



## New Members

### Canal Insurance

400 East Stone Avenue  
Greenville, SC 29602  
Ms. Ashley Ballard  
(864) 452-6911

### JP Transport LLC

3897 State Hwy OO  
Marshfield, MO 65706  
Mr. Eric Glidewell  
(417) 838-0172

### Pressure Systems International

3023 Interstate Drive  
San Antonio, TX 78219  
Mr. Mike Niemeyer  
(210) 222-1926

*Welcome  
New Members!*

## President's Message

Thank you to all who attended the Annual Conference at Chateau on the Lake! We had a great turnout overall and good attendance at all of our sessions. If you have not yet responded to the conference survey, please take a few minutes to do so. We appreciate your feedback, even if you were unable to attend.

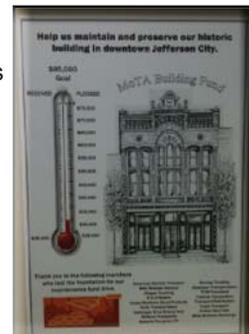


During the conference, we had a bit of fun honoring contributors to the building fund. If you have not yet contributed to the building fund, there is still time and still a great need.



Due to the early fundraising success, weather and timing for lack of bee activity, we began our work nearly a month ago on the front of the building. As you can imagine with

work on an historic and aging property, the work is detailed and time consuming. And full of surprises! Although we knew we were going to be removing a bee hive, we were surprised at the size of the hive - workers removed over 50 pounds of honeycomb!



We are attempting to have fun with the situation, and have received some good natured press coverage of our plight with the bees and honey. But the need to raise funds, and repair our aging beauty of a building is real. We have needs beyond the front facade, and our goal is to raise \$85,000 to fund work on the interior as well as exterior of the building. Interior work will include new carpeting, some painting, repair and replacement of some office chairs, and new association management software.

Thank you in advance for your generosity! It is appreciated and greatly needed at this time.



*MissouriMemo  
September/October 2013*

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See ad attached . . .

### 2014 MoTA Meeting Dates

- April 23 & 24 ~** Safety & Maintenance Conference & Expo & SuperTech Competition  
Hilton Convention Center  
Branson, Missouri
- June 6 & 7 ~** Truck Driving Championships  
DoubleTree  
Chesterfield, Missouri
- June 25 ~** Sitton-Babcock PAC Golf Tournament  
Old Kinderhook Golf Club  
Camdenton, Missouri
- Sept. 16-18 ~** MoTA Annual Convention  
Big Bear Lodge  
Ridgedale, Missouri



## ATA Launches Brief Survey Regarding Drivers; Motor Carriers Urged to Participate

ATA is conducting a very short online motor carrier survey regarding drivers. The results of this survey will be presented by Senior Vice President Dave Osiecki and Chief Economist Bob Costello at ATA's Management Conference & Exhibition in Orlando on Tuesday, Oct. 22, during the General Session "All about the Driver". The survey is short and confidential. Fleet participants can also get the results of the survey by providing an email address, which is optional. For-hire and private motor carrier members of ATA are strongly encouraged to participate by going <https://www.surveymonkey.com/s/BFQHNPB>. ▲

## UCRA Registration Now Open

The season for motor carriers and other entities covered under the Unified Carrier Registration Agreement to register for 2014 and pay the associated UCR fees began October 1, 2013. That's the date recommended to the states by the UCR Board of Directors to begin accepting next year's fees.

Most states were expected to be ready to do so by the October 1 date, as was the national UCR system run by the Indiana Department of Revenue.

The UCR Board recommended that the states begin roadside enforcement of payment of the UCR on January 1, 2014, and it is expected that most states will do so on or soon after that date.

The fees for 2014 will be the same as they have been for the past several years, and it seems likely that the 2015 fees will also be the same.

It is reported that 2012 is the first year in which the total collected under the UCR program will exceed \$100 million (a figure achieved late last month or early this, owing to late collections), and 2013 collections are also expected to exceed \$100 million.

