

*Minutes of the Motor Carrier Advisory Board Meeting*

July 23, 2015

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**Members Present**

James Burg

Joshua Rhodes

Glen Merkel

Joe Ballor

Randy Whitaker

Michael Rushing

Don Beerens

Brian Hitchcock

**Members Absent**

William Kotynski

Paul Behmlander

Sarah Stewart

Nichole Gavriloski

Al MeMeestor

**MSP-CVED RAC Staff Present**

Nicholas Nwabueze

Herb Fields

Vicky Acker

Beth Schafer

**ExOfficio Members Present**

Insp. Randy Coplin

Seth Martin

Aarne Fromp

Dawn Wilson

**Others in Attendance**

Sharon Wyant

Chuck Simmons

Ben Bernard

Dan Kuzniar

Dave Levens

Robert Larhaleyr

Elisha DeFrain

## **Meeting Called to Order**

Dr. Nwabueze introduced himself and called the meeting to order at 9:30 a.m. After introductions, Dr. Nwabueze expressed his appreciation to the Board members and others in audience for attending the meeting. Dr. Nwabueze wanted to touch on a couple of things before we get to the minutes. I want to thank Aarnie Frobom for taking the lead in preparing the draft letter that will be sent to members of the legislature. Before you is a handout regarding the Michigan-based bus companies from the Secretary of State. Please read thru the letter because there will be a motion later regarding it. If you see anything that needs changing, please make note and we will discuss it later.

## **March 19, 2015 Meeting Minutes and Today's Agenda**

The agenda for today's meeting and the minutes for the March 19, 2015 meeting were approved.

### **Agency Reports**

#### **Treasury**

Seth Martin has a couple of things to report regarding the IFTA tax systems. First we now accept credit cards as payment for the quarterly taxes and there is a two and a half percent, (2 ½%), processing fee. This was just implemented a couple of months ago. The second thing is we are currently working on the development of the new audit program that will be contingent with our new IPC program. The development is in the middle stages and will be implemented by December 2015. The idea is that if an IFTA auditor goes out into the field, he / she can use the program by inputting the original tax returns and from there audit mileage and fuel records. The idea is that once completed this can upload into our new IPC program and the audit is complete.

## **Federal Motor Carrier Safety Administration**

John Wallace reported the FMCSA is hopefully going to produce the final rule for the electronic logging device requirements sometime this fall. Also congress extended our authority to operate for an additional six months, so our authority will expire the end of January 2016. Earlier in January 2015 FMCSA created a new web form tool it is for motor carriers, brokers, freight forwarders and other regulated entities. When they need to ask a question about registration, licensing, insurance functions, or make changes to their FMCSA records or thinking of submitting other applications or documents, the best option to submitting any type of request is thru this new web form instead of calling the FMCSA office. The web form is located in the FMCSA licensing and registration portal “ask.FMCSA.dot.gov” the landing page at this site is in plain English and has the answers to the most frequent questions that come in to FMCSA. It can answer most questions right away without the carrier needing to contact FMCSA at all. For carriers that want to submit questions, they simply click on email on the topic pages and in addition, when questions are submitted via the web, the e-form system suggests frequently asked questions that may address the customer’s questions right away. This includes FAQ’s describing what info needs to be supplied for name and address changes, reinstatements or other data entry requests to be processed. The benefits are this will create a confirmation email back to the customer and if the customers would like to check on the status of the incident later they can call an 800 number. It allows a customer to upload supporting documents directly thru the web form and it enables the customer to submit their requests with their full contact and company information, for example DOT numbers etc. This allows the customer service staff to easily track and retrieve their request. It also establishes an electronic email relationship with the motor carrier which reduces telephone calls and improving the carrier call center. We think it is being underutilized and that’s why I’m bringing it to your attention right now.

