



# Missouri Memo

*A Powerful Voice • Member Driven • Best in Class*

March 2009

Missouri Motor Carriers Association — [www.motrucking.org](http://www.motrucking.org)

Memo No. 2

## New Members

### **ALLIED**

**Atwill & Montgomery**  
28 North 8th Street, Ste. 200  
Columbia, MO 65201  
John Ogden

### **Bivens & Associates**

1673 Woodbine Circle No.  
Galesburg, IL 61401  
Bill Bivens  
309/341-3510

### **Driver Resource, Inc.**

1204 Swift  
Kansas City, MO 64116  
Joe Zahner  
816/472-1300

### **James T. Graves Attorney at Law**

400 Jules St., Ste. 345  
St. Joseph, MO 64501  
James T. Graves  
816/279-9835

### **Mutual Assurance Company**

3121 Quail Springs Parkway  
Oklahoma City, OK 73134  
Dave Allgood  
405/607-2631

### **S S M WorkHEALTH**

1 Village Square, Ste. A  
Hazelwood, MO 63042  
Brian Freund  
314/551-6191

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**Missouri Memo**

## President's Message

In our last Missouri Memo, we unveiled a new advocacy effort aimed at getting members to commit to spending 24 Hours in Jefferson City. I am pleased to report at the legislative halfway point that we are slightly ahead of our goal of averaging one trucking company representative in the Capitol each week. My thanks to all who have participated in this great program and I encourage each of you to pick a week between March 23 and May 15 to spend Tuesday afternoon until Wednesday morning in Jefferson City. You will not regret it, and believe me when I tell you it is definitely worth the time and effort for your company, industry and association.

An interesting side note to the 24 Hour Program — we had a week where no one was able to make it to Jefferson City. On Thursday of that week, several legislators asked where our trucker was and if we had already stopped by their office!

For those cynics out there, maybe you are just writing off those comments as a typical legislator just looking for free food. But as one who has attended nearly every meeting and dinner during this 24 Hour Program, it is about much more than food. Legislators are hungry for your knowledge and business sense. Our program is different than the typical lobby day program. We focus on quality, not quantity. Our program is not dependent on having hundreds or thousands of people show up for a one day event, only to go home and be forgotten until next years' event. The success of the 24 Hour Program and what differentiates it from all other programs lies in you — the MMCA members.

Here's what Troy Robertson, Associate General Counsel at Con-way Truckload said about the program: "No one can tell the story of our industry or our Association better than our members themselves. The 24 Hours in Jefferson City program allows all of our members, regardless of the size of their company, the opportunity to talk face-to-face with the leaders of our State, about the impact of their actions or inaction on one of our State's and Nation's most vital industries: Trucking. By taking part in this important effort, we will influence the policy making decisions in Jefferson City."

Will you join us? Sign up today by going to the calendar on our website at [www.motrucking.org/pdf/24Hour-Calendar.pdf](http://www.motrucking.org/pdf/24Hour-Calendar.pdf). I look forward to seeing you in the Capitol! ▲

## Missouri Truck Driving Championships

The Missouri Motor Carriers Association Truck Driving Championships will be held at the Double Tree Westport Hotel in St. Louis on June 5 & 6, 2009. Please complete the Preliminary Intent of Entry form and fax or mail it to the MMCA office. FAX: 573-634-4197. Upon receiving the completed Preliminary Intent of Entry form in the MMCA office, TDC Driver Entry and Release forms will be sent to the motor carrier's contact person listed on the Intent of Entry along with a 2009 Facts for Drivers book for each driver. ***(All 2009 Championships forms have been updated so please discard copies of last year's Driver Entry and Release forms.)*** All new forms are available on the MMCA website.

A Step Van Class - will be added to the Missouri Truck Driving Championships as a pilot class for the years 2009, 2010 and 2011. The class will be open to all drivers of MMCA motor carrier members. (Not limited to drivers who drive step vans on a daily basis.) The competitors must adhere to all rules and eligibility requirements and will take the same written exam administered to other classes. There will be trophies for the top three high scores in this class. However scores from the step van class will not be counted towards Rookie of the Year, Team scores, or Grand Champion. There is a limit of three drivers per company in this class.

Motor carrier members of MMCA may enter as many drivers in each class as they wish with the exception of the Step Van Class (*limit of 3 drivers per company*). The **entry fee is \$125.00**

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## SAVE THESE DATES SEPT. 16 & 17!