For more information, or to register, go to [www.ucr.in.gov](http://www.ucr.in.gov). ▲

~ State Laws Newsletter ~

## ATRI Seeks Truck Driver Input on HOS Impacts

The American Transportation Research Institute (ATRI) has initiated the second phase of data collection on impacts from the recent changes to the Hours-of-Service rules, which went into effect July 1, 2013. ATRI is asking commercial drivers to provide input on the changes through a confidential online survey available on its website, [www.atri-online.org](http://www.atri-online.org).

The survey asks drivers about impacts related to miles, pay and on-duty hours since the changes to the 34-hour restart (requirement of two periods between 1:00 and 5:00 a.m. and the limit of one restart per 7-day/168-hour time period) and the addition of the 30-minute rest break. ATRI will also initiate data collection from motor carriers to quantify productivity impacts resulting from the rules changes. ▲

## Federal Court Rules in Broker Bond Case

The U.S. District Court for the Western District of Virginia has held that a bonding company was not entitled for its legal fees to be paid out of the proceeds of a bond posted by a transportation broker that had failed to pay its customers. The bond in this case, in the amount of \$10,000, had been posted pursuant to federal law by a broker that subsequently defaulted. Two motor carriers, claiming a total of more than \$20,000, filed requests with the court to disburse the bond proceeds appropriately. The bonding company filed an interpleader motion asking that its legal fees, in the sum of \$2,000, also be paid out of the bond. The court denied this claim. It pointed out that federal law required the bond for a specific purpose, which would not be furthered if the proceeds were diminished in this way. The court noted too that the bonding company could proceed against the broker to recover its costs. *Cincinnati Casualty Co. v. TMO Global Logistics, LLC, et al.*, docket no. 3:12CV00059, decided September 24, 2013 ▲

## ATA Management Conference & Exhibition

October 19-22, 2013

Registration is Still Open!

Room reservations at the Orlando World Center Marriott are no longer available. Instead, overflow rooms are available at the Courtyards Orlando Lake Buena Vista in the Marriott Village. Call (888) 789-3090 and state that you are with the 2013 ATA Management Conference to get the discounted rate. Transportation will be provided between the Courtyard Orlando and the Orlando World Center Marriott.

See attached flyer. To register online, go to <http://mce.trucking.org>. For more information, download the conference brochure at [http://www.emagcloud.com/ata/2013\\_MCE\\_Brochure/index.html#/1/](http://www.emagcloud.com/ata/2013_MCE_Brochure/index.html#/1/). ▲

## Member Cancellations October 2013

Name of Company	Class	Dues
G S Robins & Company	For Hire	\$385.00
Neosho Box & Wood Products	Private	\$300.00
Twenter Trucking LLC	For Hire	\$302.50

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Convention Wrap-up  
Bendix Advertising Flyer  
ATA MC&E Conference Flyer

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## Federal Tax Benefits Expiring With 2013

Federal bonus depreciation is due to expire at the end of calendar 2013, and the amount of equipment which businesses may expense is due to shrink significantly at the same time. Bonus depreciation allows businesses to write off 50 percent of new assets placed in service this year, including rolling stock.

Congress is unlikely to extend this provision before 2013 is over, and may not see fit to reenact it in the future. Businesses are also currently permitted to expense (that is, write off completely in the year of purchase) up to \$500,000 of assets put into service during 2013, although this benefit phases out to the extent the business's total of new assets exceeds \$2 million.

Next year, the cap on such expensing will be reduced to less than \$150,000, with the phase-out beginning at a correspondingly lower amount of total expense. ▲

~ State Laws Newsletter ~

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## FMCSA Provides Brokers Extra Time to File Increased Bond Paperwork

The Federal Motor Carrier Safety Administration said it will provide additional time for freight brokers to supply proof they've increased their minimum surety bonds to \$75,000 from \$10,000.

FMCSA said in a Federal Register notice it was providing what it called "a 60-day phase-in period to allow the industry to complete all necessary filings" to comply with the law scheduled to take effect Oct. 1.