In the June 29, 2015 Federal register FMCSA is proposing changes to the Safety Measurement System (SMS). The enhancements include changing some of the SMS intervention thresholds. So what we are proposing to do is decrease the threshold for the Vehicle Maintenance Basic (VMB) so that it will go from 90 to 65, then they are going to do that because they believe that the VMB has a stronger correlation to future crash predictions. If this goes thru, you may see your SMS scores increase under the VMB. For those of you who may be Hazardous Material Carriers, the proposed changes will segment the Hazardous Material compliance basic by cargo tank and non-cargo tank carriers. So currently right now under HM Basic the cargo and non-cargo tank carriers are all in the same pool. They want to separate them out and consider them individually. After this happens your HM scores will become public. We want to reclassify violations for operating while out of service and put those violations under unsafe driving violations. They are proposing increasing the maximum of vehicle miles traveled for VMT used in the utilization factor to more accurately reflect operations of high utilization carriers. So currently right now the utilization factor is 200,000 miles and they want to increase that to 250,000 miles. Basically the utilization factor is vehicle miles traveled divided by number of power units. So they'll give you the number of miles per power unit. They are increasing that from 200,000 to 250,000 that has to do with exposure. So FMCSA is committed to continually improve SMS in a thoughtful, methodical and transparent manner to assure that it continues to aide and carry out our critical safety mission.

QA: You mentioned that the HAZMAT score would be publicized once the proposed change goes into effect. Is that open for comment or is that a proposal that will take effect? Your comments will be taken until July 29, 2015

QA: Dr. Nwabueze asked John to explain a little more about the extension of their authority that was extended until the end of January, 2016. In order for us to do business we have to

have authority by congress. So if our authority were to expire we would basically be out of business. It really doesn't have anything to do with funding, it's politics.

QA: The administration is considering better ways to account for crash accountability. Have there been any recent developments on those comments so carriers would not be exposed to crashes that are not their fault? We know that is a point of contention. In the past they were trying to automate it, but they determined that it was to be determining preventability of crashes but the study didn't go anywhere so our only option at this point is to just not to make it public so that's all that's done for now. There hasn't been any progress. The information on some of those crash reports is not good or some people don't put all of the information of the crash reports. So we are trying to figure out what to do with those. There is a whole slew of those.

QA: Jack you also talked about the electronic log the final coming up in the fall. We have been about a year and a half into implementation and the biggest ringer / real world challenge we have is our shippers not understanding what we can and cannot do, it's all new to them. We have a couple of cases where the driver ran out of hours at our customer's facilities, and we were held up getting the truck loaded for three, four hours. Our driver would run out of hours, park on the customer's property, the customer would call the police to them the driver to leave the property and the only way to do this would be under violation. So a local municipality officer would say I could care less whether you are in violation or not my problem is you are trespassing and they are telling you to leave so leave now or you will be towed. These are real world challenges that we are going to have to figure out how to deal with when they happen because my drivers are asking what should I do. I tell them to go back on-duty, move the truck, note it and well will flag it in the office, then we will talk about it in the morning. Now we have it noted of what happened and why we are in violation. At the same time if I see a driver leave and drive two hours that's a different issue, but to get to the next safe haven this is something that's

going to be coming up more and more. In an event where the drivers ask about personal conveyance acceptance since they've been on e-log and they have never before. It would be helpful to have more clarification in what is a legal move because right now there is no specifics of how much time can be traveled under personal conveyance. It's more of what's reasonable and what's practical and that would help us as well.

I really don't have an answer, we can't prosecute the shippers for forcing the people to move the trucks. It's going to be a pattern if it happens once. Regarding the personal thing is up to use especially after the fall.

### **Michigan Center for Truck Safety**

Chuck Simmons reported that Alfred Newell was unable to attend the last and the current meeting. We have had quite a lot of activity in the last few months. We had two staff members retire and we have replaced them both. Ron Edwards also retired and was replaced with Bill Masse. The U.P. office is still being mapped but with a new gentleman by the name of Dale Litsner. We've also moved our U.P. office it was in Iron Mountain for the last several years and has now been moved to Escanaba. In fact we're in the same building that we were in many years ago, adjacent to the fairgrounds in Escanaba. So Dale is up there doing a great job for us.

We've also published the 16<sup>th</sup> edition of the Truck Driver's Guidebook. I brought a box of 40 to be handed out. If you need more let me know and we can ship any quantity to anyone.

