



## New Members

### Affton Radiator & A/C Service

7872 Watson Road  
St Louis, MO 63119  
Mr. Kyle Rickermann  
(314) 962-8282

### Ancra International

2685 Circleport Drive  
Erlanger, KY 41018  
Ms. Jennifer Ramsey  
(816) 591-4722

### BBL Construction, Inc.

3966 PCR 806  
Perryville, MO 63775  
Mr. Dale Schemel  
(573) 547-8363

### Cole County Industries

1405 Industrial Drive  
Jefferson City, MO 65109  
Mr. Jason Luebbering  
(573) 635-4101

### J & L Contracting LLC

2146 N Packer Road  
Springfield, MO 65803  
Ms. Malona Williams  
(417) 862-0138

### Multi Service Fuel Card

8650 College Blvd  
Overland Park, KS 66210  
Mr. Brian Webb  
(913) 663-9550

### National Claims Consultants & Investigations

PO Box 18416  
Kansas City, MO 64133  
Mr. Jack Curry

### Peoples Capital & Leasing Corp

13920 Flint  
Overland Park, KS 66221  
Mr. Anthony Castellanos  
(913) 338-1927

### Sentry Motor Freight

101 Evergreen Street  
Strafford, MO 65757  
Mr. Danny Miller  
(417) 838-0552

## President's Message

Regular and studious readers of this column may feel a bit like Phil Connors, the TV weatherman played by Bill Murray in the movie "Groundhog Day," or express frustration much like Yogi Berra when he would say "It's like déjà vu all over again!" Such is the nature of the discussion for highway funding in Missouri in 2016. For reference and context, I have included my column from last May to the end of this month's column.

Since the close of the 2015 session, MoDOT has announced a program to open up I-70 as a laboratory for new ideas in their "Road to Tomorrow." The rebound of the economy, and the low price of fuel, has caused resurgence in the fuel tax receipts, and MoDOT recently announced their ability to find sufficient state resources to match federal dollars.

Fast-forward to January 2016 and the Legislative Session. Already the debate on SB 623 (Sen. Doug Libla R-Poplar Bluff – increases the gas tax 1.5 cents and increases the diesel tax 3.5 cents) has cleared the Senate Transportation Committee and is likely to be debated on the floor of the Senate as early as next week. Bills to explore a modified VMT (Vehicle Miles Tax) have been filed. Just last week the annual effort to allow I-70 to be converted to a toll road was filed (HB 2437) by Rep. Kevin Corlew (R-Kansas City). Rep Corlew also filed a constitutional amendment (HJR 89) to allow tolling in Missouri if approved by the voters.

During the Governor's State of the State address, Governor Jay Nixon specifically mentioned his support of SB 623, and urged the legislature to get the bill to his desk so he could sign it. House Republicans have expressed an interest in redirecting General Revenue dollars to help fund MoDOT and several legislators are also looking at removing Missouri State Highway Patrol funding from the Road Fund to increase the share going to MoDOT.

While all of this attention and the multipronged efforts to solve the funding problem are potentially good news for the trucking industry, MoTA members understand the potential for some of these discussions and solutions to turn against trucking and cause your trucks to be seen by the public and government as rolling ATMs on the roads and bridges of Missouri. Please help us today by contacting your State Senator and urging them to support an increase in the gas and diesel tax. We anticipate debate on SB 623 could occur as early as next week. As truckers, we would prefer to have a straight 2 cent increase across the board, with no differential between gas and diesel, but the need to generate additional funding for MoDOT is real and the time is NOW.

### Please CALL Today!!

From May 2015:

*"Sometimes the questions are complicated and the answers are simple."*

— Dr. Seuss

*"We simply cannot allow this magnificent system to deteriorate beyond repair. The time has come to preserve what past Americans spent so much time and effort to create, and that means a nationwide conservation effort in the best sense of the word. America can't afford throwaway roads or disposable transit systems. The bridges and highways we fail to repair today will have to be rebuilt tomorrow at many times the cost." – Ronald Reagan, in a radio address in 1982, calling for an increase in the gas tax to pay for repairs to highways and bridges.*

Lest you think I have lost it, I do realize that I used the same Dr Seuss quote in the March edition of the Mo Memo. In the coming months you will hear many thoughts about how to solve the financial challenges facing Missouri and our infrastructure. I thought it was particularly appropriate to remind readers of this column to keep focused on the solution for our infrastructure funding woes in Missouri, the same solution pushed by President Ronald Reagan in 1982 – Raise the gas tax.