Bond companies that file the proof-of-purchase forms on behalf of brokers are not yet able to file paperwork because FMCSA's online system is not yet able to process the information.

"The current filing system will be updated to accept the \$75,000 requirement by Oct. 1," FMCSA spokeswoman Marissa Padilla said in a statement.

Padilla also said brokers are still required to have the new bond minimum in place by Oct. 1.

FMCSA said that it will begin sending notifications Nov. 1 to brokers who have not met the deadline for the bond or supplied proof of purchase.

The agency said it would begin revoking freight forwarder and broker operating authority registrations 30 days after the notices are mailed out. ▲

~ Transport Topics ~

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## Foxx says FMCSA to Miss Deadline for Completing HOS Restart Study

U.S. Transportation Secretary Anthony Foxx said recently that federal regulators will not meet a Sept. 30 deadline to send a congressionally mandated field study of changes to the restart provisions in the agency's 2011 hours-of-service rule.

Foxx said the Federal Motor Carrier Safety Administration finished collecting data for the study in July and will submit the study to Congress once the agency completes a "robust and thorough analysis."

"As a result, at this time I cannot predict the date on which the full report will be completed and submitted to Congress, but I assure you that we are working as expeditiously as possible," Foxx said in a Sept. 18 response letter to Rep. Richard Hanna (R-N.Y.).

The restart study, mandated in last year's MAP-21 highway funding law, will address the "efficacy" of the restart provision included in the agency's 2011 HOS rule. ▲

~ Transport Topics ~

## ATA Applauds Introduction of Sleep Apnea Legislation

American Trucking Associations recently applauded Reps. Larry Bucshon (R-Ind.) and Dan Lipinski (D-Ill.) for introducing legislation to ensure that if the federal government sets standards for sleep apnea screening and testing of professional truck and bus drivers, those standards are established through an informed rulemaking process.

"ATA believes that if the Federal Motor Carrier Safety Administration wants to regulate sleep apnea, it should do so through the normal, established regulatory process rather than through informal guidance," said ATA President and CEO Bill Graves. "The rulemaking process allows for medical experts, the regulated community, including professional drivers, to provide valuable data and input for the agency to consider in developing its regulations. A formal rulemaking will also require an analysis of the benefits and costs of regulating sleep apnea, an analysis not required for the issuance of guidance."

FMCSA officials have indicated they intend to issue guidance as a means of quickly addressing sleep apnea in the professional driver population.

"This is not an insignificant step," Graves said. "There are more than 3 million professional truck drivers and the cost of screening, diagnosis and treatment for sleep apnea could easily exceed \$1 billion annually. Taking a step as potentially costly as that shouldn't be undertaken lightly and outside of the normal processes."

Bucshon and Lipinski's bill is also supported by the Owner-Operator Independent Drivers Association, the American Bus Association, the United Motorcoach Association, the National School Transportation Association and the United Brotherhood of Teamsters. ▲

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## FMCSA Withdraws Proposed Entry-Level Driver Training Rule

On Sept. 19, the Federal Motor Carrier Safety Administration issued a notice withdrawing its 2007 proposed Entry-Level Driving Training (ELDT) rule. FMCSA withdrew the rule in response to public opposition to the agency's planned curriculum, especially the proposed requirements that driver training curricula contain a minimum number of hours and that driver training schools be accredited.

However, MAP-21 requires FMCSA to promulgate an ELDT rule. MAP-21 requires FMCSA to issue a rule that addresses the knowledge and skills necessary to operate a commercial motor vehicle and to obtain a hazardous materials or passenger endorsement on a CDL. FMCSA must also create a system for driver training schools to certify that their training and students meet federal ELDT requirements.

FMCSA recently tasked the Motor Carrier Safety Advisory Committee (MCSAC) with developing recommendations for a new ELDT rule.

