



THE ELECTRONIC LOGGING DEVICES MANDATE AND HOURS OF SERVICE FOR PRODUCE HAULERS

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Introduction



- Electronic Logging Devices (ELDs) became mandatory for commercial motor carriers (CMV) on December 18, 2017.
- On June 18, 2018, ELDs became mandatory for produce haulers.
- Hours of service laws (HOS) have not changed.
- The primary purpose:
 - To ensure better compliance with existing hours of service (HOS) requirements.

Introduction

The new mandate and the agriculture exemption may provide an advantage to Florida producers relative to other states.

We will:

1. Describe the mandate
2. Review HOS rules
3. Clarify agricultural exceptions to the HOS rules
4. Offer a preliminary discussion as to how ELDs could affect South Florida produce growers.



Electronic Logging Devices (ELDs)

1980s—ELDs were introduced



2012—Congress required that all CMV hauling freight be equipped with ELDs



2015—Final ELD rule was published in December 2015



Implementation

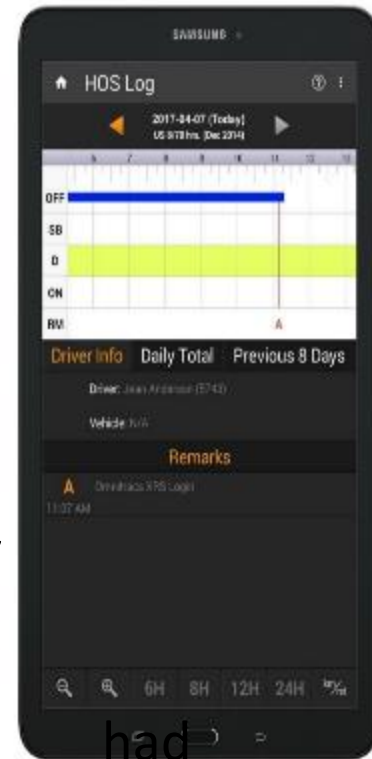
2015-2017—Phase 1: transition period; ELDs were voluntary



2017-2019—Phase 2: all trucks must install ELDs unless they previously installed an alternative logging device



2019—Phase 3: Begins after December 16, 2019; requires all drivers and carriers to use self-certified ELDs that are registered with FMCSA



Hours of Service (HOS) Rules



- **11-Hour Driving Limit:** CMVs may drive a maximum of 11 hours after 10 consecutive hours off duty
- **14-Hour Limit:** CMVs may not drive beyond the 14th consecutive hour following 10 consecutive hours off duty
- On duty includes loading
- **Rest Breaks:** A 30-minute rest break after 8 hours of driving is required
- **60/70-Hour Limit:** May not drive after 60/70 hours on duty in 7/8 consecutive days.

AGRICULTURAL EXEMPTIONS !

CMV drivers can haul agricultural products within 150 air-miles (173 ground miles) of the agricultural source

Agricultural Products

Crop and Livestock Commodities

Equipment

Seed

Fertilizer

Other Production Material

Records are important: Drivers must maintain records of duty status for seven consecutive days plus the current day.

- Logbooks or ELDs must be annotated “agricultural exemption”

Agricultural Source

The *originating location* from where agricultural products are hauled

- ❑ The agricultural source depends on what is being shipped and when the shipment occurs
- **Nursery:** Moving plants from a transplant house to the field makes the nursery an “agricultural source”
- **Field:** Hauling harvested fruit to the packinghouse
- **Packinghouse:** Moving commodities between packinghouses and other destinations within the supply chain

The commodity CANNOT be altered through processing, e.g., juice, canning



A

Time Counts Towards HOS

- A - Start of trip
- B - 150 Air-Mile Radius
- C - Agricultural Source
- D - Destination

B



150 air miles = 172.6 statute miles



C

HOS Exempt

- A - B Empty to within 150 miles of source.***
- B - C Empty to source within radius of source.***
- C - D Loaded source to destination within 150 miles.***