*Continued on page 2 . . .*

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## President's Message (continued from page 1)

Today, the reality is that MoDOT will not be able to provide a state match for all of their federal moneys available in 2017, and will lose out on the return of \$167 million federal tax dollars paid by travelers on Missouri's roads. For 2018 and beyond, the loss will grow to \$400 million annually.

Our solutions are limited by the Missouri Constitution – efforts to raise revenues without a public vote are limited based on a formula of state revenues and personal incomes. The 2-cent gas tax increase came in below that limit, and if successful over a 3-year period (passing a 2 cent bill in each of 3 successive legislative sessions), would have prevented the loss of federal dollars coming back to Missouri. With the failure of SB 540 in the 2015 session, it is not possible for the legislature to pass a solution large enough without sending it to a public vote.

In the coming months you will hear many discussions that tend to fulfill the first part of the quote by Dr Seuss and make the questions appear complicated by many different factors. They will present many different options and solutions and opportunities to “monetize” our assets. Already we are hearing discussions regarding I-70, and we anticipate many more discussions and ideas to surface in the coming months for what to do with the complicated problem about Missouri's infrastructure and I-70.

Regardless of the extraneous noise and attention to various complicating factors, I encourage you to remain focused on the simple solution, as proposed by President Reagan in 1982, and timely today in 2015(2016) – Raise the gas tax. ▲

## 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

### August

#### Jerry Phenix

Group One  
N Kansas City, MO

### September

#### Randy Davis

XPO Logistics - Freight  
St Louis, MO

### October

#### Frank Dexter

Gully Transportation  
Quincy, IL

### November

#### Henry Grider

Transland, Inc  
Strafford, MO

### December

#### Sid Naramore

Buchheit Trucking Service  
Scott City, MO

## Member Cancellations January 2016

Name of Company	Class	Dues
Airport Towing & Diagnostic Service	For Hire	\$350
Agility Recovery	Allied	\$350
Alcoa Wheel Products	Allied	\$350
CarterEnergy Corporation	For Hire	\$350
Castle Contracting LLC	Private	\$350
Commercial Credit Group Inc	Allied	\$350
Data Dash Inc	Allied	\$350
Decker Construction Services	Private	\$350
Equify Financial LLC	Allied	\$350
Global Pyrotechnic Solutions Inc	Private	\$350
Hartlage Truck Service Inc	For Hire	\$350
Haz-Mat One Inc	Allied	\$350
Hunter Engineering Co	Allied	\$350
International Truck & Engine Corp	Allied	\$350
KAW Services	Allied	\$350
SKF USA Inc	Allied	\$350
T & S Towing & Recovery	For Hire	\$350

**Congratulations, Drivers!**



## FHWA Releases Compendium of Size and Weight Regulations

The Federal Highway Administration has released its [Compilation of Existing State Truck Size and Weight Limit Laws](#). This publication was requested by Congress in 2012 in the MAP-21 highway bill. It is a compendium of state size and weight regulations, in effect on October 1, 2012, that allow vehicles operating on the National Highway System to exceed federal size and weight limits. In addition to limits for trucks in regular operation, the report includes exemptions for specific commodities or types of vehicle. Because federal length law is permissive, the report focuses almost exclusively on weight limits. ▲

~ ATA Dispatch ~

## FMCSA Responds to ATA's Request - Withdraws Vehicle Labeling Proposal

On Tuesday, December 29, 2015, the Federal Motor Carrier Safety Administration announced that it has withdrawn its June 17, 2015 notice of proposed rulemaking to require US domiciled interstate motor carriers to display a vehicle manufacturer's safety compliance certification label or carry a letter of certification and provide it on demand if the original label is missing. FMCSA withdrew the NPRM because ATA, its members and other commenters raised substantive issues which led the Agency to conclude that it would be inappropriate to move forward with a final rule. ▲