Make sure to mark your calendars for the 2009 American Heartland Truck Conference, the joint convention of the Missouri and Kansas Motor Carriers Association. This year's event will be on September 16 & 17 at the Hilton Branson Convention Center at the Branson Landing. We are proud to have finally brought this event to Missouri.

The MMCA and KMCA staffs are in the planning stage and will make sure that this event is worth the time and effort it will take to attend. It will be a fun event with many opportunities to network with your fellow transportation professionals. Education will also play a major role and we will devote much of the morning and afternoon on Thursday to education.

Make a note to be in Branson this September. If you have any questions contact Ross Nichols at the MMCA office. ▲

## Missouri Memo

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## Truck Championships

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per driver. **The deadline for driver entries in the MMCA office is May 15, 2009.**

Hotel reservations can be made at the Double Tree Westport Hotel using the following link:

<http://doubletree.hilton.com/en/dt/groups/personalized/STLWPDT-MOO-20090603/index.jhtml>.

Fact Sheet: [www.motrucking.org/pdf/TDC\\_Factsheet\\_09.pdf](http://www.motrucking.org/pdf/TDC_Factsheet_09.pdf)

Preliminary Intent of Entry: [www.motrucking.org/pdf/TDC\\_Preliminary\\_Intent\\_of\\_Entry\\_09.pdf](http://www.motrucking.org/pdf/TDC_Preliminary_Intent_of_Entry_09.pdf)

Driver Entry & Release Form: [www.motrucking.org/pdf/TDC\\_Driver\\_Entry\\_09.pdf](http://www.motrucking.org/pdf/TDC_Driver_Entry_09.pdf) ▲

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## Commercial Motor Vehicle Safety Alliance Announces Date for Roadcheck 2009

The Commercial Motor Vehicle Safety Alliance has set June 2-4 as the timeframe to hold its Roadcheck 2009 event, but this year may be more than just a barometer to gauge the safety of commercial motor vehicles. This year may be a chance to set another record.

Inspectors finished the 2008 event by performing the lowest percentage of Level 1 inspections (23.9%) ever in the history of Roadcheck. With a safety conscious audience and improved highway statistics in the plus column, this year's inspection might topple that landmark.

ATA President and CEO Bill Graves said last year that the Federation was pleased "to see that the safety of the truck fleet continues to improve." ▲

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## Two Plead Guilty to Defrauding Trucking Companies in Multi-Million Dollar Scheme

Two men from Southern California plead guilty Feb. 23 to federal computer and mail fraud charges for using a federal Internet site to defraud trucking companies out of at least \$2.4 million, according to the Department of Transportation Office of the Inspector General and United States Attorney for Central California. In their plea agreements, the perpetrators admitted that they entered into a scheme to defraud trucking brokers and companies through use of the Internet. Using bogus corporate and individual identities, the two men accessed the Federal Motor Carrier Safety Administration's Safety and Fitness Electronic Records System (SAFER) website that the government provides to the trucking industry to register companies and brokerages. The perpetrators registered a fake brokerage on the SAFER website and "double brokered" the trucking jobs to legitimate trucking companies that they never paid for the actual trucking work that was done. They later used commercial loadboards to double broker loads. The government contends that defendants derived at least \$2.4 million from the fraud scheme. ▲

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## MEMBER CANCELLATIONS - MARCH 2009

<u>Name of Company</u>	<u>Class</u>	<u>Dues</u>
A D M Alliance Nutrition .....	Private .....	\$416.50
BlueStem Trucking .....	For Hire .....	\$300.00
Strategic Business Partners .....	Allied .....	\$350.00



## White House Backs Off Mileage-Based Tax

The White House backed off a suggestion by Transportation Secretary Ray LaHood that the Obama administration would consider a vehicle mileage tax in lieu of the federal gasoline tax, the Washington Post reported.

White House press secretary Robert Gibbs shot down the idea when questioned by reporters — including by an Associated Press reporter, whose news organization had originally reported the news February 20<sup>th</sup>, when it published an interview with LaHood, a former Illinois Republican congressman.

White House and DOT officials told the Post there were not any differences in their views that that LaHood never specifically advocated a VMT, which the state of Oregon has experimented with in a pilot program.

Privacy and driver groups have raised concern about instituting a VMT, the paper reported.

