



President's Message

Several years ago in this column I wrote about my experiences and instruction from my dad to "follow the truckers" when driving in inclement weather. Many of you let me know you had been given similar instructions and advice when you were learning to drive.

Further down in that same column I mentioned two perspectives from the general public that had happened that month that told a more negative perception of the trucking industry and our professional drivers' skills in inclement weather.

This month I would like to highlight two recent examples of how our industry and the perception of our professional drivers is being upheld in a more positive light.

First is a story I am using with permission from a MoTA member company's Facebook page. I will let the Facebook post describe it from here:

Safety is our highest calling! We love stuff like this email we received yesterday. You never know when your actions will impact the life of another person out on the road.

"My wife and I just wanted to let you know about our experience with one of your drivers. He probably didn't notice us, but we will remember him for a long time.

On Friday, February 21, 2014 at about 9 am, we were leaving Grand Rapids, Michigan, southbound, first on USH 131, and then on I-196. There was light snow but 30-40 mph winds. I began following your truck with the number ##### on the trailer; I followed him from Grand Rapids to almost the interchange with I-94. We went through white-outs, ice covered roads, snow covered roads, and the high winds all the way, but your unit kept a slow but steady pace all the way. He made a trip that could have been quite hazardous and dangerous into a manageable winter driving experience. We went past several cars and trucks that went off the road, but we were able to continue on our way.

When we got to I-94, the weather cleared, and we parted ways so I was not able to thank the driver in person. In summary, please thank the driver for his professionalism, his driving skills, and his patience with me following him all those miles. And thank you for providing training for professional drivers like the one in unit #####."

Awesome testimony from the motoring public on a job well done! Thank you to Prime for letting us use this information.

The second highlight is from our experience at the State Capitol yesterday with two of our Driver of the Month winners from 2013, Robert Miller and Roy Wakefield from Transport Distribution Company in Joplin MO. Between these two gentlemen they have nearly 9 million safe miles in their driving careers. It was interesting to observe the reactions of legislators and staff as we took Robert and Roy around the Capitol and had them introduced on the floor of the House and Senate. We would see several jaws drop when their safe mileage statistics were mentioned!

During our time in the Capitol, Robert and Roy had several opportunities to interact with Senators and Representatives and from my perspective provided a top-notch professional image that made us all proud. One of the most interesting exchanges was with a Senator from north Missouri who is also a farmer. During a nearly 30-minute discussion in the hallway before session, the topic of biodiesel came up. Robert and Roy were able to describe their experiences with the various blends and mixtures from around the country particularly in the drastic temperatures they faced in their deliveries in Minnesota, Wisconsin and other northern destinations. Coming from individuals who live it everyday, the discussion had an impact on that Senator's perspective.

For years we have been encouraging members to come to the Capitol and tell legislators your story. Our thanks go out to Steve Page and all the team at Transport Distribution Company for bringing Robert and Roy to put a professional face on the trucking industry.

Now for the challenge to the rest of us – look at your drivers and employees. If you need a simple way to honor them, to say "Thank You" or you just want to broaden their horizons and experiences, bring them to Jefferson City and we will make it worth your time. What better spokesmen and women for our industry than the best of the best you have working for you? Give us a call today and set up a time to come see us! You'll be glad you did.

Special Note – Because of the Branson location for our Awards Banquet in April, we will be unable to do the Capitol tour with the Drivers and Technicians this year like we have been doing the past few years. If you have an interest in doing your own tours with your own winners, like TDC did, please let us know! We look forward to seeing you soon!

New Members

Central Marketing Transport LLC

3830 W Willoughby Drive
Edinburgh, IN 46124
Mr. Jerry Johnson, Jr.
(812) 342-0795

LinkeDrive

27 Wormwood Street, Ste 520
Boston, MA 02210
Ms. Caroline Lyle
(205) 851-1438

TruckOp, LLC

12221 South Rene St
Olathe, KS 66062
Mr. Roger Beil
(913) 522-4096

*Welcome
New Members!*

In This Issue

- 3 Governmental and Regulatory News
- 4 News from the Industry
- 5 News from State & Provinces
- 6 MoTA Photo Album





A Better Snow Rake, Multi-Use Snow Tool – A Must for Trucks!

Driving with snow on your trailer is unsafe and it's illegal in some states! This Snow Rake is designed by a truck driver for truck drivers! The rake is sturdy, easy to assemble for use and disassemble for storage.



The hinge has 3 positions: trailer roof, straight and storage. The 2 extensions snap together for use. A neoprene grip allows better control and insulation from the cold. This lightweight tool is easy

to use helping to keep your truck legal and safe.

