensing and Insurance**  
Not of FMCSA 2022 updated data from LEEI

Category	Value
Type	Active For Hire Authority
Property	No
Passenger	No
Reinstated Goods	No
Broker	No

**VIOLATION SUMMARY**

Category	Description	# Violations	# Out of Service	Out of Service Hours
OSR (2022)	Driver failing to maintain ELD information sheet	1	0	1

*Based on 24-month record ending Friday, August 26, 2022*

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## Living with ELD's and the HOS Regulations

- Why?
  - Compliance, Safety, Accountability
- How?
  - Knowledge and Education



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## Living with ELD's and the HOS Regulations

- Knowledge
  - Drivers must know and understand;
    - The hours they can legally drive before a violation occurs.
    - The importance of keeping their RODS current, accurate and complete.
    - The importance of getting proper rest and nutrition.
- Employers must;
  - Educate drivers and driver managers alike.
  - Always strive to set drivers up for success.
  - Monitor driver HOS and identify patterns of non-compliance



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## Living with ELD's and the HOS Regulations

### Duty Status

- HOS automatically puts the active driver in **Drive** when the wheels turn. When the truck stops, the driver is prompted to enter **On Duty**.
  - All other statuses must be changed manually.
  - You may be prompted to enter **On Duty** while stopped (in traffic).
  - If you're driving under Personal Conveyance, the duty status must be changed manually when stopped.



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## Hours of Service Screenshot

Truck Name	Driver/Status	Event ID	Event Type	Start Time	Stop Time	Duration	Location	Notes	Event Time	Event Date
Truck 1	Driver A	0001	Drive	08:00	09:00	01:00	001		08:00:00	08/15/12
Truck 1	Driver A	0002	On Duty	09:00	09:00	00:00	002		09:00:00	08/15/12
Truck 1	Driver A	0003	Drive	09:00	10:00	01:00	003		09:00:00	08/15/12
Truck 1	Driver A	0004	On Duty	10:00	10:00	00:00	004		10:00:00	08/15/12
Truck 1	Driver A	0005	Drive	10:00	11:00	01:00	005		10:00:00	08/15/12
Truck 1	Driver A	0006	On Duty	11:00	11:00	00:00	006		11:00:00	08/15/12
Truck 1	Driver A	0007	Drive	11:00	12:00	01:00	007		11:00:00	08/15/12
Truck 1	Driver A	0008	On Duty	12:00	12:00	00:00	008		12:00:00	08/15/12
Truck 1	Driver A	0009	Drive	12:00	13:00	01:00	009		12:00:00	08/15/12
Truck 1	Driver A	0010	On Duty	13:00	13:00	00:00	010		13:00:00	08/15/12
Truck 1	Driver A	0011	Drive	13:00	14:00	01:00	011		13:00:00	08/15/12
Truck 1	Driver A	0012	On Duty	14:00	14:00	00:00	012		14:00:00	08/15/12
Truck 1	Driver A	0013	Drive	14:00	15:00	01:00	013		14:00:00	08/15/12
Truck 1	Driver A	0014	On Duty	15:00	15:00	00:00	014		15:00:00	08/15/12
Truck 1	Driver A	0015	Drive	15:00	16:00	01:00	015		15:00:00	08/15/12
Truck 1	Driver A	0016	On Duty	16:00	16:00	00:00	016		16:00:00	08/15/12
Truck 1	Driver A	0017	Drive	16:00	17:00	01:00	017		16:00:00	08/15/12
Truck 1	Driver A	0018	On Duty	17:00	17:00	00:00	018		17:00:00	08/15/12
Truck 1	Driver A	0019	Drive	17:00	18:00	01:00	019		17:00:00	08/15/12
Truck 1	Driver A	0020	On Duty	18:00	18:00	00:00	020		18:00:00	08/15/12

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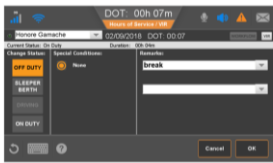
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## Living with ELD's and the HOS Regulations

- For drivers who must take a rest break after 8 hours of drive time:
  - The rest break must be 30 min or more in duration.
  - During rest break, driver must be in Off Duty or Sleeper Berth status.
  - If the wheels move during your break, you must restart the entire break.



