

## **MCSAC Discussion on Detention Time from June 12, 2017, MCSAC Meeting**

*The Federal Motor Carrier Safety Administration (FMCSA) gave a presentation on driver detention time and asked the Motor Carrier Safety Advisory Committee (MCSAC) to discuss driver detention time.*

### **I. Impact of Detention Time on Compensation**

- A. Drivers often are not paid during detention time, unlike airport workers.
- B. There is little incentive for shippers and receivers to do anything about detention time.
- C. If trucks and shippers/receivers are more efficient, the industry does not need as many trucks or drivers.
- D. There is a potential correlation between detention time and safety: the longer a driver is delayed, the more incentive he or she has to drive faster or falsify log books.
- E. Improvements in productivity seem to increase only shipper productivity and not driver productivity.

### **II. What can the MCSAC do to address this issue?**

- A. Improve the Supply Chain
  - 1. If FMCSA can get data on this issue, what could the Agency do about it?
  - 2. Is it incumbent on the industry to fix this issue with the shippers and receivers?
  - 3. Shippers and receivers often do not want to resolve this problem or they lack incentive to do so.
  - 4. It is difficult for motor carriers to pressure shippers and receivers to change, as they are their customers.
  - 5. Many people involved in the supply chain are not concerned if a truck gets tied up, as they want only to make their deliveries on time.
  - 6. Investigators should visit warehouses where trucks are sitting and ask drivers questions about what is going on.
- B. Australia Example
  - i. Australia includes shippers and receivers in their safety regime.
    - 1. Australia requires drivers to earn a minimum amount per hour, regardless of how they are paid.
    - 2. These two things dropped the average delay time in the industry from over 5 hours to 25 minutes.
- C. This issue touches all sizes of carriers in the industry but is a greater problem for smaller carriers.
- D. Can electronic logging devices (ELDs) gather aggregate data regarding hours of service (HOS)? Can they provide information on how much on duty, not driving time there is for a particular driver or in the industry?
  - 1. FMCSA is limited statutorily to use ELD data only for HOS.
  - 2. Even with aggregate ELD data, it would not provide an understanding of what causes the on duty, not driving time. Maybe the cargo takes a long time to unload.
- E. If it is voluntary to submit data, more drivers and carriers might be willing to share that information.
- F. Data collection should focus on where detention time is being reduced in addition to where there are problems.
- G. Inefficiencies are caused by arriving at night or on weekends when shippers are closed, and when missing a delivery appointment due to factors outside the driver's control (e.g., maintenance issues).
- H. State and local governments can help by reducing traffic delays.
- I. FMCSA tracks data on the coercion rule; the Agency is aware of only one enforcement case.