



## 2017 MoTA Events

### **Safety Conference & Awards Banquet**

February 16-17, 2017  
Lake Ozark, MO

### **SuperTech Competition**

April 12, 2017  
Springfield, MO

### **Truck Driving Championships**

June 3-4, 2017  
Branson, MO

### **MoTruck PAC Golf Tournament**

June 27, 2017  
Camdenton, MO

### **Annual Convention**

September 27-29, 2017  
St. Louis, MO

## New Members

### **CliftonLarsonAllen, ILP** 600 Washington Ave, Ste1800

St. Louis, MO 63101  
Mr. Justin Bishop  
(314) 925-4375

### **EROAD** 7618 SW Mohwak Street

Tualatin, OR 97062  
Mr. Ric Listella  
(503) 308-2002

*Welcome  
New Members!*

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## Safety Conference Agenda

### Thursday - February 16, 2017

- 8:00 am **Simple Strategies and Advanced Level Strategies to Prevent Work Comp Injuries**  
By: Mark Woodward, MEM
- 9:00 am **When Work Comp Claims Go Wrong**  
By: Mark Woodward, MEM
- 10:00 am **Break**
- 10:15 am **Driverless Trucks; the Future of Autonomous Trucks and Truck Platooning**  
By: TBD
- 11:00 am **Active Shooter in the Workplace**  
By: 911 consulting (invited)
- 12:00 noon – 1:00 pm **Lunch**
- 1:00 pm **Modifying Driver Behavior**  
By: Kelly Anderson, Impact Training Solutions Inc.
- 2:00 pm **Insurance Renewal**  
By: TBD
- 3:00 pm **Break**
- 3:15 pm **Electronic Logging Devices Part 1; Where to Start, Implementation, Best Practices, and Brief Regulatory Update**  
By: panel of carriers and providers
- 4:00 pm **Electronic Logging Devices Part 2; Preparing for an Audit with Elogs, Reports to Run, What to do with All That Data, Supporting Documents and Fatigue Management**  
By: panel of carriers and providers
- 5:30 pm **Reception & Annual Safety Awards Banquet**

### Friday - February 17, 2017

- 8:00 am **Breakfast**
- 8:45 am **Regulatory and Legislative Update**  
By: ATA, invited state and governmental agencies
- 10:00 am **OSHA; How to Audit Your Shop.**  
By: Missouri On-site Consultation Services (invited) and MEM
- 11:00 am **Detection of Deception and/or Integrity Interview**  
By: Kelly Anderson, Impact Training Solutions Inc.

Join us February 16 & 17 at Camden on the Lake 2359 Bittersweet Road, Lake Ozark, MO 65049. Make your reservations at 573-365-5620 or [www.camdenonthelake.com](http://www.camdenonthelake.com) - Group Code: MOTR0217. The MoTA rate is \$109.00 + tax and the room block expires: February 2, 2017.

[Register Today](#) [Sponsorship Opportunity](#)



## Member Cancellations December 2016

Name of Company	Class	Dues	Name of Company	Class	Dues
Baker's Towing Service LLC	Allied	\$350	Convenience Products	Allied	\$350
Meramec Oil Co. Inc.	Allied	\$350	CPC Logistics Inc.	Allied	\$350
Ryder Integrated Logistics	Allied	\$8500	Crawford & Company	Allied	\$350
JAY Trucking LLC	Allied	\$420	Falcon Door & Window Inc.	Allied	\$350
Baron's Express Inc.	For Hire	\$350	Ferguson Livestock Express LLC	For Hire	\$350
Bills Wrecker Services Inc.	Allied	\$786	FleetPride Inc.	Allied	\$350
Adz Trucking Inc.	For Hire	\$135	Focus Solutions, Inc.	Allied	\$350
NKC Transportation	For Hire	\$495	Idle Smart	Allied	\$350
Berkley Fleet Services	Allied	\$350	KARS Transport LLC	For Hire	\$350
CarrierWeb, LLC	Allied	\$350	Milestone Trailer Leasing	Allied	\$350
Central Warehouse	Private	\$350	Missouri General Insurance Agency	Allied	\$350
William Oberste/Road America	For Hire	\$350	SambaSafety	Allied	\$350
Show Me Safety Consulting LLC	Allied	\$350	Signature Graphics	Allied	\$350
Sleep Solution, LLC	Allied	\$350	Spire Natural Gas Fueling Solutions	Allied	\$350
Verizon Networkfleet, Inc.	Allied	\$350	Volvo Trucks North America Inc.	Allied	\$350

## Accident Reporting

Help ensure your drivers are prepared  
and ready to respond appropriately  
if they are in an accident

**Many styles to choose from!**  
**Contents may include:**

- Step by step instructions
- Paper envelope or zippered vinyl pouch
- Poly clipboard
- Yellow tire marker
- Pen
- Driver's Report at Accident Scene form
- Post Accident Testing regulations
- Witness cards
- Accident notification card
- Exoneration cards
- Camera



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## HOS RESTART FIX INCLUDED IN CONTINUING RESOLUTION

In late December, Congress released the text of a Continuing Resolution to fund the government into next year that includes what should be a permanent fix of the hours-of-service restart.

