

MCAB Meeting Minutes
Thursday January 20, 2022
MSP Headquarters
7150 Harris Drive
Dimondale, MI 48821
9:35 a.m.-10:55 a.m.

Members Present

Mr. Bill Kotynski.
Mr. Brian Hitchcock
Ms. Carol Heinowski
Mr. Don Lahring
Mr. James Burg
Mr. Joshua Rhodes
Mr. Michael Rushing
Mr. Paul Behmlander
Mr. Robert Esler

MSP-CVED Staff Present

Capt. Richard Arnold
MC Lt. George Bracco
Ms. Beth Schafer

Members Absent

Mr. Al DeMeestor
Mr. Glen Merkel
Mr. Joe Ballor
Ms. Nichole Gavriloski
Mr. Randy Whitaker
Ms. Sarah Stewart

Others in Attendance

Mr. Aarne Frobom
Ms. Dawn VanAken
Ms. Dolores Thomas
Mr. Nathan Peaslee
Ms. Jill Skutor
Mr. Josh Miller
Mr. Toby Archambault
Mr. Scott Spray
Mr. Clint Leeler
Mr. Matt Fabry
Mr. Rober Hayes

Welcome

The MCAB meeting was called to order at 9:35 a.m. by Capt. Richard Arnold.

Agenda and Meeting Minutes

- The agenda and meeting minutes for May 20, 2021, meeting where approved.

Agency Reports

Secretary of State-Ms. Dawn VanAken:

- Change in policy for review and approval of lease agreements.
- The IRP timeline is approximately two weeks.

Treasury-Capt. Arnold presented for Mr. Seth Martin:

- 2022 IFTA licensing and issuance of decals has increased from 2021.
- The 2022 IFTA decals are blue.
- The IFTA decals are being mailed out on a once-a-week basis.

MDOT-Mr. Aarne Frobom:

- Interviews are being conducted to fill the supervisor position for permitting operations.
- Passage of Federal Highway Re-authorization and Infrastructure Bill.

FMCSA-Mr. Matt Fabry:

- The final ruling for the Entry Level Driver Training for entry level drivers has been postponed until February 7, 2022.
- FMCSA Safe Apprentice Pilot Program, 18–20-year-olds for interstate commerce.

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CVED Update-Capt. Richard Arnold and MC Lt. George Bracco:

- Fatal Crashes for 2021 were 81 fatal crashes with commercial vehicles.
- The percentage of commercial vehicle involved with fatal crashes went from 9.9% for 2020 to 7.3% for 2021.
- In 2021, MSP-CVED completed 60,171 vehicle inspections from 71,451 traffic stops, 256 Carrier Compliance Reviews, 698 New Carrier Safety Audits, and 791 International Border Crossing Inspections.
- MSP-CVED is planning to run a recruit school starting February 20, 2022, with approximately 23 recruits and possible graduation of July 29, 2022.
- There have been 633 new motor carriers register for interstate authority over the past three months.

The Intrastate Unit:

- 1,600 carriers submitted renewals or 83%.
- Compliance rate is 87%.
- 561 carriers went into revoked status on January 1, 2022.

The Interstate Unit:

- 2022 Unified Carrier Registration (UCR) Enforcement period began on January 1, 2022.
- Compliance rate approximately 71%.

Center for Truck Safety-Ms. Dolores Thomas:

- Currently conducting Zoom and Facebook training.
- Training is being offered to all the companies throughout the state.
- The twenty-first edition of the Truckdrivers Guidebook is available.

Legislative Updates-MDOT-Mr. Aarne Frohom:

- See attached Legislative bills

New Business

Upcoming Meeting Dates

- March 17, 2022
- May 19, 2022
- September 15, 2022
- November 17, 2022

Trucking-related Bills in the 101st Michigan Legislature – 2021-2022

Prepared for the Jan. 20th meeting of the Motor Carrier Advisory Board. As of Jan. 18, 2022.

By Arne Frobom, Michigan Department of Transportation (517) 282-9373, 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.

