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*...from the  
director's chair*

## EOBRs? Let's fix what's really broken

After close to a decade of dithering about black boxes, regulators are finally looking seriously at developing a national standard to mandate the use of EOBRs in commercial vehicles. In the spring of 2009, the Canadian Council of Motor Transport Administrators (CCMTA) got its marching orders from the Council of Deputy Ministers of Transportation to explore issues related to an EOBR mandate, and report back with recommendations in the fall of 2010. A project group was struck, with representatives from several provincial ministries as well as Transport Canada, and that group is now seeking the input from stakeholders.

While the Canadian Trucking Alliance – chief proponent of the mandate – has been working with CCMTA on this for several years, the EOBR project group released its first public discussion paper on Feb. 18, inviting feedback by March 11. Allowing a mere three weeks, by the way, to assemble and submit comments leaves me wondering – again – just how anxious they are to get input from the steering wheel crowd, but that's another story.

The discussion paper does a very good job of outlining the pros and cons of an EOBR mandate, and examines the issues from several perspectives, including technology standardization, security and privacy concerns, the accuracy and ultimate admissibility of EOBR data as evidence, cost burdens, and more.

For example, the discussion paper mentions – more than a few times – the efficiency gains and cost reduction potential associated with maintaining drivers' HoS records electronically, and ultimately the cost of auditing those records. The advantages of EOBRs, in this context, would be best realized by larger fleets and the enforcement community. Small fleets could benefit here as well, but on a much different scale. Absent from the paper, however (it's completely ignored, actually) are the operational challenges that will result from hardwired adherence to a rule that is very difficult to

comply with 100% of the time in the real world.

So, if an elite group of large fleets and the cops are to be the principle beneficiaries of an EOBR mandate, what costs and other burdens will be imposed on the rest of the industry in order to satisfy those needs?

Don't forget, most of Canada's trucking industry consists of very small to small fleets (25 or fewer trucks), which means we could be throwing close to 75% of the industry population under the bus to garner cost savings and efficiencies for the rest. OBAC's brief to the EOBR project group will outline our position on all aspects of a possible mandate, and you can rest assured we'll be putting a number of driver-side-of-the-steering-wheel issues on the table that no-one else is raising. But I have one nagging concern I'd like to raise here.

Proponents of government-mandated EOBRs always play the "safety card" up front (shades of speed-limiters), and this, unfortunately, has become the jumping-off point for much of the ensuing debate. Let's be clear about one thing from the get-go: EOBRs will not make our roads safer. To its credit, CCMTA admits as much in the discussion paper. "... there is limited data to support the assertion that EOBRs would significantly improve the rate of fatigue-related accidents involving commercial vehicles," the paper states, adding, "companies using EOBRs report improved compliance with hours-of-service; however, there are no empirical data to show that EOBRs directly reduce driver fatigue." Further, Arlington, Va.-based safety consultant and the author of a paper called *Safety for the Long Haul: Large Truck Crash Risk, Causation, & Prevention*, Dr. Ron Knipling, says the claim that EOBRs will reduce crashes through improved compliance with HoS is "at best, weakly true."

He explains that the link between HoS compliance and safety (read, crash reduction) is weak as well. "Hours of driving is not a primary factor affecting driver fatigue and crash risk," he

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says in a recently-published editorial. "The main factors affecting fatigue are inadequate sleep, excessive time awake, daily 'circadian' low periods (such as 3-6 a.m.), and individual differences in fatigue susceptibility. None of these fatigue factors is directly addressed by hours-of-service rules..."

Nor, one would have to conclude, would these factors be addressed by EOBRs. It would follow then, that EOBR-imposed compliance with HoS would have little measurable impact on highway safety. So, if we're looking at an EOBR mandate, let's at least be up-front about the motives.

If HoS compliance is the real goal, we need to have an honest debate about why paper logbooks are, as many carriers and drivers agree, a joke. We need to question a system that requires – often encourages – drivers to hide a great deal of their wasted time on the top line of the log. EOBRs might make it harder to disguise the number of hours drivers waste, but they won't make those hours go away – and they won't help drivers make up for income lost to inefficient shippers and poor trip planning.

Rather than looking for government to mandate EOBRs, perhaps the industry needs to take a hard look at itself and replace the incentive to cheat with a system that encourages compliance. If drivers were compensated for all their time spent on-duty doing something other than driving, we'd be taking a step in the right direction.

At the end of the day, tighter monitoring of a broken system by any means – whether paper or electronic – is ludicrous. The real debate should be how to fix the system.