



New Members

Cardwell & Noe Trucking LLC

Hwy 15 North
Novelty, MO 63460
Ms. Lesa Noe
(660) 739-4312

Great Western Bank

14545 West Center Road
Omaha, NE 68144
Mr. Ed Shada
(492) 561-7964

Rand McNally

9855 Woods Drive
Skokie, IL 60077
Mr. Frank Lancaster
(800) 641-7263

Schibi Transportation LLC

1509 North Ohio
Sedalia, MO 65301
Mr. Rick Schibi
(660) 827-4455

T M S Audio Productions, Inc.

510 Broadway
Jefferson City, MO 65101
Mr. Jay Shipman
(573) 893-6993

Zipp Express

12 Worthington Access Drive
Maryland Heights, MO 63043
Ms. Janet Mulroy
(314) 842-8877

President's Message

I hope you have made plans to join us for the 75th Annual Convention of the Missouri Trucking Association! The last time we were at the Chase Park Plaza Hotel, Neil Armstrong had taken his historic steps on the moon just a few short months prior to our Annual Convention. As we gather this year at the historic Chase Park Plaza, we are cautiously optimistic our industry has taken "one small step" back to prosperity, while remaining hopeful the "one giant leap" is just around the corner!

Simply gathering together annually doesn't automatically solve our collective problems, but it is hard to put a price on the value of coming together with your colleagues to work on common issues. As the commercials say, it is "priceless!"

2012 MoTA Convention

Chase Park Plaza

St. Louis, MO

Wednesday - September 26

3:00 pm Registration Opens
4:00 pm Executive Committee Meeting
5:00 pm Next Generation Meeting
5:00 pm Allied Industry Meeting
6:00 pm Welcome Reception
'75 Years Strong'



Thursday - September 27

7:30 am Breakfast Buffet
8:00 am Guest Speaker:
Kelly Anderson, *Impact Transportation Solutions*
Creating an Unfair Advantage in your Personal and Business Life
Don't just make an effort - make a difference
8:45 am MoTA Membership Meeting
10:45 am General Session –
Rayola Dougher, *The American Petroleum Institute*
The Economics of Energy Access and Fuel Costs
Lunch
12:30 pm General Session - *Highway Funding Panel*
1:00 pm Ladies Program – Cathedral Basilica Tour
2:00 pm *CSA Regulatory Panel*
3:00 pm General Session:
Ted L Perryman, *Roberts Perryman*
Jury of Our Peers: Inside a Trucking Case
6:15 pm Chairman's Reception
7:00 pm Candlelight Banquet
Entertainment - **Finis Henderson**

Friday - September 28

7:00 am Buffet Breakfast –
Speaker: **Michael S. Card**, *ATA First Vice Chairman & President of Combined Transport, Inc, Central Point, OR*
9:00 am Golf Tournament – Forest Park
Lunch at the Golf Course

See you in St. Louis!

In This Issue

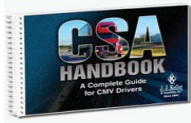


- 3 Governmental and Regulatory News
- 5 News from the Industry
- 6 News from States & Provinces



Your Choice of Three Driver Handbooks

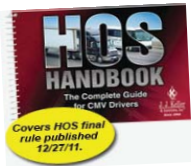
1 - 24 \$6.25 each 50 - 99 \$5.75 each
 25 - 49 \$6.00 each 100+ \$5.25 each



Item # 492H
CSA Handbook: A Complete Guide for DMV Drivers
 Provides a vital on-the-road reference for drivers on CSA issues.



Item # 445H
Cargo Securement Handbook for Drivers
 Help drivers stay safe and in compliance with federal requirements.



Item # 493H
HOS Handbook: The Complete Guide for CMV Drivers
 Provides the who, what, when, where, why, and how-to of Hours of Services for drivers.

National Truck Driver Appreciation Week is Right around the Corner!