Senate

- 400 O.W.I. EXPUNGEMENT PERIOD (McBroom) Extend to 5 years the time before a first OWI conviction may be expunged under HBs 4219 and 4220. P.A.82 of 2021.
- 639 TRAFFIC-CONTROL OFFICER (Zorn) To definition of *police officer* for purposes of enforcing the Vehicle Code, add, “a traffic control officer employed by a county, city, village, or township.” No qualifications or limits on duties.
- 640 TOW TRUCKS, SPRING WEIGHT RESTRICTION (Zorn) Amend Subsec. 722(8) to exempt tow trucks from seasonal weight restrictions, when traveling light or towing a disabled vehicle.
- 674 FUEL-INVENTORY TAX INCREASES (Nesbitt) Repeal application of tax increases to already-taxed fuel in dealers’ and fleets’ inventories. (End reporting burden for indexed fuel-tax increases every Jan. 1st. P.A.124 of 2021.
- 706 CONNECTED and AUTOMATED VEHICLE LANES; TOLLS; AUTOMATED ENFORCEMENT (Horn+9) Amend the Vehicle Code to allow MDOT to designate highway lanes as “automated vehicle roadways” and provide for tolls and automated enforcement of lane restrictions. (*By contractor for possible project between Detroit and Ann Arbor.*) S-1 reported.

House

- 4077 SELF-SERVE GAS STATIONS (LaFave+8) Amend NREPA to allow unattended self-service fuel pumps without a locked fence. Require notices, safety measures, and emergency shutoffs. Compare 100th HB 4792 vetoed on safety grounds. Reported.
- 4146 I.R.P. PLATES (LaGrand+2) Make it a civil infraction and not a \$100 misdemeanor to operate a truck without a valid IRP registration; preserve \$500 fine for elected-GVW violations. Tie-barred to HB 4153 (uniform fines). Part of decriminalization package. Hearing held.
- 4148 MOTOR CARRIER FUEL TAX (Fink+1) Make it a civil infraction and not a misdemeanor to violate the Motor Carrier Fuel Tax Act; limit fine to \$150 (plus tax assessments).
- 4178, 4179 H.O.V. LANES (Clemente+5) Clarify that the Department may restrict highway lanes to high-occupancy or any other classes of vehicles (such as trucks, buses, automated vehicles or others). (Enable HOV lanes on I-75 in Oakland County, when northernmost segments are complete, around August, 2023.)
- 4219, 4220 O.W.I. EXPUNGEMENT (Yancey+5) Allow application for (not automatic) expungement of public record of first conviction for operating while intoxicated (OWI) after 5 years, except for causing injury or death or in commercial vehicles. Records persist in driving record and CDLIS. See SB 400. P.As 78 & 79 of 2021.
- 4697 ONE-STOP OVERSIZE PERMITS (Maddock) MDOT may (not *must*) issue permits for movement of mobile homes and other oversize loads for roads under all jurisdictions.
Require permit applications to be electronic. Permits to be “deemed issued” if MDOT does not process the application in 2 business days (5 days for annual permits); require web site showing application status. Local agencies to inform MDOT of permit fees. MDOT to collect and distribute fees to all jurisdictions, and may add administrative and payment-processing fees that cover costs.