Our Simulator program is up in full swing. We are using that to train drivers how to be safer and more professional. We are going out to quite a few public events, fairs and festivals of that nature, and using it as an outreach program to the public on how to drive more safely around trucks. Giving them a chance to drive the truck simulator and get a feel for what that might be like. We were at the Great Lakes Truck show and at the Oakland County Fair. They had a family safety day, their first of that type of thing at the end of the fair. We've also recently made

a request of our Board of Directors to open up the Southeast Michigan office somewhere in the metro Detroit area. So we are hoping that at some time we can go forward with that plan, but that remains to be seen. Then we are also doing some more public outreach thru media. Some movie theater ads that we have running in the Lansing area thru the summer and we have some radio spots as well and we expect to be doing more of that as winter comes on. Our Truck Drivers Guidebook is here and on our web site, you can download a PDF copy if you like and flit thru it. It's a pretty big file so give it a few minutes to download. We've changed the size of the book and its spiral bound so it'll lay flat.

QA: Inspector Coplin asked if the Center for Truck Safety went back and looked at the weight law section, because there were some incorrect weight laws listed in the previous Truck Guidebook? There was some discussion in the office about the verbiage as to the actual numbers. You can talk more to Al about that regarding the normal loading terminology. There was quite a bit of discussion about this because of the majority of the target audience for the Guidebook is truck drivers we were trying to go with the terminology that would be more familiar with them.

Inspector Coplin: The terminology is correct. What the Center for Truck Safety has listed for corresponding weights is incorrect. That we weren't aware of get in touch with me after the meeting and we will talk about that and bring it to Al's attention.

### **State Police/Commercial Vehicle Enforcement Division**

Inspector Coplin reported that the south bound Monroe facility is now PrePass compliant. So if you're a PrePass member you now have three sites in Michigan, north bound Monroe, south bound Monroe and east bound in New Buffalo. The Coldwater scale is in the planning phase. The documents are over at MDOT right now. Sometime in the foreseeable future we will have PrePass at Coldwater and just this week the Help Inc. helping approved PrePass at Grass Lake.

That one will be down the road, there are some issues there we will have to take a look at before that one is up and running. October 1, 2015 we expect to run a recruit school for motor carrier officers, there will be about 20 plus applicants or probationary officers. Then down in New Buffalo we will be doing some construction between now and next spring. We will change the speed limit signs down there to the same electronic format that you see in Monroe, Grass Lake and Coldwater.

Dr. Nwabueze reported that there has been some talk about the progress we are making with the platform that we are building. The problems were born by our split from the MPSC to the MSP. They had to split the platform to make us amenable to be transferred to MSP and still accomplish the expected requirements. That produced the host of IT related problems. So to overcome that we will just drop to do what we do very well and that is to do what we do normally. We will do this until the business cycle that is coming October 1. By paper again, there is a risk of not making our packets and not getting things done. I wasn't going to have to inform the Inspector or Captain Krumm that it was too risky in thinking that the platform would be completed on time and the outside carriers were all primed to go. I wasn't prepared for that kind of risk. So I advised them that we needed to do this the old way again, so keep your eyes out for the brown envelopes again. But I assure you this will be the last time you see them. Again the problems are being worked thru. As a matter of fact this morning I received a very good report. I had asked the Project manager to step up on it. I have received a very good report that they have resolved 75% of the problems. But that doesn't mean that we are going to use that platform come October 1<sup>st</sup>. I feel that there are some technical designs that need to be resolved.

Herb Fields reported that the IT platform is not ready for 2016 so we will do the renewal of the INTRAsate Authority for the Michigan State Police decals the way we've always done them by



paper. We did order new decals and they say CVED on them instead of MPSC like they used to. They do have the State Police emblem on them so they will be properly recognizable. We also got new cab cards that say CVED on them so we won't have any of the MPSC language on them. We found out that our UCR program has been doing pretty good. We've hit our Cap for 2014 and it looks like we will hit our Cap for 2015 so the program is doing really well.