The Post, in its lead editorial February 23<sup>rd</sup>, said the idea of a VMT should be considered in the future to help aid the federal highway trust fund, which is low on funds because the 18.4-cent-per-gallon gasoline tax has not been increased since 1993.

LaHood was scheduled to address American Trucking Associations' board of directors meeting February 24<sup>th</sup> in Washington.▲

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## What's In The Stimulus Bill For You?

Some provisions of the federal stimulus package may help your business. For businesses that averaged less than \$15 million in revenue over the last three years, you are allowed to carry back net operating losses five years. The old law said two years. The idea is that you amend past tax returns for profitable years to claim refunds, and use the refunds as current operating funds. The stimulus package also extends for another year your ability to write off current expenditures for equipment up to \$250,000 and get bonus depreciation on capital purchases. Consult with your tax professional for details.

Be advised that the bill includes a COBRA subsidy to benefit employees involuntarily terminated between September 1, 2008, and December 31, 2009. These former employees will be required to pay only 35 percent of their COBRA premiums. You, the employer, will be required to pay the remaining 65 percent, but you will be reimbursed via a payroll tax credit. In the event that the payroll tax credit is insufficient to cover the COBRA expense, you will be entitled to receive the difference from the Treasury Department. A special 60-day COBRA election period began February 17, 2009, for involuntarily terminated employees who had not previously elected COBRA coverage but now want to enroll in the program. You need to update your COBRA forms and notices to include this subsidy information. Be sure to let your payroll personnel or vendors know about this reimbursement and tax credit as well. You are not required to comply with COBRA regulations if you have fewer than 20 employees.▲

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## Onboard Safety System Benefit-Cost Analyses Released

The Federal Motor Carrier Safety Administration (FMCSA) has released the findings from three onboard safety system (OSS) studies. The research, sponsored by FMCSA and led by ATRI, provides detailed examinations of motor carrier benefits and costs associated with Roll Stability Control Systems, Forward Collision Warning Systems and Lane Departure Warning Systems.

"Carriers regularly seek credible data on which to base investment decisions. The ATRI-FMCSA reports provide an objective and sophisticated review of the return-on-investment that carriers can realistically expect from deploying these important safety tools," said Don Osterberg, Vice President, Safety & Driver Training, Schneider National and chairman of ATRI's Research Advisory Committee.

The reports are available online at [www.atri-online.org](http://www.atri-online.org).

ATRI is the trucking industry's 501(c)(3) not-for profit research organization. It is engaged in critical research relating to freight transportation's essential role in maintaining a safe, secure and efficient transportation system. ▲

## 17<sup>th</sup> Annual Sitton-Babcock Motor Carrier Public Affairs Golf Tournament

The 2009 Sitton-Babcock Golf Tournament is scheduled for June 30<sup>th</sup> at Osage National Golf Resort in the Lake of the Ozarks. For the last two years the tournament has been held at Osage National and it has received rave reviews by the players. Registration and sponsorship information will be mailed out to all members of the Missouri Motor Carriers Association very soon. We are limited in the number of players we can get on the course and also on the amount of holes there are to sponsor so please return the appropriate forms as soon as possible. This is one of the major fundraisers for the Missouri Motor Carriers Association's PAC. These funds allow your association to support legislators who understand and support the trucking industry. If you have any questions call Ross Nichols at the MMCA office. We look forward to seeing everyone on the course and raising some funds for the Motor Carrier Public Affairs Committee.▲

## NEWS RELEASE

### MISSOURI MOTOR CARRIERS ASSOCIATION ANNUAL SAFETY AWARDS

**Jefferson City, MO** —The 2009 Missouri Motor Carriers Association (MMCA) Spring Safety Conference was attended by more than 50 Safety and Maintenance Professionals and featured more than a dozen speakers. The two day event was sponsored by the MMCA Council of Safety Supervisors at the Truman Hotel and Conference Center in Jefferson City, Missouri, March 3 & 4, 2009.

The event ended with the 62<sup>nd</sup> annual Safety Awards Luncheon honoring the trucking industry's finest safety and driving professionals with more than 150 company officials in attendance.

The **Missouri Motor Carriers Association** received the coveted Summa Cum Laude Award from American Trucking Associations' State Association Recognition Program for effectively fostering and promoting highway safety programs within Missouri for the greater good of the trucking industry and all highway users. Accepting the award was Mike Tettamble, the Vice Chair of the Council of Safety Supervisors during that contest period.

