



QUARTERLY SPECIAL REPORT

DIY LOG AUDITING

*Step-by-Step Procedures
for Reducing Your Risk*



TRANSPORT

Log auditing is a critical function of any motor carrier. If a carrier is not conducting log auditing, the drivers will not be motivated to stop any non-compliant behavior, and it will continue. Non-compliant behavior — form and manner errors, false logs, and operating over hours — will be discovered during roadside inspections, an FMCSA audit, or litigation following a severe crash. These risks apply to every fleet — no matter what type of vehicles you operate and what types of logs you use.

NOTE: An auditor that understands the hours-of-service regulations in Part 395, particularly the form and manner requirements and the limits in §395.3, is essential. A thorough hours-of-service course should be completed first if the auditor is not well-versed in the hours-of-service rules and limits.

In this special report, we will guide you through the process of auditing records of duty status. The first step will be determining if you should have a log or time record on file for the driver for the day in question. From there, the process is broken down based on the type of log a driver should be using. As most logging drivers are now required to use electronic logging devices, we will start with that type of log. We will then look at auditing paper logs, as in certain circumstances, the driver may be allowed to use paper logs. Finally, we will look at auditing the time records a short-haul logging-exempt driver must submit.

FIRST STEPS

If there is no ELD record, no paper log, and no time record on file for the driver for the day, consider this a violation of the requirement to submit a log and document the violation, unless:

The day in question is within the past 13 days.

This only applies to in-house auditing. Drivers must have the current and previous seven days' logs in their possession when on duty.

The driver is a short-haul driver that does not submit time records for days off.

Verify the driver was not working using supporting documents (dispatch records, trip records, payroll records, electronic tracking and communication records, receipts).

If the missing day is more than 13 days before the current date, determine if the driver is on extended time off, leave, or furlough (lay-off).

Verify the driver is on extended time off, leave, or furlough and there is documentation indicating when the extended time off, leave, or furlough began.





The driver is considered an intermittent driver and has submitted the required summary of hours. Verify:

- ▶ The driver has not operated a CMV in the previous 7 days.
- ▶ The signed statement includes the total time on duty during the immediately preceding 7 days and the time at which the driver was last relieved from duty.
- ▶ The driver has received a compliant off-duty period before driving, and the driver has enough time to complete the current day's driving without a 60- or 70-hour violation.

The driver is hours-of-service exempt.

Verify the driver qualifies for the exemption.

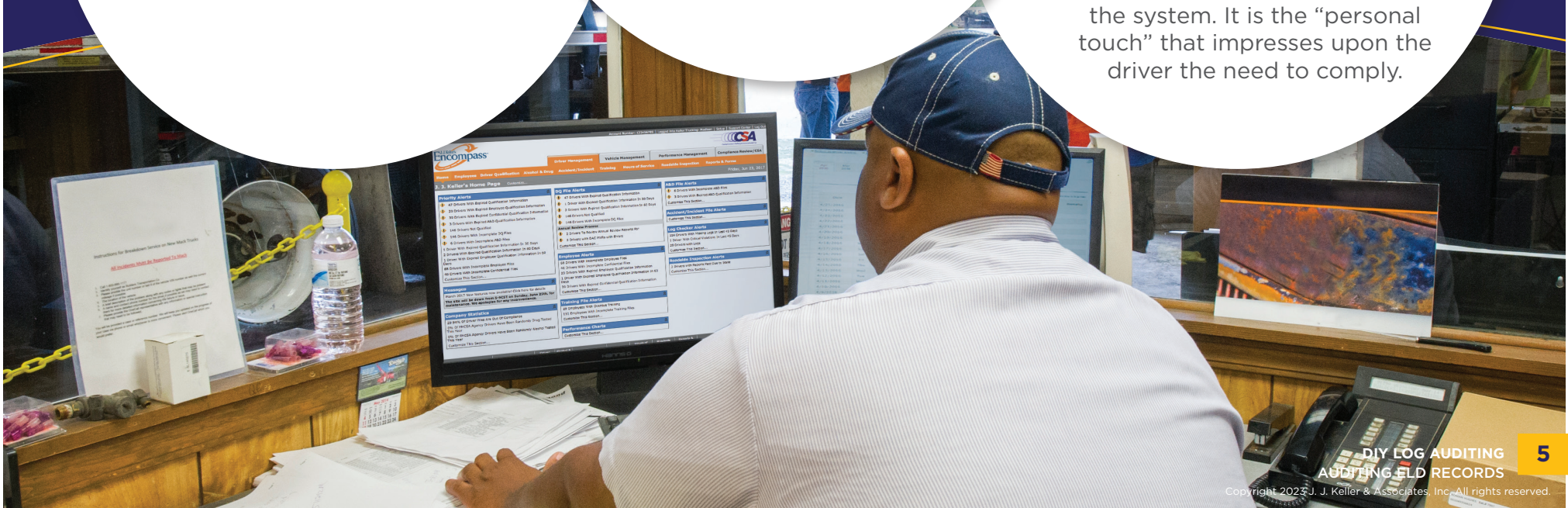
If none of the above applies, document a violation for no log when required (\$395.8), either electronic or paper (paper only if an ELD exemption applies to the driver).