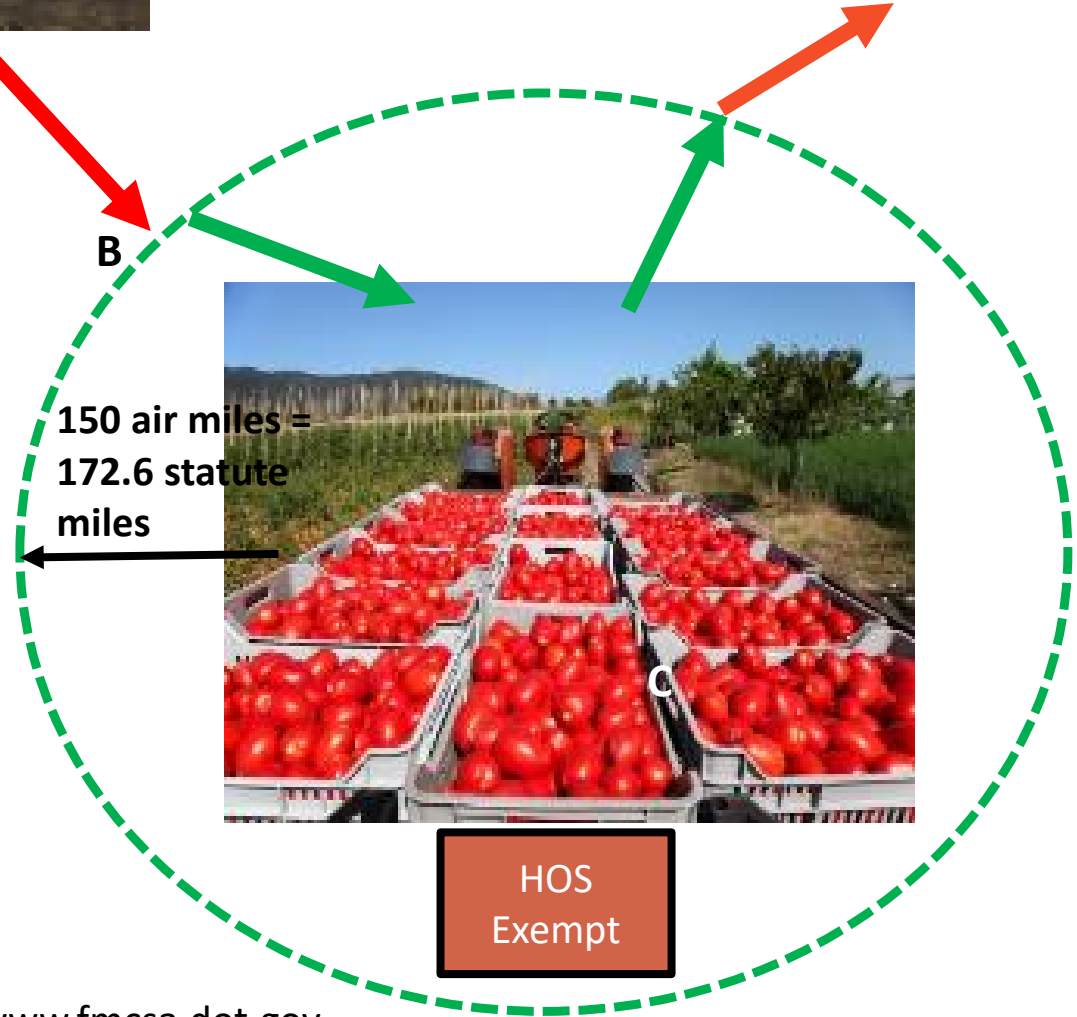
Time Counts Towards HOS

A - Start of trip

B - 150 Air-Mile Radius

C - Agricultural Source

D - Destination



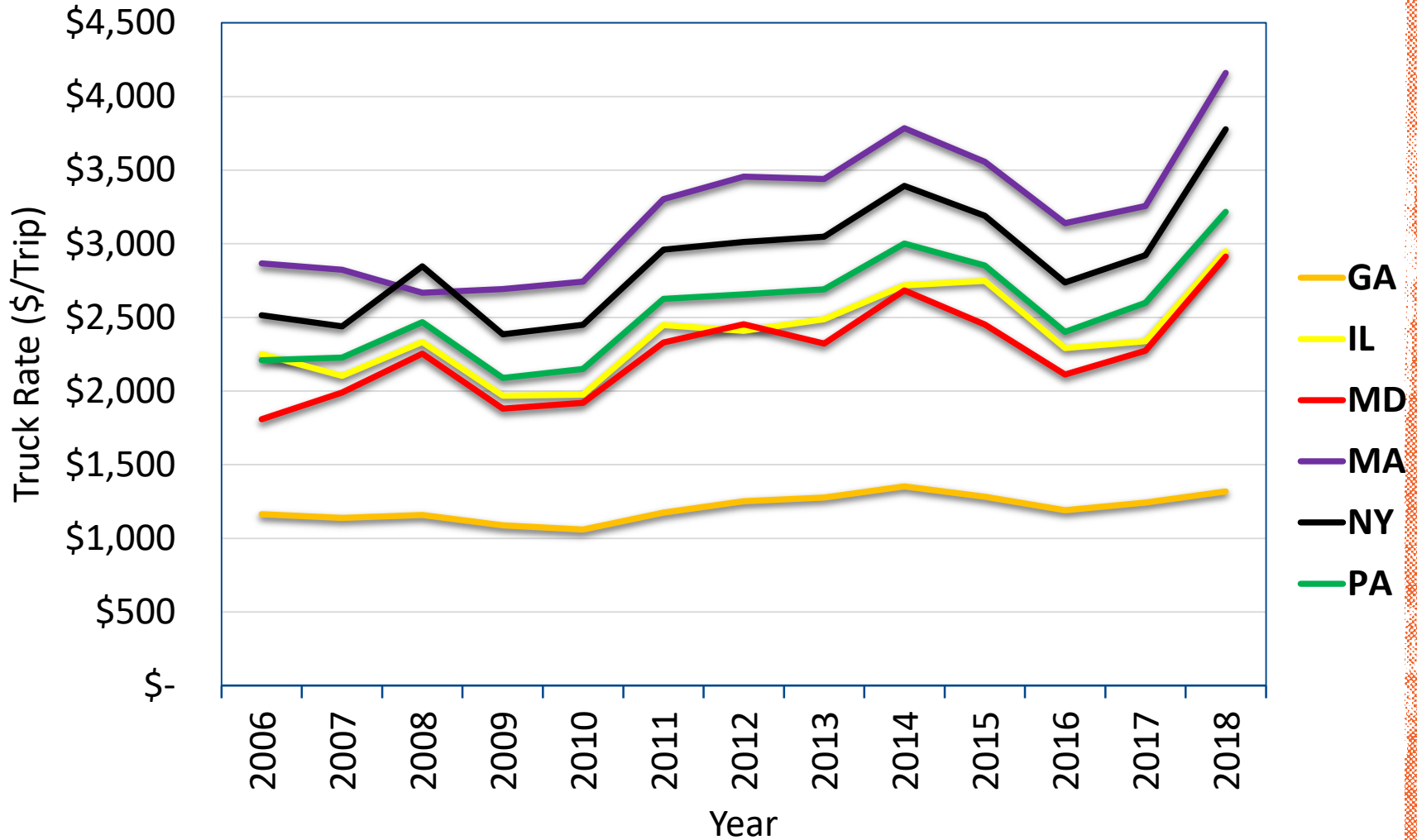
HOS Exempt

A - B Empty to within 150 miles of source.

B - C Empty to source within radius of source.

C - D Loaded source to destination within 150 miles.