Three major fields of safety — the Fleet Safety Contest; the Missouri Drivers of the Month and 2008 Driver of the Year; and the Safety Director of the Year — shared the spotlight at the luncheon.

The 2008 Missouri Driver of the Year is **Harvey Williams**, a driver for **Prime, Inc. of Springfield, MO**. Mr. Williams has been a professional driver for over 50 years and has driven nearly six million miles during his career without a single chargeable accident.

Pete Rahn, Director of the Missouri Department of Transportation, presented Mr. Williams with a framed certificate from the Missouri Motor Carriers Association, as well as a handsome trophy.

Drivers of the Month for 2008 were presented with commemorative engraved plaques from the Missouri Motor Carriers Association. Introducing each of the drivers was John Hancock of Prime, Inc., Springfield, MO, and Chairman of the MMCA Board of Directors. The drivers of the month, their company and *hometown* are listed below:

January – **Jody Bush, Witte Bros. Exchange, Inc., Troy, MO**

February – **Thomas Bolin, Wal-Mart Transportation, Buffalo, MO**

March – **Harvey Williams, Prime, Inc., Rochelle, TX**

April – **Robert Conger, Prime, Inc., Enosburg Falls, VT**

May – **Gerald Hulsey, D & D Sexton, Inc., Carthage, MO**

June – **Leonard Ruble, YRC Transportation formerly Roadway Express, Potosi, MO**

July – **James Patterson, Above Par Leasing, Fort Smith, AR**

August – **Michael Crawford, Prime, Inc., Long Lane, MO**

September – **Michael Voss, YRC Transportation formerly Roadway Express, Washington, MO**

October – **Kirby Killgore, O & S Trucking, Inc., Mountain View, MO**

November – **Ernest "Lee" Combs, D & D Sexton, Inc., Diamond, MO**

December – **Fred Marks, TCSI/Transland, Buffalo, MO**

**John Brent Kinstler**, Wal-Mart Transportation, St. James, MO, was presented the "Safety Director of the Year" award for his outstanding leadership in safety related programs designed for the trucking industry, his company and the community. Presenting the winner's plaque and an engraved clock from the Missouri Motor Carriers Association to Mr. Kinstler was Colonel James Keathley, Missouri State Highway Patrol.

The Grand Trophy winner in the "Fleet Safety Contest", a competition among motor carrier fleets for the best "no-accident" record on a fleet-wide basis during the 2007-2008 contest period, was **Wal-Mart Transportation of St. James, MO**. Accepting the trophy for Wal-Mart was Mr. Brent Kinstler, Safety Director.

Plaques were presented to the winners in each of four divisions of competition by John Joines, assisted by Jim Pruett, both of Great West Casualty, sponsor of the fleet safety contest awards. The winner in the "Local Division" was **Delta Companies, Inc., Cape Girardeau, MO**. Honorable mention in the local division went to **Witte Bros. Exchange, Inc., Troy, MO**.

In the "Over the Road, Up to One Million Miles" category, the winner was **Twehous Excavating, Inc. of Jefferson City, MO**. With identical scores, the plaque winners in the "Over the Road, One to Five Million Miles" category were **Flexway Trucking**,

*Continued on page 5*



# Annual Safety Awards

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**Inc., Hazelwood, MO** and **Opies Transport, Inc. of Eldon, MO**; honorable mention in this category went to **Steelman Transportation, Inc., Springfield, MO**.

In the "Over the Road, Over Five Million Miles" category, the plaque winner was **Wal-Mart Transportation, St James, MO**; honorable mention in this category went to **Warren Transport of Waterloo, IA**.

## Thank You to the Sponsors for the Safety Luncheon:

Bill's Wrecker Service, Inc. – St. Louis, MO

J.J. Keller & Associates – Neenah, WI

O & S Trucking, Inc. – Springfield, MO

Roberts, Perryman, Bomkamp & Meives, PC – St Louis, MO

TCSI/ Transland, Inc., - Strafford, MO

Wal-Mart Transportation Inc. – St James, MO ▲

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## U.S. – Mexico Border Trucking Demonstration Project Discontinued