- 4787 MILITARY C.D.L. TEST (Markkanen) Waive written knowledge test for commercial driver license for persons with military truck experience. P.A.148 of 2021.
- 4959 WORKER'S COMPENSATION, TRUCKING AUTHORITY (Fink+3) Require Worker's Compensation Agency to notify Public Service Commission of truck lines whose worker's disability compensation insurance coverage has lapsed. (Protect owners of impound yards entered by uninsured towing firms.)
Require monthly web posting of all trucking certificate-of-authority applications and revocations. H-1 passed.
- 4960 TOWED VEHICLES, L.E.I.N. (Fink+4) Require towed impounded (but not claimed) vehicles to be entered in Law Enforcement Information Network within 24 hours. H-1 passed.
- 4976-4978 LOG-TRUCK FUEL RECIPROCITY (Markkanen+3) Allow Dept. of Treasury to negotiate agreements with other states (not Ontario) to allow "timber harvester" trucks to operate 30 miles across the state line without registering under IFTA; allow log trucks to pay all fuel tax at the pump in either state. Allow Secretary of State to enter reciprocity agreements with any other jurisdiction covering vehicle registration, instead of Highway Reciprocity Board. (Eliminate need for 5-day fuel trip permits. Michigan log trucks may operate 30 miles into Wisconsin without IRP plates.) Passed House.
- 5272 SPEED CAMERAS, WORK ZONES (Eisen+9 of both parties) Allow road agencies, MSP, county sheriffs, and local units to use speed-enforcement cameras on their roads (does not allow local cameras on state trunklines), in work zones only when workers are present. Require notification signs.
Police agencies to mail tickets to "individuals" (not *persons*) who are the registered owner of a vehicle. Owners are exempt if they were not operating the vehicle; not required to identify the driver. \$170-\$320 fines; 1-5 points. Convictions appear on driving record.
- 5284 SPEED CAMERAS, GENERALLY (Anthony+6 of both parties) Same as HB 5272 above but allows automated enforcement of any speed limit on any road. Usual fines (\$170) and points apply.
- 5290 SPRING WEIGHT LIMITS (O'Malley) Amend Vehicle Code Sec. 722 to apply seasonal load restrictions to "portions of roads and streets." Allow all-season roads to which restrictions do not apply to be posted in either list or electronic map forms. Passed.
- 5510 WEIGH STATIONS (Meerman+1) Amend Vehicle Code to allow a truck to bypass weigh stations "if the ramp to the weigh station is full."
- 5662 C.D.L. INSTRUCTION (O'Malley+1) Amend driver-training law to define *commercial vehicle driver training* and *theory instruction* to match 49 CFR 380 (Special Training Requirements) and other federal regulations. Set standards for facilities and instructors. Require registration with FMCSA. Update language. See HB 5663.
- 5663 C.D.L. TRAINING and ENDORSEMENTS (Sneller+1) Amend Vehicle Code to match 49 CFR 380 (Special Training Requirements). Require training for hazmat and bus endorsements. Update language. See HB 5662.

Administrative Actions

- 2022 MOTOR FUEL TAX RATE Treasury sets Diesel fuel tax rate at 27.2 cents/gallon in Calendar 2022, based on inflation in 2020-2021.
- U.S. TRUCK CENSUS Revive Vehicle Inventory and Use Survey (VIUS) of a nationwide sample of 150,000 trucks, maybe 3,900 in Michigan. Covers heavy trucks (28-page form) and light trucks including vans and SUVs (20-page form); for configuration, size, and weight, equipment, commodity carried including hazmat, miles traveled, fuel used, private use. No questions on routes or parking. Data to be collected Feb.-Oct. 2022, to cover 2021; results to be published in fall, 2023. [BTS.gov/vius](https://www.bts.gov/vius)

117TH CONGRESS
1ST SESSION

H. R. 2187

To amend title 23, United States Code, to direct the Secretary of Transportation to set aside certain funds to provide parking for commercial motor vehicles on the Federal-aid highway system, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 26, 2021

Mr. BOST (for himself, Ms. CRAIG, Mr. JOINSON of South Dakota, Mr. GARAMENDI, Mr. STAUBER, and Ms. WILD) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend title 23, United States Code, to direct the Secretary of Transportation to set aside certain funds to provide parking for commercial motor vehicles on the Federal-aid highway system, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Truck Parking Safety
5 Improvement Act”.

1 **SEC. 2. PARKING FOR COMMERCIAL VEHICLES.**

2 (a) **SENSE OF CONGRESS.**—It is the sense of Con-
3 gress that it should be a national priority to address the
4 shortage of parking for commercial motor vehicles on the
5 Federal-aid Highway System to improve highway safety.