On June 17, the MCSAC released its recommendations to the agency. ATA expects these recommendations will form the basis of the future ELDT rulemaking. ▲



## FMCSA Issues Proposed Rule on Tank Truck Definition Affecting Portable Tanks

On Sept. 26, the Federal Motor Carrier Safety Administration (FMCSA) published a notice of proposed rulemaking to modify its definition of a tank vehicle. FMCSA published the proposed rule in response to an ATA petition. In May 2011, FMCSA had published a new definition of a tank vehicle that considered all trucks hauling bulk tanks of any kind with an aggregate capacity of 1,000 gallons or more, including portable containers, as tank trucks whose drivers would require the endorsement.

ATA's petition suggested FMCSA consider only permanently attached tanks that meet this more stringent criteria while excluding portable tanks with an individual capacity of less than 1,000 gallons. States do not have to enforce FMCSA's May 2011 definition until July 2015, and very few states have adopted it, preferring to conserve training resources for the results of this anticipated proposed rule.

The present rulemaking proposes to officially exclude portable tanks with a capacity of 1,000 gallons or less that are manifested as being either 'empty' or 'residue' but provides no other relief. ATA will submit comments showing that trucks carrying portable tanks present no safety risk greater than standard van-bodied trucks and should be regulated as such. ▲

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## PHMSA Issues Final Package Opening Authority Rule

On Oct. 2, 2013, the Pipeline & Hazardous Materials Safety Administration (PHMSA) issued a final rule, effective Nov. 1, clarifying the authority of its agents to open in-transit hazmat (HM) packages. This authority applies only to PHMSA agents, not state roadside or FMCSA enforcement officials. ATA has long advocated that inspectors should not open these packages in transit, due to safety concerns. PHMSA agents will open only packages that appear to violate the HM regulations and only as a last resort. PHMSA is also now requiring its inspectors to notify both the shipper and the carrier when a package is being opened. ▲

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## PHMSA Proposes Rule to Strip Carriers with Overdue Civil Penalties of Operating Authority

On Sept. 24, 2013, the Pipeline & Hazardous Materials Safety Administration (PHMSA) issued a proposed rule that would strip carriers of their operating authority for transporting hazmat if they have unpaid civil penalties for hazardous materials transportation violations that are more than 90 days overdue. PHMSA is required to issue this regulation as part of Congress' 2012 amendments to the Hazardous Materials Transportation Act. Carriers in Chapter 11 bankruptcy are excluded by statute. But, PHMSA proposes to strip operating authority from carriers that are appealing an agency civil penalty in court, unless the court grants a motion to stay the penalty's applicability pending the court's resolution of the case. ATA does not support this provision and plans to submit comments to this effect. ▲

## IRS, DOL, Post Information on Health Care

The Internal Revenue Service has a very significant role in the administration of the federal health-care reform program. IRS has recently been putting out a series of regulations to implement the new act, as well as guidance on how affected parties are to deal with issues arising out of the series of postponements by the Administration of the effective date of various components of the law. General information, with links to at least some of the regulations and guidance may be found at the IRS site here: <http://www.irs.gov/uac/Affordable-Care-Act-Tax-Provisions-Home>. The site includes a link to information on the new PCORI fee, which was first due from employers at the end of July this year. The U.S. Department of Labor, which is also involved in implementing the new health-care system, has a special webpage on it as well, with more information on employer requirements. It's here: <http://www.dol.gov/ebsa/healthreform/>. ▲

~ State Laws Newsletter ~

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## FMCSA Again Delays Carrier-Fitness Rule and Estimates New Deadline in Mid-April

The Federal Motor Carrier Safety Administration said it again has delayed its proposed carrier-safety fitness determination rule, this time until mid-April.

The fitness rule will explain the methodology for how the agency will use a carrier's performance within the Compliance, Safety, Accountability program to decide whether the carrier is rated satisfactory, conditional or unsatisfactory.

The proposed rule has been delayed numerous times. Last year, FMCSA had suggested it would be issued in March 2013.

However, FMCSA previously attributed the delays to "additional coordination necessary, awaiting development of additional data, and unanticipated issues requiring further analysis."

