How to navigate FMCSA's rules on reclassifying drive time

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Introduction

The FMCSA does not allow ELD vendors to permit reclassification of automatically recorded Driving duty status time to a special duty status (SDS), such as Personal Conveyance (PC) and/or Yard Move (YM). This mandatory, universal rule impacts every ELD vendor on the market.

We've put together a quick guide to help your office and drivers navigate these FMCSA-mandated rules.

Checklist - before you hit the road.

Here are some pro tips and tricks that can help save your fleet and drivers from serious headaches:

Be vigilant

Double-check that **your duty status is appropriately recorded** before you put your foot on the gas.

If you do not select the appropriate SDS, your HOS summary will not reflect your true HOS. This means the onus for calculating hours will be on you until your cycles reset.

If a mistake does occur, fleet admins have the option to ignore an incorrectly recorded drive time to reflect the actual driving hours remaining in HOS clocks. This doesn't remove the ELD recorded drive time from the ELD outputs.

Add reminders

Print reminders and place them in a visible location so that drivers are reminded to assign the appropriate duty status before they drive.

Overcommunicate

Review this guide with your drivers and office personnel, so that all roles understand the expectations on how to operate moving forward.

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Why can't I reclassify drive time?

The FMCSA does not allow ELD vendors to permit reclassifying automatically recorded Driving duty status time to a special duty status (SDS).

The FMCSA will remove any ELD vendor who does not comply from their list of approved providers.

Once the ELD records a drive time, it will remain on the drive line and cannot be edited. Drivers cannot reduce drive time; even if reclassifying it as Personal Conveyance or Yard Move.

Bill Mahorney
Chief of the Enforcement
Division at the FMCSA

"If an ELD Manufacturer (Vendor) allows automatically recorded driving events to be shortened, edited or reassigned, the vendor will be subject to the 5.4 'Removal of Listed Certification,' as such devices are considered non-compliant with the ELD Final Rule Technical Specifications."

**Tip & tricks - what to do when drive time is recorded incorrectly.**

We get it, mistakes happen. If your drivers make an error on their log and forget to turn on PC or YM, here's what to do:

- **Annotate everything**
  According to FMCSA rules, automatically recorded Driving duty status time cannot be reclassified. However, drivers and fleet managers can add an annotation on the logs **[add a note]** indicating that certain driving segments should not be attributed to HOS calculations.

- **Provide full context**
  While adding an annotation [note] will not change the drive time that the ELD has recorded, it will give any inspecting officers information about the situation.
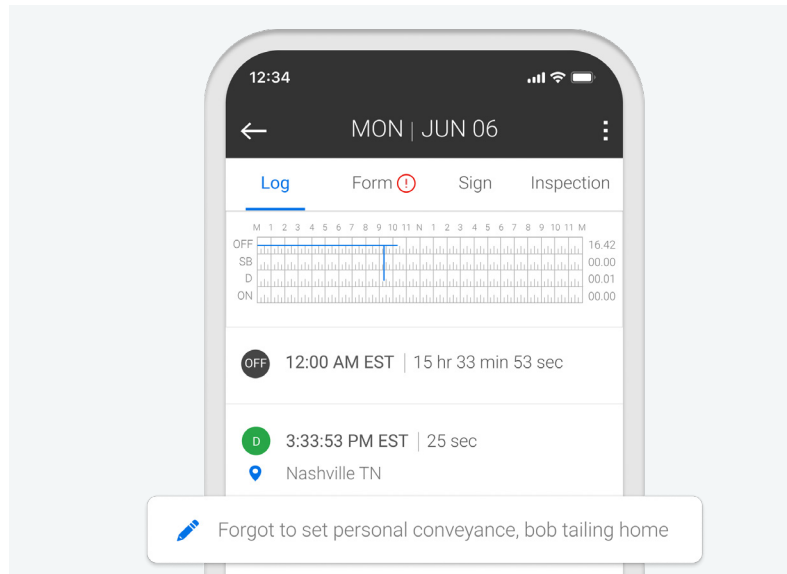
- **Ignore drive time**
 In addition to annotating drive time, fleet admins can ignore an incorrectly recorded drive time on the Edit Log page. By ignoring a drive time, drivers can remove false HOS violations and see the actual driving hours remaining in their HOS clocks. To stay compliant, this feature will not remove the ELD recorded drive time from the ELD outputs (e.g., log PDF, output file). See the support article **here.**
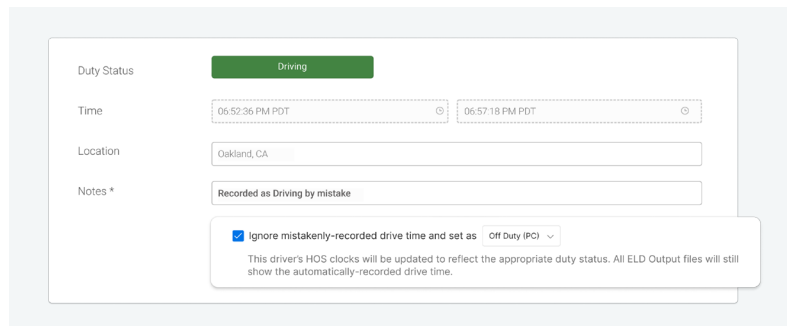
- **I'm seeing violations**
  Don't worry — the clock and HOS violations are only viewable to the driver and fleet manager.