AUDITING ELD RECORDS

The vast majority of property-carrying drivers that must complete a record of duty status (log) must use an ELD. Not using an ELD when required is a direct violation of the regulations (§395.8(a)).

With electronic logs, the auditing process is vastly different from paper or time records. In most cases, the ELD system will provide auditing reports that can be used to locate form and manner violations and over-hours violations. The auditor simply needs to run a report and then review questionable logs to determine whether violations actually exist.

Having an auditor verify the violations and discuss the valid ones with the drivers is what stops future violations from occurring. If the drivers believe that no one checks the logs or there are no consequences for violating the rules, they will have no reason to comply. This is true even if the driver is receiving an automatic violation alert from the system. It is the “personal touch” that impresses upon the driver the need to comply.



FORM AND MANNER

Check system form and manner report or missing-data report for missing data elements.

If the system does not generate a missing data report, manually check the record for all routine driver-required entries:

- ▶ Truck/tractor number (if not system-inserted)
- ▶ Trailer number for each trailer used during the 24 hours
- ▶ Shipment information for each dispatch in the 24-hour period
- ▶ Co-driver
- ▶ Location entry if the device cannot establish its location
- ▶ Certification after the last on-duty activity for the 24-hour period

Determine if any missing data elements were required.

If a driver-entered element is missing, verify it was a required entry for the day. If the driver did not have a trailer, load, or co-driver during the 24-hour period, these are NOT required driver entries, and no violation should be documented.

If a required data element was not entered by the driver, document it as a form and manner violation (§395.24).





FALSIFICATION

Check for any unexplained “gaps” in the data (missing miles, engine hours, locations).

If there are any gaps, determine the reason. If it involved driver tampering, document it as falsification (§395.8(e)).

Check for any unassigned driving time on the vehicle(s) the driver operated during the 24-hour period.

If there is, investigate the unassigned time and determine if someone else may have moved the vehicle (another driver, mechanic, etc.).

If the driver drove while logged out, determine if assigning the unassigned driving time to the driver will create an hours-of-service limits violation. If yes, consider the log false and document the violation (§395.8(e)).

Check for any edits.

If an edit was made, determine if the edit involved moving on-duty time to off-duty time.

If on-duty time was moved to off-duty time, gather supporting documents and determine if the time involved was, in fact, on-duty time.

If the time was on-duty time:

- ▶ Consider the log false and document the violation (§395.8(e)), and
- ▶ Determine and document who initiated the edit (driver or supervisor).

ELD EDITS SUPPORTING DOCUMENTS

shipment records,
dispatch records,
trip records, payroll records,
communication records,
receipts

Check any use of a special driving category.

Yard Move

Use position, shipment, dispatch, and trip records to verify the movement was in a yard (a business-owned location the public is restricted from entering due to signs or gates).

If the movement was not in a yard, consider the log false, and document the violation (§395.8(e)).

Personal Conveyance

Use position, shipment, dispatch, and trip records to verify the movement met the following criteria:

- ▶ The driver was authorized to use personal conveyance, and the use matched the company's personal use policy.
- ▶ The driver was off duty during the movement (not doing any work for the company, including repositioning the vehicle for a business purpose).
- ▶ The destination of the movement was purely personal.
- ▶ There was no benefit to the company as a result of the movement (including the vehicle being in a better location).

Review the comments on the log to see if the driver made an entry:

- ▶ Stating the movement was personal conveyance, or
- ▶ Stating that he or she used personal conveyance after being told to move by a customer or officer when out of hours or on a required break.

