

MCAB Meeting Minutes
Thursday, November 19, 2020
Zoom meeting
9:30 a.m.-10:30 a.m.

Members Present

Al DeMeestor
Bill Kotynski
Brian Hitchcock
Carol Heinowski
Don Lahring
Glen Merkel
James Burg
Joshua Rhodes
Michael Rushing
Nichole Gavriloski
Paul Behmlander
Randy Whitaker
Robert Esler
Sarah Stewart

MSP-CVED Staff Present

Capt. Richard Arnold
MC Lt. George Bracco
MC Sgt. Jack Johnson
Mr. Abe Droste
Ms. Ashley Anderson
Ms. Beth Schafer
Ms. Jessica Kines

Members Absent

Joe Ballor

Others in Attendance

Aarne Frobom
Chris Blundell
John Wallace
Seth Martin
Delores Thomas
Scott Sprey
Elisha Wolff
Roger Hayes

Welcome

The MCAB meeting was called to order at 9:34 a.m. by Ms. Jessica Kines.

Agenda and Meeting Minutes

- The agenda and meeting minutes for the January 16, 2020, meeting were approved.

Legislative Updates-MDOT-Aarne Frobom:

- 517-Toll Feasibility Study.
- 4780-Semi-Trailer Bridge Tolls.

Agency Reports

MDOT-Aarne Frobom:

Nothing to report.

FMCSA-John Wallace:

- Hours of Service (HOS) rule went into effect September 29, 2020:
 - 30-minute break
 - Short haul exemption
 - Adverse driving exemption
 - Sleeper berth periods
- The Drug and Alcohol Clearinghouse update:
 - Three weeks ago, there were one and half million registered drivers.
 - Two million queries
 - 42,500 positive drug tests
 - 1,000 positive alcohol tests entered
- Michigan will become an exchange state once Bill 6298 is signed by the Governor.

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CVED Update-MC Lt. George Bracco, Mr. Abe Droste and Ms. Ashley Andersen:

- Construction of the new bypass at the Ionia West Bound Scale will be completed December 1, 2020.
- East Bound Fowlerville Weigh Station addition to the building is complete.
- West Bound Fowlerville Weigh Station is in the planning and development stage to be remodeled along the lines of West Bound Ionia.
- Tire Anomaly Classification System (TACS) has been installed at the New Buffalo Scales and will be installed at the Coldwater Scales by the end of November.
- The TACS can:
 - Read every single tire on eighteen wheelers.
 - Unlimited number of axels.
 - Can sense under inflation.
 - Tire imbalance and mismatches.
- In January 2021, the MSP/CVED will be conducting human trafficking initiatives with Truckers Against Trafficking (TAT).
- MSP/CVED is currently in the process of selecting our 2020 Motor Carrier Officer of the Year.
- Looking at possibly having a recruit school at the end of the fiscal year.

Mr. Abe Droste reported that the 2020 Unified Carrier Registration (UCR) opened for renewal on February 1, 2020 and has an 84% compliance rate. The 2021 UCR opened for renewal on October 1, 2020 and has a 45% compliance rate. This compliance rate should increase within the next six weeks.

Ms. Ashley Andersen reported that the 2021 CVED renewal opened October 1, 2020. There have been 895 applications submitted, 704 have been closed/issued decals, and 191 applications are in open status.

Center for Truck Safety-Dolores Thomas:

- Moving forward with Facebook live & Zoom training.
- The Center for Truck Safety is not doing presentations currently.
- The simulator will not be used until clearance is received.
- The Center for Truck Safety have been going to rest stops with the MSP to distribute the Truck Driver's guidebooks and face masks.

Secretary of State-Chris Blundell:

- As of March 16, 2021, there will be a new version of E-services for the IRP installed.
- The SOS may be able to do a demonstration of the new E-services, if available at the January 2021 meeting.

Treasury-Seth Martin:

- IFTA 2021 renewal started on November 1, 2020.
- The mailing of the IFTA decals will be slower this year. If you renewed your 2021 IFTA before December 31, 2020, you have until the end of February 2021 to place the decals on your trucks.
- If you were previously an IFTA licensee, you will need to fill out a new application.

