

## Trucker Reality

By OOFI • Jun 08, 2023

Smart Brevity® count: 1.5 mins...446 words

Eureka! I have Found It! The state motto of...?

AB5—Strict and unrealistic environmental goals—yet the leader in privacy protection for drivers!



California!!

California has always been the rogue among states. It's attack on the status of independent owner-operators and it's tough unrealistic expectations for greenhouse gas reductions it laid on truckers have been impactful.

**Why it matters:** Truckers that haul into and out of California know the difficulties of meeting the state's various environmental regulations in addition to speed limits that are far lower than most of the country.

**The bottom line:** Most of us view California as another country with it's exemptions from certain rulemaking requirements, especially environmental ones.

But you may be surprised to learn that California has limited the use of many technologies that track a drivers activities.

- While Penal Code Sec. 637.7 of the California Consumer Privacy Act already prohibits using an electronic tracking device to determine the location or movement of a person, AB 984, "Employer Restrictions on Vehicle Tracking," takes it even further.
- AB 984 places significant restrictions on the use of an alternative device to monitor employees during work hours. If an employer does monitor their employees in vehicles then they must show that such monitoring is strictly necessary for the performance of the employee's duties and they must provide advance notice of monitoring.
- There is a long list of requirements that employers must meet if they are going to monitor drivers through technology.
- Employers have until January 1, 2024 to ensure their monitoring devices are up to par.
- Owner-operators must agree to the tracking device and the activities that can be tracked.
- This will impact all carriers that operate in California as fleet management systems have become quite common.

Remember if you don't want the government or others in, don't open the door.

## HELP NEEDED



**Very few people** in Washington understand your business, and most have never set foot inside a truck, which is why the OOIDA Foundation conducts several surveys of our membership.

**The bottom line:** we recently sent a survey designed for company drivers to a select number of members.

- We know it's long and detailed, but we really need your information so OOIDA can better represent you and prove a voice of the truck driver.
- We get asked by many groups, press, and congressional aides on what professional drivers think.
- **We need your responses** so please check your email, even your spam or junk folder, and complete the survey, it's completely anonymous, so your privacy is protected.

ELDs, dash cams directed at the driver, and basically all fleet management tools that take away the personal freedom, privacy, and dignity of a driver, should be severely restricted!

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