If the movement did not comply with the above requirements, consider the log false and document the violation (§395.8(e)).

Check for ghost drivers.

Look at all movements for the vehicle during the 24-hour period and verify driver identities.

Verify that a “ghost driver” (a driver account not assigned to an actual driver) or driver who was not available did not “drive” the vehicle during the 24-hour period.

NOTE If a ghost driver account is located, determine who set it up and delete it immediately. The existence of a ghost driver account is a direct violation of the regulations (§395.22).

If a movement involving a ghost driver or unavailable driver driving the vehicle is discovered, consider the log false and document the violation (§395.8(e)).

Check for appropriate on-duty time.

Verify there is on-duty time for all required vehicle inspections (pre-trip and post-trip).

Verify that the following activities were logged on duty using supporting documents:

- ▶ Loading and unloading time,
- ▶ Waiting time,
- ▶ Driver vehicle repairs,
- ▶ Breakdown waiting time,
- ▶ Travel time (unless the travel-time exception is used, see §395.1(j)), and
- ▶ Drug and alcohol testing.

If an on-duty activity was recorded as off-duty time, consider the log false and document the violation (§395.8(e)).

ELD ON-DUTY TIME SUPPORTING DOCUMENTS

dispatch records, trip records/
reports, payroll records,
electronic communication
records, and receipts





HOURS-OF-SERVICE LIMITS

Check for any system-reported hours-of-service limit violations.

If the system does not have limits auditing/reporting, manually verify compliance. See the section on Auditing Paper Logs > Hours-of-service limits for the procedure.

Was there an exception that could have allowed the driver to exceed the limit?

If yes, check that the driver has entered a comment explaining the excess hours.

If the driver claims to have used one of the exceptions that allow exceeding a limit, verify the exception was used correctly.

8-Hour Driving Limit:

Commodity-specific exemptions: Verify the driver was transporting livestock, bees, an over-dimension permitted load, or was driving a mobile crane.

11- and 14-Hour Violations:

Disaster/emergency relief: Verify the driver was transporting materials covered by the declaration and that the declaration covers the destination and movement.

Adverse conditions: Verify the condition qualified as an adverse condition (could not have been known at the time of dispatch and when the driver began the workday) and that the driver did not exceed the two-hour extension to the driving and on-duty window limits and did not move past where the driver would have normally ended the day.

Agricultural: Verify the driver was transporting an agricultural commodity or farm supply, and the driver was within 150 miles of the origin of the shipment.

NOTE Time under this exception does not have to be logged. The driver can simply use personal conveyance to log the time as off-duty time and place an explanation on the log.

16-hour short-haul exception: Verify the driver returned to the work reporting location the previous five workdays (not calendar days), was released from work within 16 hours, and that the driver had not used the exception in the previous six days or since the driver's last restart, if the driver had a restart in the current seven-day period. Also, verify that the driver has not used the 16-hour exemption in the 150 non-CDL property-carrying driver short-haul exemption, in addition to this exemption (the driver cannot end up with three days at 16 hours by combining the two exemptions).

10-Hour Break Violation:

If the violation is due to the driver not getting a 10-hour break prior to the start of the work shift, compare the log to the split-sleeper berth requirements, if the driver was operating a sleeper-berth vehicle.

- ▶ Locate the previous qualifying break.
- ▶ Verify there are two breaks that include one break of 7 hours or more in a sleeper berth and one break of at least two hours of off duty, sleeper, or a combination of these two.
- ▶ Verify the total of the two breaks equals 10 hours or more.
- ▶ Locate the end of the previous qualifying break and the start of the third qualifying break and total all hours between these two points except the qualifying break time in the middle of this cycle. If the total exceeds 14, verify the driver was not driving when over 14. If the driver drove after reaching 14, the driver is in violation. If the driving time in this cycle exceeds 11, the driver is in violation.
- ▶ Move forward to the next qualifying break, and repeat all steps above (breaks are correct and total 10 or more, work time before and after the "middle" break in the cycle does not exceed the 11 and 14-hour limits).



60/70-Hour Violation:

If the violation is due to the driver driving after exceeding the 60- or 70-hour limit, determine if the driver qualifies for a 24-hour restart rather than a 34-hour restart. If the driver does qualify, locate the most-recent 24-hour off-duty period prior to the violation and manually recalculate compliance with the 60/70-hour limit from the end of the 24-hour period.