- Even if the Ignore Drive Time feature isn't used, officers will not see these violations in ELD displays from Inspection Mode.
- In Inspection Mode, these violations are not highlighted by the Motive system in any way.
- You may see a violation alert due to drive time that has been recorded incorrectly as Driving duty status in HOS calculations. You can remove these violations by using the Ignore Drive Time feature.
- While the FMCSA's eRODS system does highlight potential violations based on duty status changes in an ELD record, annotations will provide enforcement officials with the information they need to determine whether HOS violations actually exist.
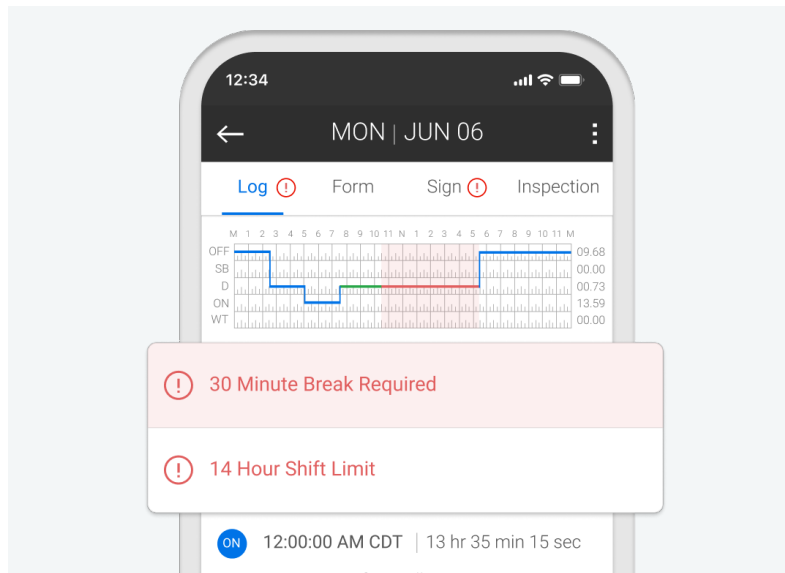

- **My clocks look incorrect**
  Incorrectly recorded drive time will impact HOS countdowns.

- This will go away when your hours reset or when your fleet admin ignores drive time.
- Until your hours reset, we recommend referring to your day's log events to calculate your remaining available hours.
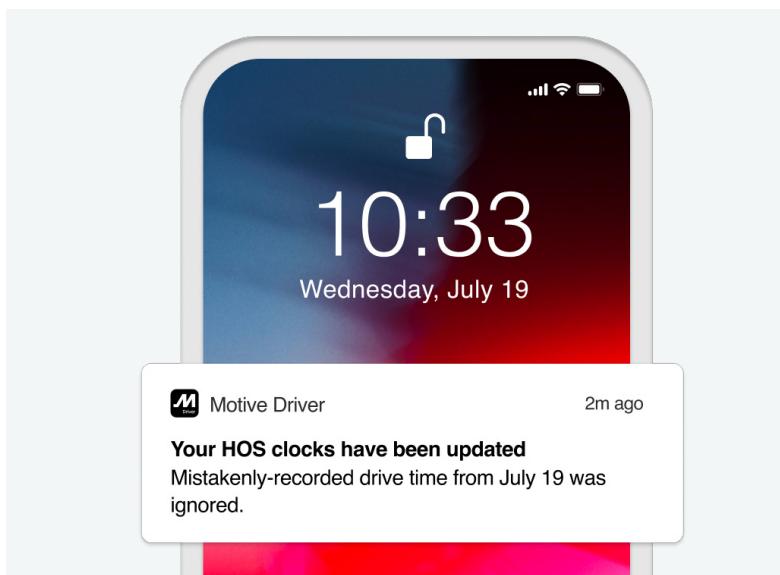
- **What if I am in a team-driving scenario and the wrong driver accidentally records drive time on their log?**
  A fleet manager can correct this mistake by re-assigning the trip to the co-driver. See the support article **here.**
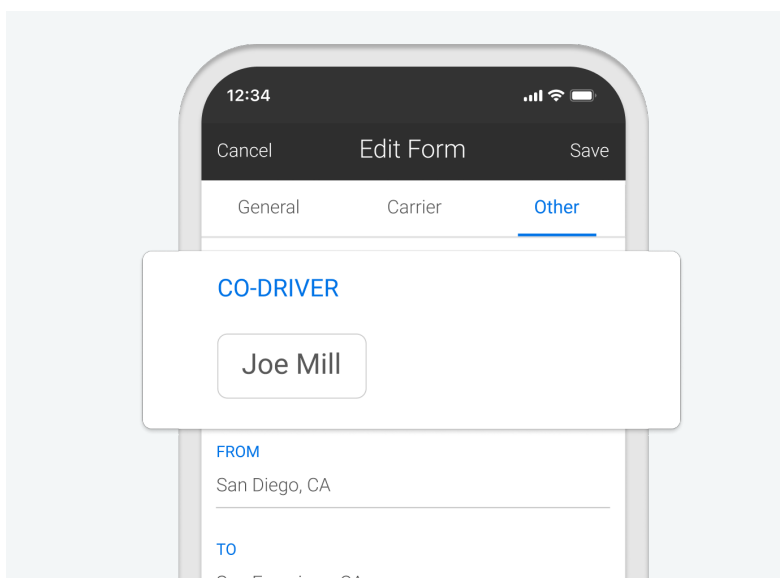
As the leading provider of ELDs, our top priority at Motive is to keep our customers compliant. That's why we will continue to comply with all FMCSA-mandated rules.

