



New Members

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4301 Main Street #14
Kansas City, MO 64112
Ms. Brenda Craig
(913) 469-1700

Networkfleet, Inc.
6363 Greenwich Drive, Ste 200
San Diego, CA 92122
Mr. Dane Menke
(858) 200-3458

Schaeffer Mfg. Co.
102 Barton Street
St. Louis, MO 63104
Mr. Randy Baker
(314) 865-4100

Semo Box Company
4921 Nash Road
Cape Girardeau, MO 63702
Mr. Scott Arzen
(573) 334-6124

SmartDrive Systems, Inc.
9276 Scranton Road
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Mr. Brian F. Casey
(858) 225-5515

President's Message

In each of my previous columns this session, we have discussed the effort this year to convert I-70 to a toll road. Although SB 752 is unlikely to pass this session, the issue is ongoing and will be a major point of discussion for this summer. To that end, Speaker Steven Tilley appointed a "Blue Ribbon Citizens Committee on Missouri's Transportation Needs." The group is a mixture of private sector individuals, representing various industries and modes of transportation. I am honored to be serving on the committee representing the trucking industry. Look for more information to come out soon on the dates and locations of the meetings around the state.

I encourage you to read the Legislative Bulletin prepared by Ross Nichols. We have been working on clarifying the sales tax exemption language for several sessions and are hopefully going to be able to bring closure on this issue in a clear cut and simple manner. It is not a perfect solution, but it should alleviate many of the grey areas that have caused carriers problems in the past.

I hope each of you are sending someone to our inaugural meeting of our Emerging Leaders Council. These next generation leaders, led by Andy Stuckenschneider, will be meeting April 17-18, 2012 at the MoTA office for a day of professional growth, education and networking with their peers. Give us a call today to let us know if you are sending someone to the meeting.

Finally, congratulations to all the award winners at the Safety Awards Banquet! This event is always a highlight and one of the most memorable events we do all year. Look for more info on these winners in this edition of the MoMemo.

In This Issue



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Regulatory News

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Attachment:

Safety Conference &
Awards Banquet Wrap-up

Upcoming events . . .

Truck Driving Championships ~ June 8-9, 2012

Holiday Inn KCI Airport & KCI Expo Center
Kansas City, MO

- Intent of Entry Forms - due now
- Registration Deadline - May 18, 2012
- All forms and lodging information can be found on the MoTA website

Sitton Babcock PAC Golf Tournament ~ June 26, 2012

Old Kinderhook Golf Club
Camdenton, MO

- Registration materials will be mailed soon



**New 2012
Emergency Response Guide Pocketbook**
Item #14ORS-2

If you have not ordered the new 2012 Emergency Response Guide Pocketbook, it is time to order now. This book updates only every four years. **Special pricing for pre-orders:**



- 1-49 books - \$3.00 each**
- 50-99 - \$2.75 each**
- 100-249 - \$2.50 each**
- 250+ - \$2.25 each**

Be sure to take advantage of these low prices by reserving books now. Sale ends when the books become available.

Order by:

Email - darla@motrucking.org

Fax - (573) 634-4197

Phone - (573) 634-3388

(This special pricing is not available online.)

Continued Assistance for Joplin

Recently, we were asked by the Missouri State Emergency Management Agency for assistance with a delivery of a load of gloves for Joplin as they continue to rebuild their town.

MoTA put the word out to our members and literally within minutes we had someone who was willing to help.

A big thank you goes out to Ditzfeld Transfer from Sedalia, Missouri for making the delivery and to Orscheln Farm & Home, Moberly, Missouri and Toys R Us, Lees Summit, Missouri for volunteering their services as well. ▲

**Another Round of
Procurement Fraud Letters**

If you get an official-looking fax from the U.S. Department of Transportation Procurement Office, shred it. Do not respond. The letter says that the department needs to verify your banking information in order for you to remain on the list for potential government loads. Do not send the fraudsters any banking or financial information. The DOT does not require you to submit any financial information in order to be eligible for procurement. ▲

ATRI Seeks Truck Drivers' Input on CSA

The American Transportation Research Institute (ATRI) is soliciting truck drivers' opinions on the federal government's Compliance, Safety, Accountability program. The survey seeks to gauge how drivers perceive and react to CSA, the group said.

The organization plans to publish the findings as a follow-up to a similar survey last year that 5,000 drivers answered, and later research that reported on motor carriers' perspectives. All submissions are confidential and the survey is available on ATRI's website, www.atri-online.org. ▲

Motion Denied to Prohibit Voluntary Use of EOBRs

On March 22nd, the Seventh Circuit Court of Appeals denied OOIDA's motion seeking to prohibit voluntary use of EOBRs. The court's order leaves in place the 1988 AOBDR rule in the form it took before the since-vacated 2010 EOBR rule was put in place, permitting use of on-board monitoring devices that meet the requirements of 49 C.F.R. §395.15. ▲