National Truck Driver Appreciation Week is September 16-22. Do you have your plans set? Check out the NTDaw page on the



Good stuff. ATA Website to download a sample press release or sample proclamation. Plan a terminal tour or a ride-a-long with your local, state or federal elected officials, or invite the media to come out and show off your facility and learn about the trucking

industry and meet your drivers! This is an election year so it may be easier than you think! Participate in the NTDaw Video Contest or encourage your customers, employees, community leaders, and elected officials to pull out their cell phone and take a quick video thanking the professional drivers and letting America know how essential and safe they are. Go to <http://www.truckline.com/Programs/NTDAW/Documents/2012-video-flyernew.pdf> for the NTDaw flyer. ▲

2012 MoTA Drivers of the Month

January	Steven Fields YRC, Inc. Kansas City, Missouri
February	Danny Womack D & D Sexton, Inc. Carthage, Missouri
March	Jerry Pate Walmart Transportation St. James, Missouri
April	Ronald Hoover Prime, Inc. Springfield, Missouri
May	Henry Grider TCSI-Transland Springfield, Missouri
June	Remy Braun D & D Sexton, Inc. Carthage, Missouri
July	Daniel Willett Walmart Transportation Harrisonville, Missouri

Member Cancellations August 2012

Name of Company	Class	Dues
Pen-Transportation	Allied	\$250

Industry Safety Day

Date: Friday, September 21, 2012

Time: 8:00 a.m. - 4:00 p.m.

Locations: Welcome Center Rest Stop
 I-44 Eastbound I-70 Westbound
 Joplin, MO Boonville, MO

Topics: Refreshments
 Professional Safety Tips
 No Zone Display

For more information or if you would like to volunteer at one of the locations, contact John Lummis, Callaway Carriers - (573) 642-7766 (Boonville) or Danny Sexton, D & D Sexton - (417) 358-8727 (Joplin)

In addition to educating the motoring public, this is also a great time to let the truck drivers know how much they are appreciated as National Truck Driver Appreciation Week is celebrated this same week.



FMCSA Issues Final Rule on Brake Adjustment Limits

The Federal Motor Carrier Safety Administration (FMCSA) has issued a final rule amending the requirements regarding brake readjustment limits in the Federal Motor Carrier Safety Regulations (FMCSRs). This rule amends the readjustment limits, clarifies their application, and corrects an error in cross-referencing a Federal Motor Vehicle Safety Standard (FMVSS). This rule responds to a petition for rulemaking from the Commercial Vehicle Safety Alliance (CVSA). This final rule became effective September 5, 2012 and may be accessed in the *Federal Register* on line at <http://www.gpo.gov/fdsys/pkg/FR-2012-08-06/pdf/2012-18899.pdf>. ▲

FMCSA Issues Policy on New Entrant Corrective Submissions

The Federal Motor Carrier Safety Administration (FMCSA) has provided notice of the Agency's policy that it must receive a new entrant motor carrier's evidence of corrective action within 15 days of the date of a new entrant safety audit failure notice or within 10 days of the date of an expedited action notice. A new entrant motor carrier that does not submit evidence of corrective action within these time periods could have its registration revoked and be placed out of service.

This decision became effective on July 20, 2012 for expedited action notices and became effective on August 20, 2012 for safety audit failure notices. The *Federal Register* notice may be reviewed on line at <http://www.gpo.gov/fdsys/pkg/FR-2012-08-16/html/2012-20233.htm>. ▲

FMCSA Should Establish Interim Process for Non-Preventable Crashes, ATA Says

The Federal Motor Carrier Safety Administration (FMCSA) should establish an interim process to remove non-preventable crashes from safety scoring while it conducts a crash accountability study, American Trucking Associations (ATA) said.

In written comments filed the end of July, ATA said it supports the Compliance, Safety, Accountability program but also criticized FMCSA for reversing course on a methodology it developed for evaluating preventability and accountability. It had planned to put the system in place earlier this year.

"ATA appreciates the seriousness with which FMCSA is addressing this issue but questions the lengthy time frame for completing this additional research," Rob Abbott, ATA's vice president of safety policy, said in written comments.