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## Hours of Service Violations Report

**Violation Report**

Driver group: RSC  
 Rule Set: US DOT Rules  
 Dates: 8/1/2022-8/24/2022

Driver Name (Driver ID)	Start Time	Duration	Violation Type(s)
Jared [174263]	9/13/2022 07:20:07	0H00M44	Rest Break

**Total Violations = 1**



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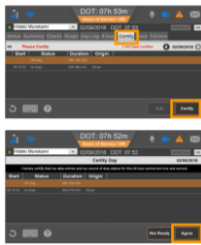
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## Living with ELD's and the HOS Regulations

### Certify All Logs

- You must receive the latest logs before you may approve them logs.
  - From the Certify tab, tap **Certify**.
  - Tap **Agree**.



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## Unconfirmed Logs

**Unconfirmed Logs**

Driver group: RSC  
 Report time: 8/24/2022 18:03 EDT  
 Number of days in past: 7

Driver Name	Driver ID	Unconfirmed Since (at driver report time)	Number of Unconfirmed Days
Carroll	140776	8/23/2022 08:38:24	123
Conner	194348	8/23/2022 08:43:43	151
Frank	205848	8/19/2022 08:34:00	148
Garick	375457	8/19/2022 04:36:30	108
McDonald	237147	8/19/2022 07:34:00	100
James	347974	7/13/2022 08:09:27	76
Walt	245488	7/19/2022 18:37:40	73
McIntosh	264760	7/20/2022 13:49:41	68
Lawrence	232657	7/20/2022 07:27:15	62
Edward	174223	8/23/2022 08:07:30	32
McDonald	287765	8/19/2022 08:08:00	18
Thomas	194331	8/14/2022 04:26:00	12
Frank	206428	8/19/2022 02:28:36	10
Walt	194344	8/18/2022 03:54:00	10



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# Screening Protocols in an Age of Driver Shortages

## Unassigned Driving Events – Not Yet Assigned

Unassigned Driving Events - Not Yet Assigned

Vehicle group: ISC  
 Driver: 8077002/8077002  
 Report Area: 9375002/ 03 18 0317

Trailer #	Date	Start Time	Duration	Location
23068	8077002	18 21:45	04:00:00	8 mi WSW of Pottsville, PA
		18 22:00	00:00:00	8 mi WSW of Pottsville, PA
		18 22:00	00:00:00	8 mi WSW of Pottsville, PA
23069	8077002	18 38:36	04:00:00	7 mi SE of Mount Carmel, PA
		18 42:20	04:00:00	8 mi WSW of Pottsville, PA
23081	8077002	18 23:43	04:00:00	8 mi WSW of Pottsville, PA
		18 30:15	04:00:00	7 mi SE of Mount Carmel, PA
23078	8077002	18 19:42	04:00:00	8 mi WSW of Pottsville, PA
		18 17:14	04:00:00	8 mi WSW of Pottsville, PA
23024	8077002	18 09:00	04:00:00	8 mi WSW of Pottsville, PA
		18 10:00	04:00:00	8 mi WSW of Pottsville, PA
23090	8077002	18 12:45	04:00:00	7 mi SE of Mount Carmel, PA

Multiple Positioners



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## Living with ELD's and the HOS Regulations

### Provide Logs to an Inspector or Officer

- Navigate to the Day Log tab and hand the IVG and the DOT/MOT quick reference card to the officer.
- To send your logs to the officer:
  1. Tap the duty cycle tab (7-Days, 8-Days, Cycle 1, Cycle 2).
  2. Tap Fax/Email.
  3. Enter the name and fax number and/or email address of the person asking for the logs.
  4. Tap Request



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## Living with ELD's and the HOS Regulations

- Key Learnings with ELD Mandate
  - Drive time can no longer be edited
  - Drivers must certify/approve their logs
  - Drivers must not accept unassigned drive time
  - When the wheels turn, duty status is "Driving"
  - After standing still for 5 minutes, duty status must be manually changed back to "Driving"



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## Personal Conveyance

- Wegmans transportation safety policy does not allow for personal conveyance.
- Wegmans will pay for Uber or taxi if the driver needs to leave the hotel.



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## Combating Fatigue

- Wegmans Transportation Safety Policy
  - *A fatigued driver is a threat to himself/herself and to the public. Wegmans Food Markets will enforce DOT hours of service limitations for all drivers. Fatigue can also occur within the DOT hours of service limitations if the driver does not manage his/her personal rest periods properly. Wegmans expects every driver to manage his/her off duty time to be ready for assigned driving.*
  - *If a driver feels too sick or too tired to drive, he/she should follow the established Wegmans Distribution Call-In procedure and contact the Customer Satisfaction Center or Transportation Management to make other arrangements.*



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## Combating Fatigue

**HOW SLEEP WORKS**

### How Sleep Works

Español

Sleep is a period of rest that alternates with wakefulness. You have internal body clocks that control when you are awake and when your body is ready for sleep. These clocks have cycles of approximately 24 hours. The clocks are regulated by multiple factors, including light, darkness, and sleep schedules. Once asleep, you cycle through the stages of sleep throughout the night in a predictable pattern.

