



New Members

G & P Truck Lines Inc
2520 West College St
Springfield, MO 65802
Mr. John Montgomery
(417) 869-0990

SambaSafety
8814 Horizon Blvd NE, Ste 100
Albuquerque, NM 87113
Mr. Carlos Ramirez
(505) 933-6923

Sleep Solution, LLC
13601 Forest Park Dr
Grand Haven, MI 49417
Mr. Chris Kane
(240) 472-2925

United Shippers Express LLC
101 W Evergreen St
Strafford, MO 65757
Mr. Corey Unterbrink
(417) 366-9724

MissouriMemo August 2015

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*Citizen Driver Honorees
Award*

For details,
see flyer on page 7 . . .

President's Message

I hope you are making plans to attend our convention on October 7-9, this year at the Chateau on the Lake in Branson, Missouri. A longstanding favorite of Missouri Trucking Association members, the Chateau on the Lake continues to be a top resort hotel in Branson. We hope you will join us for education, information, networking and hopefully a dash of fun as well!



Make your reservations early, as this lineup is sure to be one you won't want to miss!

2015 MoTA Convention October 7, 8 & 9 "Leadership in Changing Times"

Wednesday – October 7th

11:00 am **Executive Committee Meeting** - Working Lunch
2:00 pm **Registration Opens**
3:30 pm **Next Generation Meeting**
5:00 pm **Allied Conference Meeting**
6:00 pm **Welcome Reception** Favorite Sports Team Attire

Thursday – October 8th

6:30 am **Registration Opens**
7:30 am **Breakfast Buffet & Welcome**
8:15 am **MoTA Membership Meeting**
9:45 am **Break**
10:00 am **FMCSA Address w/ Q&A**
Daphne Y. Jefferson, FMCSA Deputy Administrator
11:00 am **Spouses' Program**
Showboat Branson Belle (Noon Lunch & Show - approx. 2.5 hrs) - \$65 each
11:00 am
Noon **Lunch**
12:30 pm **Highway Funding – MoDOT**
1:30 pm **ATA Update / Trucks Move America Forward - Kevin Burch**
*ATA Second Vice Chairman & Trucking Moves America Forward
Executive Committee Vice Chair*
2:15 pm **Break**
2:30 pm **Breakouts:**

- Food Safety Modernization Act** - John Penizotto, *Executive Director of Business Development, North America at International Telematics*
- New trends/update on "misclassification"** - Ted Perryman, *Roberts Perryman, PC*
- The 10x Rule: How to Achieve Your Goals & Objectives** - Steve Perryman, *Abacus CPAs*

3:30 pm **Repeat Breakout Sessions**
6:15 pm **Chairman's Reception**
7:00 pm **Candlelight Banquet**
9:00 pm Entertainment - Mike Walker, *Singing Impressionist*

Friday - October 9th

7:00 am **Buffet Breakfast**
7:30 am **Next Generation Panel**
9:30 am **Golf Tournament** – Buffalo Ridge, Branson

Registration & Sponsorship Forms will arrive in your email this week!!

In This Issue



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Make **Good** Drivers ... **Master Drivers**

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2015 MoTA Drivers of the Month

January	Don Thieret Buchheit Trucking Service Scott City, MO
February	Nathan Riney Buchheit Trucking Service Scott City, MO
March	Howard Hall Buchheit Trucking Service Scott City, MO
April	Bill McKinley Buchheit Trucking Service Scott City, MO
May	Glen Horack Prime, Inc. Springfield, MO
June	Darin Haggett Buchheit Trucking Service Scott City, MO
July	Wes Wilkerson Buchheit Trucking Service Scott City, MO

Member Cancellations August 2015

Name of Company	Class	Dues
Laclede Chain Mfg Co	Allied	\$350
Lashly & Baer PC	Allied	\$350
Mid Continent Paper Co	Private	\$350
Products Plus Inc	Private	\$350
WOTC Solutions LLC	Allied	\$350

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Congratulations, Drivers!

To nominate your driver(s), go to
<http://www.motrucking.org/councils/council-of-safety-supervisors/safety-contests/>
fill out the nomination form and send it to the MoTA office.