FMCSA recently announced it would spend the next year studying how it could implement a crash accountability program and whether such a program would be worth the \$3 million it could cost annually (7-30, p. 4).

But the agency already has studied and tested the ability of the agency to make accountability determinations based on police accident reports, ATA said.

While it awaits the study findings, the agency should implement an interim process to remove from consideration in safety measurement system scoring those crashes in which it is plainly evident (with a great deal of likelihood) that the crash was not preventable on the part of the truck driver, ATA said. ▲

~ Transport Topics ~

Pre-Employment Screening Program Audits and Penalties Take Effect

FMCSA's contractor administering the Pre-Employment Screening Program (PSP) will begin enforcing the program's required audit process this month. The PSP allows a motor carrier to view five years of crash data and three years of inspection reports for a prospective employee driver. As part of this process, motor carriers must get a signed release form from the driver and retain it for three years. FMCSA has also mandated language for the release form and placed it online at the PSP website. The PSP contractor began auditing carriers in August. If a carrier is selected, the PSP contractor, NIC Technologies, will ask the carrier to produce up to three specific release forms for drivers whose PSP records that had been requested. ATA advises motor carriers to remember that PSP searches are only allowed for prospective employees—not current ones—and that you must retain PSP paperwork for three years. Failing an audit can result in losing access to the PSP system and other penalties. ▲

ATA Files Comments Supporting Stability Control Systems; Seeks Flexibility in Standard

On Tuesday, Aug. 21, 2012, ATA filed comments with the National Highway Traffic Safety Administration (NHTSA) addressing the Agency's proposed Federal Motor Vehicle Safety Standard No. 136 for Electronic Stability Control Systems. ATA supported a new standard, but requested NHTSA to provide flexibility in the standard allowing fleets to adopt either ESC or the less expensive and similarly effective Roll Stability Control system. The American Transportation Research Institute recently released a study entitled, "Roll Stability Systems: Cost-Benefit Analysis of Roll Stability Control Versus Electronic Stability Control Using Empirical Crash Data." The ATRI study found that "for some fleets, RSC technology may be more effective, and cost-effective, at reducing rollover, jackknife and tow/struck crashes than ESC technology." ▲

GAO Interviews ATA & Three STAs on Bi-State Tolling Authorities

On Thursday, August 30 ATA representatives Dave Osiecki, Darrin Roth, and John Lynch along with Kendra Adams (NYSMTA), Gail Toth (NJMTA), and Jim Runk (PMTA) met with investigators from the Government Accountability Office. The meeting was conducted to discuss industry concerns with exorbitant toll increases, diversion of toll revenues and lack of public accountability with bi-state tolling authorities. The GAO investigation is a result of a Senator Lautenberg (D-NJ) request made in April that according to the *Philadelphia Inquirer* will focus on the following areas:

- 1) "To what extent do interstate compacts and related legislation establish priorities and oversight processes for transportation authorities?"
- 2) How have transportation authorities set tolls, spent toll revenue, and made these decisions transparent?"
- 3) To what extent have the actions of transportation authorities been consistent with interstate compact priorities and leading practices for toll-setting decisions?" ▲



FMCSA adds Hazmat Basic - Makes other Changes to CSA Program

The Federal Motor Carrier Safety Administration recently announced several changes to its Compliance, Safety, Accountability enforcement program, including going ahead with a new HazMat BASIC that has prompted a lot of criticism from the industry.

The agency said the changes to CSA will let the agency more quickly identify and address high-risk truck and bus companies with compliance concerns by giving FMCSA more precise information when assessing a company's over-the-road safety performance.