Vicky Acker reported that most of her people are involved in the platform and they're still processing everybody's application and things for safety. As we work thru the bugs and issues, we will be reaching out for training. Once we have a go live date, we plan on hitting the road whenever we need to go to organizations and also hosting training events that will bring you guys to us. Of course by that time we will be at the new building so there will be free parking and no downtown. You will see some of the forms we've been revising that have taken off the MPSC / LARA logo and replace it with MSP so we have been working with Inspector Coplin on those. As you know we are form heavy right now until we go to the new platform. So you might see a form with the MCD in the corner instead of a PE but we tried to keep all the form numbers the same because everybody is familiar with those, until we are with the new platform. Those should be on the MSP website within the next few weeks. Right now they're currently on the MPSC's website, but they are the older forms with the old numbers. We are this close to having them off of the MPSC's website and put on the MSP', so you might be routed from the MPSC's web to MSP's.

QA: Is there any other bypass systems being used at other facilities in Michigan?

Inspector Coplin said there is one other system being used as Drivewise but I do not know to what extent. North bound Monroe and I believe the Fowlerville scales but that's all we have right now.

QA: I'm talking about GEO, Drivewise and Bypass. I'd be interested to hear what those accounts are of, how many Drivewise trucks. I mean you could tell me 80 10.

Inspector Coplin said so was I. The issue with Drivewise is it's a GEO fenced program where as Help Inc. is a dedicated short wave radio type system that our officers have to get onto the internet to open and close the GEO fencing mechanism Drivewise where in the PrePass system the open and close is tied to the open / close sign. So the officers go by the scale once or twice and see the open sign with no one inside, we all forget once in a while. We forget a lot more going onto the internet and turning off the GEO fencing. So it's hard to estimate what's accurate or inaccurate because the GEO fencing could be left on for a week, or up to a month, I really don't know. The PrePass is accurate because it's tied into the scale sign. Because if someone leaves the scale sign on when nobody's there, the post gets a call and then sends someone out to close it.

### **Transportation**

Aarne Frobom reported a couple of minor items, as you may know we had so many retirements that we've actually hired new people for the first time in a long time. On Monday the Canadians invited applications from perspective concessionaires to build and operate the new bridge across the Detroit River to be called the Gordie How bridge. That'll be the first time in Michigan there will be a project developed, built and operated by a private firm, financed with tolls. Even though it's really a Canadian project half of its in Michigan. It'll be exciting to watch that develop a right of way acquisition is now under way in Detroit.

About a month ago the Federal Highway Administration issued a draft of what they call their Comprehensive Truck Size and Weight report, which isn't really comprehensive. What it is is a test of six alternative truck configurations that are not permitted nationwide. They evaluated the productivity benefits the impacted on bridge cost, pavement life cycle cost, and also safety. The

pavement part of that report indicates it's going to confirm something we've been trying to get across for a long time. When you add extra weight to trucks and spread it out over the axle with lower axle loading your total pavement cost goes down by not a big number, but enough to show up. I haven't reviewed that part of the report yet to find out what they did. Because our attention was drawn to the Safety report and what they did was try to abstract the safety records from those states where the test alternative truck designs were in use and the alternative designs were (I think) twin 53's and various combo's of double and triple short trailers, also three axle 53 foot trailers of up to 97,000 pounds or so. For the test case for three axle trailers they used Michigan and three other states because three axle trailers were in use here. Is there anyone here on the board, that use three axle trailers? Not on the board but some in the room do. The draft report contained in two places fairly straight forward statements that said combo's with three axle trailers have 2 – 5 times the rate of crash involvement for standard 5 axle semis. Since then, with the help of Inspector Coplin and the U of M transportation research institute, I think we've puzzled out where the FHA satiations went wrong and yet this week the Director will send to the Committee of National Academy of Sciences that is reviewing the draft report in full our comments. So hopefully that will be corrected or removed from the report before it's made final. Because what we could see commented were the newspaper articles saying "lethal play with three axle trailers on Michigan roads". In general we think they grossly under counted the amount of vehicle miles traveled by 6 axle combinations. So we'll be pointing that out to them. The draft of the report got out without that making it into the press, maybe we're home free. There hasn't been to much negative press about semi-trucks lately and we and to keep it that way.

QA: James reported that there is one bill still pending for reducing the Michigan Trucking rate to 80,000? That bill is still out there and there hasn't been much legislative activity that amounts to anything, but when they have the time they'll get to that to.