If the driver exceeded a limit and did not provide an acceptable comment or the exception the driver claimed did not apply, consider the driver as having operated in excess of the limit and document the violation (§395.3).

Carriers that do not audit electronic logs are not seeing violations as they occur, and consequently, are not taking steps to stop them. What's more, these carriers are not catching drivers that are breaking the rules, so the violations and related behaviors will continue or even spread, leaving such carriers at considerable risk during an investigation, audit, or litigation following a crash.

On the other hand, carriers who are doing effective auditing of electronic logs will know what violations are occurring and who the problem drivers are so they can address issues. When these things happen in sequence, a carrier's risk decreases dramatically.

If your ELDs are not programmed to account for the split-sleeper option, short-haul exceptions, or other special provisions, they may identify violations where they don't exist. You'll want to consider switching to an ELD system, like the Encompass® Platform, which can account for your drivers' exceptions.



AUDITING PAPER LOGS

Some carriers have allowed their auditing knowledge and skill to decline when it comes to paper logs. This is due to the belief that as most logs are now electronic, and auditing paper logs is no longer a critical skill. However, this could not be more wrong. It is more important than ever that log auditors know how to audit paper logs.

This is because drivers who insist on using paper logs do so for a reason. And it's not because paper logs are more accurate or more compliant than ELogs. Drivers typically want to use paper logs so they can take advantage of the flexibility (ability to falsify) paper logs provide. Any time a driver uses paper logs, the use will be scrutinized by officers on the road and investigators during an audit. As a result, the driver will need to understand and be able to explain why paper logs are allowed and be diligent in logging compliantly. For these reasons, it is essential that all paper logs submitted to the carrier be thoroughly audited.

Determine if there is a paper log for the driver for the day. If yes, continue below. If no, skip to the Auditing Exempt Time Records section.



If the driver has submitted a paper log, verify the driver was allowed to use a paper log rather than an ELD before beginning the formal auditing process

Exceptions to the ELD requirement include:

A driver that only had to log 8 or fewer days in the previous 30 days.

Short-haul drivers: Verify the driver qualified as a short-haul logging exempt driver for more than 22 days in the last 30 days.

Intermittent/casual drivers: Verify the driver has not been required to complete a log for more than 8 days in the previous 30 days.

The driver is involved in specific driveaway/towaway activities.

The driver is driving a vehicle under a situation meeting the driveaway/towaway definition in §390.5 (between manufacture and dealer, between dealers, etc.)

The driver is towing a vehicle that qualifies as a recreational vehicle/camper on its own wheels.

The vehicle is older than model year 2000, based on the VIN or the engine serial number.

Verify VIN coding indicates the vehicle is older than model year 2000. If not, verify engine serial number coding or emissions information indicates the engine is older than model year 2000.

If neither can prove the vehicle is older than model year 2000, the vehicle is not exempt from the ELD mandate, and the driver must be using an ELD if logging is required.

The vehicle is being operated under the terms of a rental agreement less than 8 days in duration.

Verify the rental agreement was in effect when the paper logs were submitted and that it was no longer than 8 days in duration.

Verify that the rental agreement was not an extension of a previous 8-day rental agreement, or the vehicle was a replacement for a different vehicle that was rented for 8 days.

The driver's ELD was malfunctioning.

Investigate the nature of the malfunction and verify that it was actually malfunctioning.

Malfunctioning is defined as an ELD that cannot accurately capture, display, and transfer the driver's hours-of-service records and/or when the ELD has lost its connection to the vehicle.

Verify the date the driver reported the malfunction.

- ▶ The ELD repair or replacement must have been completed within 8 days of the initial malfunction unless FMCSA has granted an extension.
- ▶ If the driver did not report the malfunction in writing (paper or electronic notification), this is considered a violation of the malfunction reporting requirement. Document the violation (§395.34).

NOTE There are other industry-specific exceptions. If none of the exceptions apply, this is considered a violation of the record of duty status regulations (no ELD when an ELD is required). Document the violation (§395.8(a)).

Check that there is a paper log for each day a driver was submitting paper logs.

The driver is allowed to submit "multi-day off-duty logs," so check the dates on any off-duty logs.