Although FMCSA officials have not yet discussed details of the fitness rule, they have said safety audits no longer will be required to rate a carrier unsatisfactory.

Officials also have said that when the CSA program is fully implemented, ratings can be based solely on CSA data – not requiring an on-site safety audit. At an FMCSA advisory CSA subcommittee meeting earlier last month, Bill Quade, associate administrator for enforcement, hinted that bad scores in multiple Behavioral Analysis and Safety Improvement Categories, or BASICs, could be reason alone to put a carrier out of business.

In congressional testimony last year, FMCSA Administrator Anne Ferro said the safety-fitness determination proposal would be designed to replace the current labor-intensive process in which the agency may propose and issue a safety rating only following an on-site comprehensive review investigation of a carrier.

In a January memo to DOT, the Inspector General's Office said it was opening a congressionally requested audit of the CSA program. It sought to determine if the program has adequate controls to ensure it was using quality data to evaluate carrier performance, and analyze the effectiveness of CSA enforcement interventions.

The Inspector General's Office said it would coordinate with the GAO's ongoing review of "CSA's identification of the highest-risk carriers" to avoid duplication of work. ▲

~ Transport Topics ~



## CARB Seeks Waiver for Aerodynamics Regulation

The California Air Resources Board (CARB) has asked the U.S. Environmental Protection Agency (EPA) to waive federal preemption of emission standards for new equipment under its Tractor-Trailer Greenhouse Gas (GHG) Regulation. Specifically, CARB is requesting approval of aerodynamic requirements affecting 2011-2013 model year sleeper cab tractors and 2011 and newer 53-foot or longer box-type dry van and refrigerated trailers. This request effectively delays enforcement of these requirements until a waiver has been granted. EPA has virtually never denied California a waiver request including more recent requests to implement motor vehicle GHG standards. ATA recognizes that carriers are already in compliance with some of these requirements and further enforcement delays would not be constructive. However, this process does raise concerns about the timing of the request and the state's commitment to enforcing the regulation. ATA plans to submit comments raising these concerns to the agency. Go to <http://www.gpo.gov/fdsys/pkg/FR-2013-08-21/pdf/2013-20417.pdf> for a copy of the Federal Register notice. ▲

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## CARB Announces a Pause on LCFS

The California Air Resources Board recently announced that they will not enforce the Low Carbon Fuel Standard beyond 2013 levels while issues surrounding cost-containment, flexibility and administrative procedures necessary to resolve the POET, LLC lawsuit are resolved. The rulemaking is expected to occur in 2014. The ARB's statement is as follows:

On July 15 the State of California Court of Appeal, Fifth Appellate District issues its opinion in POET, LLC v. California Air Resources Board. The court held that the Low Carbon Fuel Standard would remain in effect and that the Air Resources Board can continue to implement and enforce the 2013 regulatory standards while it corrects certain aspects of the procedures by which the LCFS was originally adopted. To read the full update online, go to <http://caltrux.org/node/2044>. ▲

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## Appeals Court Upholds California Low-Carbon Fuel Standard

On Sept. 18, the 9th Circuit U.S. Court of Appeals sided with the California Air Resources Board (CARB) allowing the state to implement efforts to reduce the carbon intensity of transportation fuels to curb greenhouse gases emissions. The CARB fuel standard is designed to lower the carbon content of all transportation fuels sold in California by 10 percent by 2020. The three-judge panel ruled 2-1 that CARB's regulation didn't violate the Constitution's Commerce Clause by penalizing out-of-state fuels. In Dec. 2011, a lower court had issued an injunction stopping implementation of the standard. The case was closely watched in California and across the country for how it could influence other states' renewable fuel programs to address climate change. The regulation will likely result in higher biodiesel percentage blends being sold in the state. To view the opinion click here: <http://cdn.ca9.uscourts.gov/datastore/opinions/2013/09/18/12-15131.pdf>. ▲