Missouri Trucking Association
P.O. Box 1247
Jefferson City, MO 65102
fax: 573-634-3388



Senate Passes Long-Term Highway Bill; 90-day Extension Approved

The Senate passed a six-year highway reauthorization bill, dubbed the DRIVE Act, with sufficient funding for three years. In addition, both Houses passed an extension of current legislation through October in order to give the House time to pass its own bill and for Congress to move it through a joint conference committee. Some of the more significant provisions in the DRIVE Act include:

- A new highway freight program that provides states with funding dedicated to highways with significant truck traffic.
- Amends an existing Interstate toll pilot program to allow toll revenue to be used for transportation projects unrelated to the tolled facility, lower the bar on application approvals and put a time limit on applicants, effectively allowing more states to apply. ATA opposes this provision.
- Provides natural gas powered trucks with a weight exemption of up to 2,000 pounds to compensate for their higher weight relative to diesel powered trucks.
- Requires FMCSA to remove CSA scores from public view until improvements have been made and verified by the DOT Inspector General.
- Directs the Department of Health and Human Services to establish standards for hair testing (for drugs) and, in the meantime, for FMCSA to entertain exemption requests from fleets seeking to conduct hair tests in lieu of urine tests.
- Authorizes DOT to approve compacts between states allowing CDL holders between the ages of 18 and 21 to cross state lines. ▲

Congress Passes LNG Tax Fix in Highway Funding Bill

Congress' approval of a 90-day extension to the highway reauthorization bill on July 30 included language to correct longstanding inequities in how both liquefied natural gas and Liquefied Petroleum Gas are taxed. Equalization of these taxes will help promote greater use of natural gas as an alternative transportation fuel for trucking. Fleets currently operating LNG-powered trucks are taxed for their fuel at a rate 70 percent higher than that of diesel fuel. The new provision modifies the LNG fuel tax to be based on energy content rather than a "per-gallon" volume bringing it into parity with that of diesel fuel. Starting Jan. 1, 2016, LNG will be taxed at 24.3 cents per "diesel gallon equivalent" as opposed to the 41.3 cents in federal fuel tax collected for the same amount of LNG prior to passage. To illustrate the significance of this change, a natural gas truck traveling 100,000 miles per year at 5 miles per DGE will recognize cost savings of \$3,402 per year. Beginning Jan. 1, 2016, propane will be taxed at 18.3 cents per "gasoline gallon equivalent" as opposed to the 23.1 cents in federal tax collected for the same amount of propane prior to passage. ▲

Basis of Federal Tax on LNG and LPG Changed

At the very end of July, Congress passed and the President signed yet another extension of the current federal highway program, this one for three months, until October. The extension was funded by a variety of tax measures (gimmicks would not be too strong a term), all of them temporary. There were in fact only a couple of permanent changes to federal law in the bill. One, however, permanently changes the basis of the federal fuel excise taxes on liquefied natural gas and on liquefied petroleum gas (propane) to energy-equivalent units. As of January 1, 2016, LNG for highway use, which has been taxed at the same rate as diesel fuel - 24.3 cents a gallon - will be taxed at 24.3 cents per diesel gallon equivalent of 6.06 pounds of LNG. That represents a drop of about 18 cents tax per standard gallon for LNG. The tax on LPG will be reduced to 18.3 cents a gallon per gasoline gallon equivalent, a reduction of about 4.8 cents per standard gallon. It might be noted that many states have changed the basis of their taxes on LNG to a DGE basis of 6.06 pounds of LNG, and that the International Fuel Tax Agreement is considering a proposal to require the same DGE for reporting LNG for fuel use tax purposes through IFTA. ▲

~ State Laws Newsletter ~

Darling Nominated to Run FMCSA

Had Served as Acting Administrator

President Obama has nominated Scott Darling to become the fifth permanent head of the Federal Motor Carrier Safety Administration.

Transportation Secretary Anthony Foxx confirmed the nomination of Darling, who is currently FMCSA chief counsel and also served as acting administrator, in an Aug. 5 statement.

"Through strong and effective management as chief counsel and acting administrator of FMCSA, Scott has already demonstrated his ability to lead the agency. He is committed to making our roads safer for motorists, passengers and professional truck and bus drivers, and is constantly working with all sides to find solutions to challenges facing the industry and the motoring public," Foxx said.

If confirmed by the U.S. Senate, Darling will succeed Anne Ferro, who was administrator from November 2009 to August 2014. When Ferro stepped down to lead the American Association of Motor Vehicle Administrators, the Obama administration selected Darling to lead FMCSA ahead of then-Deputy Administrator William Bronrott.

Darling has been the agency's top lawyer since 2012. Before that, he worked for the Massachusetts Bay Transportation Authority.

He made his first public address on August 13 in St. Louis, where he addressed participants in the National Truck Driving Championships.