FORM AND MANNER

Check that all 11 required elements are on the log and that the driver has made the required entries for the day:

1. Date.
2. Total miles driving today – Not required if the driver did not drive.
3. Name of the carrier.
4. Main office address.
5. Truck or tractor and trailer numbers – Not required if the driver did not drive.
6. Name of co-driver – Not required if the driver did not have a co-driver.
7. Driver's signature/certification.
8. 24-hour period starting time (normally midnight).
9. Total hours (far right edge of grid).
10. Remarks (below the grid).
11. Shipping document number(s), or name of shipper and commodity. This is not required if the driver was empty for the entire 24-hour period or did not drive.

NOTE Carriers can have and enforce a policy that requires the driver to fill in each blank, every day, even when an entry is not required (using an N/A or dash).

If a required entry is missing, consider this a form and manner violation and document the violation (\$395.8).



Check that the driver's duty line accounts for all 24 hours.

The duty line does not need to be continuous - the vertical portion of the line is optional.

If any part of the 24-hour grid is missing the horizontal line, consider this a form and manner violation and document the violation (§395.8).

Check that each duty change has a location indicated under it in the remarks area.

City/village/town and state (or if not in a city/village/town, a description of the location followed by the nearest city/village/town and state) is required for all duty changes.

“Bracketing” to indicate that the stop and start location were the same is allowed to be used in place of two separate location entries.

If the location of a duty change is not indicated, consider this a form and manner violation and document the violation (§395.8).

Check that the time entered for each duty line is accurate.

Starting at the left of the grid, total the hours on each duty line and compare it to the driver's entry. If not correct, consider this a form and manner violation and document the violation (§395.8).



FALSIFICATION

Check for any unexplained “jumps” in locations.

Verify that the stop and start locations match at any stop on the log.

Verify that the ending location on the previous log matches the starting location on the next log if the driver was not driving when the log pages changed (such as driving through midnight when using logs that run from midnight to midnight).

If there is a jump in location that cannot be explained, consider the log false and document the violation (§395.8(e)). Possible reasons for a legitimate location jump include the driver is a team driver; the driver was moved to another location using the travel-time exception; or the driver used personal conveyance (see below for how to audit personal conveyance).

Check mileages.

Determine total mileage using a guide or mapping software and compare it to the driver’s miles-driven entry and hours.

Determine “point-to-point” mileage between all locations listed in the remarks area and determine the necessary average speed for the movement.

If mileage is not accurate or the speed required to complete the movement when the vehicle speed limitation, terrain, traffic, etc. are considered, consider the log false and document the violation (§395.8(e)).



Check the accuracy of the locations and time at the locations provided in the remarks area using supporting documents.

Verify that the locations provided by the driver and the time at each location are accurate. If the supporting document indicates a driver was at a specific location at a particular time, but the log does not match, consider the log false and document the violation (§395.8(e)).

When using toll receipts, determine if the log is legitimate based on time and distance from the location in the remarks immediately prior to the time on the toll receipt/billing statement.

Example: If the driver’s most-recent duty change/ location prior to the toll receipt/billing statement entry is Toledo, OH, at noon, and the toll receipt/billing statement shows 1:15 p.m. at the “West Gate Toll Plaza,” 75 miles away, the log is likely accurate. If the time and distance from the last duty change location to the toll location is not legitimate, document the log as false.

FMCSA auditors provide a “one-hour window” of time on a supporting document if they cannot prove the accuracy of the clock used to generate the record.

Example: If the time on the toll receipt shows 1:10 p.m., an auditor would assume the driver was at the toll booth sometime between 12:10 p.m. and 2:10 p.m. In the case of official documents, such as accident reports and roadside inspection reports, an FMCSA auditor can expect the time to match exactly. It is up to your company to decide if you want to use the same criteria or if you want to narrow it.



PAPER LOG LOCATION AND TIME SUPPORTING DOCUMENTS

shipment records, dispatch records, trip records, payroll records, electronic tracking and communication records, receipts, maintenance records, accident reports, roadside inspection reports, and toll receipts/billing statements

Check for personal conveyance.

If there was a jump in location or unaccounted mileage during an off-duty period, use position, shipment, dispatch, electronic tracking and communication records, and trip records to locate personal conveyance.

If personal conveyance is uncovered, verify the movement met the following criteria:

- ▶ The driver was authorized to use personal conveyance, and the use matched the company's personal use policy.
- ▶ The driver was off duty during the movement (not doing any work for the company, including repositioning the vehicle).
- ▶ The destination of the movement was purely personal.
- ▶ There was no benefit to the company as a result of the movement (including the vehicle being in a better location).