~ ATA Dispatch ~

## FMCSA Lowers 2016 Random Drug Testing Rate to 25%

Monday, Dec. 21, Federal Motor Carriers Safety Administration [announced](#) it will lower the 2016 minimum random drug testing rate for commercial driver's license holders to 25% from 50% annually. This significant announcement is the result, in large part, of ATA's advocacy efforts. ATA met with FMCSA on this issue early last year, helped gather relevant data, and encouraged FMCSA to take the appropriate step of reducing the testing burden if the industry's performance continued to meet the agency's standard. DOT has previously lowered the testing rates for others modes and acknowledged a 25% rate continues to provides strong deterrence from drug use.

Under a long-standing provision in the Federal Motor Carrier Safety Regulations, FMCSA may lower the minimum annual percentage rates for random testing to 25% percent when the industry violation rate (as measured by number of positive tests) for random drug tests is less than 1.0% for two consecutive years. The trucking industry has maintained a sub-1.0% violation rate for three consecutive years. This announcement is an important step that will immediately reduce regulatory and cost burdens for motor carriers. Carriers may, however, continue to test at a rate higher than 25% in 2016 if they so choose. ▲

~ ATA Dispatch ~

## REAL ID Act Restricts Some Entry

The federal legislation known as the Real ID Act (P.L. 109-13) requires state driver's licenses used to identify a person entering a federal facility to carry certain types of security features. If a state does not comply with the Act, the licenses issued by the state may no longer be used for that purpose, and a resident of the state must use some federally issued credential, such as a passport. Fewer than half the states have actually complied with the Act so far, but the Department of Homeland Security, which administers the law, has regularly issued extensions to give states more time. With the beginning of this year, however, four states ran out of time, and residents of Illinois, Missouri, New Mexico, and Washington State might have been barred from using their driver's licenses even to get on a plane. Recently, however, DHS gave these states yet another extension, *but only as far as access to interstate flights was concerned*: Truck drivers resident in these four states may not use their CDLs to enter federal facilities to make deliveries. Those regularly making deliveries to federal installations may very well already have alternate, federally issued IDs, such as a TWIC or FAST Card, and these will continue to work just fine. So should the "enhanced" CDLs issued by Washington State, which are also good for border crossings in lieu of a passport. ▲

~ States Laws Newsletter ~

## PHMSA Withdraws Wetlines Proposal

The Pipeline & Hazardous Materials Safety Administration officially [withdrew](#) its proposed rule to require automatic purging systems for the external piping on cargo tank trucks transporting flammable liquids (aka wetlines) on December 30, 2015. PHMSA was required to withdraw the rule under the terms of Section 7206 the current highway bill, the [FAST Act](#). With this announcement, the rulemaking is officially ended and a new rule cannot be imposed absent restarting the rulemaking process from the beginning. In the withdrawal notice, PHMSA states its intention to consider non-binding guidance, but this is unlikely given that PHMSA's own data shows that the rule imposes more burdens that it creates benefits. ▲

~ ATA Dispatch ~

## MISSOURIMemo

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## ATA Encourages Applications for CVSA's International Driver Excellence Award

ATA is encouraging its members to nominate qualified drivers for the Commercial Vehicle Safety Alliance's International Driver Excellence Award. The award recognizes professional drivers with extraordinary careers and an exceptional commitment to public safety. Nominees must have: 1) At least 25 cumulative years of accident-free driving in a commercial motor vehicle with a clean driving record for the past three years; 2) No felony convictions; 3) No safety-related driving suspensions in the past three years; and 4) No driver violations in the past three years (excluding form and manner log violations). The deadline for nominations is Friday, February 12, 2016. A link to the nomination packet can be found at [http://cvsa.org/programs/driver\\_excellence\\_award/](http://cvsa.org/programs/driver_excellence_award/). For more information, contact Abigail Potter at [apotter@trucking.org](mailto:apotter@trucking.org). ▲