Among the issues that will concern Darling as administrator are electronic logging devices, hours of service, cross-border trucking with Mexico, standards for entry-level driver training, a clearinghouse for drug and alcohol driver reports, raising mandatory insurance minimums for trucking companies, mandatory use of engine speed governors and the scoring system for the agency's Compliance, Safety, Accountability program. ▲

~ Transport Topics ~



ATA Calls on FMCSA to Make More Meaningful CSA Changes

In comments on FMCSA proposed modifications to the CSA methodology, ATA called on the agency to make more fundamental changes to the program for measuring carrier safety performance. ATA applauded several of the changes which the organization had advocated, but opposed others - including a suggestion that the agency make HM BASIC scores publicly available. ATA's overarching concern, however, was that FMCSA failed to adopt a 2014 recommendation of an Independent Review Team appointed by the Secretary of Transportation at NTSB's request. The IRT recommended that FMCSA distinguish form and manner violations from those that cause crashes. In addition, ATA called on FMCSA to reopen the comment period after giving motor carriers a preview of the impact the proposed changes will have on their safety measurements. ▲

ATA Meets with OMB on CSA Safety Fitness Determination Proposed Rule

On August 3rd, ATA met with the White House Office of Management and Budget's Office of Information and Regulatory Affairs which is currently reviewing FMCSA's proposal to assign carrier safety fitness determinations to motor carriers based on their CSA Safety Measurement System data. This is one of the final steps in the regulatory process before any proposed or final rule is formally published. During the meeting, ATA highlighted the limitations of the SMS data in evaluating the safety performance of individual carriers. Citing heavily from recent GAO and ATRI reports, ATA pointed out how it would be inappropriate for the administration to make SFDs based on data that is lacking and suffers from regional enforcement disparities. ATA also quoted FMCSA's acknowledgement that "SMS is not designed nor intended to predict an individual company's crashes in the future." ▲

Oversized Loads Granted HOS Exemption

FMCSA granted a two-year exemption from the 30-minute rest break requirement of the HOS rules to the Specialized Carriers and Rigging Association (SC&RA).

The exemption, which applies to drivers transporting oversized/overweight loads, allows them to skip their 30-minute rest break. SC&RA argued that finding parking for an OS/OW load for the break is challenging and can result in drivers stopping on the side of the road and blocking all or part of the driving lane as well as the shoulder.

FMCSA concluded that the crash risk when these loads are parked on the side of the road is roughly equal to if they had not taken a rest break at all.

The exemption only applies to loads that require a permit from a state or local jurisdiction. ▲

White Paper Available On EPA/NHTSA Truck Greenhouse Gas and Fuel Efficiency Proposed Rule

ATA has summarized the EPA/NHTSA Phase II Truck Greenhouse Gas and Fuel Efficiency Proposed Rule which was released on June 19, and is currently open for comment through Sept. 17.

Phase II will regulate medium- and heavy-duty trucks including heavy pick-up trucks, vocational vehicles and combination tractors from model years 2021-2027. It will also regulate trailers used in combination with tractors for the first time beginning in model year 2018. The agencies announced when the standards are fully implemented in 2027, combination tractor trailers could reduce their carbon dioxide and fuel use by up to 24% beyond 2017 equipment at a cost increase near \$13,000. Fifty-three foot dry van trailers would achieve up to an 8% fuel efficiency improvement in 2027 when compared to a 2017 trailer at an average cost increase of \$1,400. Vocational trucks, pick-up trucks and light vans could see a 16% reduction in CO2 emissions. Payback on added technologies are anticipated within 24 months according to the agencies. ▲

ATA Opposes FMCSA's Proposed Certification Label Rule

On Aug 3rd ATA filed written comments to FMCSA's proposed rulemaking addressing missing Federal Motor Vehicle Safety Standards certification labels for commercial motor vehicles operated by U.S.-domiciled motor carriers. ATA informed FMCSA that it adamantly opposes the implementation of this proposed CMV certification label rule for several reasons. First and foremost, there is no safety benefit associated with this "mattress tag" rule, only unnecessary administrative compliance costs. FMCSA also failed to recognize that operational efficiencies for drivers, carriers, and vehicles will be reduced as a result of this proposal. For example, trailer and chassis interchanges and interlining would be affected, roadside inspection time would increase, driver on duty time due to additional pre and post inspection checks would also increase, as would back-office compliance costs. ▲

TRUCKING 
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TXTA Tire Program

Missouri Trucking Association members of all sizes are eligible for substantial discounts on Michelin, Yokohama and BF Goodrich tires. Members can purchase tires from their current dealer and pay member-only discounts off retail prices. TXTA offers a complete line of Michelin, Yokohama and BF Goodrich products.