Review the comments on the log to see if the driver made an entry stating that he or she was told to move by a customer or officer when out of hours or on a required break.

NOTE These are situations where personal conveyance can be used.

If the movement did not comply with the above requirements, consider the log false and document the violation (§395.8(e)).

Check for appropriate on-duty time.

Verify there is appropriate on-duty time for all required vehicle inspections (pre-trip and post-trip).

Verify that the following activities were logged on duty using supporting documents:

- ▶ Loading and unloading time,
- ▶ Waiting time,
- ▶ Driver vehicle repairs,
- ▶ Breakdown waiting time,
- ▶ Travel time (unless the travel-time exception is used, see §395.1(j)), and
- ▶ Drug and alcohol testing.

If an on-duty activity was recorded as off-duty time, consider the log false and document the violation (§395.8(e)).

Be on the lookout for “cookie-cutter logs” with no variation in on-duty time.

If all logs match exactly, or the amount of on-duty time for certain tasks never varies (e.g., unloading always takes 15 minutes), use all possible supporting documents to verify the reported time. If the driver “shortened” the time for any on-duty activity, consider the log false and document the violation (§395.8(e)).

HOURS-OF-SERVICE LIMITS

Check for violations of the 11-, 14-, and 8-hour limits.

Locate the end of the previous 10-hour break (verify the break was at least 10 hours).

Locate the beginning of the next 10-hour break.

Verify compliance with the 11-, 14-, and 8-hour limits during the period between 10-hour breaks.

Verify the driver did not drive:

After reaching the 14th consecutive hour after the first 10-hour break.

After accumulating 11 hours of driving.

After accumulating 8 hours of driving without a 30-minute interruption in driving.

Move forward to the end of the next 10-hour break and repeat the process.

Check for violations of the 60- or 70-hour limit.

Place 7 logs (60-hour driver) or 8 logs (70-hour driver) in order.

Add lines 3 (driving) and 4 (on duty not driving) on each log and place the total on a monthly grid on the appropriate date.

Total the hours for the 7- or 8-day period and compare to the appropriate limit (60 or 70 hours). Check for any driving after the limit was reached.

Add each new day's log to the end of the 7- or 8-day period, remove the oldest day, and then recalculate.

If the driver has 34-consecutive hours off, restart the process going forward from the end of the 34-hour break (disregard the days/hours prior to the break).



Did the driver use an exception that allowed them to exceed the limit?

If yes, check that the driver has entered a comment explaining the excess hours.

If the driver claims to have used one of the exceptions that allow exceeding a limit, verify the exception was used correctly.

8-Hour Driving Limit:

Commodity-specific exemptions: Verify the driver was transporting livestock, bees, an over-dimension permitted load, or was driving a mobile crane.

11- and 14-Hour Violations:

Disaster/emergency relief: Verify the driver was transporting materials covered by the declaration and that the declaration covers the destination and movement.

Adverse conditions: Verify the condition qualified as an adverse condition (could not have been known at the time of dispatch and when the driver began the day) and that the driver did not exceed the two-hour extension and did not move past where they would have normally ended the day.

Agricultural: Verify the driver was transporting an agricultural commodity or farm supply, and that the driver was within 150 miles of the origin of the shipment.

NOTE Time under this exception does not have to be logged; the driver can simply leave the log blank or log off duty and place an explanation on the log.

16-hour short-haul exception: Verify the driver returned to the work reporting location the previous five workdays (not calendar days), was released within 16 hours, and that the driver had not used the exception in the previous six days or since the last restart if the driver had a restart in the current seven-day period. Also, verify that the driver has not used the 16-hour exemption in the 150 non-CDL property-carrying driver short-haul exemption, in addition to this exemption (the driver cannot end up with three days at 16 hours by combining the two exemptions).





10-Hour Break Violation

If the violation is due to the driver not getting a 10-hour break prior to the start of the work shift, compare the log to the split-sleeper berth requirements, if the driver was operating a sleeper-berth vehicle.

- ▶ Locate the previous qualifying break.
- ▶ Verify there are two breaks that include one break of 7 hours or more in a sleeper berth and one break of at least two hours of off duty, sleeper, or a combination of these two.
- ▶ Verify the total of the two breaks equals 10 hours or more.
- ▶ Locate the end of the previous qualifying break and the start of the third qualifying break and total all hours between these two points except the qualifying break time in the middle of this cycle. If the total exceeds 14, verify the driver was not driving when over 14. If the driver drove after reaching 14, the driver is in violation. If the driving time in this cycle exceeds 11, the driver is in violation.
- ▶ Move forward to the next qualifying break and repeat all steps above (breaks are correct and total 10 or more, work time before and after the “middle” break in the cycle does not exceed the 11 and 14-hour limits).