The changes will be implemented in December 2012 and include:

- Changing the Cargo-Related BASIC (Behavior Analysis and Safety Improvement Category) to the Hazardous Materials Compliance BASIC to better identify hazmat safety and compliance problems. The agency says its analysis shows that this change will identify more carriers with hazmat concerns (33.8% versus 29.1%). In response to criticisms about the reliability of the information during the four-month preview period on the proposal, FMCSA will make this visible only to carriers and law enforcement starting in December. FMCSA will conduct further monitoring before it is made public.
- Changing the Fatigued Driving BASIC to the more specific Hours-of-Service (HOS) Compliance BASIC to more accurately reflect violations in this area; and weighting HOS paper and electronic logbook violations equally.
- Strengthening the Vehicle Maintenance BASIC by including cargo/load securement violations from the current Cargo-Related BASIC.
- Including intermodal equipment violations that should be found during drivers' pre-trip inspections.
- Removing 1 to 5 mph speeding violations to ensure citations are consistent with current speedometer regulations.
- Ensuring all recorded violations accurately reflect the inspection type (i.e., only driver violations will be recorded under driver inspections).

FMCSA provided a four-month preview period to ensure the public had multiple opportunities to review and comment on the proposed changes to CSA's online Safety Measurement System. Overall, 14,000 carriers and 1,700 law enforcement personnel participated in the public preview. The Federal Register Notice issued recently responds to the comments received as of July 30, 2012, regarding the preview of the updates to the system.

Many carriers, as well as shippers and brokers, were concerned that the preview scores in the new hazmat category were inconsistent and that the data should not be made public until the agency can address those problems. That's why the agency is emphasizing that only carriers and law enforcement will be able to view this category in December.

For complete details on the new CSA improvements, go to <http://csa.fmcsa.dot.gov/>. ▲

Fleets Blast Hazmat Plan

Proposed CSA Change Misleading, FMCSA Told

Proposed changes intended to strengthen federal enforcement of fleets that haul hazardous materials would have the unintended effect of damaging the safety ratings of some of the industry's safest operators.

That is the conclusion reached by carriers and business organizations that filed comments with the Federal Motor Carrier Safety Administration expressing concerns that reputations and bottom lines would be damaged if the agency implements its proposed changes for the Compliance, Safety, Accountability program (3-26, p. 1).

"As currently structured, the [hazmat Behavior Analysis and Safety Improvement Category] assigns high scores to many reputable, safe motor carriers with laudable crash rates and low scores in all other categories," American Trucking Associations wrote.

An FMCSA spokeswoman said the agency is reviewing the public comments and will publish the final changes.

During the comment period, which ended July 30, FMCSA posted profiles for private viewing that showed how carriers' scores would change under the proposed revisions.

The largest number of the roughly 80 comments were related to the hazmat changes and revealed how radically some scores could worsen.

Truckload carrier Knight Transportation, which ranks No. 30 on the *Transport Topics* Top 100 list of the largest U.S. and Canadian for-hire carriers, said that only 1% of its loads over the past two years contained hazardous materials and that, of its nearly 10,000 inspections, only 81 were hazmat-related.

"Does a carrier who has 90 relevant inspections out of 10,000 overall inspections pose the same risk as a carrier who has 100 relevant inspections out of 100 overall inspections involving hazardous materials?" Knight asked.

The carrier said that under the new Hazardous Materials BASIC, it would have an initial ranking in the 98th percentile, which is above the threshold FMCSA uses to determine which carriers need special attention.

In the CSA system, a lower percentile score indicates a safer performance.

Vigillo LLC, a firm that crunches CSA data for carriers and brokers, said the proposed changes "do not address any of these badly needed improvements and, in fact, steer CSA further into a course of compliance management instead of safety management.

"Tissue-thin data is available on the new hazmat BASIC and the data that is available shows only placards and paperwork, with no tie to driver behavior that leads to crashes – the stated mission of CSA since 2004," Vigillo wrote. "Yet this new, publicly available BASIC will become the focus of brokers, shippers, drivers, plaintiffs, and law enforcement as equivalent to BASICs with true safety backbone." ▲

~ *Transport Topics* ~



Trucking Technology Likely to be Affected by Wireless Capacity Crunch

Trucking companies that rely on wireless technology to improve their operations soon could feel the effects of a looming “capacity crunch” facing the nation’s wireless carriers, an industry leader told truckers.