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New Business

Upcoming Meeting Dates

- January 21, 2021
- March 18, 2021
- May 20, 2021
- September 16, 2021
- November 18, 2021

Trucking-related Bills in the 100th Michigan Legislature – 2019–2020

Prepared for the November 19, 2020, meeting of the Motor Carrier Advisory Board. As of November 16th. By Aarne Frobom, Michigan Department of Transportation (517) 335-2908, froboma@Michigan.gov This is not an official interpretation by the State of Michigan and accuracy is not guaranteed. For status of bills and actual language, see www.legislature.mi.gov/ and enter the bill number.

Passed means passed house of origin. *Enrolled* or *presented* means passed both houses. *P.A. Number* ___ means enacted into law. *R⁹⁹* ___ means reintroduced from the last session.

Senate

- 1 AUTO INSURANCE REFORM (Nesbitt) Abolish mandatory unlimited medical-care coverage; make injury-protection levels optional. Preserve no-fault insurance. Mandate reduced rates between July 1, 2020, and July, 2028. Regulate premiums, care providers and lawsuits. Increase mandatory liability coverage. P.A.21 of 2019.
- 309 TOW-TRUCK FEE (Zorn) Amend Motor Carrier Act to reduce motor carrier fee from \$100 to \$50/year for about 300 tow trucks performing intrastate nonconsensual towing and subject to UCR. Passed Senate. P.A.5 of 2020.
- 517 TOLL FEASIBILITY STUDY (Bizon) Require study of feasibility of converting freeways to toll roads, including rates, revenue from out-of-state operators, and means of favoring local labor, and local users and in-state truck operators in toll rates. P.A.140 of 2020. Contractor beginning work.
- 523 FARM PLATES (McBroom) Require applicants for discounted farm, dairy, and logging plates to provide a federal employer ID number.
- 722 SLOW DOWN for MAIL TRUCKS (McBroom) Require drivers to move over if possible and slow to 10 mph below the speed limit when passing a stopped “rural letter carrier vehicle.”
- 773 HUMAN TRAFFICKING (Theis) Require CDL holders to be trained in detecting human trafficking.
- 777 SLOW DOWN for BROKE COMBINES (LaSata+5) Extend “move over” law requiring drivers to slow down to 10 mph below the speed limit and move over if possible when passing “disabled” farm implements. \$100 or 90 days misdemeanor. Hearing held.
- 818 ARM WEIGHMASTERS (Zorn) Allow county weighmasters to carry firearms.
- 892 DELIVERY ROBOTS (Lauwers) Allow delivery robots on sidewalks. Confer right of way on pedestrians in unsignalized crosswalks; correct omission in Vehicle Code. Second bill expected to allow robots in streets.
- 1190, 1192 LATE FEES, C.D.L. (Schmidt) Extend CDL type certifications, group designations, and medical certifications from Sept. 30 until December 31, 2020 under virus waiver. Extend hazmat endorsements until October 29, 2020.
 - Waive \$10 late fee for any registration expiring between March 1, 2020 until December 31, 2020.
 - Update definitions having to do with driver education.
 - Waive late fee “or the original fee” (?) for any operator’s license expiring between March 1, 2020 until December 31, 2020.
- 1215-1217 BAY CITY TOLL BRIDGES (Horn) Clarify that Bay City is able to lease 2 city bridges to a private firm. (Does not affect roads other than city bridges.)

House

- 4441 REPEAL TRUCK SPEED LIMIT (Lightner) Repeal 65-mph truck speed limit on freeways posted at 70 or 75 mph.
- 4779 PER-MILE TRUCK FEE (Greig) Impose Kentucky-style \$0.06/mile tax on truck and bus operators registered under IFTA and IRP regardless of weight, or anyone operating a “commercial motor vehicle” that is, vehicles or combinations over 26,000 lbs. GVW or GVWR, or buses carrying 16 people. Payable 30 days after the end of each quarter. One-year misdemeanor or \$5,000 fine for nonpayment.