60/70-Hour Violation:

If the violation is due to the driver driving after exceeding the 60- or 70-hour limit, determine if the driver qualifies for a 24-hour restart rather than a 34-hour restart. If the driver does qualify, locate the most-recent 24-hour off-duty period prior to the violation and manually recalculate compliance with the 60/70-hour limit from the end of the 24-hour period.

If the driver exceeded a limit and did not provide an acceptable comment or the exception the driver claimed did not apply, consider the driver as having operated in excess of the limit and document the violation (§395.3).

AUDITING TIME RECORDS

The 150 Air-Mile Exception allows short-haul truck and bus drivers to keep basic time records instead of logs or ELDs. The exception delivers tangible productivity and service area gains. However, you can expect enforcement to take a little more interest in drivers' hours. Diligence on your auditor's part to ensure ongoing hours-of-service compliance will help keep everyone honest, including your drivers and dispatchers.

Check that there is a time record that clearly identifies the driver and contains the driver's starting time, ending time, and total hours on duty on file for the day.

Drivers that normally work as short-haul drivers do not have to submit time records for their off-duty days unless the carrier requires it. If there is no time record for a given day, use dispatch, trip, and payroll records to verify the driver was off for the day.



Verify the driver qualified for the use of the exemption.

A driver operating a CDL-required vehicle.

Using supporting documents, verify that the driver:

- ▶ Stayed within 150 air-miles of the work reporting location, and
- ▶ Returned to the work reporting location for the day and was released from duty within 14 consecutive hours.

A driver operating a vehicle that does not require a CDL.

Using supporting documents verify that the driver:

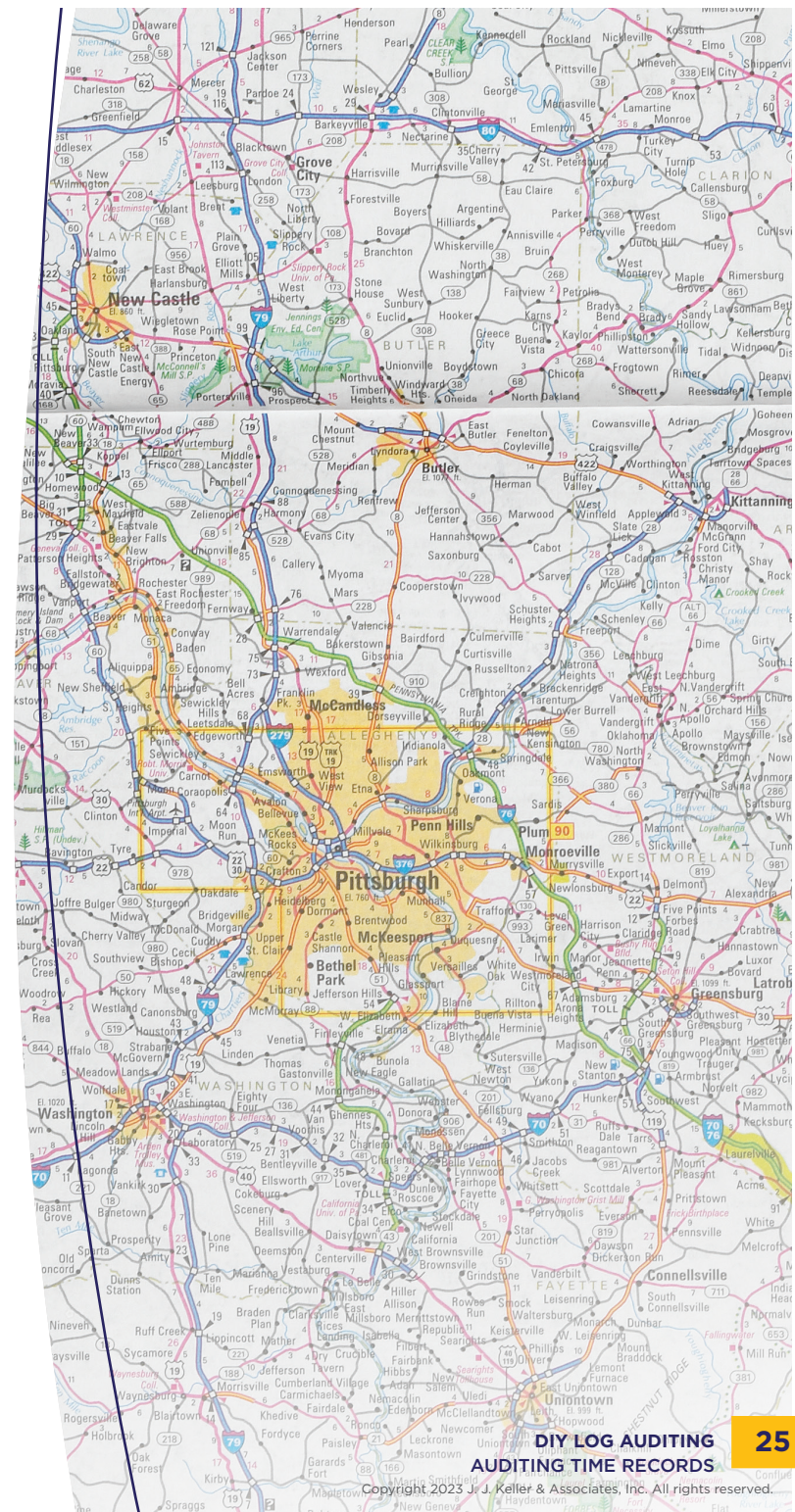
- ▶ Stayed within 150 air-miles of the work reporting location, and
- ▶ Returned to the work reporting location and was done driving within 14 consecutive hours on 5 of the last 7 days, and no more than 16 hours on up to 2 of the last 7 days.