The 2009 Omnibus Budget law, passed by Congress and signed into law by President Obama March 11, contained a provision that immediately stopped the U.S.-Mexico Trucking Demonstration Project. The project, begun in September 2007, was slated to continue until September 2010. Reacting quickly to the legislation, the Federal Motor Carrier Safety Administration (FMCSA) immediately cancelled the U.S. operating authorities issued to the 28 participating Mexican carriers, reverting their status to the operating authority prior to the project. FMCSA is not certain whether the 10 participating U.S. carriers have been informed by Mexico's government of any changes to their operating status. According to a statement issued by the White House, President Obama wants the U.S. Trade Representative's Office, the U.S. Department of State, the Congress and Mexican authorities to work out an initiative to satisfy Congress's safety and environmental concerns while fulfilling the U.S.'s North American Free Trade Agreement trucking provision obligations. ▲

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## ATA Files Comments on FMCSA's CSA 2010 Initiative

American Trucking Association filed comments Jan. 30 on FMCSA's Comprehensive Safety Analysis (CSA) 2010 Initiative. The agency developed CSA 2010 to better identify high-risk motor carriers and drivers and more efficiently address their compliance deficiencies. CSA 2010 will replace the SafeStat system and continuously produce safety ratings. ATA supported the initiative, but made numerous recommendations.

ATA's suggestions addressed longstanding issues such as assuring data quality; providing motor carrier access to rating databases; using vehicle miles traveled as a normalizing factor; establishing an equitable system to determine accountability (preventability) for crashes; and placing less reliance on regulatory violations and more emphasis on meaningful predictors of unsafe performance. ▲

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## CDC Releases Truck Cab Cleaning Guidance for Vehicles Operated by Visibly Ill Drivers

On March 13, the Centers for Disease Control (CDC) released its *Interim Guidance for Cleaning Crew for a Truck Cab when the Driver or Helper is Visibly Ill during an Influenza Pandemic*. Companies that utilize only owner-operators or have only one driver for each tractor will not be affected by this guidance. Because the virus is most likely to be transmitted from one person to another by contact with infected surfaces, the guidance focuses on sanitizing the insides of truck tractors. The guidance recommends treatment of both porous and non-porous surfaces in the tractor with Environmental Protection Agency-registered disinfectants and the use of appropriate personal protective equipment for cleaning crews. Other recommended actions include using plastic covers for porous surfaces such as mattresses, methods for disposing of bodily fluids released in the truck and proper ways to avoid accidental recontamination of the tractor. ▲

### Employee Free Choice Act (EFCA) Bill

As expected, the Employee Free Choice Act (EFCA) or "card check" bill was introduced in both the United States House and Senate. The bill number for the Senate version of EFCA is S. 560 and has 40 cosponsors. The House version of EFCA is HR 1409 and has 223 cosponsors. Because this is labor's No. 1 agenda item for passage this Congress, it is now more important than ever that you contact your Senators and Congressmen with your strong opposition to this ill-conceived legislation. Missouri's Senator's are Claire McCaskill and Kit Bond. If you don't know your Congressman call the MMCA office and we can help you locate them. Passage of this proposal could change trucking forever so if you want to have a say on this issue please reach out to your elected officials. ▲

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### UCRA Board Proposes Much Higher Fees for 2010

On Feb. 12, during a meeting by conference call, the Board of Directors of the Unified Carrier Registration Agreement voted to recommend sharply increased UCRA fees on the industry for 2010. ATA and other industry representatives opposed the increase, but the states, which outnumber industry on the Board, all voted on it.

The Board's recommendation will now go to the Federal Motor Carrier Safety Administration, which will initiate a rulemaking to actually set the fees. Some change to the current UCRA fees was necessary, since industry and states joined to persuade Congress to eliminate trailers from the fee calculation.

ATA supported a change in the fee structure that would accommodate the removal of trailers, but opposed any further increase in a year so difficult for motor carriers. The states, however, focused on the fact that the UCRA program has not produced all the revenue that many states had expected. Industry pointed out that many, perhaps most, UCRA states have done next to no enforcement, and that the increase will fall almost entirely on carriers that have been honest and paid the fees in the past.

The increase includes not only the adjustment for trailer elimination, but adjustments as well to account for carriers who have not paid as much as they were expected to or have not paid at all. Per-vehicle, industry would be asked to pay nearly 120% more than in 2009.

