I hope you are making plans to attend our Annual Convention September 21-23, 2016 at Chateau on the Lake in Branson, MO.

We have a great agenda lined up for you – with many of our speakers and topics chosen directly from your feedback from previous meetings. We Thank You in advance for your support, attendance & feedback and look forward to seeing you in a few weeks!

Please note that we have moved the golf to the beginning of the event, teeing off at 11:30 am on Wednesday. We had received quite a bit of feedback in the past few years about making this change, and we are hopeful the change will bring a few more golfers out to enjoy the beautiful Buffalo Ridge course.

As usual, Thursday at MoTA Convention is jam-packed with excellent educational opportunities and speakers. Ellen Voie with Women in Trucking will kick off the day and lead in for the always popular and informative Ted Perryman with Roberts Perryman PC. Replacing FMC-SA Administrator Scott Darling on previously sent out agendas will be Keith Lewis with CargoNet. Mr. Lewis brings a unique background from both trucking and law enforcement perspectives on Cargo Theft issues.

Our Keynote Speaker at lunch will be MoDOT Director Patrick McKenna who will be a few months short of his first year on the job here in Missouri. The packed agenda continues in the afternoon with our “Ask the Experts” panel, ATA Update, Membership Meeting and Next Generation Leadership meeting. The day will conclude with our Can-dlelight Banquet and comedy percussion entertainment provided by Buckets N Boards.

Please be sure to plan to stay and attend the Friday morning educational sessions as we have Dr. Chris Kuehl, Managing Director of Aramada Corporate Intelligence to provide us with an economic overview and our Next Generation Leadership group is sponsoring a presentation on Managing Data and Millennials in the workplace. We have timed those presentations so you can attend and still make it home in time for Friday night football!

Thank you in advance for your support and attendance. We look forward to seeing you in Branson September 21-23!
**MoTA Convention Agenda**

**Château on the Lake, Branson**

**September 21 – 23, 2016**

**Wednesday – September 21st**

11:00 am Golf Check-in & Box Lunch – Buffalo Ridge
11:30 am Golf Shotgun Start
2:00 pm Convention Check-In Opens
2:00 pm "WIT Booth manned by Carol Neon, Walmart Transportation"
5:30 pm Allied Conference Meeting
6:30 pm Welcome Reception . . .

**Thursday – September 22nd**

7:00 am Convention Check-In Opens
7:30 am Buffet Breakfast & Welcome – Sponsored By: Great West Casualty Company
8:00 am "WIT Booth manned by Carol Neon, Walmart Transportation"
8:15 am Women in Trucking – Allen Voys, President/CEO
10:30 am Break – Sponsored By: Merox, Inc.
10:45 am Cargo Theft Issues – Prevention and Recovery – Keith Lewis, Vice President of Operations, CargoNet

Noon Lunch
12:30 pm MoDOT Update – Director Patrick McKenna – Sponsored By: Sandberg, Phoenix, and Van Gorder

1:30 pm Ask the Experts – Tim Niedziolka, Sandberg, Phoenix, and Van Gorder; Nathan Fitzgerald, BHD LLP; OVD Jeff Senn, MO State Highway Patrol, Scott Marion, Director Motor Carrier Services, MoDOT

2:45 pm Break – Sponsored By: UPS
3:00 pm ATA Update – John Lynch, Vice President, Federation Relations
MoTA Membership Meeting
4:30 pm Next Generation Leadership Meeting
6:15 pm Gibson’s Reception
7:00 pm Candlelight Banquet
9:00 pm Brisket/Ribs – BUCKETS N BOARDS

**Friday – September 23rd**

8:00 am Buffet Breakfast
8:30 am Economist - Chris Kuehl - Managing Director, Armada Corporate Intelligence – Co-Sponsored By: AAA Trailer Service and Bridgestone

9:30 am Next Generation Leadership Special Presentation – Everyone welcome, "Tackling the World’s Two Biggest Problems – Managing Data and Millennials in the Workplace" – Jeremy Clayton, Management Development Institute, Missouri State University, BHD Advisor

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**MISSOURI Memo**

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**Click here to Register**

Room Block rate expires 9/2
Please contact Château on the Lake directly to make reservations.