- Yield approx. \$300 million/year. Tie-barred to HB 4782 (new formula favoring state highways).
- 4780 SEMI-TRAILER BRIDGE TOLLS (Hoadley) Allow MDOT to charge tolls at reconstructed bridges for any truck with a trailer but not straight trucks or tractors (same as Rhode Island). Tolls not to exceed \$10/bridge, and trucks may not be charged more than once per bridge each day each way, and not more than \$40/truck/day (~\$10,000/truck/year). Require cashless tolling. Make “registered owner” (not lessee) liable for tolls. Yield \$160-300 million/year depending on number of bridge projects. (Requires federal agreement.)
- 4963 COUNTY-OPTION FUEL TAX (O’Malley+6) Enable a county or combination of counties to impose a fuel surtax at any rate, by popular vote, for road maintenance or public transit. Tax to be paid by the supplier and collected by Treasury at the rack, on fuel destined for taxing jurisdictions. Revenue to be distributed by Treasury according to new formula:
- 50% share of total population within taxing region
 - 50% share of total of county and city/village centerline miles
- 4964 COUNTY-OPTION REGISTRATION SURTAX (Sneller+6) Allow any county, by popular vote, to surtax *ad valorem* auto and elected-GVW truck registrations by any amounts, not based on the value of the vehicle, for road and transit purposes. (No rate limits or tax bases specified for cars or trucks.)
- Revenue to be distributed by Secretary of State according to new formula:
- 50% share of total population within taxing region
 - 50% share of total of county and city/village centerline miles.
- 5194 TRUCK MECHANICS (Markkanen+3) Amend Vehicle Repair Act to move boundary between definitions of *light truck* and *heavy truck* from 10,000 to 14,000 lbs. gross combination weight (for master mechanics’ certification). P.A.227 of 2020.
- 5250 ABOLISH RENEWAL STICKERS (Maddock+6) Replace registration certificate and license-plate stickers with a central data base (such as LEIN) of registered cars. Delete references to renewal tabs. No change to plates indicating annual elected gross weights. H-1 adopted.
- 5251 ONE-STOP HOUSE-TRAILER PERMITS (Maddock+6) MDOT may (not *must*) issue permits for movement of mobile homes (but not other equipment) on roads under all jurisdictions; collect and distribute fees to all jurisdictions, and may add administrative fee.
- 5255 CUT FUEL TAX (Maddock+2) Reduce motor fuel taxes by 10 cents/gallon (to 15.9 cents/gallon for gasoline and 16.3 for Diesel fuel) on Oct. 1, 2020. Repeal indexing to inflation (beginning in Calendar 2022). Reduce road and transit funding by \$600 million/year in 2021, more in future years.
- 5582-5587 PRICE-BASED FUEL TAX (Republicans) Exempt motor fuel from sales tax over 4 years. Impose 6% wholesale-price-based fuel tax for local roads on same schedule. Interstate Diesel Use Tax unaffected. Appropriate income-tax revenue to schools.
- 5688 UNREGISTERED TRUCKS (LaGrand+1) Decriminalize unregistered elected-GVW truck operation under IRP; make a civil infraction. Part of large decriminalization package. Compare HB 5853 (maximum \$100 fines). Tie-barred to HB 5802 (unlicensed operation). H-2 passed.
- 5696 MOTOR CARRIER FUEL TAX (Peterson+1) Make it a civil offense instead of a 90-day misdemeanor for a truck operator to violate the Motor Carrier Fuel Tax Act. Limit fine to \$150 (plus revocation of motor-carrier license and possible tax assessment). Passed.
- 5853 LICENSE, REGISTRATION, TITLE and EQUIPMENT OFFENSES (Kahle+31) Establish that most non-moving violations of the Vehicle Code are civil infractions. Set most fines at a maximum of \$100 except as noted. Part of large decriminalization package. Many non-truck-related sections not shown:
- 208b, Minor administrative violations are civil infractions; reduce fines from \$500 to \$100.
 - 904a Failure to present a license, convert from misdemeanor to civil infraction, \$100; \$150 for second conviction.
 - 907 Adjust many fines specified elsewhere in the Act: repeal and replace existing language, including fines for violating out-of-service orders, motor-carrier safety laws, and towing solicitation. Seat-belt use, \$25. Provide for time-payment plans.
- Update language. H-3 adopted on floor and passed, delete truck-weight amendments.
- 6163, 6164 H.O.V. LANES (Sneller) Create offense of violating a high-occupancy-vehicle (HOV) lane; allow road agencies to open an HOV lane to other classes of vehicles (such as trucks, buses, or automated vehicles). Update lane-use language. (Enable HOV lane on widened I-75 in Oakland County in 2023.) Also SBs 1078, 1079.

6298 MILITARY C.M.V. EXPERIENCE (Markkanen) Waive knowledge test for CDL for veterans with commercial motor vehicle experience. Update references to the National Drug and Alcohol Clearinghouse.