~ ATA Dispatch ~

## CBP Suspends Hundreds of Customs Brokers' Licenses

Effective January 6, 2016, U.S. CBP has [suspended](#) several hundred customs brokers' licenses for failure to file an annual report listing their contact information and pay a nominal fee. CBP has suspended the licenses without prejudice, meaning that they will be reinstated as soon as the customs broker files the report and pays the required annual fee. The suspended licenses are listed [online](#). Carriers should not attempt to bring shipments brokered by these licensees into the US until the broker can demonstrate that the license has been reinstated. Carriers acting as their own broker and appearing on the list should file their status report and pay their fee at the port to which their license is linked. ▲

~ ATA Dispatch ~

## UCRA Enforcement Postponed

The fees for 2016 payable by interstate motor carriers and other entities under the Unified Carrier Registration Agreement were due by the end of calendar 2015, and enforcement was due to begin, at least in many states, at the first of this year. The UCR program, however, does not require those paying the fees to display any credential in or on motor vehicles; enforcement depends largely on the electronic records of carriers' payments shown in the Federal Motor Carrier Safety Administration's SAFER system. SAFER, however, has recently had problems receiving state updates on which carriers have paid UCR fees, so that state enforcement personnel at roadside may find no record of payment for a carrier that has complied with its obligations. Some carriers have received tickets for operating without having paid their UCR fees when in fact they have. Yesterday, the UCRA Board recommended to the states that they postpone UCR enforcement until February 1, 2016, to allow time for FMCSA to resolve its system problems, and the Commercial Vehicle Safety Alliance has also requested its member states' enforcement agencies to do likewise. ▲

~ ATA Dispatch ~

## California Emissions Requirements Continue

Motor carriers with trucks and/or trailers traveling into California should continue to ensure compliance with the state's unique emissions requirements. Class 7 and 8 tractors, with a few exceptions, need to have engines which are model year 2007 or newer or retrofitted with diesel particulate filters. Trailer aerodynamics is required on most 53-foot or longer box-type, dry-van and refrigerated trailers. Carriers should also begin to plan for a January 1, 2017 deadline which will require SmartWay-verified low rolling resistance tires on these types of trailers if they are model year 2010 and older. Refrigerated trailers that are model years 2003 – 2009 can delay compliance with these requirements until at least 2018. However, truck or trailer refrigeration units with 2008 and older engines need to be upgraded to newer units or have DPFs installed. For more information on the California emissions requirements, visit the California Air Resources Board's TruckStop website at <http://www.arb.ca.gov/msprog/truckstop/truckstop.htm>. ▲

~ ATA Dispatch ~

## Canada to Begin Issuing Fines for Shipments That Fail to Transmit Pre-Arrival Data Electronically

Canada's [eManifest](#) system, similar to US Customs & Border Protection's Automated Commercial Environment system, allows for the electronic transmission of pre-arrival import information to Canada Border Services Agency. Required use of eManifest has been in a voluntary compliance stage since July 10, 2015, in which the electronic system is technically required, but during which no fines are issued for failure to do so. Beginning Jan. 11, [carriers will be required to transmit information](#) electronically using the eManifest platform or face fines for non-compliance. [Official requirements](#) are available at the CBSA website, which also offers a [Help and Support page](#) for setting up and using an eManifest account. Information about the various ways you can open an account, EDI, web portal, etc., is available [here](#). Carriers that already have accounts can sign in [here](#). ▲

~ ATA Dispatch ~

## Ohio Enacts Motor Carrier Anti-Indemnification

On Dec. 23, Governor Kasich of Ohio signed into law H.B. 71, which makes provisions in contracts for motor carrier transportation that require the carrier to assume liability for the shipper's negligence void and unenforceable in the state. Ohio is the forty-fourth state to enact such legislation, which has spread very quickly. The enactment of anti-indemnification measures is a focus area for the ATA Insurance Task Force. Arkansas and New Jersey enacted this kind of law earlier in 2015. Our congratulations to the Ohio Trucking Association and to its president, Tom Balzer! For more information, contact ATA's Bob Pitcher at [rpitcher@trucking.org](mailto:rpitcher@trucking.org). ▲

~ ATA Dispatch ~

# MoTA Photo Album

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