QA: Dr. Nwabueze right of way acquisitions in Detroit are there initial comment issues in place or do you think there will be initial comment issues? There always are but its routine for something on this scale. It'll take some time to resolve and that's part of the reason the opening date of the bridge is still expected to be 2020, but once the several 100 or so individual properties are bought then the construction begin pretty rapidly.

QA: Dr. Nwabueze asked what are the challenges of the bridge being built in Detroit? I haven't heard anything yet but it'll never be cleared up.

### **State**

Dawn Wilson reported you all have a hand out of our only item of the day. I mentioned several months ago that in January that the charter buses will not be exempt from IRP anymore. We have sent out notifications to everybody with a bus body style weight. Part of those letters went out last week and there are more to go out in the next couple of weeks. I only had one phone call about it so far, so it seems that there aren't a lot of concerns about it or confusions.

**MDOT permits** Robert Whaley reported that I guess my overall question as to why I was invited to this meeting to discuss oversize and overweight permitting issues. Dr. Nwabueze suggested that we do this by simple questions. Mr. Whaley said that he can start off with one item that would interest you to being here. The upgrade to the system that we rolled out on June 17, 2015 was basically simply converted by the mypars which is the old system to my trips. We had not really done any new updates to the system since that time. The conversion or upgrade from 4.6 to 4.10 was to get us up to date in technology and in the system that we were owed from the Bentley system, the supplier who developed this system for us. I'm sure all of you are aware that we ran into some issues when we rolled out 4.10. The concept when it was rolled out was that off of the system requirements and all the codes would stay the same as 4.6. In theory

there shouldn't have been any issues but we ran into them soon registration issues. A lot of them are internal system issues based on java and system requirements. We are working thru those my agents are actually spending a lot of the time helping customers to try and pin point and resolve the issues that they are having with their systems. I'm not saying it's an impossible process but with the huge number of difficult platforms the customer has their systems set up on basically we have to go on a system by system basis. We have IT people that are trying to assist the customer to go thru and see what the issues are in their system. That's what's basically going on with the conversion from 4.6 to 4.10 and that's probably what's causing most people's frustrations at this point.

QA: Joe Ballard said I have quite a few people here and they are all experiencing the exact same type of problems with permits, I understand it's when it comes to the permit service. I wonder why this wasn't done during the winter and not prime time because there is so much construction going on and its hampering jobs and people getting out. That's one of the things besides so much longer we're still getting kicked out of the system just everything. A): To answer your first question, why didn't we do this in the winter time? I have to go on the schedule the IT people tell us that it's best for them to roll out the system. We put in when to roll it to our system, then they look at all the other systems they're rolling out over time and they tell us that we can roll it out at this time. So when we roll it out, I do have some control but all I'm saying is basically DTMB. I applied to DTMB to install, they put in on their schedule, they tell me when they can put it on our system, I have to say yes I will take that time frame or I'll take a different time frame sometime in the future. So basically I have to take what I can get. The other part to that is we also have been given a deadline applying to save Michigan for you guys who are familiar with the one-stop system is going away as of October 1, 2015. So we the problem was we wanted to get the new system in place before we went to a different platform that's going to replace one-stop and that's going to be MPG, that's going to be rolling out in the

next month so there was a timing issue was associated with it. We wanted to get 4.10 in place get it tested and running then roll out MPG so we can rule out issues associated with MPG's and 4.10. When will all the issues be resolved? I can't give you an answer for that. We are constantly working on that on a case by case basis. Our agents are going thru a checklist trying to resolve problems.

QA: When are we going to get our money back for the permits that were pulled and we never received?

QA: How do they know to refund us? You have to submit a copy of your permit saying you never received it in an email with your refund requests. If you have issues associated with the roll out of the system, submit your application, and you will get a refund, no questions asked. There are a couple of scenarios, there are people who submitted permits and were not charged for those permits and there are the folds who submitted permits and were charged for them. If you submitted a permit and were charged for it you will get a refund. Those are being processed this week. My phone number is (517) 273-7682 and my email is [whaley@michigan.gov](mailto:whaley@michigan.gov).

