



November 27, 2017

American Disposal Services, Inc.
Gregory W. Hubbell-Safety Manager
10370 Central Park Drive
Manassas, VA 20110
Telephone: 571-292-5524

Administrator
Federal Motor Carrier Safety Administration,
1200 New Jersey Avenue, SE
Washington, D.C. 20590-0001

Dear Administrator:

DEPARTMENT OF
TRANSPORTATION
2017 DEC 11 A 11:20
DOCKET OPERATIONS

American Disposal Services, Inc. and its affiliates (American Disposal Services of Colorado, Inc., American Disposal Service of Georgia, Inc., American Disposal Services of Maryland, Inc.) wish to apply for a **"EXEMPTION"** from the required use of paper logs and ELD's as there is no ELD that can calculate the multiple stop rule found in definitions of 395.2. Currently, ELD's cannot accurately account for the hours of service as they cannot calculate non-driving time accurately and/or historically for our industry. Our trash and recycling routes have 800-1200 stops per truck. At least one third to half of the stops, the drivers gets out of the cab to service their customers.

We fall under the short haul exemption. However, we exceed the 12-hour rule more than 8 times per month (breakdowns, major traffic congestion, personnel issues, etc.) per truck. Therefore, we are currently required to log using the new ELD devices. We have been using paper logs for approximately 8 years.

Our trash and recycling company, American Disposal Services, Inc. has over 300 CDL drivers servicing over 390,000 customers in four states with 400+ heavy trucks. Each route has 800-1200 stops/customers per day. **Our drivers on the average, service a home every 22 seconds or so and get out of the truck about one third to one half of the time to assist the laborer servicing curbside toters and dumpsters, unlocking gates of enclosures, servicing town houses and condos where customers do not have toters, back door service for elderly and handicapped, etc.**

We have been using the multiple stop rule, "treating all the stops in a village, town or city as one". The driver leaves the yard (On Duty Driving Time) and when he gets to the 1st stop of the route he changes his status to (ON Duty Time-NON Driving Time) for the next 500 stops. When it is time to go to the landfill, the driver changes his status from (NON Driving Time to Driving Time). After coming back to the route from the landfill and arriving at the first stop of his second load, the driver changes his status from (Driving Time to NON Driving Time) and uses the multiple stop rule until ready to go to the landfill a second time.

The multiple stop rule and paper logs, though cumbersome, met the old regulations as it is impossible to log 800-1200 stops on paper. **However, under the new FMCSA ELD regulations, it appears this cannot be done given the parameters the ELD manufacturers have been required to build into their ELDs by the FMCSA. There appears to be no means to utilize the multiple stop rule in the new ELDs. Therefore, the amount of NON-driving time cannot be accounted for and the data will not be factual or accurate.**

Additional information as required for exemption:

Contact: American Disposal Services
Greg Hubbell, Safety Manager
10370 Central Park Drive
Manassas, VA 20110
Telephone: 571-292-5524

Entities:	American Disposal Services, Inc. 10370 Central Park Drive Manassas, VA 20110	NO DOT #
	American Disposal Services of Colorado 7500 Dahlia Street Commerce City, CO 80022	DOT #: 2869807
	American Disposal Service of Georgia, Inc., 25 North Drive Acworth, GA 30102	DOT #: 1990245
	American Disposal Services of Maryland, Inc. American Disposal Services, Inc. 10370 Central Park Drive Manassas, VA 20110	DOT #: 2471487

Drivers affected is approximately 400.

Trucks affected is approximately 300.

Level of Safety improved, equivalent to or greater than...

- Safety will not be affected unless one considers less distracted time by NOT using an ELD. It would be an improvement in that case.
- Paper logs or ELDs for the short hauler will not make the hauler less safe. No difference. The use of an ELD that cannot calculate the multiple stop rule or non-driving time would result in inaccurate data such as actual time spent driving and will provide inaccurate historical data.

The investment of \$350,000 in equipment, training and extra manpower for devices that will not assist American Disposal Services to meet the FMCSA regulations as established by FMCSA, is a significant financial burden and waste of money. Further, the fines resulting from an audit where a device that cannot calculate the non-driving time of drivers accurately or historically would be an injustice if used as the basis for establishing fines.

American Disposal Services, Inc. respectfully requests the FMCSA to consider our request for a waiver from the required use of paper logs or an ELD to record Hours of Service in section 395.1 as there is no provision for an ELD to calculate the multiple stop rule (section 395.2) which "treats all the stops in a village, town or city as one" nor can an ELD accurately reflect the time spent out of the cab by the driver and would therefore be an inaccurate reflection of the actual time driving.

Please feel free to call me with any questions you may have or if you require more information. Thank you for your time and consideration.

Sincerely,


Gregory W. Hubbell