“We are fast approaching a serious capacity crunch, and when that happens, the great innovation and service you’ve come to expect could be challenged,” Steve Largent, president of CTIA, a trade group representing the wireless communications industry, said August 13.

“We simply need more spectrum, more highways to handle the traffic that we know is coming,” he said.

The former Republican U.S. congressman from Oklahoma urged everyone to contact their elected officials and ask them to open up more spectrum for the wireless industry.

“All of the flashing caution signs are out, and we know we’re in for one whale of a backup if we don’t take action today,” Largent said.

Wireless carriers need to meet the “exponentially increasing” demand for more advanced wireless services, but they have limited spectrum with which to do so, he said.

“As much as you’re using wireless today, on the job and at home, there’s no doubt you’re going to be using a lot more of it in the future,” Largent said. “Right now, the U.S. is not prepared for that.”

~ *Transport Topics* ~

ATA Seeks Nominations for “Good Stuff” Trucking Image Award

The American Trucking Associations today announced that it is seeking nominations for the sixth annual Mike Russell “Good Stuff” Trucking Image Award. The award honors those that creatively generate positive awareness of the trucking industry. For more information, go to <http://www.trucksbringit.com/NR/exeres/611A60C8-2D6B-41DA-9845-FC4A215FCB03>. ▲

ATRI to Research Impacts of 34-Hour Restart Rule Changes

The American Transportation Research Institute (ATRI) has initiated research to quantify impacts to the trucking industry of changes to the 34-hour restart rule. Under the new Hours-of-Service rules scheduled to take effect next year, changes to the 34-hour restart include a requirement that a restart time period includes two periods between 1 a.m. – 5 a.m. and a limitation of one restart per week.

ATRI’s research will include a survey on motor carrier costs and operational impacts expected from the change. ATRI will launch the survey in September. If you are interested in learning more about the research and potentially contributing data to the analysis, contact Jeff Short at jshort@trucking.org. ▲

EPA Issues SmartWay Retread Performance Standards

The U.S. Environmental Protection Agency announced the establishment of low-rolling resistance performance standards for tire retread products used on line-haul Class 8 trucks. Use of verified low-rolling resistance retreads is expected to provide reduction in fuel consumption of at least 3 percent as compared to the most popular retread products now in use. The establishment of these standards enables manufacturers to immediately begin to verify retread products which conform to the standards. ATA, manufacturers and others have been working with EPA for more than three years in the development of these standards. ▲

Roadcheck Finds Driver and Vehicle Out of Service Rates near Historic Lows

On June 5-7, the Commercial Vehicle Safety Alliance (CVSA) member jurisdictions conducted a record 74,072 truck and bus inspections during the 25th Annual Roadcheck. CVSA released its report about this commercial vehicle safety enforcement and outreach event on August 14.

Of all inspections, 48,815 were North American Standard Level 1 inspections — the most comprehensive roadside inspection, of which 22.4 percent of vehicles and 3.9 percent of drivers were placed out of service (OOS). These vehicle and driver OOS rates for Level 1 inspections represent the second lowest achieved in 25 years, continuing its successful historic trend downward. For comparison, in 1991 (the first year comprehensive data were available), the Level 1 OOS rates were 34.8 percent for vehicles and 5.6 percent for drivers.

The overall OOS rates for the entire event in 2012 (includes all inspection levels) were 20.9 percent for vehicles and 4.6 percent for drivers, both of which were higher than last year’s numbers. Despite the positive trend on the Level 1’s, this highlights that one in five vehicles selected for inspection was found with a violation serious enough to be considered an imminent safety hazard. These mixed results indicate that, while the attention paid by industry to maintenance and regulatory compliance generally is improving, more needs to be done by industry and enforcement alike.