The FMCSA rulemaking to set the fees will involve an opportunity for public comment. ATA will strongly oppose the fee increase, and we invite other industry members to do likewise. Nor is it too late to speak to your UCRA administrators and their superiors, especially if your state is represented on the Board, to protest this tax increase in economic times like the present. ▲

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### EPA Finalizes On-Board Diagnostics Rule

The Environmental Protection Agency recently published a final rule covering its highway diesel emissions on-board diagnostics (OBD) requirements for heavy-duty vehicles over 14,000 pounds starting in 2010.

The rule requires that advanced diesel emissions control systems be monitored for malfunctions via an OBD system, similar to those systems that have been required on passenger cars since the mid-1990s. The rule also requires that manufacturers make available to the service and repair industry information necessary to perform repair and maintenance service on OBD systems and other emission-related engine components. The rule is effective April 27. ▲

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### MoDOT E-Update Message

On February 28, 2009, new oversize/overweight load regulations take affect in Missouri. You can find a copy of the regulations on MoDOT Motor Carrier Services Web site, [www.modot.org/mcs](http://www.modot.org/mcs). Click on **Forms and Manuals**, then look for the **Oversize/Overweight** section of the page. Click on the **Oversize/Overweight Permit Regulations** link for the rules that begin at the end of this month. Paper copies of the book will be available by the end of February. Under the **Maps and Tools** section of the same page, you can find a link to MoDOT's **Vertical Clearance Chart**. It lists all the structures built over or under highway lanes and their height. The chart is a handy tool when planning routes for tall loads. A friendly reminder, too - if you do not have proof of insurance on file with MoDOT, please call your insurance agent and have them send it online right away. Carriers who have not filed proof by February 28 will find their permit privileges suspended until proof of insurance is filed. If you have questions about the new regulations or the proof of insurance requirements, please call MoDOT Motor Carrier Services at 1-866-831-6277.▲

### Missouri Fictitious Name Renewal Begins in March

*New law affects over 500,000 businesses*

Secretary of State Robin Carnahan is reminding Missouri business owners that the renewal period for fictitious name registrations with the Secretary of State's Office begins in March 2009. Due to a change in state law, over 560,000 fictitious name registrations must be renewed for the first time in the state's history.

Any fictitious name registration filed on or before August 28, 2004, must be renewed by August 28, 2009. If an individual or business does not file their renewal, their registration will expire and they will not be able to legally conduct business in Missouri. Fictitious names registered after August 28, 2004, will expire five years after the date they were filed.

"I am working diligently to ensure all businesses are aware of the change in law," said Carnahan. "I encourage organizations and businesses to renew as soon as possible and to save time by filing online. My office has saved Missouri businesses over \$9.5 million through online filings, and I will continue to streamline services and cut red tape to help small businesses grow."

If a business is operating under a name other than their true name or the actual name of their company, they must register a fictitious name with the state. For example, if John Doe is doing business as "John's Tailor Shop" he must register that name. Businesses and individuals have registered over 560,000 fictitious names in Missouri as early as 1919.

The Secretary of State's office will send a reminder to all fictitious name holders with their expiration date and renewal information. All individuals and businesses are encouraged to register online or download the registration form and mail it to the Corporations Division of the Missouri Secretary of State's Office.

To look up your expiration date: <https://www.sos.mo.gov/BusinessEntity/soskb/csearch.asp> To renew online, visit the link above and click on "renew" in the left column. To download the registration form: [www.sos.mo.gov/business/corporations/forms.asp](http://www.sos.mo.gov/business/corporations/forms.asp) Please mail to the Corporations Division, P.O. Box 2050, Jefferson City, MO 65102. There is a \$7.00 filing fee for registrations. Organizations and businesses without access to a computer or the Internet can call the Corporations Division toll-free at (866) 223-6535 to request a paper copy of the form. Questions related to fictitious name registrations should be directed to the Corporations Division of the Secretary of State's office. ▲

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### FMCSA Withdraws EOBR Rule From OMB

The Federal Motor Carrier Safety Administration (FMCSA) officially withdrew from the Office of Management and Budget (OMB) its draft final rule on electronic on-board recorders (EOBRs) for hours-of-service compliance on Jan. 23.

This withdrawal is consistent with instructions in a Jan. 20 memo issued by President Obama's Chief of Staff. This memo ordered a full review of all regulations not cleared by the Bush Administration's OMB, all regulations not officially published in the *Federal Register* and all final regulations published but not yet made effective. The withdrawal of the EOBR rule means that it will receive more administrative review by President Obama's political appointees at FMCSA and in the Secretary's office of the U.S. DOT.▲

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## NEWS FROM AROUND THE STATES & PROVINCES

### STEEL COIL BILL PASSES ALABAMA HOUSE OF REPRESENTATIVES, NOW AWAITS GOVERNOR'S SIGNATURE

Alabama's House of Representatives earlier this afternoon approved the Steel Coil Bill by a unanimous vote of 94-0. The bill now moves to the governor's desk for his expected signature.

