



New Members

BancorpSouth Equipment Finance

1367 Crooked Stick Drive
O'Fallon, MO 63366
Mr. Chris Byrnes
(314) 308-8672

Espar, Inc.

6099A Vipond Drive
Mississauga, ON L5T2B2
Mr. Jon Williamson
(905) 670-0960

FleetPride, Inc.

1225 East Trafficway
Springfield, MO 65802
Mr. David Branstetter
(417) 207-7518

Hunter Engineering Company

7046 Fawnwoods Drive
House Springs, MO 63051
Mr. Greg Brock
(314) 221-3257

Idle Smart

14109 Overbrook Dr, Ste D
Leawood, KS 66224
Mr. Ryan Bennett
(913) 744-4353

Continued on page 2 . . .

MissouriMemo
March / April 2013

Sponsored by:



*Products & Service
You Can Rely On*

Ad on page 9 . . .

President's Message

The last few months have been an exciting time here at the Missouri Trucking Association. For starters, in early March we passed the Truckload Carriers Association (TCA) Chairman's gavel from one Missouri trucking leader (Robert Low, Prime Inc.) to another (Tom Kretsinger, Jr, ACT). Congratulations to both men as they lead TCA through these exciting times!

Later in March we honored the "Best of the Best" in several categories, including drivers, fleets, safety directors and for the first time, maintenance technicians, at our Annual Safety and Maintenance Conference and Awards Banquet.

Just last week we held our first SuperTech Competition in Springfield, with 20 technicians competing in the 10 hands-on stations in the day-long event. A total of 44 technicians had initially taken the written exam earlier this year in various locations around the state.

I hope you will take a moment to look through the various articles in this Mo Memo that highlight these winners and show pictures from the various events. The success of all of these events depends on YOU! We look forward to your continued support of these programs and events, and ask you to nominate your "best of the best" TODAY! Drivers and Technicians are both being honored with a monthly and a yearly award. Please consider nominating one (or more) of your own today!

Upcoming events . . .

Truck Driving Championships ~ June 7-8, 2013

- Holiday Inn Hotel & Convention Center, Joplin, MO
- Intent of Entry Forms - due now
 - Registration Deadline - May 17, 2013
 - All forms and lodging information can be found on the MoTA website

Night at the Ballpark ~ June 20, 2013

- Busch Stadium, St. Louis, MO - Cards vs Cubs
- Trucking Leadership Symposium - 8:00 a.m. - 5:00 p.m.
 - Reception - 5:30 p.m.
 - First Pitch - 7:15 p.m.
 - More information will be available soon

Sitton Babcock PAC Golf Tournament ~ June 26, 2013

- Old Kinderhook Golf Club, Camdenton, MO
- Registration materials will be mailed soon

New Members

(Continued from page 1)

KC Industries Trucking

PO Box 822
Sikeston, MO 63801
Ms. Jennifer Best
(573) 481-0362

Missouri Builders Service Inc.

3807 Route CC
Jefferson City, MO 65109
Mr. Aaron Fisher
(573) 636-7733

Prestige Trucking

12410 South State Hwy 21
Potosi, MO 63664
Ms. Brianna Coleman
(573) 436-4211

Sport & Spine Rehab

303 North Keene St, Ste 102
Columbia, MO 65201
Ms. Leslie Earls
(573) 443-0225

Vector Communications Corp.

701 North 15th Street, Box 43
St. Louis, MO 63103
Ms. Jessica Perkins
(314) 621-5566

*Welcome
New Members!*

Safety & Maintenance Conference & SuperTech

A huge 'Thank You' to all the sponsors, volunteers and participants who have made the 2013 Safety & Maintenance Conference and Expo, as well as the first ever SuperTech competition a huge success. There were 169 individuals that attended the Safety and Maintenance Conference and the expo hall was sold out with 44 booths. There were 265 attendees at the annual awards banquet on the 27th where the councils recognized the Safety Director of the Year, Driver of the Year, Technician of the Year, and the Safest Fleets in Missouri. The Driver of the Year was awarded with a ring, iPad and plaque; the Technician of the Year received a 60" LCD TV and plaque; and the Safety Director of the Year received a clock and plaque. I am truly proud of all our award winners and this group demonstrates why Missouri is considered "Best in Class". The spring conference had such overwhelming support that we sold out two hotel room blocks and had to work with a third hotel to solidify enough sleeping rooms.