Roadcheck 2012 emphasized a back-to-the-basics focus, with special attention paid toward braking systems and hours-of-service, the top ranking violation categories for vehicles and drivers, respectively. Even with these focus areas, the proportions of brake related and hours-of-service related violations relative to all out-of-service violations declined slightly, according to CVSA. In addition, seatbelt violations issued totaled 848, the fewest recorded since 2007. ▲



Deadlines for California Reefer Requirements

Fleets that operate transport refrigeration units (TRUs) with 2005 model-year engines in California, whether domiciled in the state or not, have until December 31, 2012 to either replace these units with newer models or engines or retrofit them with California Air Resources Board (CARB) verified diesel particulate filters. CARB will allow for installation delays past this date if a TRU is registered with CARB and a purchase order for a new unit or engine has been placed by the end of August. For filters, purchase orders must be placed by the end of October. A copy of the order notice is available online. ▲

California Truck Requirements to Tighten

Fleets operating class 7 and 8 trucks in California will face more stringent engine limits after the first of the year. Beginning January 1, 2013, trucks with model-year 2000 - 2004 engines will need to either (a) be retrofitted with diesel particulate filters (DPFs); (b) qualify for specialty exemptions; or (c) be part of a fleet's phase-in report. Fleets with three or fewer trucks are eligible for a compliance extension by registering with the California Air Resources Board (CARB) prior to the first of the year. For more information, visit CARB's TruckStop: <http://www.arb.ca.gov/msprog/truckstop/truckstop.htm>. ▲

California Truck Pass Form Available Online

A "Three Day Pass Exemption Form" is now available for download from the California Air Resources Board (CARB). The pass is a temporary permit allowing a vehicle that does not meet the engine emission requirements of the truck and bus regulations to operate in California for a single three day period. Each fleet owner may obtain one pass per calendar year. Completed request forms must be submitted to CARB three days prior to the vehicle entering the state. Vehicle operators must carry a copy of the exemption form in the truck. ▲

Fraud Alert

The Illinois Trucking Association (ITA) reports that individuals recently visited an ITA-member office claiming to be from the Illinois Trucking Association and selling AFLAC insurance products. The two individuals would not identify themselves, despite their claims to have been sent by ITA staff. ITA is not affiliated in any way with AFLAC, nor does it direct companies to call on ITA members, and finally AFLAC is not an ITA member. Please be aware of such potential activities in Missouri. ▲

Bridge Construction

The severe summer drought is slowing construction of the new Mississippi River bridge being built in St. Louis.

Missouri Department of Transportation project director Greg Horn said the river is so low that barges are unable to carry deck sections between the piers and the bank. Instead, crews are building those sections in place, which takes more time.

Still, Horn said the bridge carrying traffic between Missouri and Illinois should open on schedule by January 2014. ▲

~ *Transport Topics* ~

Cell-Phone Enforcement Is Tough

Quite a number of jurisdictions in the United States and Canada have acted to prohibit people from using cell phones while they drive. Judging from the experiences of a state and a province that have recently been reported in the press, enforcing such a prohibition can be quite a job. In **Nevada**, a law effective at the beginning of this year outlaws both texting while driving and the use of a handheld cell phone. A violation is a primary offense that carries an initial fine of \$50, with higher penalties for repeat offenders. The Nevada Highway Patrol has already issued 4,500 tickets under the new statute. In **Saskatchewan**, a ban on drivers using cell phones has been in effect since the beginning of 2010, and the province has had to resort to stern measures to enforce it. Although the usual citation for a cell-phone offense includes a fine of \$280 and four points on the driver's record, police also have authority under the law to impound the miscreant's vehicle. This is to be done "only in exceptional circumstances where there is a danger posed to public safety," according to the province, but the power was exercised more than 2,500 times in 2010 and 2011. ▲

~ *State Laws Newsletter* ~

Utah Posts Temporary Width Restriction on I-80 Section

All loads over 12-feet wide will be prohibited on I-80 from Wanship to Coalville in Utah every day for until the middle of September. This is due to the replacement and work on bridges through the area. Call the Utah Motor Carrier Division at (801) 965-4892 for alternate routes. ▲

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Tom Crawford, President and CEO
PO Box 1247
102 E High Street
Jefferson City, MO 65102
573-634-3388
mota@motrucking.org