The language will retain the pre-2013 hours-of-service restart language and eliminates FMCSA's bolt-on provisions requiring a restart to include two overnight periods of 1 a.m. to 5 a.m. and limiting its use to once every 168 hours, if a study that the Department of Transportation has been undertaking does not show benefits to driver health and safety. ATA believes the study will not demonstrate these benefits, and therefore the rules will revert back to their pre-2013.

"ATA thanks Congress for including what should be a permanent fix to the hours-of-service restart in this Continuing Resolution, and we look forward to its final passage into law to resolve this issue," ATA President Chris Spear [said in a statement](#). "Reverting back to the pre-July 2013 restart shifts the emphasis back to safety by removing flawed data from the rulemaking process. The entire industry will now be able to comply with this rule thanks to a common sense approach championed by a bipartisan group of legislators."

The bill must be passed by both the House and Senate and signed into law by December 9. ATA urges its members to contact their members of Congress and Senators to encourage them to support this language.

-ATA Dispatch-

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## FMCSA PUBLISHES FINAL ENTRY-LEVEL DRIVER TRAINING RULE

In late December, the Federal Motor Carrier Safety Administration published a final rule to require drivers seeking a commercial driver's license to receive formal training before taking the CDL skills test.

The final rule requires that all drivers seeking a CDL take a comprehensive training course designed to improve safety and awareness. The training will consist of both "theory" (e.g. traditional classroom instruction) and behind-the-wheel training, split between time spent on the "range" and on the road. There is no minimum number of hours prescribed in the rule, only that a driver must demonstrate proficiency in both the theory and behind-the-wheel portions of the training before advancing.

In a [press release](#), ATA praised the agency for its work on the rule.

The rule also establishes a National Training Provider Registry. Truck driving schools and other training providers will self-certify that their programs comply with the minimum standards and provide documentation of such. Drivers seeking a CDL must choose a truck driver school from the registry. The rule is expected to be fully implemented by February 2020. For a complete summary [click here](#). For a brief Frequently Asked Questions guide, [click here](#).

-ATA Dispatch-

## OSHA ISSUES FINAL RULE CLARIFYING EMPLOYER RECORD-KEEPING REQUIREMENTS

On Dec. 19, OSHA issued a final rule clarifying that companies have a "continuing obligation" to record their employees' injuries and illnesses. The rule amends existing regulations to specify that an employer's obligation to make records of recordable injuries and illnesses continues for as long as the employer must maintain records for the year in which they occurred, and does not expire if the employer fails to make a record when first required to. ATA, along with other industry leaders, view the final rule as beyond OSHA's authority.

In October 2015, ATA commented on the proposed rule, as a member of the Coalition for Workplace Safety, recognizing that employers have an obligation to record injuries and illnesses and that maintaining accurate injury and illness records serves an important purpose in ensuring safe and healthy workplaces.

However, the rulemaking disregarded a U.S. Court of Appeals decision, one which OSHA did not appeal, and in the Coalition's view usurps Congressional authority to make new law. The "clarification" could potentially open up employers to citations from OSHA, past the 6 month statute of limitations as mandated in the OSH Act, if employers fail to accurately record and maintain injuries or illnesses anytime within the 5 year retention period.

The final rule goes into effect on January 18, 2017.

The final rule may be seen [here](#). ATA's comments may be seen [here](#)

-The Dispatch-

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## ATA FILES COMMENTS ON JOINT SPEED LIMITER PROPOSAL

ATA filed comments this week on the joint speed limiter proposal from the Federal Motor Carrier Safety Administration and the National Highway Traffic Safety Administration.

In its comments, ATA said that while it will continue to support its policy of favoring truck speed limiters in the context of a national speed limit for all vehicles, it does not support the rule as proposed because the agencies fail to demonstrate that the speed differentials it would create between cars and trucks will not result in new safety risks. Also, the proposed rule did not fully evaluate the possibility that new technologies and emerging innovations could also improve safety without creating these new risks.

To read ATA's comments, [click here](#).

