

MCAB Meeting Minutes

Thursday, May 19, 2022

MSP Headquarters

7150 Harris Drive

Dimondale, MI 48821

9:30 a.m.-12:00 a.m.

Members Present

Mr. Brian Hitchcock
Mr. Glen Merkel
Mr. James Burg
Mr. Michael Rushing
Mr. Paul Behmlander
Mr. Randy Whitaker
Ms. Sarah Stewart
Mr. Bill Kotynski
Ms. Jessica Kines

MSP-CVED Staff Present

MC Insp. Brad Cushman
MC Lt. George Bracco
MC Lt. Steven Horwood
MC Sgt Jeff Boller
Mr. Abe Droste
Ms. Ashley Andersen
Ms. Beth Schafer
Ms. Chelsea Phillips

Others in Attendance

Mr. Aarne Frobom
Ms. Dawn VanAken
Mr. Charlie Colton
Mr. John Wallace
Mr. Eric Morris
Ms. Kristina Droste
Mr. Travis Fletcher
Mr. Luke Schulte
Mr. Scott Spray
Mr. Ron Davis

Members Absent

Mr. Al DeMeestor
Ms. Carol Heinowski
Mr. Don Lahring
Mr. Joe Ballor
Mr. Joshua Rhodes
Ms. Nichole Gavriloski
Mr. Robert Esler

Welcome

The MCAB meeting was called to order at 9:30 a.m. by Ms. Jessica Kines.

Agenda and Meeting Minutes

- The agenda and meeting minutes for the March 17, 2022, meeting were approved.

Presentation

- MDOT-Feasibility study for road tolls was presented by Mr. Eric Morris

Agency Reports

MDOT - Mr. Aarne Frobom:

- MDOTs 2023 Fiscal Year Budget.
 - The House version would add \$750 million for general funds.
 - The Senate version would add \$100 million of additional spending.
- Watch study of per mile user fees.

FMCSA - Mr. John Wallace:

- The FMCSA Drug & Alcohol Clearinghouse went into effect several months ago, and there are currently 85,000 prohibited drivers within this program.
- CVSA road check week is May 17-19, 2022.
- CVSA Operation Safe Driver is July 10-16, 2022.
- FMCSA intends to develop a speed limiter rule that will mandate speed limits.
- FMCSA announced a safe driver apprenticeship pilot program for drivers ages 18-21.
- FMCSA announced a call for applications for a truck leasing task force.

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

- See attachment regarding CVED traffic crash statistics and fiscal year 2022 year to date activities.
- Graduation date for the current recruit school will be Friday, July 29, 2022.

Ms. Chelsea Phillips updated the group regarding smarttruckroute.com as an application that motor carriers can use for navigation of different truck routes, taking into consideration different restrictions.

The Interstate Unit:

- 2022 UCR compliance rate is 80%.
- Michigan has a passing grade on all state audit requirements.

The Intrastate Unit:

- Compliance rate is 93%.
- There will be a new program replacing iCars in 2023.

Center for Truck Safety-Mr. Charlie Colton:

- The simulator will be available June 1, 2022, for training appointments.
- Currently, the majority of trainings have been with private carriers.
- Safety entrant meetings with the new entrants.

Secretary of State-Ms. Dawn VanAken:

- SOS is fully staffed.
- There are many new IRP applications.

Treasury-Mr. Seth Martin was not present:

- See attached treasury report.

Legislative Updates-MDOT-Mr. Aarne Frohom:

- See attached Legislative bills.
- 640 Tow Trucks Spring Weight Restrictions
- 4,277 Hand-Held Cell Phones
- 5,662 C.D.L. Instruction, Federal-Aid Penalty

Presentation

- MSP - Smartview 360 was presented by MC Lieutenant Horwood

Upcoming Meeting Dates

- September 15, 2022
- November 17, 2022

MSP-CVED Updates:

Traffic Crash Statistics: Comparison FY21 to FY22

Crash Types	Total FY21 YTD all crashes	Total FY22 YTD all crashes	Fatal FY21 YTD Crashes	Fatal FY22 YTD Crashes
CMV Crashes	7,337	8,154	41	50
All vehicle Crashes	156,622	168,915	573	499
Percentage with CMV	4.6%	4.8%	7.2%	10.0%

Source: Traffic Crash Reporting System 5/12/22

MSP-CVED FY2022 YTD Activity

MSP-CVED completed: 24,876 vehicle inspections from 30,209 traffic stops.

Special Permit checks 1,308 vehicles weighed 4,234

Citations issued 9,861

Verbal warnings 23,184

Original incidents 2,280

Driving While License Suspended 73

Driving on a restricted license or inadequate 231

Operating While intoxicated 6

Operating Under Influence of Drugs 3

Fugitive Arrest 89

CCW violations 16

Possession of drugs 5

Alcohol possession 6

Drug and Alcohol Clearinghouse Violations 21 driver 14 carrier.

MSP-CVED's recruit school started 21 recruits on February 20, 2022 and now has 13 recruits.

Treasury Department Report for the Motor Carrier Advisory Board (MCAB) Meeting on May 19, 2022

We have continued to see a rise in the licensing of IFTA carriers this year as last year we set record numbers. Compared to last year, our new licensees are up 10% this year and our total licensed carriers are up 12%.

