



Idelic First Annual

FLEET SAFETY CONFERENCE

Driver Credentials in COVID-19: Navigating the Evolving Regulatory Environment

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NOTE: All information about COVID-19 regulations discussed in this webinar is current only as of 9/10/2020.



Agenda

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- 03** How to Keep Track of Your Expirations
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- 05** The HOS Rule Change and The 7-3 Split

SPEAKERS



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The Effects of COVID-19 on Credentialing

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- How COVID-19 closures have affected the industry:
 - State licensing closures:
 - CDL testing
 - CDL renewals
 - DMVs across the country are gradually reopening, but on an appointment-only basis.
 - On average, states are **issuing credentials at a 60-70% capacity**.
- Regulatory changes were focused on ensuring continuous operations and promoting public health.
 - FMCSA prioritized extending relief to fleets, over maintaining the strictest possible standards.
- How COVID-19 closures have affected fleets like Modern Transportation:
 - “At Modern, we saw the best March in our company’s history, and then in April we saw **revenue drop by 50%.**”
 - Modern has since returned to pre-March revenues.
 - Fleets have had to heavily rely on technology for all facets of their operations.
 - Expirations were a huge issue, so Modern’s safety team gave executives an update on their expirations every day, which they compile using **Safety Suite®**.
 - Modern gave their drivers a two-week period to renew their licenses when the local DMV reopened.

Exemptions You Need to Know

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- The FMCSA Emergency Declaration:
 - The FMCSA holds regular stakeholder calls to see which exemptions have been helpful and where more help is needed.
 - The FMCSA is currently looking at renewing their emergency declaration.
 - The current emergency declaration covers:
 - Live stock, medical supplies, supplies and equipment for public safety, groceries, and paper products.
 - CDL and medical certificate waivers have been issued.
 - Medical certificates issued after March 1st, 2020 or later are acceptable until Sept 30th, 2020.
 - CDL waivers are in effect, but CDLs are issued by states, and not all states have followed the FMCSA guidelines.
 - If you passed your CLP test but cannot get a credential, you can operate with your CLP for now.
 - **States can extend testing and licensing expirations** beyond the FMCSA's declaration if they choose to.
 - Fleets should schedule an appointment to renew their credentials as soon as possible.
- Notice of Enforcement Discretion:
 - The FMCSA has issued a notice to state police departments asking them to only lightly enforce CDL and medical expirations until the end of the emergency declaration.

Exemptions You Need to Know

- How Modern Transportation has approached renewing their credentials:
 - When Pennsylvania reopened the DMV in mid-May, Modern immediately began scheduling license and medical renewals.
 - Now, **Modern has no expired CDL or medical certificates.**
 - Modern placed a strong emphasis on medical certificate renewals because of how important they are to driver safety.
- Once you've gotten out of your rhythm of renewing credentials, it's hard to get back into it.
 - Fleets should manage to the rule, not the exemption. The FMCSA exemptions have been helpful, but they should not be treated as the new standard.

Exemptions You Need to Know

- How fleets can track expirations:
 - Modern Transportation tracks their expirations schedule using the [Idelic Safety Suite](#).
 - Safety Suite gives notifications in advance of expirations and has provided a reliable, stable way to track expirations as they approach.
 - The Safety Suite platform has helped Modern operate with zero expired licenses and credentials.
 - A driver can't be dispatched through their TMW system if they have an expired credential, which also serves as a regular reminder for them.
 - MVR monitoring services are extremely helpful, as they can notify you when a driver's credentials have expired.
 - More than anything, **it's important to have a single system which tracks all of your expirations**. If you're operating out of multiple systems, you will certainly fall behind.