With many volunteers and hard work the first ever SuperTech competition came together and was a huge success. After completing written tests the top 20 were selected to compete in Springfield on April 17th at 10 challenging stations and they represented their company's exceptionally well. We cannot thank our gracious sponsors enough for the strong support of both council events. The planning committees have already started to plan for next year's Conference and SuperTech competition and they are sure to put on another awesome event! TDC is only 6 weeks away and there are still several spots available for sponsorships and volunteers at this year's Truck Driving Championships in Joplin on June 7th and 8th. I hope to see you in Joplin in June at the 46th TDC!

Member Cancellations April 2013

Name of Company	Class	Dues
EDGE Driver Training	Allied	\$300
Gil's TranServe LLC	Allied	\$200
Hatfield Timber Products Inc.	For Hire	\$300
McDowell Wrecker Service Inc.	For Hire	\$300
Quick Fuel Fleet Services Inc.	Allied	\$250

In This Issue



- 3 Governmental and Regulatory News
- 6 News from the Industry
- 7 News from the States & Provinces
- 9 Inland Truck Parts Company Ad

Attachments:

Safety & Maintenance Conference & Awards Banquet Wrap-up

SuperTech Wrap-up

MISSOURIMemo

The newsletter for the Missouri Trucking Association is published monthly. All rights reserved. Reproduction in any manner, without the Missouri Trucking Association permission, is prohibited.

Tom Crawford, President and CEO
PO Box 1247
102 E High Street
Jefferson City, MO 65102
573-634-3388
mota@motrucking.org





OSHA Form 300A due by April 30

OSHA reminds employers that they must post their OSHA Form 300A—*Log of Work-Related Injuries and Illnesses*—results between Feb. 1 and Apr. 30. The form must include the total number of job-related injuries and illnesses that occurred in 2012. Information about the annual average number of employees and total hours worked during the calendar year is also required. If a company had no injuries reported, it must enter “zero” on the total line. The form must be signed and certified by a company executive. Form 300A should be displayed where notices to employees are usually posted. Employers with 10 or fewer employees are normally exempt from federal OSHA injury and illness recordkeeping and posting requirements. A complete list of exemptions can be found at <http://s.dol.gov/YP>. Copies of OSHA Forms 300 and 300A are available at <http://s.dol.gov/YQ>. For more, visit www.osha.gov/recordkeeping/index.html. ▲

FMCSA Cracks Down on Carrier

FMCSA ordered California-based Nebyou Brook to immediately cease operating as a CMV driver and declared him an imminent hazard to public safety. After four poor roadside inspections over nearly a year, FMCSA placed Brook, who drove for Purpose Driven Services, LLC, an interstate trucking company based in Apple Valley, Minnesota, out of service on Feb. 5, 2013. Investigators found and cited him for egregious safety and traffic laws, e.g., operating a CMV while in possession of or consuming alcohol and controlled substances and driving a CMV in an unsafe and erratic manner and in violation of HOS regulations. *“A CMV driver’s blatant disregard for public safety will not be tolerated,”* said FMCSA Administrator Ferro. *“...we will remain diligent in removing negligent carriers and drivers from the roads.”* ▲

FMCSA Issues Final Rule Implementing ATA’s Petition on CDL Skills Testers

On March 25, 2013, FMCSA issued a final rule modifying its May 2011 Commercial Driver’s License and Commercial Learner’s Permits Rule. Most importantly for the trucking industry, FMCSA relented and changed its rule that did not allow truck driving schools that skills-trained a driver to skills-test that same driver. ATA and other organizations challenged the agency on that provision, claiming it would be far too burdensome. FMCSA relented and now a school may continue to both skills-train and skills-test the same drivers. However, the school must use different instructors for the skills-training and skills-testing. States may implement this change as soon as April 24, 2013 but must do so by July 8, 2015. ▲

FMCSA Offers New Online CSA Resources Page

The Federal Motor Carrier Safety Administration (FMCSA) has introduced a new online resources page for its Compliance, Safety, Accountability (CSA) initiative. All content that was previously available on the federal Outreach & Media page is now available and easier to find, according to FMCSA. To view the new webpage, go to <http://csa.fmcsa.dot.gov/resources.aspx?locationid+56>. ▲

Board Says Postal Service Can’t Cut Saturday Delivery

The U.S. Postal Service does not have legal authority to end Saturday mail delivery without authorization from Congress and must halt its plans to make that cut in August, its board said, Bloomberg News reported recently.