If the driver did not qualify for the exemption, document a violation for no log when required (\$395.8), either electronic or paper (paper only if an ELD exemption applies to the driver).

Check for violations of the 60- or 70-hour limit.

Place the total hours on duty for the day on a monthly grid on the appropriate date. Total the hours for the 7- or 8-day period and compare to the appropriate limit (60 or 70 hours). Check for any driving after the limit was reached. Add each new day's total hours to the end of the 7- or 8-day period, remove the oldest day, and then recalculate.

If the driver has 34-consecutive hours off, restart the process going forward from the end of the 34-hour break (disregard the days/hours prior to the break).



Check for false time records.

Using supporting documents, verify that all driver activities took place within the times indicated on the time record.

- ▶ If any supporting document shows the driver working outside of the hours listed on the time record, consider the time record to be false and document the violation (§395.8(e)).
- ▶ If the falsification created a situation where the driver should have submitted a log, document the violation as no log when required (§395.8(a)).

FALSE TIME RECORD SUPPORTING DOCUMENTS

dispatch records, trip records, payroll records, electronic tracking and communication records, receipts

IN CLOSING

Log auditing is about making sure that drivers comply with the hours-of-service rules. The limits in the hours-of-service regulations exist to keep drivers from driving when fatigued, ensuring that drivers and the motoring public are safe. The records drivers submit — whether they are ELD records, paper logs, or time records — are the means you and your drivers prove compliance with the regulations' limits. Auditing your drivers' logs is the best way to ensure that your drivers are not driving fatigued. Doing so minimizes the risk of citations, accidents, costly litigation and fines, and bad press. Make the commitment to audit your drivers' hours.

ABOUT THE AUTHOR

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

Tom Bray is a Industry Business Advisor in the Editorial Resources area at J. J. Keller & Associates, Inc. He specializes in motor carrier safety and operations management. In addition to the many publications he supports at J. J. Keller, Tom has been a frequent contributor to industry publications and websites, including Heavy Duty Trucking, truckinginfo.com, Transport Topics, Fleet Maintenance and Work Truck, among others. He has authored whitepapers and presented webinars on a number of key transportation subjects. He is also a frequent speaker at transport safety seminars and conferences on topics such as hours of service, vehicle maintenance, cargo securement, and driver fatigue. Prior to joining J. J. Keller, Tom worked in the trucking industry for 22 years, with responsibility for DOT compliance, policy development, driver human resources, driver training, training program development, CDL testing, claims management, and accident and injury prevention. Tom is active in the Wisconsin Motor Carriers Association's Safety Management Council and Seminar Development, and the Commercial Vehicle Safety Alliance (CVSA).



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