How to Design a Testing Schedule

How to Design a Testing Schedule

- For fleets that haven't kept a rhythm of testing throughout the pandemic, how can they get back to testing efficiently?
 - Some drivers have waited on updating their licenses because of the expirations.
 - To combat this, the FMCSA may institute a rolling system of license renewals. So if your license expired in March, you would need to get it renewed by the end of September, but licenses expired in April would have until October.
 - **Note:** The FMCSA has not officially implemented this yet, but may consider.
- HHS just updated guidelines on hair testing for the Drug and Alcohol Clearinghouse.
 - Carriers that are committed to normal operations have continued to use hair testing, and hair testing is likely to grow in use across the industry.
- **Audience Question:** In Arkansas, the state has not honored the FMCSA's hazmat exemptions. Is there a way to encourage the state to abide by the federal waivers?
 - The FMCSA will look into this and provide an update later.
 - [AAMVA](#) (American Association of Motor Vehicle Associations) has a resource that is updated on a weekly basis tracking exemptions state-by-state. This is a helpful resource if your state is not aligned with FMCSA regulations.

The HOS Rule Change

**The 8-2 & the 7-3 split:
Which is right for your fleet?**

The HOS Rule Change

- How the new HOS regulations work:
 - **Flexibility for the 30-minute break rule** by tying the break requirement to eight hours of driving time without interruption for at least 30 minutes; and allowing the break to be satisfied by a driver using on-duty, not-driving status, rather than off-duty.
 - **Modifying the sleeper-berth exception** to allow drivers to split their required 10 hours off duty into two periods: one period of at least seven consecutive hours in the sleeper berth and the other period of at least two consecutive hours either off duty or in the sleeper berth. Neither period would count against the driver's 14-hour driving window.
 - **Allowing one off-duty break** of at least 30 minutes but not more than three hours that would pause a truck driver's 14-hour driving window, provided the driver takes 10 consecutive hours off-duty at the end of the shift.
 - **Modifying the adverse driving conditions exception** by extending by two hours the maximum window during which driving is permitted.
 - **Changing to the short-haul exception** available to certain commercial drivers by lengthening the drivers' maximum on-duty period from 12 to 14 hours and extending the distance limit within which the driver may operate from 100 air miles to 150 air miles.
- The importance of the short haul exception:
 - ELDs are no longer required for trips between 100 and 150 air miles, or under 14 hours of driving.
 - Drivers only have to take a rest break after 8 hours of cumulative driving, not just on-duty driving.
 - Sleeper berth is a huge deal. Now, neither a 7-3 or 8-2 split doesn't count toward your day.

The HOS Rule Change

- From a fleet's perspective, how will Modern Transportation approach the rule change?
 - These rule changes give everyone flexibility without compromising safety.
 - Well over a decade ago, Modern Transportation made the decision to use log books in their short-haul trucks regardless of requirements.
- What are your parting words of wisdom to help fleets stay safe during the pandemic?
 - Tom Keane, FMCSA:
 - Stay in communication. Check the FMCSA website for emergency declarations and waiver updates. Let the FMCSA know what's happening on the ground so they can give fleets the help they need.
 - Sean Garney, Scopelitis:
 - When the agencies write rules, they write them for a reason, and for the FMCSA that's safety. So while there are some exemptions, you should do everything you can to stick to the rules.
 - Patrick Cozzens, Modern Transportation:
 - We've added about 60 drivers in the last 90 days. We're looking to get into new sectors that are resilient to downturns in the market. By managing to the rule, not the exemption, we've managed to grow our business.

Q&A

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- “Our training has also been affected by the pandemic. How can I stay on top of that when we can’t train in-person anymore?”
 - Patrick Cozzens:
 - “I would say always leaning forward into technology. Our onboarding is 80% virtual and had been before the pandemic. When someone joins our company, they spend a day or two at their terminal at a computer station. They go through all their HR benefits—that's all automated. They watch videos of me welcoming them to the company and videos of our of our HR director going through the benefits. If at any point they have a question, they can hit a button and it sends a message to the appropriate party. So we've continued to do it. And then 20-30% of their time they're spending time with their manager doing a road test.”