The board’s action follows a Government Accountability Office opinion last month that said the Postal Service did not have the authority to end Saturday delivery, which officials said would save about \$2 billion annually, Bloomberg said.

“The board believes that Congress has left it with no choice but to delay this implementation at this time,” the board said in a statement, though it said it supports cutting Saturday delivery when allowed to do so.

“The board also wants to ensure that customers of the Postal Service are not unduly burdened by ongoing uncertainties and are able to adjust their business plans accordingly,” the statement added.

The board directed Postal Service management to find other ways to lower labor costs, including attempting to reopen contract negotiations with its unions, Bloomberg reported.

Postmaster General Patrick Donahoe has said he relied on a new interpretation of law governing the service, based on the fact the government is operating with temporary funding, to declare he did not need Congress’s permission to reduce first-class delivery to five days a week. ▲

~ Transport Topics ~

House Bill Would Keep Saturday Mail Delivery

A bill passed March 6 by the House of Representatives would ensure that the U.S. Postal Service continues Saturday mail service for the rest of the fiscal year, Rep. Jose Serrano (D-N.Y.) said.

The measure was part of a larger funding bill that would stop the government from shutting down at the end of March, according to House Appropriations Committee Chairman Hal Rogers (R-Ky.).

The Postal Service announced plans in February to eliminate Saturday mail delivery, beginning in August, to reduce costs by as much as \$2 billion a year. ▲

~ Transport Topics ~

FMCSA Reminds Carriers to Update Fleet Data

Motor carriers are required to stay up-to-date on the Motor Carrier Registration Form (MCS-150), including recent Vehicle Miles Travelled (VMT) and Power Unit (PU) data. This information is used by the Federal Motor Carrier Safety Administration to calculate carriers’ Unsafe Driving and Crash Indicator Behavior Analysis and Safety Improvement Category (BASIC) percentiles. Go to https://li-public.fmcsa.dot.gov/LIVIEW/PKG_REGISTRATION.prc_option to update your MCS-150 information. Under the “Existing Registration Updates” section, choose the first option – “I need to update my USDOT number registration information or file my biennial update.” ▲



Employers Required to Use New Form I-9 Beginning May 7, 2013

The Department of Homeland Security, U.S. Citizenship & Immigration Services (USCIS), has issued a new Form I-9 that all employers must begin using no later than May 7, 2013 to verify the identity and employment authorization of job applicants in the U.S.

Employers are not required to complete a new Form I-9 for current employees if a properly completed Form I-9 is already on file.

On or after May 7, 2013, however, employers must use the new Form I-9, which contains notation of the revision date (03/08/13) in the lower left-hand corner of the form.

Additional information and a downloadable form are available at www.uscis.gov. ▲

FMCSA Again Refuses to Delay July 1 Hours of Service Effective Date – Fleets Should Start HOS Training & Preparation Now

Recently, at the Mid-America Truck Show, FMCSA Administrator Anne Ferro again communicated that FMCSA would not delay the July 1 effective date of its HOS rule until after the D.C. Circuit has ruled on ATA's (and other groups') pending challenges to the new rule. Ferro's latest denial was in response to two separate Congressional letters seeking a reasonable 3-month delay, consistent with ATA's earlier request. This second short-sighted response by FMCSA means that carriers, shippers, and FMCSA-funded State enforcement agencies will need to spend time and money on training and adapting systems to a rule whose final form will not be certain until the court issues its decision.

While ATA remains hopeful for a favorable Court decision, we encourage ATA member fleets, and the broader trucking industry, to begin preparations for a July 1 implementation date of the new restart and rest break requirements. Click here for an ATA summary of the Dec. 2011 rules <http://www.trucking.org/Miscellaneous%20Documents/HOS%20-%20Dec%202011%20FINAL%20ATA%20Summary%20of%20Final%20HOS%20Rules%20Rev%202013.pdf> and here <http://www.trucking.org/Miscellaneous%20Documents/HOS%20-%202-way%20comparison%20chart%20current%20and%20Dec%202011%20rule.pdf> for a chart comparing these HOS rules with those in existence since 2005. ▲