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## FMCSA SYSTEM UPGRADES CONTINUE

Due to Federal Motor Carrier Safety Administration (FMCSA) system upgrades and maintenance, some Portal functionality is unavailable at this time. Impacts are outlined below:

- Display of the Safety Measurement System (SMS) Behavior Analysis and Safety Improvement Categories (BASICs) is currently disabled within the Portal. To view your SMS data, log into the CSA SMS Website.
- Not all State inspections/crashes are uploaded at this time. FMCSA is working/troubleshooting with some individual States to complete the inspection/crash upload.
- Individual Carrier Safety Profile generation is not working for some carriers. FMCSA is working to restore this functionality to all carriers.

FMCSA will provide further updates as they are available.





## 2017 RANDOM DRUG TESTING RATE WILL REMAIN AT TWENTY-FIVE PERCENT

On Dec. 13, FMCSA announced that the controlled substances random testing rate for regulated motor carriers will remain at 25% for calendar year 2017. For calendar year 2016, FMCSA lowered the minimum annual drug testing rate from 50% to 25% following three consecutive calendar years (2011, 2012, 2013) of surveyed drug testing data, which indicated that the random positive rate for controlled substances was less than one percent. [Click here](#) for a link to FMCSA's 2014 Drug and Alcohol Testing Survey Results.

-ATA Dispatch-

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## UCRA FEES MAY DECREASE FOR 2018

The Unified Carrier Registration Agreement is established by law so that the program produces only a certain amount of revenue in motor carrier fees for the participating states. If the fees in effect produce more revenue than that limit, the law says the fees are to be reduced accordingly.

For some years following its institution a decade or so ago, UCR did not bring in even as much as needed to reach the revenue limit, which is approximately \$112 million a year. In 2016, for the first time, the program has produced a surplus.

In view of this, the UCR Board, meeting by teleconference on Dec. 15, 2016, adopted a motion to recommend to the U.S. Secretary of Transportation that the level of the UCR fees be reduced by 4 percent across the board for the 2018 UCR registration year. As UCR fees are graduated by fleet size, this means a savings of some \$3,000 per fleet for very large carriers, and some \$3 for fleets of only one or two trucks.

It remains to be seen if the Department of Transportation will be able to accommodate the Board's request in a manner timely enough for the fee reduction to go into effect for 2018.

-State Laws Newsletter-

## NHTSA RELEASES PROPOSED VEHICLE-TO-VEHICLE COMMUNICATIONS RULE

The National Highway Traffic Safety Administration released a proposed rule to govern vehicle-to-vehicle, or V2V, communications for light-duty and passenger vehicles.

The proposal, [which can be found here](#), sets the protocols for how V2V communications – which are integral to autonomous vehicle technology – will be deployed throughout the passenger vehicle fleet. While the proposed rule does not apply to heavy trucks and commercial vehicles, we expect now that ATA has secured a seat at the table with the regulatory agencies on these issues, we will have input as DOT continues to explore the adaptation of V2V and automated vehicle technology to heavy vehicles to provide improved safety, reduced congestion and environmental advantages to the trucking industry.

-ATA Dispatch-

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## FMCSA ISSUES GUIDANCE ON THE RESPONSIBILITIES OF COMMERCIAL DRIVER STAFFING AGENCIES

On Dec. 23, FMCSA plans to publish a Notice of Enforcement Guidance that the term "employer," as defined in 49 CFR 382.107, encompasses driver staffing agencies. This means that driver staffing agencies that employ individuals who operate CMVs are subject to the CDL requirements.

However, if a leased driver is expected to operate for a motor carrier employer for more than 30 consecutive days, the driver should be included in that motor carrier employer's random testing pool and assume full responsibility for the driver under its own DOT drug and alcohol testing program.

ATA views this notice as a victory in addressing the long standing confusion about driver staffing agencies ability to act as the employer to comply with FMCSA's drug and alcohol testing program.

The notice can be viewed [here](#).

-The Dispatch-



## IRS ANNOUNCES MILEAGE DEDUCTIONS FOR 2017

The Internal Revenue Service has issued the allowable mileage rates for 2017 tax years. IRS will allow a deduction of 53.5 cents per mile driven for business purposes, down half a penny from this year; 17 cents for miles traveled for purposes related to allowable moving or medical expenses; and 14 cents a mile for travel related to charitable donations. More information is available [here](#).

