



FAST Act and Towing Rotation Rates & Electronic Logging Devices

How will these effect our industry?

2015 FAST Act - Now what?

On Friday December 4th, President Obama signed the five-year, \$305 billion federal highway bill, known as the Fixing America's Surface Transportation Act or the FAST Act.

TRAA and the many state associations across the country greatly appreciate all of the efforts of our memberships in contacting their representatives to encourage them to remove or change this provision, unfortunately the final version of the bill remained unchanged. We THANK ALL OF YOU for raising your voices and being heard. Maybe we didn't change the world THIS TIME but we will be ready to stand together for future legislative battles.

TRAA has been discussing the potential implications of Section 5514, and any negative effect it may have on the towing industry. Attorney Michael P. McGovern has written a formal response to TRAA's questions and concerns.

We hope that you will find this information helpful. TRAA will continue to monitor the effects of this legislation as we move forward.

Electronic Logging Devices (ELD) - Final Rule

Overview (see page 12)

The December 10th Final Rule mandates ELD use for HOS compliance. It applies to most motor carriers and drivers who are currently required to prepare and retain paper RODS to comply with HOS regulations under part 395.

The final rule allows limited exceptions to the ELD mandate. As indicated in § 395.1(e), drivers who operate using the time-card exception are not required to keep RODS and will not be required to use ELDs.

The following drivers are excepted in § 395.8(a)(1)(iii) from installing and using ELDs and may continue to use "paper" RODS: (Emphasis added)

- Drivers who use paper RODS for not more than 8 days during any 30-day period.
- Drivers who conduct driveaway-towaway operations, where the vehicle being driven is the commodity being delivered.
- Drivers of vehicles manufactured before model year 2000.

"Paper RODS" means RODS that are not kept on an ELD or AOBDR, but instead are either recorded manually in accordance with § 395.8(f) or on a computer not synchronized to the vehicle or that otherwise does not qualify as an ELD or AOBDR. This exception is limited to the ELD requirement only; these drivers are still bound by the RODS requirements in 49 CFR part 395 and must prepare paper logs when required unless they voluntarily elect to use an ELD.

TRAA has been the "The Voice of America's Towing Industry" for over 35 years. Our mission is to serve the needs of the towing and recovery industry through legislation, education and communication. Working diligently with state associations and members we strive for professionalism and a fair and profitable industry. Our National Driver Certification Program (NDCP) developed through a grant from the Federal Department of Transportation is recognized as the national standards for tow truck operators. TRAA is proud to have contributed to the safety of our industry through the certification of over 16,000 tow operators across the country.

If you would like more information about this topic, please contact the TRAA Office via email at contact@traaonline.com or phone/fax at 888.392.9300.

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