ATA Seeks Examples of Clear-Cut Non-Accountable Crashes

ATA is gathering examples of crashes that FMCSA clearly should not use in assessing carriers' CSA Crash Indicator scores or for prioritizing carriers for intervention. To that end, ATA is asking its motor carrier members to review their crash records and forward police accident reports reflecting the details of such crashes. For instance, carriers willing to assist ATA in its efforts should send police accident reports on these incidences - such as when trucks were struck while legally parked, rear ended while legally stopped (e.g., at a red light), struck by a motorist traveling the wrong way on a divided highway, or clear cut suicides. If it is absurd that FMCSA uses one of your crashes to assign your crash indicator score, we want to know about the crash! ATA members can email their crash reports to crashes@trucking.org. ATA will use these crashes in its advocacy efforts to get FMCSA to implement a process for assessing crash accountability and to use only those crashes for which motor carriers could reasonably be held accountable in assessing carriers' Crash Indicator scores. For more information, contact Abigail Potter at apotter@trucking.org. ▲

Member Cancellations March 2012

Name of Company	Class	Dues
Affton Radiator & A/C Service	Allied	\$250
The Beer Company	Private	\$385
Fresh Warehousing	For Hire	\$300
Global Granite & Marble	Private	\$300

MISSOURI Memo

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CSA Makes Two SMS Improvements

The Federal Motor Carrier Safety Administration (FMCSA) has enhanced the Safety Measurement System (SMS) Methodology so that it includes violations based on new cell phone use regulations and provides more detailed breakouts of some existing brake, wheel, and coupling regulations. Motor carriers may notice the following changes.

- The addition of five texting and cell phone use violations in the Unsafe Driving Behavior Category (BASIC) as outlined below. The violations reflect FMCSA's decision on Jan. 3, 2012 to ban commercial drivers from using mobile telephones while driving, which includes a ban on texting. Motor carriers should discuss the new violations with their drivers to ensure that they are aware of these requirements.
- A breakout of six current Vehicle Maintenance violations into 22 that provide more descriptive and detailed information about compliance with existing brake, wheel, and coupling regulations. This change will ensure that SMS remains aligned with improvements recently made to roadside data collection systems. Those improvements are the results of a joint FMCSA and Commercial Vehicle Safety Alliance effort to increase data uniformity through improved processes and tools. This change will help to clarify who the responsible party is for the violations, either the motor carrier or the Intermodal Equipment Provider. ▲

FMCSA Asks for Comments on Challenged Credential

The March 23, 2012, issue of the *Federal Register* carried a notice from the Federal Motor Carrier Safety Administration requesting comments on how the agency should answer a petition challenging the validity under federal law of a credential required by Chicago to be displayed on buses carrying passengers between the city and O'Hare Airport. Such trips are considered to be interstate commerce, and, with a few exceptions, federal law, 49 U.S. Code section 14506, prohibits state or local governments from requiring credentials to be displayed in or on the motor vehicles of interstate carriers. Or does it? In this notice, FMCSA takes the position that the agency may determine the validity of any credential, state or local, that might fall under the prohibition. If in fact the agency has such authority, section 14506, despite its strong preemption language, might be significantly weakened. Comments are due to FMCSA on this matter by May 22. ATA expects to file. ▲

~ State Laws Newsletter ~

NYS to Require HUT Stickers Again

The New York State Motor Truck Association confirms that after an interval of several years, the state will again be requiring vehicles whose operation is subject to New York's highway use (weight-distance) tax to bear decals. Unfortunately, this requirement falls under one of the exceptions to the federal preemption of most state credential requirements. The decals will be issued every three years, with the registration or renewal costing \$15 per vehicle and the decals \$4 apiece. Altogether a disappointing development. ▲

~ State Laws Newsletter ~

FMCSA Announces Planned Changes to CSA

In a recent Federal Register, FMCSA announced a number of planned changes to the CSA methodology. For instance, the agency will create a separate category to measure HM violations by moving load securement violations to the *Vehicle Maintenance* BASIC and renaming the *Cargo-Related* BASIC the *HM* BASIC. These planned changes are part of a new approach FMCSA is taking to making periodic improvements to CSA. The process includes making a public announcement of planned changes, allowing carriers to privately view the impact the changes will have on their BASIC scores, soliciting feedback on the planned changes, modifying the planned changes (if appropriate), and making the new scores based on the methodology changes publicly available several months later. A complete summary of these changes can be found at <http://www.trucking.org/Documents/Summary%20of%20CSA%20Changes%20March%202012.pdf>. Motor carriers that are registered to access their data via the FMCSA portal are encouraged to review the impact of the planned changes on their scores at <https://portal.fmcsa.dot.gov/login>. Portal registration instructions can be found at https://li-public.fmcsa.dot.gov/LIVIEW/PKG_PIN_START.PRC_INTRO. FMCSA will be accepting comments on these proposed changes until May 29, 2012. ▲

Pre-Employment Screening Program

The Pre-Employment Screening Program (PSP) is a Federal Motor Carrier Safety Administration (FMCSA) Internet web-service, launched in May of 2010, allowing carriers and drivers the ability to purchase and instantly receive driver safety records for review as part of pre-employment driver screening on potential new hires.