QA: Dan from Laramie was questioning what was just said about not being charged. Don't you always have to pay for the permit before you submit it, so how can you not be charged? In that scenarios people went in, payed for it, submitted thru the electronic system and they were never actually charged for it when it came over to our system. You have to pay for the permit before it'll be transferred over to our system. In some cases it appeared as if you payed for it but you were never charged.

QA: How will we know if we were charged? You'll have to check the statement you paid with.

QA: The new system, when it rolls out sent a email saying we should probably pull our permits a week in advance prior to the new system coming out, which is 99% humanly impossible for any of us to do. Is there a back-up plan at this point for the new system, so we

don't run into that same issue? We saying a week in advance, just mean if you – I know for sure we are going to be down for one to two days – so I'm saying if you're going to need a permit out of one those days, submit for it ahead of time. We have been turning around permits in four hours or less for the most part even less than that in some situations and we are being held to that standard now so basically we've created a situation where everybody expects their permits now. We've committed to by boss that that's the goal we're trying to hit every day, but the system has to go down. We've been told we have to go to the MPG and the system has to go down. The best advice I can give right now is if I say you can mail in or fax in the permits, the systems not going to be up and running before we get thru the process of handling them by hand. So the intent is it's more of a notification that it is moving towards the new platform. Try submitting your permits ahead of time and we are committed towards getting them out by the close of business on the last day that we are going to be down.

QA: So really as the 16th or 17<sup>th</sup>, when the upgrading was set out was really the beta testing of the MPG to get worked out till we get set up in the MPG. Will there be an opportunity to create a sign-in to get all of our systems that's set up with one-stop in MPG or is it transferring right over?

The intent is to transfer everything to MPG. We are currently going thru a process of calling companies who have multiple if ID's associated with a single email address. In MPG there will be one e-mail address per account ID but in the initial transfer we are going to transfer everything under one ID then you will have the ability to go into MPG and set up additional accounts, just like you have now in one-stop. Each one will be required to have a unique email address.

QA: The way one-stop set up right now with it has one email but when I pull my permits I put my email so it gets sent to me, is that what you're saying for when we set we set it with our own

unique email? Who the email is sent to, you have the option to change that. It's just the initial registration and setting it up.

We are aiming to getting back to our faster processing. Right now I have our agents fielding calls, and going thru the applications than issuing permits right now that's not what they should be doing right now. We are still trying to figure out what's causing the delays and problems we are having with the updates to the new system. Our understanding is this is a normal upgrade going from 4.6 to 10.0 and there are going to be problems. I've had agents take permits, put it thru. We have done pretty much everything we can to lessen the impact, there are something's we are still waiting for IT to resolve and tell us why it happened.

QA: What are the benefits of MPG over one-stop, other than the issues we are having now? The biggest benefit with MPG is name, address, phone number and email address versus with one-stop you have to go in and put in a lot more information. The initial registration for MPG will be a lot simpler.

QA: I would like to thank Inspector Coplin and Mr. Whaley here in a sense, there have been issues here getting into construction zones with equipment and I know they have helped us out with passing permits out to get an MDOT engineer into the site. Is there a way to get permit enough to get to the end of the zone, and then get into the zone? Randy doesn't have that permission to say OK, go ahead don't stop thos guys, but right now when we pass that point he has the right to ticket us even though we are out of that area. At this time I realize that most of this is MDOT's jobs we are dealing with the State of Michigan and needing to get into the site that should be made kind of easy somehow. There are two parts of this process to work on, number one the project engineer should be permitting a 2455 form that says such and such companies have permission to have an exception to the restrictions and so if we could aid the 2455 form from the project engineer and it said companies A, B, C, and D will be coming into this restriction and they have been approved. When you submit a permit, all we need to do is



look at that and if your name is on there we can issue the permit. The other way we talked about as a kind of resolution is to have your routing have you in your route at the restriction. If I'm taking the engineer sometimes I have to protect myself. If you're going to do that then your going to have to fill out the 2455 forms. Because in the granting of restrictions then the system wouldn't flag your basically it would allow you to run that permit.