Drug and Alcohol Clearinghouse Rule goes to White House for Approval

A rule that would establish a database of CDL holders who have returned positive drug and alcohol test results was sent to the White House's Office of Management and Budget for final approval last week. The Federal Motor Carrier Safety Administration sent the rule to the OMB March 26, and the rule essentially puts the onus on fleets, as per the proposed requirements, fleets would have to report all positive test results and refusals - which are also recorded in the clearinghouse - to FMCSA and its clearinghouse. ▲

FMCSA Will Miss Deadline for ELD Rule

The Federal Motor Carrier Safety Administration will miss an October deadline set by Congress to mandate electronic logging devices in all trucks, according to Administrator Anne Ferro.

Instead, the agency will publish a supplemental notice of proposed rulemaking for the mandate in September, and the mandate itself will likely be finalized a year later, Ferro said during a chat at the Mid-America Trucking Show late last month. The requirement will probably be implemented in 2016.

That timeframe is later than what Congress asked for in MAP-21, last year's transportation funding law, which called for the regulation to be finalized by Oct. 1 and to take effect two years later.

"I am really driven to move this rule out. So September, for sure, you will see a supplemental notice," Ferro said.

Ferro said the timeline for finalizing the rule in late 2014 and making it effective in late 2016 is "optimistic," since the rulemaking process is lengthy.

After President Obama signed MAP-21 in July, FMCSA said it expected it could meet the October deadline.

But while speaking with reporters at MATS, Ferro said MAP-21 added some "additional clarification" about what FMCSA must do with the regulation. Incorporating that has slowed down the process, which caused FMCSA to miss its stated goal to publish the revised proposal in March, she said.

Representatives of the House and Senate committees that oversee transport and wrote MAP-21 did not reply to queries from Transport Topics.

After the new proposal is released, the agency will allow the public to comment on it for at least 90 days.

Rob Abbott, vice president of safety policy at American Trucking Associations, said the new timeline is not a surprise.

"We never expected or anticipated that the agency would be able to issue a final rule by this October," he said.

Abbott said the September timeframe for the new proposal is "realistic." But since that date has been delayed before, it could be pushed back further, he said.

In 2010, FMCSA first issued a rule requiring trucking companies with a history of hours-of-service violations to use electronic logging devices. That would have taken effect in June 2012.

The next year, the agency proposed requiring ELDs, which it called electronic onboard recorders at the time, for all companies that were using paper logbooks. But months later, the U.S. Court of Appeals for the 7th Circuit overturned the 2010 rule, saying the agency did not meet a statutory obligation to ensure that the devices could not be used to harass drivers.

The universal mandate used the same technical specifications as the one overturned in court, so in 2012, FMCSA rescinded its proposal and vowed to reissue a rule that complied with the court ruling. Later that year, Congress mandated the regulation in MAP-21.

Writing a rule that stands up to court scrutiny is of paramount importance to FMCSA, Ferro said.

"It's got to withstand any legal challenges; it's very important," she said.

The driver harassment issue is just one of the major aspects FMCSA must consider in its new proposal, ATA's Abbott said. It also must settle some issues that ELD manufacturers identified with certifications of the devices and their communication and security, he said.

FMCSA has held several listening sessions to gather input from drivers and carriers on the harassment issue. In December, it said it would conduct a survey of drivers on the issue, but it has not yet submitted a request for the research to the White House Office of Management and Budget. ▲



FMCSA Extends Compliance Date on New Tank Truck Definition by One Year

On March 25, 2013, FMCSA issued a final rule modifying the May 2011 rule that changed the definition of a tank vehicle. These modifications did not include action on ATA's petition to change the definition of a tank vehicle. However, because of these modifications, FMCSA has extended the compliance date for all states to comply with all portions of the May 2011 rule by one year until July 8, 2015. This means that although states can enforce the new definition of a tank vehicle now, they do not have to for another year. FMCSA has indicated that it will publish a Notice of Proposed Rulemaking on the tank vehicle definition in the second quarter of 2013. ▲

Impact of Proposed Food Safety Rules Remains Unknown

In January the FDA released its proposed Food Safety Modernization Act regulation, but the law's impact on the food transportation industry is still uncertain. Jon Samson, executive director of ATA's Agricultural and Food Transporters Conference said that, "manufacturers and shippers are looking at traceability, but there is still not a lot of focus on the carrier side. A shift, or at least a strengthening of traceability from point A to point B as it relates to carriers, is likely." To read more about this issue, go to: <http://www.thepacker.com/fruit-vegetable-news/marketing-profiles/Transportation-impact-of-food-safety-rules-unknown-199589801.html>. ▲