You can easily reach a 13' 6" van; safe for use with curtain sides; easy for flats and step decks.

The tool folds to a 4" x 8" x 5' size to fit in your cab.

Made by A Better Snow Rake, LLC

Item #QSAF-SNO-RK-1

Price: \$140 each

Sales tax as well as shipping and handling will apply.

To Order:

Phone: (573) 634-3388

Fax: (573) 634-4197

Email: darla@motrucking.org

Online in THE truckerStore: www.motrucking.org



Missouri Trucking Association
P O Box 1247
Jefferson City, MO 65102-1247



On-Line Buyer's Guide

Looking for a particular product or service? Check out the Buyer's Guide on the Missouri Trucking Association website - <http://www.motruckingbuyersguide.com/>. The Guide features updated and expanded company and product listings, in addition to other valuable information relating to the trucking industry. The Guide provides MoTA members and other industry professionals with an efficient way to browse for goods and services.

Fuel Efficiency Standards, Round II

President Obama on Tuesday used executive action to order the Environmental Protection Agency and the National Highway Traffic Safety Administration (NHTSA) to develop a new round of fuel-efficiency and greenhouse-gas standards for medium- and heavy-duty vehicles. Phase II builds on the 2011 joint rulemaking between EPA and NHTSA that set first-ever fuel efficiency and greenhouse gas standards for medium and heavy-duty trucks for model years 2014-2018. Under Obama's latest timeline, the agencies are expected to issue a Notice of Proposed Rulemaking (NPRM) by March 2015 and issue a Final Rule by March 2016.

ATA, while supportive of improved large truck fuel efficiency, pressed the Obama Administration to proceed cautiously with the setting of new standards. To clarify, ATA has not taken a formal position on the new proposal and will work with EPA and NHTSA over the next year to convey the industry's concerns as the draft rule is prepared. Initially ATA is very concerned with the potential rule given that not all phases of the previous fuel efficiency standards have been fully implemented. Hence it appears there has not yet been adequate time to conduct a thorough evaluation of the 2011 rules' effects.

In anticipation of the Obama administration's proposal, during the ATA's Executive Committee meeting in late January, there was established a Fuel Efficiency Advisory Committee that will be working on reviewing the forthcoming proposal and crafting the industry's position. For starters the FEAC created a set of Guiding Principles to work from going forward. ▲

IRS Taxpayer Advocate's Report Issued

On January 9, 2014, the Taxpayer Advocate of the Internal Revenue Service, Nina Olson, issued her report to Congress for 2013. In it, she particularly stresses the need for IRS to promulgate a taxpayer bill of rights, which would summarize existing legal rights and remedies and set principles for the agency's future behavior. She notes that the IRS's treatment of certain applicants for tax-exempt status has seriously lessened the degree of trust taxpayers have in the IRS, and lists other areas in which IRS practices are in violation of the law. She stresses as well the significant consequences for both IRS and for taxpayers of the decrease in the agency's funding, which has obliged it to cut customer service and assistance programs quite drastically and hampers its efforts to bring in revenues needed to cut the federal government's deficit. There is much more detail. The report, along with a summary news release and an executive summary for Congress, is here: <http://www.taxpayeradvocate.irs.gov/>. The report does not analyze the degree to which IRS's vast responsibilities under the federal health care reform will bring the agency's resources under yet greater stress and – quite possibly – reduce even more the trust with which IRS is regarded. ▲

~ State Laws Newsletter ~

Member Cancellations February 2014

Name of Company	Class	Dues
Amerisafe	Allied	\$350
Big River Oil Company	Private	\$300
Mid Central Contract Services Inc.	Private	\$978
MO-Kan Container Services Inc.	For Hire	\$687
Thomas Industrial Coatings	Private	\$300



FMCSA Publishes Commercial Driver's Drug and Alcohol Clearinghouse Proposal

Recently, the Federal Motor Carrier Safety Administration published the official Federal Register version of its Proposed Rule outlining the creation of a Commercial Driver's License Drug and Alcohol Clearinghouse. The agency issued a preview version last week. The proposed rule would require employers, medical review officers, third party administrators, and substance abuse professionals to submit records relating to positive drug and alcohol tests, refusals to test, return to duty information, and traffic citations in connection with drug/alcohol misuse. The proposal does not require the submission of employer observations and employee admissions of drug and alcohol use to the Clearinghouse. Motor carriers would be required to query the Clearinghouse during pre-employment screening of applicants, and on an annual basis for current drivers, upon payment of a "reasonable" fee. Also, prospective employers would continue to be required to conduct inquiries to past employers. A copy of the proposed rule, an American Trucking Associations (ATA) comprehensive summary, and a shorter ATA executive summary are available at <http://www.trucking.org/article.aspx?uid=a8be8e08-601f-47ef-8498-95438036a122>. Comments on the proposed rule are due by April 21, 2014. ▲