**Click here for Sponsorship Opportunities**

**ALL ALLIED MEMBERS MUST SPONSOR TO ATTEND. Thank you for your support!**

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Feds Roll Out Phase 2 on Greenhouse Gases
Three Stages for Truck and Engine Rules Will be 2021, 2024 and 2027

The Obama administration rolled out the final version of its Phase 2 rule on greenhouse gas emissions from heavy- and medium-duty trucks Aug. 16, with top administration officials saying the mandate will save 1.1 billion metric tons of carbon dioxide and other GHGs through the final rollout date of 2027. The long-anticipated rule was first described for the press by U.S. Environmental Protection Agency Administrator Gina McCarthy, Secretary of Transportation Anthony Foxx and others. McCarthy said the three stages for truck and engine rules will be 2021, 2024 and 2027.

EPA had considered consolidating the rollout to just the first two stages but decided instead to make the standards more strict than in last year's proposal while stretching to three stages. The rule, which succeeds Phase 1 that has rollout dates of January 2014 and January 2017, also will cover trailers for the first time, but no details on that were released immediately.

Mary Nichols, chairwoman of the California Air Resources Board, said she supports the rule, even though it does not include provisions for tightening standards on nitrogen oxide compounds, or NOx.

A fact sheet on the new rule is available here. A copy of the final rule is available here.

~ ATA Dispatch ~

NHTSA-FMCSA Release Speed Limiter Proposal

Today, the National Highway Traffic Safety Administration and Federal Motor Carrier Safety Administration released a proposal to require all new vehicles in excess of 26,000 pounds of gross vehicle weight to be electronically speed limited. The announcement comes 10 years after ATA petitioned the federal government to require this technology on all new trucks.

ATA is fully reviewing the proposal, which can be seen here, but the agencies are seeking comment on a requirement setting the maximum speed for large vehicles at 60 miles per hour, 65 mph or 68 mph. ATA's petition sought a maximum speed of 68 mph and ATA's safety agenda calls for a national speed limit for all vehicles of 65 mph. In their proposal, the agencies say setting the speed at 68 could save 27 to 96 lives per year; setting it at 65 could save 63 to 214 lives annually and at 60 could save 162 to 498 lives, but notes that they do not have the same confidence about the data for the 60 mph alternative as the other two options.

The rule, despite ATA's initial request does not mandate the limiters be tamper proof, instead it proposed "require[ing] motor carriers to maintain the speed limiting devices at a set speed within the range permitted by the" Federal Motor Vehicle Safety Standards.

ATA's summary of our position on speeds, speed limiters can be viewed here and we will comment to the agency as part of the regulatory process.

~ ATA Dispatch ~

OSHA Increases Maximum Penalties by 78%

According to an August 2nd, 2016, news release, "OSHA's maximum penalties, which were last adjusted in 1990, will increase by 78%. Going forward, the agency will continue to adjust its penalties for inflation each year based on the Consumer Price Index. The new penalties will take effect after August 1, 2016. Any citations issued by OSHA on or after this date will be subject to the new penalties if the related violations occurred after November 2, 2015."

The release also stated as background: "In November 2015, Congress enacted legislation requiring federal agencies to adjust their civil penalties to account for inflation. The Department of Labor is adjusting penalties for its agencies, including the Occupational Safety and Health Administration (OSHA)."

To read the fact sheet click here. To read the rule, click here.

~ SC&RA ~

FMCSA Proposes Plan to Study Younger Drivers

The Federal Motor Carrier Safety Administration is requesting public comment on its plan to conduct a pilot program to study the safety of well-trained truck drivers under the age of 21. The plan, required by the Fixing America's Surface Transportation Act, calls for following approximately 200 drivers over a three year period. The drivers would be split into two groups consisting of a study group, drivers under 21 years old who have operated heavy vehicles while in the military service, and a control groups comprised of drivers over the age of 21. Participating younger drivers must have been trained as a truck driver during their military service. FMCSA is proposing collecting hours of service compliance, crash, and inspection data and is considering using onboard monitoring systems data, which records safety-critical events, where available. The study seeks to evaluate the feasibility, benefits and safety impacts of allowing well-trained drivers under the age of 21 to operate in interstate commerce. Currently, all 48 contiguous states allow drivers over 18 years old to operate in intrastate commerce but drivers must be at least 21 to cross state lines. An ATA summary of the proposed pilot program is available here.

~ ATA Dispatch ~

Member Cancellations August 2016

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<tr>
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On Thursday, ATA President and CEO Chris Spear sent a letter to the Bureau of Labor Statistics expressing “strong concern” over a post the agency published on the Department of Labor’s official blog August 17 titled Truck Driver Job-Related Injuries in Overdrive.