Frequently asked questions

1. **Why is there no functionality to reclassify drive time as special duty status (e.g., Personal Conveyance/Yard Move)?**

   Our Motive ELD product does not allow users to reclassify automatically recorded Driving duty status time to special duty statuses (Personal Conveyance and/or Yard Move) in order to be compliant with the FMCSA's regulations and policy.

2. **Can a driver edit an ELD recorded Driving event to Yard Move or Personal Conveyance if they forgot to set the special duty status prior to driving?**

   In accordance with ELD regulations, once the Driving duty status is automatically recorded to a driver's ELD record, that event will remain on the driveline and cannot be edited. Drivers and fleet administrative personnel cannot reduce driving time or reclassify it as Personal Conveyance or Yard Move. However, they can annotate that event [add a note] indicating that this driving event should not be attributed to driving time. Fleet admins can also ignore an incorrectly recorded drive time on the Edit Log page and assign an appropriate duty status (PC, YM, WT) to recalculate HOS clocks. This feature will not remove the ELD recorded drive time from the ELD outputs (e.g., log PDF, output file).

   Supporting regulation:
   4.3.2.8.2. Driver Edit Limitations
   (b) An ELD must not allow automatically recorded driving time to be shortened or the ELD username associated with an ELD record to be edited or reassigned, except under the following circumstances:

   1. Assignment of Unidentified Driver records. ELD events recorded under the "Unidentified Driver" profile may be edited and assigned to the driver associated with the record; and
   2. Correction of errors with team drivers. In the case of team drivers, the driver account associated with the driving time records may be edited and reassigned between the team drivers if there was a mistake resulting in a mismatch between the actual driver and the driver recorded by the ELD and if both team drivers were respectively indicated in each other's records as a co-driver. The ELD must require each co-driver to confirm the change for the corrective action to take effect.

3. **What happens if I need to reclassify a Personal Conveyance or Yard Move event to a Driving event?**

   When using the ELD product, ELD recorded drive time cannot be reclassified to a Special Duty Status (SDS); however, SDS events (Yard Move and Personal Conveyance) can be reclassified to drive time. You will need to add an annotation [add a note] to these events indicating that they were actually Driving events and explain what happened per FMCSA recommendations on how to address misattributed drive time.

4. **What happens if my driver/ I forget to log special duty status?**

When using the ELD product, drive time cannot be reclassified. You will need to add an annotation [note] to these Driving events indicating that they were actually off-duty Personal Conveyance events and/or on-duty Yard Move events and explain what happened per FMCSA recommendations on how to address misattributed drive time.

5. **When I assign an unidentified trip to a driver, can I still determine the driving classification?**

Yes. When you assign an unidentified trip to a driver, you can classify that unidentified trip as Driving, Personal Conveyance, or Yard Move.

6. **Can drivers still claim unidentified trips as special duty status (e.g., Yard Move/Personal Conveyance)?**

Yes. When claiming unidentified trips, drivers are still able to select whether or not they claim the unidentified trip as a Driving event or special duty statuses such as Yard Move or Personal Conveyance.

7. **How can I educate my fleet about this rule?**

Inform your drivers and office of this policy by any means necessary, including email, team meetings, and updated trainings. Use this PDF to announce and educate your team.

8. **If other ELD providers still allow users to reclassify drive time, are they ELD compliant?**

No. If other providers are informing you that they have no intention of removing this capability within their ELD product, then they are putting themselves and their customers at risk. In fact, the FMCSA has stated that any vendor who does not enforce this functionality will be removed from the approved list of ELD providers.

Motive's top priority is to ensure that you and your fleet can operate safely and remain in compliance with the FMCSA's ELD regulations.

9. **Is Motive still a registered ELD provider on the FMCSA's list of approved vendors?**

Yes, Motive is and will continue to be a registered ELD provider.

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About Motive

Motive builds technology to improve the safety, productivity, and profitability of businesses that power the physical economy. The Motive Automated Operations Platform combines IoT hardware with AI-powered applications to automate vehicle and equipment tracking, driver safety, compliance, maintenance, spend management, and more. Motive serves more than 120,000 businesses, across a wide range of industries including trucking and logistics, construction, oil and gas, food and beverages, field services, agriculture, passenger transit, and delivery. Visit **gomotive.com** to learn more.

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