ATA Testifies to House Small Business Committee on Tax Reform

On April 8, ATA submitted a [letter for the record](#) at a hearing held by the Small Business Committee of the U.S. House of Representatives. The hearing concerned the efforts under way to reform the federal tax system. ATA underlined its commitment to the interests of small businesses, since most trucking companies are small. ATA stated that in the industry's view tax reform must include changes at both the corporate and individual levels, in part because such a large proportion of American businesses are now organized as pass-through entities for tax purposes. Tax reform should result in reductions in tax rates, which are in themselves uncompetitive, and on the other hand, certain existing tax breaks will have to be given up in return. Equally important, any reform worthy of the name must result in wholesale simplification of the federal tax code, something ATA has seen little sign of yet. ▲

U.S. Coast Guard/Department of Homeland Security Issue Proposed Rule on TWIC Reader

On Friday, March 22, the U.S. Coast Guard issued a Notice of Proposed Rulemaking in the *Federal Register* regarding the long awaited Transportation Worker Identification Credential (TWIC) reader requirements. Comments to the NPRM are due to Coast Guard by May 21, 2013. ATA staff will review the notice and prepare comments as appropriate, focusing primarily in eliminating or reducing any potential delays to enter such facilities due to additional steps or requirements for commercial driver. ▲

Obama Budget Calls for Transportation Funding Increase

President Obama on Wednesday called for transportation budget increases of 5.5% in 2014 and 25% in 2015, though the president was criticized by the trucking industry for not providing adequate detail on how the increases would be funded. The president said the 25% increase in 2015 would be funded by savings that will result from winding down the two overseas wars in Iraq and Afghanistan. Obama also reiterated an earlier call he made for an additional, immediate \$50 billion in spending to upgrade infrastructure and create jobs. Deputy Transportation Secretary John Porcari said that spending would be paid for by budget offsets. ▲

~ Transport Topics ~

TWIC's now Coming Up for the 5-Year Renewal

The Transportation Security Administration (TSA) is offering a 3-year renewal or you can go through the entire process again for the 5-year renewal. Visit the TSA website for details: http://www.tsa.gov/sites/default/files/publications/pdf/twic/twic_expiration_policy.pdf. TSA is recommending that TWICs be renewed within 4 months of their expiration date but start soon within the four month period. STAs and ATA members are reporting situations where several drivers that did not renew on time and are waiting for their new card have been BANNED from a port. For example, the Port Authority of NY and NJ will only accept valid cards. Drivers should not wait too long to apply before their original cards expire or they might be denied access to secure areas of maritime facilities. ▲

DHS Publishes Proposed Access Requirements for Chemical Facilities

The Department of Homeland Security's Infrastructure Security Compliance Division (ISCD) has published proposed background check requirements for unescorted access to chemical facilities regulated by the Chemical Facility Anti-Terrorism Standards (CFATS). Drivers will require a separate background check for each facility visited. Unfortunately, ISCD ignored ATA and other industry groups' advice and for using the background checks on a TWIC card, FAST card, or a hazmat endorsement on a CDL to bypass a CFATS background check. ISCD proposes allowing using the background checks on the cards, but only if the drivers submit twice as much information as do those individuals having their background checked without a TWIC, HME, or FAST. ATA will continue to advocate for accepting pre-existing DHS issued background checks to enter chemical facilities. On a somewhat positive note, ISCD has agreed to accept TWIC cards without performing another background check, but only if the facility chooses to install a TWIC reader. Comments on the proposal are due by May 21, 2013. ▲



Say Goodbye to Hotmail

Many Hotmail users soon realized they were on borrowed time after Microsoft's rollout last August of Outlook.com. Microsoft is now in the process of moving more than 300 million Hotmail users over to the new email service by the end of summer – still allowing users to keep their Hotmail email addresses, as well as Live.com or MSN.com email addresses. Outlook.com features are to include a Skype video calls mode and a calendar.