In his letter, Spear argued that the post erred in several ways, notably in its description of all operators of large vehicles as “tractor-trailer drivers,” and in the implication that the profession was extraordinarily dangerous.

“Laying all of the injuries and fatalities in this category at the feet of ‘tractor trailer drivers’ denigrates the hard work our industry has done to improve safety on our nation’s highways,” Spear wrote. “The best way we can make our workplace - the open road - safer is to make driving safer, and the best way we can do that is through education programs like ATA’s Share the Road Program and enforcement of traffic laws aimed at reducing dangerous behaviors.”

In the letter, Spear highlighted ATA’s commitment to positive, pro-safety, pro-trucking policies and the industry’s estimated $9.5 billion in annual expenditures to improve safety. A copy of the ATA letter can be found here.

The Department of Labor blog post can be found here.

~ ATA Dispatch ~

ATA Prevails in Lawsuit Challenging NY Thruway’s Use of Tolls to Fund Canals

Yesterday, a federal judge in New York ruled that the New York Thruway’s practice of using money collected from highway tolls to support the state’s canal system violates the U.S. Constitution’s Commerce Clause by imposing a substantial burden on interstate commerce. The court held that truckers who pay Thruway tolls receive no actual or potential benefit from the canals, thus violating Supreme Court precedent on user fees charged for access to interstate commerce facilities. The decision squarely rejects the use of highway tolls as a way for states to avoid difficult revenue and spending decisions. As the court put it, “the State of New York cannot insulate the Canal System from the vagaries of the political process and taxpayer preferences by imposing the cost of its upkeep on those who drive the New York Thruway in interstate commerce.” A copy of the decision is available here.

~ ATA Dispatch ~

ATA Urges Administration to Reconsider Final Stringency Levels in Upcoming Phase 2 Truck Fuel Economy Rule

ATA, along with 13 trucking-related trade associations representing nearly 250,000 members, have delivered a strong message to DOT Secretary Anthony Foxx and EPA Administrator Gina McCarthy cautioning the agencies to not set final truck fuel efficiency standards that result in unattainable stringency levels and the introduction of technologies into the marketplace that are not thoroughly-tested and acceptable to fleets. The August 11 letter is consistent with ATA’s comments filed last October on the Proposed EPA/NHTSA Greenhouse Gas Emissions and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles - Phase 2. The letter goes on to state that increasing stringency levels above those proposed will have serious negative economic implications for fleets, truck manufacturers, suppliers, dealers, and the nation’s economy. The final rule may be unveiled as early as next week. To view a copy of the industry letter click here.

~ ATA Dispatch ~

EPA Phase 2 is Here – How Well did Phase I Work?

In August of 2011, the U.S. Environmental Protection Agency and the Department of Transportation’s National Highway Traffic Safety Administration announced a first-ever program to reduce greenhouse gas emissions and improve fuel efficiency for model year 2014-2018 heavy-duty trucks and buses. Yesterday EPA and NHTSA announced Phase II of that effort. To provide a baseline for assessment of the EPA and NHTSA Phase 2 heavy-duty program, ATA’s Technical Advisory Group requested that our Technology & Maintenance Council conduct a survey comparing the durability, efficiency and costs of EPA/NHTSA “Phase 1" diesel engines with previous engine models.

The survey will be sent via email to motor carriers to allow TMC to anonymously aggregate your fleet’s experience with fuel efficiency and maintenance data providing a scorecard for EPA and NHTSA’s Phase 1 technology performance. Please complete the survey by October 21, 2016.

~ ATA Dispatch ~
DOE Announces SuperTruck II Project Awardees

DOE has selected four projects under its SuperTruck II program to develop and demonstrate cost-effective technologies aimed at doubling the freight efficiency of Class 8 trucks. The SuperTruck II initiative builds upon the first program launched in 2010 to improve heavy-duty truck freight efficiency by 50%. The four awardees are Cummins, Daimler Trucks North America, Navistar, and Volvo Technology of America. Cummins’ project will include design and development of a new, more-efficient engine and advanced drivetrain and vehicle technologies. Daimler Trucks North America’s project will develop and demonstrate a tractor-trailer combination using a suite of technologies including active aerodynamics, cylinder deactivation, hybridization, and the accessory electrification. Navistar will design and develop a vehicle and powertrain with electrified engine components that can enable higher engine efficiency and a significantly more aerodynamically re-engineered cab. Volvo Technology of America’s project will develop and demonstrate a tractor-trailer combination with a light-weight cab that achieves improved freight efficiency goals using alternative engine designs and a variety of system technologies. Each development team will receive $20 million in federal funding with recipients matching such awards dollar-for-dollar.