FMCSA Defends Its CSA Crash Data After GAO Report Criticizes Methods

A Government Accountability Office (GAO) study critical of the way the government identifies crash-prone carriers is the result of a "philosophical disagreement" between regulators and GAO investigators, Federal Motor Carrier Safety Administration officials said.

The study, released earlier this month, concluded that FMCSA's Compliance, Safety, Accountability (CSA) data are not good predictors of crash risk because most regulations used to calculate a carrier's safety score are "not violated often enough to strongly associate them with crash risk for individual carriers."

The study said carriers lack sufficient safety performance data – roadside inspections and crashes – to ensure that FMCSA can reliably compare them with other carriers.

However, at a Feb. 12 presentation to FMCSA's advisory CSA subcommittee, agency officials attempted to poke holes in the study, saying the recommendations would effectively eliminate 90% of carriers from federal regulation.

Members of the subcommittee plan to meet again in April to discuss suggestions on how FMCSA should use CSA data in its safety fitness determination proposed rule expected later this year.

The rule would use CSA data to replace the current SafeStat rating system, which uses a compliance review to rate a carrier as satisfactory, conditional or unsatisfactory. ▲

~ Transport Topics ~

FMCSA Assumes More Power to Shutter Unsafe Carriers

The Federal Motor Carrier Safety Administration announced new steps it has taken to obtain regulatory and investigative power more quickly to shut down unsafe motor carriers.

One of the actions, a final rule on "patterns of safety violations," will enable FMCSA to shut down a for-hire carrier to remove a company officer with a history of purposely violating safety regulations.

The regulation "complements a rule adopted by the agency in 2012 to apply out-of-service orders to reincarnated or chameleon carriers and to consolidate their enforcement histories," FMCSA said in its Jan. 22 rule.

The second action is to train all FMCSA investigators to apply the same investigative methods used last year during a targeted motor coach investigative effort, "Operation Quick Strike." The eight-month program resulted in 52 bus companies and 340 vehicles being removed from the roads, according to the U.S. Department of Transportation.

The bus operation between April and November last year included more than 50 specially trained investigators. They conducted in-depth reviews into the patterns and practices of the 250 most at-risk motor coach companies identified using roadside-inspection and safety data.

Companies were shut down because they failed to adequately maintain their vehicles, did not have proper drug-and-alcohol testing programs and had widespread hours-of-service violations.

In addition, inspectors assessed the levels of safety for more than 1,300 companies that had minimal inspection history or data with the agency, targeting more than 240 companies for follow-up investigations.

The additional training was announced less than three months after a National Transportation Safety Board report raised questions about FMCSA's oversight. ▲

~ Transport Topics ~

PHMSA Withdraws Proposed Cargo Tank Loading/Unloading Rule

On February 25, 2014, the Pipeline & Hazardous Materials Safety Administration (PHMSA) withdrew its proposed cargo tank loading/unloading rule. American Trucking Associations (ATA) opposed the proposed rule's requirement that there be specific training requirements developed by the operator of every loading or unloading site and that drivers would be responsible for learning and following each site's specific requirements. ATA instead proposed that PHMSA establish investigate whether more general site-neutral loading/unloading rules could pass a cost-benefit analysis. In its withdrawal notice, PHMSA indicated its plan to issue guidance similar to the proposed rule. ATA will continue to advocate that any guidance PHMSA issues must produce proven safety benefits greater than the costs of complying with PHMSA's recommendations. ▲

Carriers Worried but FMCSA Says It's on Target for Certified Medical Examiners

Starting May 21 all driver medical exams have to be done by an examiner who is certified to the new National Registry standards. The requirement was set two years ago to ensure that examiners are trained, tested and certified to a national standard. The Federal Motor Carrier Safety Administration believes that by May 21 there will be enough examiners certified to handle the work, but trucking interests are not so sure. "We are concerned," said Rob Abbott, vice president of safety policy at American Trucking Associations. The agency estimates that it will need about 40,000 certified examiners once the system is fully up and running but only about 20,000 to handle the workload on May 21. That's because medical cards must be renewed every two years, so they don't all have to be done at once. ▲

When Does the Full Reciprocity Plan Take Effect?