Some jurisdictions have passed fuel tax holidays where they remove some or all their motor fuel taxes for a set period. This will require carriers who report to adjust or change the normal way of filing. Each jurisdiction's law will affect how this happens. In the first quarter of 2022, Maryland and Georgia posted to the IFTA web site procedures and notification on how to report miles and fuel for IFTA tax returns. If jurisdictions continue to implement fuel tax "holidays", please review any IFTA notices from jurisdictions posted on the IFTA Inc website at www.IFTACH.org. Fuel tax rate changes could result in split rates or even notices of how to file due to legislation being enacted after the tax rates have been posted by IFTA Inc. The Michigan IFTA Unit is here to help answer any questions regarding how to file IFTA tax returns and you and your staff can reach out to us.

As always, if anyone has any IFTA needs they may contact the IFTA tax unit at 517-636-4580 or via email at IFTA_Licensing@michigan.gov. If the board has any specific questions for me, you may reach me via email at MartinS6@michigan.gov.

Thank you,
Seth Martin
Departmental Supervisor
IFTA Tax Unit ~ Dept of Treasury

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

Prepared for the May 19th meeting of the Motor Carrier Advisory Board. As of May 18, 2022.
By Aarne Frobom, Michigan Department of Transportation (517) 282-9373, froboma@Michigan.gov This is not an official interpretation by the State of Michigan. 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. Reported.
- 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; (Horn+9) Allow MDOT to designate highway lanes as “automated vehicle roadways” and provide for tolls on AV users. (*By contractor for possible project between Detroit and Ann Arbor.*) S-1 passed.
- 874 WORK-ZONE SPEED CAMERAS (Schmidt) Authorize MDOT or MSP (not local units) to use speed cameras in trunkline work zones. Require notification signs.
Create new civil infraction of an “individual” (not *person*) violating a work-zone speed limit by 6 mph while workers are present. (Unclear if “individual” includes a corporation.)
Registered owners or lessees are presumed responsible; may rebut presumption by mail if the owner was not driving—not required to identify driver. Citations to be mailed by first-class mail.
Same as HB 5750. Compare HB 5272. See HB 5286 (flashing lights on work-zone signs).
- 875 PROHIBIT RED-LIGHT CAMERAS (Theis+11) Prohibit use of automated cameras to enforce traffic signals. Compare HB 5284, and SB 874 and HB 5272 (work zone speeds). Reported.
- 887 LANE CLOSURES (Hertel+6) Amend P.A.165 of 1917 (closures and detours) to require when closing a freeway completely, require “crashworthy temporary traffic barriers” that comply with the MMUTCD. When freeways are partially closed at night, require concrete barriers between traffic and workers. Modernize reference to MMUTCD. Also HB 5734.
- 943 *WORK ZONE* DEFINITION (Huizenga+2) Define *work zone* as “adjacent to a barrier, berm, lane, or shoulder . . . within which . . . work . . . is being conducted by 1 or more individuals . . .” Broaden application of “work convoy” signs and rotating beacons. Add “or equipment” to mentions of vehicles protected by rotating beacons. Compare HB 5286.

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. Passed.
- 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 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.) Same as SBs 139,140.
- 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.
- 4277 HAND-HELD CELL PHONES (Manoogian+9) Amend cell-phone and texting law to prohibit use of a “mobile electronic device” while driving. Define *mobile electronic device* as any hand-held or portable communication or game device. Allow use of navigation devices if data are not entered by hand. Allow emergency use. Allow voice-activated phones built into a vehicle, and hand activation of a phone feature or selection of a phone number. Exclude CB, amateur, and 2-way radio, and parked vehicles. Prohibit use of social networking sites and watching video. Allow primary enforcement stops; prohibit searches of vehicles. Repeal all phone law after 5 years. Compare SB 409. Tie-barred to HBs 4278 (points) and 4279 (graduated licenses). H-5 passed 75-26-5.
- 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 reported to Senate.
- 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.) P.As 24-26 of 2022.
- 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. 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. Compare HB 5750 and SB 874. Hearing held.
- 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.
- 5286 WORK-ZONE SPEED LIMIT SIGNS (Huizenga+2) Allow speed-limit signs enforced “only where workers are present” to have flashing lights activated where workers are present. Allow *speed limit sign* to include a sign that displays an “electronic” “illuminated changeable digital message” that “displays the speed limit in a numerical format.” (Matches vendors’ sign trailers.) Change “person” to “individual” in Sec. 627. See SB 943 (*work zone* definition). Reported to Senate.

- 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." (Accomplished automatically at most weight stations and manually elsewhere.)
- 5662 C.D.L. INSTRUCTION, FEDERAL-AID PENALTY (O'Malley+1) Repeal definition of *truck driver training*. Amend driver-training law to define *commercial vehicle driver training* and *theory instruction* to match 49 CFR Part 380 (Special Training Requirements, taking effect February 7, 2022—see Parts 380.600 and 383.73(p)) and other federal regulations. Set standards for facilities and instructors. Require training providers to register with FMCSA under 380 Subpart G. (Ensure reciprocity for CDL training.) Update language. May be needed to allow issuance of new commercial learner's permits after Feb. 7, and avoid federal-aid penalty. See HB 5663. H-1 reported to Senate.
- 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. H-4 reported to Senate.
- 5750 WORK-ZONE SPEED CAMERAS (Cambensy+5) Same as SB 874.
- 5988 SPEED LIMITS, CITIES (Anthony+13 Dems.) Amend Sec. 628 to create new criteria for setting speed limits in villages and cities, including state trunklines and freeways. Make use of 85th percentile speed optional; allow public comment.
- 6065 SPEED, OVERTAKING (LaFave+5) Amend Secs. 627, 628 and 638 (overtaking) to allow drivers passing slower traffic on 2-lane roads to exceed the speed limit by 10 mph, for 10 seconds after completing the pass, outside city and village limits and school zones.