~ ATA Dispatch ~

Louisiana Flood Emergency 2016-State Federal Emergency Declarations Issued

On Friday, August 12, Louisiana Governor John Bel Edwards declared a state of emergency for the entire state of Louisiana and President Obama issued a federal proclamation on Sunday, August 14. The initial federal declaration is for the following parishes: Tangipahoa, St. Helena, East Baton Rouge and Livingston. Additional parish declarations will be made as further damage assessments are conducted.

Motor carriers assisting in emergency relief efforts should have a copy of the declarations and a statement on company letterhead that a driver is involved in emergency response efforts in each truck. The driver should also have a publically issued identification (driver’s license) and a company identification if possible.

Motor carriers and drivers providing direct emergency relief to, from or within the areas covered by the declarations are temporarily relieved from Parts 390-399 of the Federal Motor Carrier Safety Regulations, including hours of service, regardless of commodity carried. Drivers are still required to have the proper operating license and must drive in a safe and prudent manner. More information on waivers can be found on FMCSA’s Web site by clicking here. The State Declaration can be found here. Visit the Louisiana Motor Truck Association Facebook page at www.facebook.com/TruckinginLA for more immediate updates on road closures and other information. Call the LMTA office at (225) 928-5682 if you need assistance of any kind.

~ ATA Dispatch ~

California to Revise Smoke Inspection Program

The California Air Resources Board will be holding two workshops to discuss changing the state’s smoke inspection program for heavy-duty diesel trucks. The state’s existing program permits HDDTs to produce no more than 40 percent opacity using a snap-acceleration test procedure. Trucks entering the state can be subject to this test during roadside inspections. In addition, trucks more than four years old registered in California, including California-plated IRP, are required to annually conduct this test and maintain test records for two years. CARB is proposing to establish a new, near-zero opacity limit for trucks equipped with diesel particulate filters. Certification of testing personnel and collection of on-board diagnostic data is also proposed for trucks registered in California. As several other states have similar smoke testing programs, some of these changes may have implications beyond California. The workshops will be held from 1 to 4 pm PDT on Thursday, Aug. 25 in El Monte and on Friday, Sept. 9 in Sacramento. The Sacramento workshop will be broadcast over the internet. More information is available in the Workshop Notice.

~ ATA Dispatch ~

DOT Revises the Definition of “Service Agent”

On August 8, DOT published a final rule that revises the DOT drug and alcohol testing regulations’ definition of “service agent.” While the definition of who is considered to be a “service agent” has not changed, the definition has been broadened to allow the use of service agents in connected with all DOT drug and alcohol testing requirements. ATA believes that this change was made to improve third party access for FMCSA’s proposed drug and alcohol clearancehouse and harmonize the regulations with the “service agent” definition required within the Moving Ahead for Progress in the 21st Century Act. The finalized FMCSA clearancehouse rule is expected in early September. Click here for a link to the Federal Register notice.

~ ATA Dispatch ~

ATA Weighs in on Volkswagen Proposed Settlement Offer

ATA, as a member of a broad-based coalition of diesel users, submitted comments to the U.S. Department of Justice regarding the Mitigation Trust Fund of the Partial Consent Decree lodged in In Re: Volkswagen “Clean Diesel” Marketing, Sales Practices, and Products Liability Litigation. The proposed settlement addresses mitigation measures to offset excess NOx emissions associated with certain older models of Volkswagen light-duty vehicles. The joint comments stressed the need for technology and fuel-neutrality in the allocation of financial incentives for cleaner vehicle purchases; parity in the allocation of such financial incentives between private and public fleets; consideration of project cost-effectiveness in any funding allocations; and use of the existing Diesel Emissions Reduction Act program to properly administer funding opportunities. Given that the DERA program has already upgraded nearly 73,000 vehicles or pieces of equipment, the establishment of a new Trust and new programs for each state to do essentially the same thing is unnecessary and inefficient. To view a copy of the comments here.

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~ ATA Dispatch ~
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MoTA PHOTO ALBUM