## ATA Joins Petition for Federal Court to Revisit California Low Carbon Fuel Standard Decision

ATA and other groups on Wednesday petitioned the full U.S. Court of Appeals for the Ninth Circuit to re-hear last month's three-judge panel decision upholding California's low carbon fuel standard (LCFS), part of the state's comprehensive greenhouse gas law. ATA and fellow petitioners contend the LCFS discriminates against out-of-state farmers and oil and biofuel refiners, and violates the Commerce Clause of the U.S. Constitution. In its prior decision upholding the LCFS, the three-judge panel of the Ninth Circuit ruled that the state had developed an "innovative, non-discriminatory regulation to impede global warming." The petition for re-hearing is based on the three-judge panel applying the wrong legal concept in determining that the standard did not violate interstate commerce protections. California's LCFS requires fuel providers reduce greenhouse gas emissions associated with all transportation fuels sold in the state by 10 percent by 2020 for specific fuel types (i.e., gasoline or diesel). A "carbon intensity" is estimated for each different transportation fuel and, to comply with the LCFS, fuel providers in California must keep the average carbon intensity of their total volume of fuel sold within the state under the LCFS's annual established limits. If the LCFS were to remain in effect, transportation fuels sold in the state will likely experience a marked increase. ▲

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## CA Court Rules State Stopped by Classification Ruling

The California Court of Appeal, Fourth District, has held that a court decision against one state agency on the question whether a business' workers were employees or independent contractors precluded another state agency from relitigating the same issue. The business here was a chain of manicure salons that revised its business plan in such a way as to turn its workers, who had been employees, into independent contractors instead. The state employment development department issued assessments against the business for unpaid unemployment taxes. Two levels of administrative appeals, however, held that the workers were contractors not employees. As these proceedings were winding down, a division of the state's department of labor issued citations to the business and assessed it penalties for failing to provide its workers with wage statements, which it would be required to do if its workers were employees. By the time of the hearing on these charges, the business was able to argue that the administrative decisions on this question concerning unemployment tax should prevent any other state agency from challenging the status of its workers. The hearings officer ignored this argument, and a lower court upheld his ruling that the workers were employees. The appellate court, in a strongly worded opinion, reversed. It denied in summary fashion a string of state arguments, most pointedly rejecting its contention that public policy concerning misclassification is so strong as to allow the case to be reviewed again. Rather, said the court, public policy required that the business be able to rely once and for all on a decision of the issue. And it found that the situation demanded the application of *res judicata*, precluding further litigation. *Happy Nails & Spa of Fashion Valley, L.P., et al. v. Su*, docket no. D060621, decided July 19, 2013. The decision could be of use to motor carriers contesting state efforts to reclassify owner-operators and other independent contractors, whether for tax or employment purposes. ▲



## CO Chain Law Now in Effect

Starting September 1, trucks over 26,000 pounds in weight traveling on Interstate 70 across the Rockies in Colorado must carry chains in the stretch between mileposts 133 (Dotsero) and 259 (Morrison). The requirement lasts through next May. Violations carry heavy fines, especially for the operator of a truck without chains that blocks traffic. For more details on this, on Colorado's state-wide chain rules, and for tips on chains generally, see the website of the Colorado Department of Transportation at <http://www.cotrip.org/truckers.htm>, or call the Colorado Motor Carriers Association at 303-433-3375. For information on Colorado roads affected by the recent floods, and for best practices on traveling through the Rockies, see also the CMCA site at [www.cmca.com](http://www.cmca.com). ▲

## IL Setting Up Tax Tribunal

Under legislation enacted in 2012 and 2013, Illinois is currently establishing a new independent tax tribunal to handle tax disputes involving more than \$15,000 in tax, penalty, and interest. The tribunal opens for business the first of 2014, and taxpayers who have filed a timely protest with the Illinois department of revenue before that time may ask during the month of January next year to have their cases transferred to the tribunal. Disputes arising after the first of next year will automatically go to the tribunal, if they exceed its jurisdictional amount of \$15,000. Recently, Governor Quinn of Illinois appointed the tribunal's first chief administrative law judge, a former federal prosecutor and Internal Revenue Service agent with more than three decades of experience. Altogether, the tribunal will employ four ALJs. Many feel an independent hearing agency is overdue in Illinois. ▲

## Missouri: Bridge Reopened

The Blanchette Bridge, a busy Missouri River crossing on Interstate 70 in suburban St. Louis, is open again with all lanes.