Time magazine reports that once the migration from Hotmail is complete, Outlook.com will have hundreds of millions of users, giving it the same sort of massive scale as Gmail, at 425 million users and Yahoo Mail with 281 million users. ▲

Truck Makers Issue Recall Notices for Light, Battery, Wheel Issues

Leading truck manufacturers reported recalls to the National Highway Traffic Safety Administration.

Daimler Trucks North America will recall nearly 43,000 Freightliner Cascadias from the 2013 and 2014 model years to fix software that could cause daytime running lights, which also function as turn signals, to turn off unexpectedly when the turn signal is deactivated.

Volvo Trucks North America recalled 5,207 VHD, VNL and VNM models from the 2012 through 2014 model years to repair a battery disconnect switch that could catch fire. Its March 27 filing included two reports of fires linked to incorrect hardware installed on a horizontally mounted battery disconnect switch.

Navistar International Corp. said it is recalling 1,646 ProStar tractors due to a potential wheel problem. The recall covers model year 2013 ProStars with PreSet Plus hubs, Navistar said in a March 20 report. Axle bearings retaining nut lock snap rings may not have been installed or may have been installed incorrectly, the report said. ▲

~ Transport Topics ~

NHTSA Cites Widespread Use of Electronic Devices by Drivers

At any given daylight moment, about 660,000 drivers are using a cellphone or manipulating an electronic device, according to the National Highway Traffic Safety Administration (NHTSA). The figure has held steady since 2010 despite the fact that more than 3,300 people were killed and 387,000 were injured in crashes involving a distracted driver in 2011, according to NHTSA. ▲

~ Transport Topics ~

Mobile Weighing: Onboard Scales Extend Load Weight Info beyond Drivers

Weight is an important variable for carriers that transport bulk and refrigerated commodities. It has a measurable impact on revenue, cost, compliance and safety. Equipping a fleet with onboard load scales gives drivers a quick way to ensure the payload is legal and optimized before leaving the pickup location. Onboard scales come in both mechanical and electronic configurations. Both display the on-ground weight of a tractor, trailer and combination vehicle, but electronic scales also can send information to the office, where it can be integrated with billing and other processes. Electronic weighing remains in its infancy but is gaining traction. ▲

Hiring Fraud perpetuated on Drivers and CDL Training Schools

FMCSA is warning the trucking industry of attempts which have been made to defraud CDL drivers seeking employment and CDL Training schools who are attempting to help students find jobs. The fraudster promises employment in return for monetary payments to fraudulent "recruiters."

The way it works: A caller represents himself or herself as being a recruiter for a known and legitimate motor carrier to a representative of a truck driving school or driver. The caller has an air of urgency and "must hire" several CDL holders immediately or as soon as a student graduates from Driver Training and receives his or her CDL. The fraudster is also known to solicit truck driving school instructors to provide his or her call back number to trainees or recent graduates from truck driving schools.

When a driver seeking employment calls the "recruiter" he or she is offered an immediate position with pay and benefits higher than the industry norm for a new driver and is often told there will be a "waiver" for previous criminal or DUI convictions older than three to five years.

The caller then tells the driver candidate he or she must prove financial solvency to the carrier by sending a wire transfer of \$350 or more to the "recruiter." Recently the "wire transfer" instructions were to procure a Walmart money transfer purchased at the closest Walmart store and sent to the "recruiter" for pick-up at another Walmart store, usually in another state. Past fraudulent "recruiters" have directed money transfers through other common money transfer services such as Western Union.

Victims are directed to travel to a location, often in a state other than his or her residence, to be picked up by a company trainer and the pick-up does not occur.

The FMCSA is advising that drivers and driver training schools telephone the publicly listed telephone number of the motor carrier offering employment and verify the recruiter is a duly authorized representative of the carrier. ▲

Commercial Drivers Asked to Weigh In on CSA

On March 27, the American Transportation Research Institute (ATRI) launched its third annual commercial driver survey to identify CSA impacts on trucking operations, as well as driver perceptions and attitudes toward FMCSA's maturing regulatory program. This survey, which specifically seeks commercial driver input, will be compared and contrasted with data collected in 2011 and 2012. The brief on-line survey asks drivers for information on how their perceptions of CSA have changed or been affected as CSA continues its third full year of measuring commercial driver and motor carrier safety performance. Drivers are encouraged to provide confidential input on CSA through ATRI's survey, available online at www.atri-online.org. The survey will be open until May 17 and the aggregated and anonymized results of the survey will be available later this year. ▲