Earlier this year the states and provinces that are members of the International Registration Plan (IRP) adopted what's called the Full Reciprocity Plan (FRP), amending the IRP in fundamental ways of great benefit to the trucking industry. The changes made by the FRP ballot are effective January 1, 2015; but what does that mean in practice for an IRP fleet? The summary section of the ballot (which is at: <http://www.irponline.org/?page=FRPBallot>) specifies that the IRP provisions in effect when a fleet's application for a registration year is processed will govern the fleet's treatment throughout that year. If, say, a fleet renews its IRP registration in August 2014 for the 2015 registration year (that is, for a year ending in calendar 2015), the current IRP rules will still be in effect, so that fleet will operate for most of 2015 under those rules. Among other things, such a fleet will not automatically have all jurisdictions on its IRP cab card, and will have to pay to add fleet vehicles during the year, even after January 1, 2015. And that fleet's 2015 application will be audited under the old Plan requirements too. ▲

ATA Provides Recommendations to NHTSA's 2014-2018 Strategic Plan

On Feb. 24, American Trucking Associations (ATA) provided written comments and recommendations to the National Highway Traffic Safety Administration as the Agency develops its 2014-2018 Strategic Plan. Recommendations were made in three areas, the Connected Vehicle Program, Automated Speed Enforcement for Section 402 Highway Safety Grants, and NHTSA/EPA Phase 2 Consumption/Greenhouse Gas Standards for Medium and Heavy-Duty Trucks. In the Connected Vehicle Program, ATA recommended, among other things, the integration of vehicle to vehicle warning systems with installed active technologies in order to minimize driver distraction.

ATA also recommended that automated speed enforcement equipment and training be included in the Agency's Highway Safety Grant Program. On the NHTSA/EPA Phase 2 Consumption/Greenhouse Gas Standards for Trucks, ATA requests that NHTSA continue to work closely with the association and its members in sharing and developing information, data, and a logical path forward. ATA also urged NHTSA to review and consider ATA's guiding principles for the Phase II Rule. ATA's comments may be seen here: <http://www.trucking.org/article.aspx?uid=3a39a763-f777-45ff-8325-84534838a600>. ▲

Groups Decry Delays in Speed-Limiter Proposal

American Trucking Associations and Road Safe America recently sent a letter reminding federal regulators of the need to proceed quickly in developing a proposed rule to require speed limiters on new and existing trucks.

Steve Owings, founder of Road Safe, and co-signer of the letter, said he was frustrated with delays in issuing the proposed rule that his organization and ATA had requested in separate petitions in 2006.

Owings said the proposed joint rule of the Federal Motor Carrier Safety Administration and National Highway Transportation Safety Administration is now slated for publication in October.

"The majority of the industry is calling for it, and all the major safety advocates have called for it," Owings said. ▲

~ Transport Topics ~

Appealing a Tax? Follow the Rules!

A series of three cases dismissed on the same day last month by the Nebraska Tax Equalization and Review Commission, the state's property tax appeals agency, demonstrate the importance of following all the administrative rules when you appeal a tax assessment. (The same is true, of course, when you take any tax issue to appeal before a court or administrative body.) The authority of such an agency is determined by law, and if a taxpayer doesn't fulfill the statutory requirements necessary for the agency to take up a case, the agency – or a court – simply has no jurisdiction to hear the matter. In the first case, the appeal was signed by an agent of the corporate taxpayer, but the law required the party signing a corporation's appeal to be a person authorized to do so by the corporate governing documents. The agent wasn't such a person. In the second case, the appeal was hand-delivered to the commission but two days after the statutory deadline for taking an appeal. And in the third case the appeal, which had been mailed, was postmarked within the appeals period, but had been returned to the taxpayer for insufficient postage, and eventually arrived at the commission late. The three cases are *Family Video Movie Club, Inc.*, *J Dubbya Land LLC*, and *Schwinn Homes*, all decided January 30, 2014, and available here: <http://www.terc.ne.gov/decisions/2014/decisions-2014-January-31.shtml>. ▲

~ State Laws Newsletter ~

IRP Adds Q&A for FRP

The block of initials in the headline here refers to a useful feature that IRP, Inc., the repository of the International Registration Plan, has just added to its website here: <http://www.irponline.org/?page=FullReciprocity>. It's a set of questions and answers concerning the implementation and operation of the Full Reciprocity Plan amendments to IRP that become effective next year. As readers of the Missouri Memo will recall, the FRP will automatically grant carriers registering under IRP the authority – for purposes of vehicle registration, that is -- to travel in all of the 48 states and the ten Canadian provinces. The basis of the IRP fees of carriers already registering under IRP will not be affected at all; the fees will still depend on where the fleet vehicles traveled during the preceding year. The amendments are a very good deal for industry, and will reduce the complexity of IRP administration for states and provinces as well. ▲