The westbound span of the bridge was closed in November for rehab work, with all traffic diverted to the eastbound span. The Missouri Department of Transportation reopened both spans of the bridge with all five lanes in time for morning rush-hour traffic on Aug. 26.

The reopening following the \$64 million project is more than two months ahead of schedule – the work was due to be finished Nov. 1. Work will continue under the bridge until the end of the year, causing occasional lane closures in non-rush-hour periods. ▲

~ Transport Topics ~



The MoTA office will be closed on  
Columbus Day - October 14<sup>th</sup>.

## Clean Energy Awarded Deals to Build Stations in Missouri

Clean Energy Fuels Corp. said Sept. 10 it has been awarded multiple natural-gas fuel agreements in Missouri, including Kansas City's approval of compressed natural gas stations for use by the city's natural-gas fleet.

Clean Energy will build a public CNG station to service Kansas City's fleet of more than 265 light-, medium- and heavy-duty natural-gas vehicles.

The station will supply more than 1 million gasoline gallon equivalents of CNG per year in the first three years of operation, the Seal Beach, Calif.-based company said.

The company also plans to build, own and operate a public-access CNG station located in Columbia, Mo., midway between Kansas City and St. Louis on Interstate 70.

That station, which will supply an estimated 500,000 gasoline gallon equivalents of CNG per year, is scheduled to serve Columbia's fleet of 30 natural-gas vehicles, in addition to Dart Trucking's fleet of heavy-duty CNG trucks. ▲

~ Transport Topics ~

## Feds Alleged CDL Test Fraud Scheme in New York

Federal officials have charged 11 people in New York for allegedly organizing schemes to help commercial driver license applicants to cheat on their tests.

The individuals sold pencils that had the answers to the tests written on them, the U.S. Attorney's Office for the Eastern District of New York said. They also bribed security guards at New York Department of Motor Vehicles offices to allow test-takers to leave the buildings and come back with completed tests, the prosecutor's office said.

More than 60 people fraudulently passed CDL tests between April and September 2013 because of the testing schemes, Loretta Lynch, the U.S. attorney for the district, said in a Sept. 26 statement after the complaint was unsealed.

"Today's arrests demonstrate the office's commitment to aggressively prosecute and investigate those who compromise the public safety on our roads," Lynch said in the statement. "As alleged in the complaint, with their wide-spread cheating scheme the defendants enabled unqualified drivers to take to our roads and highways behind the wheel of large buses and heavy trucks." ▲

~ Transport Topics ~

## NYC Law Mandates Use of Biodiesel

New York City Mayor Mike Bloomberg signed into law a measure that mandates the use of biodiesel in all city-owned vehicles.

The new law requires use of a 5% blend starting July 1, 2014, and a 20% blend from April to November, beginning July 1, 2016. The city also will conduct a pilot study of year-round use of B20 with at least 5% of the fleet.

The city operates about 6,000 diesel-powered vehicles, and a spokesman for the National Biodiesel Board said the law will boost demand for biodiesel by up to 2 million gallons a year. ▲

~ Transport Topics ~

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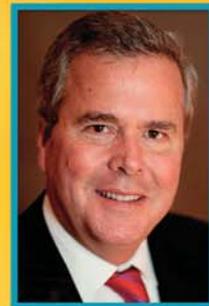
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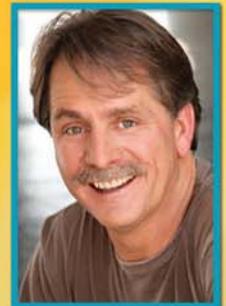
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