PSP is a voluntary program allowing carriers and drivers to view three years of roadside and enforcement inspection data and up to five years of DOT state reported crash history. PSP data has been expanded to include co-driver safety and post-crash violations. Carriers can only use this information during their pre-employment screening driver hiring process. Drivers can purchase and review their PSP records at any time and are encouraged to do so prior to applying for new jobs. Drivers can request a review and challenge any potential inaccurate data shown on the PSP through the FMCSA DataQ's system.

Driver information is gathered from the FMCSA Motor Carrier Management Information System (MCMIS) and is updated monthly from data received from roadside inspection reports, compliance reviews, enforcement data and state reported crashes.

Using PSP safety information during the Pre-Employment process will allow carriers to assess potential driver safety risks and assist to verify other employment information provided by the prospective new hire. ▲

New OSHA Hazcom Rule

The Occupational Safety and Health Administration has published modifications to its hazard communication standard. The revised standard includes a specified format for material safety data sheets; requirements for use of standardized signal words, pictograms, hazard statements and precautionary statements; and, changes to employee training requirements. The final rule becomes effective May 25, 2012. ▲



FMCSA Shelves Driver Training Regulations, Cites 'Substantive Issues' Raised in Comments

An official at the Federal Motor Carrier Safety Administration (FMCSA) said the agency is putting off plans for new entry-level driver training regulations because "substantive issues have been raised by commentators which require further analysis about the safety impact and costs."

Speaking at a meeting of the Commercial Vehicle Training Association in San Francisco on March 15, Larry Minor, FMCSA's associate administrator for policy, said the agency is uncertain about the future of a rulemaking that began in December 2007 but actually has been under development for nearly two decades.

"This rulemaking would require behind-the-wheel and classroom training for persons who must hold a commercial driver license to operate commercial motor vehicles in interstate commerce," Minor said.

As recently as November, FMCSA officials indicated that work on a new rule would be completed in 2012. Now, however, the agency's regulatory calendar shows no date for completion of the rule.

In his presentation, Minor said the agency's next action is "undetermined." ▲

~Transport Topics~



New Look for ATRI Online

The American Transportation Research Institute launched its newly redesigned website at www.atri-online.org. The new website features easier access for information on all of ATRI's critical industry studies in nine focus areas: Commercial Drivers; Congestion and Mobility; Economic Analysis; Environment; Safety; Security; Technology; Transportation Infrastructure; and, Trucking Industry Operations.

Visitors to ATRI's new site also have the ability to suggest research topics to ATRI, get involved in specific ATRI studies and support ATRI through charitable contributions. The ATRI Board of Directors and Research Advisory Committee members are also available on the new website. As always, ATRI's research results are available free of charge on the website to interested stakeholders.

"The new site better represents the depth and breadth of ATRI's research portfolio," commented ATRI President Rebecca Brewster, "and provides enhanced visibility for some of our most critical initiatives, including our CSA research and the joint ATRI-FHWA Freight Performance Measures work, monitoring congestion along the nation's most significant freight corridors." ▲

Virginia Speed Limit

Speed limits are up on three sections of Interstate 64 and Interstate 664 in Hampton Roads, Virginia.

The Virginia Department of Transportation raised the limits as of March 1 on I-644 from 55 mph to 60 mph from the Hampton Coliseum to Bowers Hill.

"Portions of I-664 are already 60 [mph], and this change creates a consistent speed limit along this section of the interstate corridor," VDOT said.

The speed limit on I-64 increased from 55 mph to 60 mph between Hampton Roads Center Parkway and the Hampton Coliseum, and from the Bowers Hill interchange in Suffolk to the Chesapeake-Virginia Beach city line. ▲

~Transport Topics~

Newly Released Research Shows Direct Benefits of Speed Limiters on Large Trucks

FMCSA finally released a DOT-sponsored research study from 2011 that shows that speed-governed trucks have fewer "speed limiter-relevant" crashes than non-governed trucks. The study, the largest of its kind to use real-world data, collected and assessed data from more than 100,000 trucks and 15,000 truck-involved crashes. The American Transportation Research Institute (ATRI), which was a core team member on the study, points out that one of the most important study outcomes was the research team's ability to answer the challenging question of whether speed limiters themselves reduce certain crashes, or simply reflect a higher "safety culture" among governed fleets.

The study found no statistically significant difference in overall crash rates between speed-governed fleets and non-governed fleets. Consequently, "safety culture" did not play a role in overall crash reductions when controlling for the use of speed limiters. The report can be found at <http://www.fmcsa.dot.gov/facts-research/research-technology/report/Speed-Limiters.pdf>. ▲

Two Proposals to Amend IRP

The International Registration Plan meeting is coming up in May. The Plan requires a portion of this meeting to be devoted to discussion of any proposed amendments to the IRP. This year there are two. One is technical, though interesting from an historical perspective, and would remove the place for a representative of the American Association of Motor Vehicle Administrators from the IRP Board. IRP was born and grew up under AAMVA's auspices, but this proposal, which is expected to be noncontroversial, will mark the complete separation of the two organizations. The second amendment, sponsored by Oklahoma, would allow a jurisdiction to decrease the registration fees calculated on the basis of estimated distance for fleets with low distance traveled. The discussion on that one should be interesting. ▲

~State Laws Newsletter~