Sleep is important because it affects many of your body's systems. Not getting enough sleep or enough quality sleep raises your risk for heart and respiratory problems and affects your metabolism and ability to think clearly and focus on tasks.



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## Combatting Fatigue

### Metabolism and sleep

The way your body handles fat varies according to various circadian clocks, including those in the liver, fat, and muscle. For example, the circadian clocks make sure that your liver is prepared to help digest fats at appropriate times. Your body may handle fat differently if you eat at unusual times.

Studies have shown that not getting enough quality sleep can lead to:

- Higher levels of the hormones that control hunger, including leptin and ghrelin, inside your body
- Decreased ability to respond to [glucose](#)
- Increased consumption of food, especially fatty, sweet, and salty foods
- Decreased physical activity
- [Metabolic syndrome](#)

All of these contribute to [overweight and obesity](#).



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## Foster a Healthy Sleep-Nutrition Relationship



**Fruits & Veggies**  
Provide energy, vitamins and abundant plant compounds



**Nuts & Seeds**  
Contain sources of healthy including protein, fiber, and unsaturated fats



**Lean Meat, Poultry, Eggs & Meat Alternatives**  
Contain protein, essential B vitamins, and minerals



**Whole Grains**  
Contain more nutrients and fiber than refined grains



**Seafood**  
Provides anti-inflammatory omega-3s in varying amounts



**Liquid Oils**  
Provide mostly unsaturated fats that support heart health, especially if replacing solid fats



**Water**  
Carries nutrients to cells and hydrates the body



**Beans, Peas & Lentils**  
Budget-friendly options that deliver plant protein plus vitamins, minerals, and fiber



**Dairy & Fortified Soy Alternatives**  
In addition to calcium, fortified options, such as yogurt and milk, have nutrients that support good health



For more information visit the "Whole Body Health" section of [www.Wegmans.com/feelyourbest](http://www.Wegmans.com/feelyourbest)



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**Your Health**  
Poor sleep may put you at higher risk for:

- Alzheimer's disease
- Cardiovascular disease
- Cognitive decline and dementia
- Depression
- Diabetes
- High blood pressure
- High blood sugar
- High cholesterol
- Infections
- Obesity

Poor sleep can cause:

- Accidents
- Breathing problems
- Hormone imbalance
- Memory and cognitive issues
- Inflammation
- Stress
- Weight gain



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## Combatting Fatigue

### Tips for Better Sleep

Good sleep habits (sometimes referred to as "sleep hygiene") can help you get a good night's sleep.

Some habits that can improve your sleep health:

- Be consistent. Go to bed at the same time each night and get up at the same time each morning, including on the weekends.
- Make sure your bedroom is quiet, dark, relaxing, and at a comfortable temperature.
- Remove electronic devices, such as TVs, computers, and smart phones, from the bedroom.
- Avoid large meals, caffeine, and alcohol before bedtime.
- Get some exercise. Being physically active during the day can help you fall asleep more easily at night.



For more

<https://www.sleepeducation.org/essentials-in-sleep/healthy-sleep-habits>



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## Combatting Fatigue

### Prevent drowsy driving before taking the wheel

- Get enough sleep! Most adults need at least 7 hours of sleep a day, while teens need at least 8 hours.
- Develop good sleeping habits, such as sticking to a sleep schedule.
- If you have a sleep disorder or have symptoms of a sleep disorder such as snoring or feeling sleepy during the day, talk to your doctor about treatment options.
- Avoid drinking alcohol or taking medications that make you sleepy. Be sure to check the label on any medications or talk to your pharmacist.



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## Combatting Fatigue

- Driver scheduling practices
- Sleep disorders screening and treatment
- Educating drivers, dispatchers and managers
- Developing a corporate safety culture that actively combats driver fatigue
- Promote healthy exercise and nutrition habits to aid in sleep



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# Screening Protocols in an Age of Driver Shortages

## Send Your Questions



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National Private Truck Council



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## More Questions?



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