Tires are offered at discounted new tire pricing purchased from dealers nationwide. Companies save an average of 30% on new tire purchases. In addition, earthmover, retreads and light truck and passenger tires are also available on the program. Members will save and strengthen bottom lines by using this program.

Getting Started:

Companies interested in participating must be members of MoTA. Participation is conditional upon acceptance into the program. Companies must pass stringent credit requirements to be enrolled, including verification of creditworthiness of company principals.

A credit application must be completed in its entirety, including placing a credit card on file for delinquent accounts. After credit worthiness is established, the tire manufacturers will require up to four weeks to process the member company in their national network. Afterward, the member will receive a bill to ID and ship to ID to be used at **dealerships nationwide** when making purchases.

Go to <http://www.motrucking.org/services/txta-tire-program/> for detailed information and the Tire Program Application.

Missouri Trucking Association is joining with Texas Trucking Association to bring you this great program of savings. If questions arise, you may contact Jason at (800) 727-7135 x 101 or Jason@texastrucking.com. ▲

ATA Submits Comments to SAMHSA on Hair Testing

On July 29, ATA submitted comments to the Substance Abuse and Mental Health Services Administration on a notice requesting information on specific aspects of the regulatory policies and standards on hair testing that may be applied to the Mandatory Guidelines for the Federal Workplace Drug Testing Programs. SAMHSA is currently contemplating the development of such standards and is seeking to learn more about current industry practice. In the comments, ATA strongly supported SAMHSA's increased attention to hair testing, pointed to the substantial benefits of it, and responded to SAMHSA questions about hair specimen standards. ▲

Industry Asked to Rank Top Concerns

The American Transportation Research Institute launched the 2015 Top Industry Issues Survey. The annual survey asks trucking industry stakeholders to rank the top issues of concern for the industry along with appropriate strategies for addressing each issue.

"With your participation, we can speak with a collective industry voice on the issues most important to us," said ATA Chairman Duane Long, Chairman of Longistics. The results of the 2015 survey will be released at the ATA Annual Management Conference and Exhibition, to be held Oct. 17-20 in Philadelphia.

Industry stakeholders are encouraged to complete the survey from the website by going to <http://atri-online.org/>. ▲

OSHA Proposes Clarification of Employer Injury and Illness Reporting Responsibilities

On July 29, the Occupational Safety and Health Administration issued a notice of proposed rulemaking to clarify when employers must update their OSHA 300 Logs and 301 Incident Reports. Currently, employers must log and maintain incident reports for all recordable injuries and illnesses within 7 days of receiving information about incidents and when older incidents are newly discovered, even if knowledge of the incident is obtained after the 7-day window. However, the U.S. Court of Appeals recently found that the employer's recording obligation is confined by a statute of limitations to those incidents that occurred in the prior six months. If finalized, OSHA's proposal would essentially override the six month limitation and give the agency greater authority to cite employers who fail to record known incidents. Go to <http://www.gpo.gov/fdsys/pkg/FR-2015-07-29/html/2015-18003.htm> for OSHA's proposed rule. ▲

UPDATE: Deadline Extended for ATA 2015 Safety Expenditure Study

Carriers continue to show overwhelming interest in the 2015 Safety Expenditure Study. To provide fleets ample time to complete the confidential study questionnaire, the **deadline has been extended to September 25, 2015**. The study is open to all for-hire and private motor carriers—members and non-members.

The purpose of this project is to quantify the industry's annual investment in safety practices. The results of the study will also be used to develop a safety cost benchmark toolkit for carriers to evaluate company expenditures with their peer groups. Participants in the study will receive a complimentary copy of the benchmark toolkit and an invitation to a participant-only, free of charge webinar to discuss the results. To take part in the study or for more information, please see the Safety Expenditure Study webpage at <http://www.trucking.org/article.aspx?uid=63f1dcb9-716d-4174-8195-b89e4c9e255c>. A non-disclosure agreement is available on the study webpage. Questions and comments are welcome—just contact Laurel Leitner at LLeitner@trucking.org or 703-838-1935. **Participation closes September 25, 2015.** ▲



ATA Debuts Veterans Hiring Website

American Trucking Associations (ATA) has unveiled its new veterans hiring website - http://www.trucking.org/hire_our_veterans.aspx. This website provides motor carriers with information about how to develop strong military recruiting programs, attend on-base recruiting events, and take advantage of government programs that will pay the wages of new employees while they are in training.

Also, through a link to ATA member-company FASTPORT's (www.fastport.com) JobMaps tool, ATA's new website provides motor carriers with an opportunity to publicly commit to hiring a specific number of veterans. Fleets are strongly encouraged to make such a commitment.