QA: The 2455 is that the contractor distributing that? It's actually the MDOT project engineer who would be submitting that form. We stress to the MDOT project engineers if you have a project where you have contractors coming in and out with overnight delivery of equipment please let us know ahead of time. Please submit that form with a list of contractors. If you are on that form and we see you on that list then we can approve you to go thru that restriction. That's one of the reasons we keep stressing that if you know you're going to have these contractors coming on to the project, let us know ahead of time.

QA: If we get a last minute call say for a rental, I put it in my truck if I'm not on that project engineers list I'm not getting in I'm not considered a contractor for the job. So how do we do get him to put us this list? You should get with the site contractor and the project engineer to get you on the list, otherwise you will have to file for the permit, then you'll have the fine that says I have this stuff coming in then they'll send oversize / overweight an email requesting us to waive your restrictions and it's going to go thru that process.

QA: There are specific engineers for specific projects. So how do we figure out who the engineer is? The client should know who the engineer is.

We need to know who's going TO the site versus who's just passing THRU the site. If you're going to the site I need to know so it needs to come from the project engineer or the prime contractor. The fastest and best way is when you're contacted by the prime to bring in some equipment, they need to contact the project engineer and say I have this carrier coming to this

site to make a delivery, then we get your application and we note on your permit that the restrictions are waived for such amount of time.

Inspector Coplin stated that we work very close with Mr. Whaley to where we can help him. I don't know where the concern is. If you're up to the site, why aren't you entering the site, why are you still on the main portion of the highway, why aren't you going into the site? If you're in the site, you don't need a permit. I don't understand where some of the issues are?

Mr. Whaley said that was one of the things we talked about, running your permit right up to the restrictions, then at that point you should be able to go into the site. Well if you're in the site your good, but if you stop it right before the restrictions it's not going to fine you.

For example I-96 and US-23, that's where the Pleasant Valley of restriction rights starts and that's all the way to Grand River. They are not doing any work at Pleasant Valley, so it stops there but I still have to go two to three miles yet.

Inspector Coplin: I think you have to look at our position here that some of this has to fall back on the prime. Like you said there are only a very few rental companies out there. When the Prime calls and say they need something, you should ask them for their forms. Basically, you don't get what you need until I get what I need, that is the way it is.

Mr. Whaley said the other thing is if you put on your application that you are going to a particular job number that's a flag for us, even if we don't have the approval from the job number.

### **Legislation Update**

Aarne Frobom reported that for the folks that are new here one of my jobs at MDOT is to watch what the legislature does that affects transportation. There has been very little news since the last time. The only really new item on this list is the bill is back that would take every fine for

weight violations and double them. As near as I can tell, that bill is identical to what it was in the last session about a year ago. So it would take each potential oversized and overweight fine and double them.

One thing that's been in the news is the Road Finance Package, which even though versions of it have passed both houses effectively nothing has really happened yet. The way the package looks now with the 27:50 summary they seemed to settle on increasing the diesel fuel tax from 15 to 19 cents making it identical to the gasoline tax, then thereafter the tax rate would rise with inflation and consumer prices which right now has been holding steady at about 2% per year. In the senate version of this that contains a fairly large fuel tax increase in addition to that. The Senate version would increase in the first year to 27 cents per gallon and then in the second year to 34 cents per gallon for both diesel and gas. So far neither house has proposed increasing registration tax for either cars or trucks, only electric cars. For some reason only electric cars, the Chevy Voltz. The two houses do not agree, we were told there was very little chance that the House would go for the 34 cents fuel tax that is sitting in the Senate package. They were supposed to meet two days ago to make further progress in this but they realized there was no support in the House for anything so they adjourned for another month. So all that's still hanging as to whether the fuel tax is going to wind up being, and there's till the possibility of the registration tax increase could wind up being put back into the mix if they ever take this up again. So the finance part of this is still up in the air.

QA: Is this like proposal 5---? They're not touching the sale tax this time. The proposal that was raised to get rid of the sales tax on fuel and try to replace that with a increase on general sales tax. There are bills in the hearing house that would remove sales tax from fuel which to my way of thinking would be a better deal that what they are talking about. Leave the fuel tax alone then try to make up the shortage of road funding by taking it from the general funds. The Senate and House versions call for 5-900 million to be diverted from general funds spending into road

spending but they are just as reluctant to do that as they are to raise the fuel tax. In fact what they are doing is holding the road finance issue hostage to cut in general spending and until they decide what side of that that they are going to deal on and not making any progress on one or the other.