For-Hire Motor Carriers Asked to Participate in Operational Costs Survey

The American Transportation Research Institute (ATRI) has launched a survey to update the 2012 Operational Costs of Trucking report. The brief on-line survey seeks to capture basic cost information from for-hire carriers such as driver pay, fuel costs, insurance premiums and lease or purchase payments. The results of this survey, combined with the previous Operational Costs of Trucking reports, will yield five full years (2008 – 2012) of trucking cost information derived directly from fleet operations. This research will provide carriers with an important high-level benchmarking tool and government agencies with real world data for future infrastructure improvement analyses. The operational cost data that for-hire motor carriers provide will be kept strictly confidential. The survey is available online at www.atri-online.org and results will be available later this year. Contact Dan Murray at dmurray@trucking.org. ▲

March 2013 Owner-Operator Alert Available

The March 2013 Owner-Operator Classification Alert, covering legislative issues through March 31, 2013, is now available to ATA members on the ATA website. The Alert provides an overview of federal and state legislative and administrative proposals that would impact independent contractor classification if enacted. Highlights in the March Alert include Connecticut, Illinois, and Massachusetts bills that would create owner-operator exemptions; Kentucky, Rhode Island, New York, Washington, and Vermont bills that would establish narrower independent contractor criteria; New Jersey bills that would create an employee presumption for drayage and delivery drivers; a Nevada bill that would establish administrative penalties for employee misclassification; and a New Hampshire bill that would permit businesses to bring misclassification claims against other businesses in the same trade. ▲

FMCSA Says Alabama Cannot Enforce Law Requiring Certification to Secure Metal Coils

An Alabama law requiring that truck drivers transporting metal coil in the state be certified in how to secure such a load conflicts with federal law and cannot be enforced, the Federal Motor Carrier Safety Administration has ruled.

FMCSA said that Alabama's Metal Coil Securement Act of 2009 could only stand if it improves safety and doesn't place an unreasonable burden on interstate commerce.

After the 2009 law was passed, Alabama's Department of Public Safety wrote regulations mandating a \$25 course and test about federal requirements for securing metal coils, which are massive rolls of sheet metal usually tied to a flatbed trailer. It also required such drivers to carry certificates verifying they passed the tests.

American Trucking Associations asked FMCSA in December 2010 to rule that federal law preempts Alabama's law because Alabama's law is stricter than the federal ones.

Alabama later repealed the requirement to carry a certificate, but the other requirements still stood. ATA later estimated that the law, even without the certificate provision, would cost the trucking industry \$1.75 billion for training (1-30-12, p.22).

ATA was glad to see FMCSA agree with its position, Bob Pitcher, vice president of state laws for the group, said of the recent FMCSA ruling. It takes a major burden off the backs of carriers who are either based in Alabama or travel through it, he said. ▲

~ Transport Topics ~

CARB Grants Extension for Open-Shoulder Retreads

The California Air Resources Board (CARB) announced it will continue to allow the installation of non-SmartWay verified open-shoulder drive retreads through the end of 2013.

American Trucking Associations sought this exemption to enable fleets that use open-shoulder drive tires to continue to purchase retreads; as SmartWay verified open-shoulder tires are currently available only as new tires.

CARB requires that when new tires or retreads are installed on tractors that pull 53-foot box-type trailers in California, they need to be SmartWay-verified products. Existing non-SmartWay tires and retreads can be worn out on these tractors. ▲

Idaho Enacts Motor Carrier Anti-Indemnification

On March 15, Governor Otter of Idaho signed into law House Bill 168, 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. Idaho becomes the thirty-seventh state to enact such legislation, which has spread very quickly. The governor will hold a ceremonial signing of the bill today. The enactment of anti-indemnification measures is a focus area for the ATA Insurance Task Force, which has funded a number of state trucking association efforts to obtain anti-indemnification laws in their states. Our congratulations to the Idaho Trucking Association and to its president, Kathy Fowers! ▲



Idaho Adopts 129,000-pound Truck Weight Limit

On July 1, Idaho will permanently adopt a pilot project allowing 129,000 pound trucks on some roads and will consider permitting these trucks on additional roadways. Gov. Butch Otter signed a measure that will continue allowing trucks weighing up to 129,000 on 35 Southern Idaho roads. The state transportation department concluded the higher weights did not significantly impact roads and trucking companies said it saved costs. ▲

Indiana: I-69 Sinking

A state highway official says repairs will be made this spring to a section of newly opened Interstate 69 in southwestern Indiana, where the pavement has sunk several inches.