Truck Costs Originating From Florida





Implications of ELDs for Produce Haulers

Additional Costs of Shipping to Hunts Point, NY

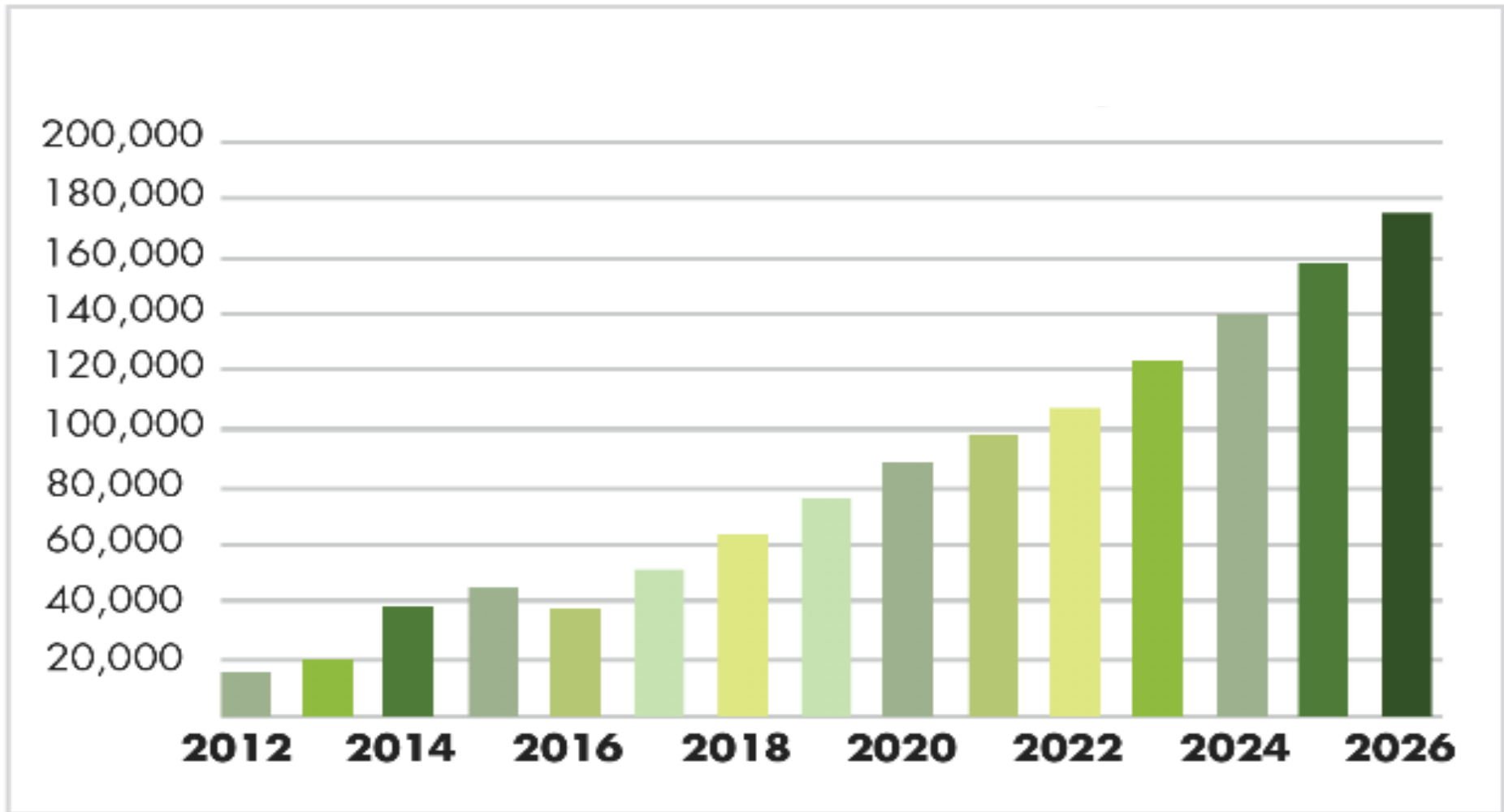
- **Destination:** Hunts Point, NY
- **Trailer capacity:** 1,700 25-pound cartons of round, mature-green tomatoes
- **Driver income:** \$80,000/year; 250 driving days per year; or \$320/day
- **Driving speed:** 60 miles per hour
- **HOS with ELD:** 11 hours per day; 660 miles per day
- **HOS without ELD:** 15 hours per day; 900 miles per day
- **Starting points:** Immokalee, FL, McAllen, TX, and Nogales, AZ

Additional Costs of Shipping to Hunts Point, NY



Starting Point	Mileage	Days to complete trip		ELD extra time	Added cost in driver income	Added cost per carton
	Miles	ELD Non-Compliant	ELD Complaint	Days	\$/Trip	\$/CTN
Immokalee, FL	1,253	1.4	1.9	0.5	\$160	\$0.09
McAllen, TX	2,003	2.2	3.0	0.8	\$256	\$0.15
Nogales, AZ	2,497	2.8	3.8	1.0	\$320	\$0.19

Truck Driver Shortage



Source: Driver Shortage Analysis 2017, American Trucking Association

Summary

- ELDs are mandated across a large portion of the freight industry, including trucks hauling fresh produce.
- The primary purpose of ELDs are to ensure that motor carriers and their drivers follow HOS rules.
- The agricultural exemption provides agricultural producers and haulers a radius of 150 air-miles in which HOS and ELDs are not required.
- For South Florida growers, increased compliance with HOS rules may provide a competitive advantage.
- There is an argument that the information ELDs provide could improve overall freight logistics and hauling efficiencies

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QUESTIONS



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