This summer, ATA hosted webinars (<http://www.trucking.org/Webinars.aspx>) with FASTPORT and with the U.S. Department of Labor that provide in depth walkthroughs about using these tools and programs. Those webinars are archived on ATA's website and are available for public viewing.

As background, in December 2014, ATA made a commitment on behalf of the trucking industry to hire 100,000 veterans over the next two years. Utilizing the skills acquired during their military service, veterans can make great truck drivers, mechanics, and can fill other critical positions within motor carriers. They can also be excellent candidates for future independent businesspeople owning and operating their own trucks, or for joining the management ranks within a trucking company.

To help match motor carriers and veterans, ATA partnered with the U.S. Chamber of Commerce's Hiring Our Heroes program (<http://www.uschamberfoundation.org/hiring-our-heroes>) and their trucking track partner, ATA member company FASTPORT. ATA's veterans hiring webpage represents the next step in creating easier opportunities for ATA's carrier members to bring America's returning heroes into the civilian workforce. ▲



California Releases Freight Sector Technology Assessments

The California Air Resources Board has released three technology assessments in support of the state's efforts to deploy zero and near-zero emissions equipment in the freight sector. Go to <http://www.arb.ca.gov/msprog/tech/report.htm> to view the assessments. An overview document evaluates the potential role of hybrid and electric truck technologies. An engine, powertrain and vehicle efficiency document evaluates technologies that may play a role in the U.S. EPA Phase 2 truck fuel efficiency standards. A transport refrigeration document evaluates potential truck and trailer refrigeration unit technologies. As these documents are likely to inform the state's decision-makers, fleets that operate equipment in California are encouraged to review these assessments and provide comments to CARB and/or ATA on the accuracy of the information including costs, market readiness, and performance. ▲

ATA Wins Appeal in NY Thruway Toll Lawsuit

On August 4th, the U.S. Court of Appeals for the Second Circuit reversed the trial court's dismissal of ATA's challenge to the NY Thruway Authority's diversion of toll revenue to fund the state's canal system. In an order last August, the trial court had dismissed that challenge on procedural grounds, concluding that the state of New York must also be a party to the lawsuit, and that New York's sovereign immunity precluded a suit in federal court. In today's opinion, the Second Circuit disagreed, holding that the state's interest in the litigation was insufficient to make it a necessary party, and allowing ATA's lawsuit to proceed. ▲

Safety Rest Stops

On September 4th, the Council of Safety Supervisors will be conducting highway safety events at the following rest stops:

- | | | |
|-------------------------|-----------------------|-------------------------|
| ➤ Welcome Center | ➤ Rest Stop | ➤ Welcome Center |
| I-44 Eastbound | I-70 Westbound | I-55 Northbound |
| Joplin, MO | Boonville, MO | Hayti, MO |

Refreshments, professional safety tips and a No Zone Display will be available to the motoring public.

If you'd like to volunteer at one of the above locations, contact Jason Ahten at (573) 634-3388 or jason@motrucking.org.

National Truck Driver Appreciation Week: Sept. 13-19, 2015

Scheduled for Sept. 13 - 19, 2015, National Truck Driver Appreciation Week (NTDAW) is when America takes the time to honor all professional truck drivers for their hard work and commitment in tackling one of our economy's most demanding and important jobs. MoTA encourages members to participate in this annual event and let your drivers know how much they are appreciated! ▲





Professional Truckers

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WE NEED YOU TO HELP US RECOGNIZE THE BEST DRIVERS ON THE ROAD.

★ CITIZEN ★ DRIVER AWARD

We at TA and Petro believe drivers deserve nothing but the utmost respect, care and comfort, and a good pat on the back. And we're proud to announce the third annual Citizen Driver Award. This award recognizes professional drivers who earn public respect for our industry through good citizenship, safety, community involvement, health and wellness, and leadership. We're asking you to help

us find our best Citizen Drivers. As always, anyone can nominate a driver – fleet owners, employees, husbands, wives, sons, daughters, trucking organization members, trucking industry suppliers. Nominations are being accepted until September 30, 2015. A panel of distinguished trucking professionals will review the nominees and serve as judges. In 2016, at the Mid-America Truck Show, we will once again announce our Citizen Driver honorees. Among other honors, they will have a TA or Petro location named for them. We look forward to meeting your nominees, and honoring the professionals who drive our livelihoods. And our country.

Nominate a driver at

TA-PETRO.COM/CITIZENDRIVERAWARD



See ta-petro.com for official program rules and regulations.

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