## IRS BACKS OFF TAXING DOLLIES

By a memorandum from the Office of the Chief Counsel dated December 6, 2016, the Internal Revenue Service has announced that it is "re-evaluating" its recent shift in position on the application of the 12 percent federal excise tax to converter gear (dollies or auxiliary axles). For nearly thirty years, IRS's position had been that dollies were exempt from the FET, but, by memos issued last December and in June this year, IRS reversed itself unilaterally, without notice or public hearing, and concluded that dollies used with semitrailers over 26,000 pounds gross weight – that is, all dollies – are taxable. ATA and the Truck Trailer Manufacturers Association requested IRS to reconsider, and IRS is evidently doing so. The most recent memo closes with a direction to taxpayers not to follow the two earlier memos. This leaves dollies nontaxable, at least for the time being. For more information, contact Rachel Smith at IRS at 202-317-6855.

-ATA Dispatch-



### ATRA ISSUES JUDICIAL HELLHOLES REPORT

The American Tort Reform Association published the 2016-17 edition of its annual Judicial Hellholes today, the report that details the worst places in the country to be sued. There are some changes this year in the jurisdictions ATRA considers the very worst. St. Louis, Missouri, assumes the top – or maybe it's the bottom -- position as #1, specifically the circuit court for the City of St. Louis. Says ATRA, this is a court where the majority of plaintiffs are not even from Missouri, but who, with their lawyers, are exploiting a lax venue law and an accommodating court to make hay. California, a perennial hellhole, is #2, with New York City's special court for asbestos litigation #3 this year. The rest of the top ten hellholes in the report are Florida – most especially the state's supreme court, for a series of really bad decisions; New Jersey; three counties in Illinois, including Cook County (Chicago); and Louisiana; New port News, Virginia; and Hidalgo County, Texas. A number of other places make ATRA's Watch List, and some Dishonorable Mentions are awarded for particularly bad court decisions. Finally, there's a Closer Look at a troubling issue: the misuse of federal and state false claims acts to extort money from businesses. The Hellholes Report, with many juicy details, may be found on ATRA's website here: [www.atra.org](http://www.atra.org).

-ATA Dispatch-



### ATA PRESIDENT CHRIS SPEAR TESTIFIES BEFORE SENATE PANEL

In late December, ATA President and CEO Chris Spear testified before the Senate Commerce, Science and Transportation's Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety about a number of trucking security issues.

Spear told the Subcommittee that ATA supports a "one credential or screening, many uses" policy, specifically using the Transportation Worker Identification Card as a single background check for the myriad of threat assessments truck drivers are subjected to.

In addition, Spear raised the issue of cybersecurity and autonomous trucks, telling the panel that ATA was willing to work with regulators to improve the security of the systems necessary to safely unleash the full potential of autonomous vehicles.

You can read Spear's full testimony [here](#).

-ATA Dispatch-

### AMERICAN TRUCKING ASSOCIATIONS' SALARIED EMPLOYEE COMPENSATION SURVEY

We invite all for-hire and private motor carriers to take part in our Salaried Employee Compensation Study. The study will provide the most comprehensive data available on compensation practices in the industry, including salary levels and benefits.

Survey participants will receive significant discounts towards the final report, and ATA member participants will receive the published report for free.

Please visit our [survey website](#) for more information. To secure your spot as a participant please click [HERE](#) to fill out your contact information.

Complete the online questionnaire to become a participant, or email Nicole D'Agostino, economics research analyst, at [ndagostino@trucking.org](mailto:ndagostino@trucking.org) directly with your contact and corporate information.

-ATA Dispatch-

### ATRI PARKING DIARIES GIVE VOICE TO DRIVER STRUGGLES FINDING TRUCK PARKING

ATRI has released the results of its Truck Parking Diary research, where commercial drivers provided detailed documentation of their challenges in looking for safe, available truck parking. Participating drivers recorded their parking experiences and issues over 14 days of driving, representing over 4,700 unique parking stops documented in the diaries.

"The lack of available truck parking creates a lot of stress for me and my fellow drivers," said Stephanie Klang, a professional driver for CFI and an America's Road Team Captain. "And, as ATRI's diary research shows, it's a number of things – from lack of capacity, concerns over running out of hours, time limitations on parking in public rest areas and customers not letting us park in their facilities – that all combine to make this a perennial issue for us."

ATRI's report offers recommendations for a number of industry stakeholders, including public sector providers of parking at rest areas, private truck stop operators and motor carriers -- all designed to reduce the challenges faced by commercial drivers when looking for available parking.

You can download a copy of this report on ATRI's website at [www.atri-online.org](http://www.atri-online.org).

-ATA Dispatch-

**TRUCKING**   
Moves America Forward



# MoTA Photo Album



*Check back . . .  
you could be in  
our next album!*