The Dope Slap Award for the least useful contribution is the last bill on the list. Some guy wants everybody to drive to the Secretary of State in person and pay \$50 if your odometer is more than 10,000 miles higher than it was last year, including trucks and trailers.

QA: How much cheaper 32:51 ? Just like we have for three years, it's internet a series of internet but nothing seems to happen. They say there's going to be a sponsor but the Senate version that hasn't appeared yet.

QA: On the HB 4577 which has to do with Seasonal CDL's, can you offer any background on what that's about? No I can't. If I remember correctly it's something that makes Michigan Law parallel with the Federal Standard unless Inspector Coplin knows exactly what it is. Inspector Coplin says it may be more than renewal. I know there are some renewal issues currently.

Mr. Frobom said it has to do with the number of renewals.

## **House Letter**

I'm sure you've had a chance to read thru this letter, are there any changes to the draft? Mr. Frobom stated that he was asked by Dr. Nwabueze to draft these up. The thing to look at is the three little items. I hope that I grasped the issues that the Board got out that their concern had to do with the local governments. I did talk about this with our political people and they pointed out that sending out an official letter from this Board to the committee chairs or any other legislature is the least important part of this effort because the effect of sending the letter is pretty close to nothing. What was really required is for individual firms to talk to your legislatures and

find one or more champions who will see that the bills get introduced and help sell it to their colleges. Most especially get it past the lobbies for local government.

QA: Would it help if the entire Board members signed the letters? Yes the letter will contain the list of all the Board members, and this would convey the message that Dr. Nwabueze is just the Secretary to the entire Board members.

Dr. Nwabueze asked us to please note the first paragraph of this letter, last sentence states “that the MSP / CVED has not taken a position on the recommendation”, that have a required that we talked to the highest flagpole there. This letter was run up the flagpole in my own division, up to Inspector Coplin.

Inspector Coplin replied that the reason that statement is on there is if you read the by rules or regulatory rules for this board it says that the Chairman has the ability to send letters or recommendations to the commission, which now the commission means the State Police, but it also says if you send recommendations or letter to other government agencies, we have to put a statement on there that it’s either endorsed or not endorsed by the Department. The way we would word that is that if legislation was to be introduced that’s the time we may be neutralized . I may testify with some of the issues on it and it would certainly be favorable in the industries. It’s a sign that we don’t disagree with anything in the letter, it’s just that we don’t have a formal position.

Motion made and passed to print, sign and send the letter

Mike Rush sent me an email resigning from the Board. Whenever a member leaves the board, it’s a disappointment, but it also gives us an opportunity to welcome someone new to the board. It is a tradition to send a letter and/or certificate thanking him for his work with the Board. Do I have a motion to create the certificate and letter? Motion made and approved. I will have the copy at the next meeting for your approval.

I would like your recommendations for a replacement for Mike. If possible I would like to add another female to the group. Please send your recommendations to Dr. Nwabueze and he will take it to the inspector then if he gets the approval, he will formalize it and go from there.

### **Future Meeting Topics**

### **Public Comment**

### **Old Business**

I would like to thank the Board for their ability to bring in the unemployment agency contacts. I have been successfully able to take two people off the company rolls this past winter that shouldn't have been on the rolls, so they are great contacts. We gave the issues to them with specific documents, and they got involved right away and two people who were claiming unemployment were ineligible and to be removed immediately.

### **New Business**

Noted about the writing of the political letter to the government.

### **Next Meeting Date and Adjournment**

The next meeting is scheduled for **September 17, 2015 at 9:30 a.m. in a conference room located at MDOT Construction Field Services Building, 8885 Ricks Road, Dimondale, MI 48821.**

The meeting was adjourned at 11:00 a.m.

Respectfully submitted,

Nicholas I. Nwabueze Ph.D., Chairman

Motor Carrier Advisory Board