If signed by the governor, the bill creates new penalties and fines and increases others for companies and drivers who fail to follow federal securement guidelines for hauling steel coils. Drivers who drop loads can face up to a year in jail, plus the fines. Meanwhile, drivers whose loads are found to have securement violations without an accident can be fined up to \$5,000. It also mandates certified training for drivers who haul these coils, and allows for fines of up to \$10,000 for trucking firms that fail to properly train and certify drivers.

Alabama Trucking Association President and CEO Frank Filgo said he was very pleased with today's vote. "Our Association leaders, many of whom actually haul steel coils, were very proactive in making sure that this legislation had teeth and penalized those who negligently drop loads," he said. "We've said all along that the problem was not with the current federal and state guidelines for load securement, but rather how drivers and company managers followed these guidelines. This law will make it a crime for those who fail to secure steel coils in Alabama."

Filgo also commended the leadership of Demarco and Waggoner for their efforts to pass the legislation.▲

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## NEWS FROM AROUND THE STATES & PROVINCES

### **EPA APPROVES CALIFORNIA TRU REGULATION**

The U.S. Environmental Protection Agency (EPA) has granted California the authority to enforce its regulation establishing in use emissions standards for the engines used in the transport refrigeration units (TRUs) of trucks, trailers, shipping containers and railcars. ▲

### **CALIFORNIA REPORT FORMS NOW AVAILABLE**

Reporting forms for carriers who operate California-based refrigeration units are now available from the California Air Resources Board (CARB). Under CARB's Transport Refrigeration Unit (TRU) regulation, California-based TRUs must be registered with CARB and issued a number by March 16. A TRU is defined as a TRU-equipped truck, trailer, shipping container or rail car that would be regularly assigned to terminals in California. A separate operator report also is required. CARB has indicated it will begin enforcing the identification and reporting requirements by April 16.▲

### **LOUISIANA TO INTRODUCE ONLINE OVERSIZE/OVERWEIGHT PERMITTING SYSTEM**

The Louisiana Department of Transportation and Development (La DOTD) has announced plans to begin its online oversize/overweight permitting system on February 16. The new Permits Electronic Bridge Analysis (PERBA) Web page is designed to offer continually growing static routing capabilities, automated annual permits, many permits that can be issued directly to the user's once they personal computer for printing without human intervention and much more.

Current La DOTD Web customers will not be required to make changes to their user name or password, and the screen will appear very similar to the old system. However, customers who do not currently have a Web ID will need to call the Permit Office at (225) 343-2345 or 1 (800) 654-1433 for further information on prepaid oversize permit forms and/or bonded accounts. Although La DOTD will not initially accept payments by credit card, it hopes to offer that option soon. ▲

### **PENNSYLVANIA BEGINS NEW IDLING LAWS RESTRICTIONS**

A new law that went into effect In Pennsylvania on February 6 prohibits trucks weighing more than 10,000 pounds from idling for more than five minutes per hour. The law exempts idling to operate defrosters, heaters, air conditioners or cargo refrigeration equipment, to regenerate diesel particulate filter (DPF) equipment or to install equipment "in order to prevent a safety or health emergency." Additionally, trucks loading or unloading may idle for up to 15 minutes in any contiguous 60-minute period.

A one-year temporary exemption for extreme temperatures will allow drivers to idle while in the sleeper when temperatures are below 40 degrees or above 75. The exemption does not apply when trucks are parked at locations offering stationary idle reduction technology. The extreme temperature exemption expires on May 1, 2010. Pennsylvania has also exempted trucks meeting California's clean idle standards. ▲

## Detailed Driver's Vehicle Inspection Report

**Special**

**\$1.75 each!**

*Limited Quantities Available!*

**Easy-to-use form helps you comply with 49 CFR Sections 396.11 and 396.13.**

**Detailed Driver's Vehicle Inspection Report in convenient book format:  
set of 31 reports bound into one handy book. Item # 36B**

**Book measures 5-1/2" W x 8-1/2" L detached.**

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