~ State Laws Newsletter ~



California Attempts to Expand Smoke Test Program

Under California's Periodic Smoke Inspection Program (PSIP), fleets must annually conduct smoke opacity testing of certain heavy-duty diesel-powered vehicles which operate on the streets or highways within the State of California. The regulation states "vehicles which are registered under the IRP...and which have established a base state other than California (non-California based vehicles) are excluded." Recently, the California Air Resources Board (CARB) has been pursuing enforcement actions against non-California based vehicles that operate more than fifty percent (50%) of the time within the State of California. CARB indicated they are pursuing this program expansion through settlement agreements which specify the terms for resolving regulatory violations. As the regulation does not include this 50% delineation and appears to exempt non-California based IRP vehicles, American Trucking Associations (ATA) wants carriers to be aware of this questionable practice. If your fleet has been subject to this type of enforcement action, please let ATA know so we can determine the extent of this expansion. Specific requirements for this program can be found in CARB's PSIP regulation. ▲

Connecticut Begins to Issue Tickets to Truckers Who Fail to Remove Snow, Ice from Vehicles

Connecticut trucking officials said they plan to ask for a meeting with the State Police about the tickets being issued to truckers for failing to remove snow from their vehicles.

A new state law carries a fine of \$75 for any car to truck driver who doesn't remove snow and ice from his or her vehicle.

The law, which went into effect Jan. 1, also says that truckers who cause injury or damage because they didn't remove snow or ice can be fined up to \$1,250.

By the middle of February, State Police had issued about 230 tickets to drivers of cars and trucks for violating the snow-removal law, according to news services.

Michael Riley, president of the Motor Transport Association of Connecticut, said that truckers who have been ticketed in many cases didn't know about the law.

"In others, they made an honest effort to remove the snow and felt that the State Police were being somewhat overly zealous, Riley said.

After the law took effect, State Police began ticketing car drivers that did not remove snow. However, truckers were given a grace period of about two weeks.

State Police officials said that before they began issuing tickets to all the out-of-town truckers that travel through the state, they wanted to make sure that the trucking community knew about the law.

Connecticut, New Jersey and Pennsylvania are the only states to have such snow-removal statutes. ▲

~ Transport Topics ~

Speed Laws Change in IL

Illinois DOT said most freeways, located away from the Chicago Metro area, now have posted speed limit of 70 mph, up from 65 mph, effective January 1. Large trucks can travel the same speed with cars, except in Cook, DuPage, Kane, Lake, McHenry and Will counties, where they are restricted to a maximum speed of 55, or to whatever speed is posted. ▲

Oregon: Water Damage

A rising river has eaten away the foundation of U.S. 20 through the Coast Range in a narrow, twisty section that for years has made trouble for drivers and highway workers alike.

The Oregon Department of Transportation said Feb. 12 that travel at a curve about four miles west of Eddyville in Lincoln County will be down to a single lane while crews bring in rock to rebuild the foundation.

Spokesman Rick Little said the roadway remains intact. The department had to rebuild part of the road about two miles to the west in a similar incident two years ago.

The highway links Corvallis-Albany to Newport. The troubled section follows the Yaquina River. ▲

~ Transport Topics ~

Safety & Maintenance Conference Expo Hall & SuperTech Competition April 22-24, 2014

Registration is now open for the Safety & Maintenance Conference, to be held at the Hilton Branson Convention Center on April 22-24, along with the Expo Hall and SuperTech Competition. Sponsorships are still available - don't miss a great opportunity.

'Thank you' to the following early bird sponsors:

Bendix Commercial Vehicle Systems, LLC
Clarke Power Services, Inc.
Eaton / Road Ranger Marketing
Idle Smart
Jack Cooper Transport Company
The Larson Group - Peterbilt of Springfield,
Peterbilt of Joplin, Mid-America Peterbilt
LinkeDrive
Meritor, Inc.
Paccar Parts - Peterbilt
PeopleNet
Peterbilt of Springfield
RigMaster Power International
SmartDrive Systems, Inc.
Steelman Transportation
Wheeltire Network

Go to www.motrucking.org to download the registration form, conference agenda, expo hall contract and sponsorship forms.

MoTA Photo Album



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