6 (b) **PARKING FOR COMMERCIAL VEHICLES.**—Chapter
7 1 of title 23, United States Code, is amended by adding
8 at the end the following:

9 **“§ 171. Parking for commercial vehicles**

10 “(a) **AUTHORIZATION.**—In addition to the amounts
11 authorized under section 1101 of the FAST Act, there is
12 authorized to be appropriated out of the Highway Trust
13 Fund (other than the Mass Transit Account) the following
14 amounts to provide providing parking for commercial
15 motor vehicles on Federal-aid highways:

16 “(1) \$125,000,000 for fiscal year 2022.

17 “(2) \$140,000,000 for fiscal year 2023.

18 “(3) \$150,000,000 for fiscal year 2024.

19 “(4) \$165,000,000 for fiscal year 2025.

20 “(5) \$175,000,000 for fiscal year 2026.

21 (b) **GRANT AUTHORITY.**—The Secretary shall pro-
22 vide grants from funds made available under subsection
23 (a), on a competitive basis, for projects to provide parking
24 for commercial motor vehicles on Federal-aid highways or
25 on a facility with reasonable access to—

26 “(1) a Federal-aid highway; or

1 “(2) a freight facility.

2 “(c) APPLICATIONS.—To be eligible for a grant under
3 this subsection, an entity shall submit to the Secretary an
4 application at such time and in such manner as the Sec-
5 retary may require.

6 “(d) APPLICATION CONTENTS.—An application
7 under subsection (c) shall contain—

8 “(1) a description of the proposed project; and

9 “(2) any other information that the Secretary
10 may require.

11 “(e) ELIGIBLE ENTITIES.—The following entities
12 shall be eligible to receive amounts under this section:

13 “(1) A State.

14 “(2) Any public agency carrying out responsibil-
15 ities relating to commercial motor vehicle parking.

16 “(3) A metropolitan planning organization.

17 “(4) A local government.

18 “(f) PRIVATE SECTOR PARTICIPATION.—An eligible
19 entity that receives a grant under this section may partner
20 with a private entity to carry out an eligible project under
21 this section.

22 “(g) ELIGIBLE PROJECTS.—

23 “(1) IN GENERAL.—An entity may use funds
24 provided under this section only for projects de-
25 scribed in paragraph (2) that are located—

1 “(A) on a Federal-aid highway; or

2 “(B) on a facility with reasonable access

3 to—

4 “(i) a Federal-aid highway; or

5 “(ii) a freight facility.

6 “(2) PROJECTS DESCRIBED.—A project re-
7 ferred to in paragraph (1) is a project to—

8 “(A) construct safety rest areas (as such
9 term is defined in section 120(e)) that include
10 parking for commercial motor vehicles;

11 “(B) construct commercial motor vehicle
12 parking facilities—

13 “(i) adjacent to private commercial
14 truck stops and travel plazas;

15 “(ii) within the boundaries of, or adja-
16 cent to, a publicly owned freight facility,
17 including a port terminal operated by a
18 public authority; and

19 “(iii) at existing facilities, including
20 inspection and weigh stations and park-
21 and-ride locations; and

22 “(C) convert existing weigh stations and
23 rest areas to facilities for the exclusive use of
24 commercial motor vehicle parking.

25 “(h) ELIGIBLE ACTIVITIES.—

1 “(1) IN GENERAL.—Entities may use alloca-
2 tions under this subsection for the following activi-
3 ties of an eligible project:

4 “(A) Development phase activities, includ-
5 ing planning, feasibility analysis, benefit-cost
6 analysis, environmental review, preliminary en-
7 gineering and design work, and other pre-
8 construction activities.

9 “(B) Construction, reconstruction, rehabili-
10 tation, acquisition of real property, environ-
11 mental mitigation, construction contingencies,
12 acquisition of equipment, and operational im-
13 provements directly related to expanding com-
14 mercial motor vehicle parking.