Indiana Department of Transportation spokesman Will Wingfield recently told the Evansville Courier & Press that crews will make repairs to a 250-foot stretch of I-69 in late April or early May. The sinking portion was built atop a recently mined coal mine.

Wingfield says the repairs are scheduled for the spring because that's when temperatures will rise enough for paving work.

The repairs will unfold as Indiana prepares to close out its contracts with construction companies that built the 67-mile highway that opened in November. That section is the first half of a 142-mile highway slated to run from Evansville to Indianapolis. ▲

~ Transport Topics ~

Indiana Offers UCRA App

On February 28, 2013, the Indiana Department of Revenue, which operates the national system for carriers to register with and pay the fees for the Unified Carrier Registration Agreement (visit www.ucr.in.gov) announced a new mobile phone application that will let carriers perform these functions from their mobile phones.

It is not necessary to download an app. Upon visiting the website above, the system will automatically default to its mobile-phone mode. ▲

~ State Laws Newsletter ~

Iowa: Traffic Cameras

Iowa lawmakers have decided not to change state law dealing with traffic cameras that ticket motorists for speeding or running red lights.

The chairman of the House Transportation Committee decided March 6 against allowing a vote on a measure introduced by Rep. Walt Rogers (R).

The proposal would have required cities and counties to get a permit from the Department of Transportation before installing new traffic cameras. Local governments also would have needed to justify existing cameras by submitting traffic data to the department.

The transportation committee chairman Rep. Joshua Byrnes (R), said he killed the bill because it lacked input from city leaders and support in the Senate.

Steve Gent, the transportation department's director of traffic and safety expressed disappointment, saying the bill followed agency guidelines. ▲

~ Transport Topics ~

Texas High Speed Toll Road Traffic Lower Than Expected

The Texas toll road with the country's fastest speed limit, 85 mph, has drawn half as many drivers as expected in its first few months, the San Antonio Express-News reported. The numbers are low enough on the toll road, Texas 130, to threaten the credit rating of the private company that built the road, according to the paper. Moody's Investor Service announced it is investigating a possible downgrade and said that although the operating history of the toll road is limited, the shortfall was significant enough that the credit rating warrants a review, the paper said. ▲

~ Transport Topics ~

U.S., Canada Implement New Inspection Pilot Program

The United States and Canada have inked a deal to implement a pilot project in which truck cargo heading into the U.S. will be pre-inspected in Canada before crossing the border. The U.S. and Canada have agreed to a Memorandum of Understanding — signed in the middle of last month — to let customs officials from the U.S. have a preclearance area in Canada to perform primary inspection activities for trucks and drivers looking to come into the U.S. ▲



CSA: Know the BASICS - DVD Training

This all-new program provides an overview of the FMCSA's Compliance, Safety, Accountability program and a brief discussion of where the data used in CSA comes from. Helps drivers understand what CSA is and what it means to them and their carrier, including FMCSA interventions; covers the seven BASICS.

27677 - \$325.00 each

CSA: Know the BASICS - Driver Handbook

Reviews concepts learned in the CSA: Know the BASICS training program. Provides a handy CSA resource for drivers during or after training for better retention of material covered; includes 10-question quiz to aid in understanding and retention; and features driver receipt page to serve as a record that drivers were trained. Softbound, 24 pages.

27685 - 1-9 \$4.00 each
10-24 \$3.60 each
25-49 \$3.25 each
50-99 \$2.75 each

Contact MoTA to place your order:

Phone: (573) 634-3388 Fax: (573) 634-4197

Email: darla@motrucking.org

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

WE build CONFIDENCE

It's not just your truck; it's your livelihood. And when you trust it to take care of you, you need someone you can trust taking care of it. That's where we come in. At Inland, each component we remanufacture, each repair we perform, and each part we recommend all have one thing in common – our commitment to keeping you on the road. That's how we build confidence.

Columbia • (800) 922-2308

Kansas City • (800) 892-5806

Springfield • (800) 884-8061

St. Charles • (800) 416-3965

*Truck service not
at this location.*



inlandtruck.com