15 “(2) LIMITATION.—An entity may not use more
16 than 25 percent of a grant under this subsection for
17 activities described in paragraph (1)(A).

18 “(i) PRIORITY.—In making grants under this sub-
19 section, the Secretary shall give priority to entities that—

20 “(1) demonstrate a safety need for commercial
21 motor vehicle parking capacity in the corridor in
22 which the project described under subsection (d)(1)
23 is proposed to be carried out;

24 “(2) have consulted with affected State and
25 local governments, trucking organizations, and pri-

1 vate providers of commercial motor vehicle parking,
2 including truck stop and travel plaza operators;

3 “(3) demonstrate that the project described
4 under subsection (d)(1) will likely—

5 “(A) increase commercial motor vehicle
6 parking capacity;

7 “(B) facilitate the efficient movement of
8 freight; and

9 “(C) improve highway safety, traffic con-
10 gestion, and air quality;

11 “(4) demonstrate the ability to provide for the
12 maintenance and operation cost necessary to keep
13 the facility available for use after completion of con-
14 struction; and

15 “(5) demonstrate the ability to leverage private
16 and non-federal funds for the project.

17 “(j) FEDERAL SHARE.—Notwithstanding any other
18 provision of law, the Federal share for a project carried
19 out under this subsection shall be 100 percent.

20 “(k) TREATMENT OF FUNDS.—Notwithstanding sec-
21 tion 126, funds made available under this subsection shall
22 remain available until expended and shall not be transfer-
23 able.

24 “(l) PROHIBITION ON CHARGING FEES.—To be eligi-
25 ble for a grant under this section, an entity shall agree

1 that no fees will be charged for a commercial motor vehicle
2 to access and park at any part of the facility constructed
3 with funds made available under this subsection.

4 “(m) NOTIFICATION OF CONGRESS.—Not less than
5 3 days before making a grant for a project under this sec-
6 tion, the Secretary shall notify, in writing, the Committee
7 on Transportation and Infrastructure of the House of
8 Representatives and the Committee on the Environment
9 and Public Works of the Senate of the—

10 “(1) the amount of each proposed grant to be
11 made under this subsection; and

12 “(2) evaluation and justification for the project
13 selection.

14 “(n) SURVEY AND COMPARATIVE ASSESSMENT.—

15 “(1) IN GENERAL.—Not later than 18 months
16 after the date of enactment of this subsection, and
17 every 2 years thereafter, the Secretary, in consulta-
18 tion with appropriate State motor carrier safety per-
19 sonnel and State departments of transportation,
20 shall submit to the Committee on Transportation
21 and Infrastructure of the House of Representatives
22 and the Committee on the Environment and Public
23 Works of the Senate a report that—

24 “(A) evaluates the capability of the States
25 to provide adequate parking and rest facilities

1 for commercial motor vehicles engaged in inter-
2 state transportation;

3 “(B) evaluates the effectiveness of the
4 projects funded under this subsection in im-
5 proving access to truck parking;

6 “(C) evaluates the ability of entities receiv-
7 ing a grant under this subsection to sustain the
8 operation of parking facilities constructed with
9 funds provided under this subsection; and

10 “(D) reports on the progress being made
11 to provide adequate commercial motor vehicle
12 parking facilities in the State.

13 “(2) RESULTS.—The Secretary shall make the
14 report under paragraph (1) available to the public
15 on the website of the Department of Transportation.

16 “(o) TREATMENT OF PROJECTS.—Notwithstanding
17 any other provision of law, a project carried out under this
18 section shall be treated as if the project is located on a
19 Federal-aid highway under this chapter.

20 “(p) COMMERCIAL MOTOR VEHICLE DEFINED.—In
21 this section, the term ‘commercial motor vehicle’ has the
22 meaning given such term in section 31132 of title 49.”.

1 (c) CLERICAL AMENDMENT.—The analysis for chap-
2 ter 1 of title 23, United States Code, is amended by add-
3 ing after the item relating to section 171 the following:

“171. Parking for commercial vehicles.”

○