

MCAB Meeting Minutes
Thursday, November 16, 2023
MSP Headquarters
7150 Harris Drive
Dimondale, MI 48821
9:30 a.m.-10:30 a.m.

Members Present

Ms. Jessica Kines
Mr. Bill Kotynski
Mr. Brian Brink
Mr. Brian Hitchcock
Ms. Carol Heinowski
Mr. Don Lahring
Mr. James Burg
Mr. Joshua Rhodes
Mr. Paul Behmlander
Mr. Randy Whitaker
Mr. Roger Hayes
Mr. Scott Spray
Mr. Toby Archambault

MSP-CVED Staff Present

Capt. Richard Arnold
Insp. Brad Cushman
Lt. George Bracco
Ms. Beth Schafer
Ms. Chelsea Phillips
Ms. Ashley Andersen

Members Absent

Mr. Glen Merkel
Mr. Michael Rushing

Others in Attendance

Mr. Aarne Frobom
Ms. Michelle Zelma
Ms. Dee Thomas
Mr. Chris Blundell
Mr. Matt Fabre
Mr. Seth Martin
Mr. Joshua Miller
Ms. Ilea Waters
Ms. Katie Bower

Welcome

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

Agenda and Meeting Minutes

- A motion was made and approved of today's agenda.
- A motion was made and approved of the September 21, 2023, meeting minutes.

Agency Reports

Transportation-Mr. Aarne Frobom:

- The Mackinac Bridge Authority will be charging \$100 to escort oversize loads across the bridge.
- Program of bonding will be renewed this year, which will guarantee a steady flow of reconstruction money for next few years.
- Mr. Aarne Frobom announced his retirement effective December 8, 2023.

FMCSA - Mr. Matt Fabre:

- FMCSA amends the regulations pertaining to financial responsibility requirements for brokers of property and freight forwarders.
- [\[Docket No. FMCSA-2016-0102\] Broker and Freight Forwarder Financial Responsibility | FMCSA \(dot.gov\)](#)
- Special investigators to handle broker complaints.

Michigan Center for Truck Safety-Ms. Michelle Zelma:

- The skid pad will open April 2024 with an open house.
- The fee will be \$125 per person.
- As of January 2024, there will be two new simulators that will be able to simulate a commercial vehicle and motor vehicle driving next to each other.

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Secretary of State-Mr. Chris Blundell:

- December is IRPs fourth largest renewal period with over 1,100 renewals.

Treasury-Mr. Seth Martin:

- Electronic vehicle mileage tax in Indiana is effective as of January 1, 2024.
- IFTA renewal started November 1, 2023.
- New motor fuel tax rate is effective January 1, 2024.
- Georgia extended their fuel tax period. No tax until 11/29/23.
- There is a grace period to display your decals. 2 months before or after January 1, 2024. If you cover the 2023 decal, keep the credentials for both years in the cab of the truck.

CVED Update–Capt. Richard Arnold, Insp. Brad Cushman, Lt. George Bracco.

Ms. Ashley Andersen:

- Capt. Richard Arnold announced that there where board vacancies for the Michigan Truck Safety Commission.
- Lt. George Bracco presented updated information regarding CVED traffic crash statistics for the 2022 and 2023 fiscal year. See attached.
- East bound Ionia station will be torn down and rebuilt in 2024.
- Insp. Brad Cushman announced the 27th recruit school will start the summer of 2024.
- Performance based brake testers will be arriving in the spring and will be tested at various weigh stations.
- Ms. Ashley Andersen reported that renewal for the 2024 UCR opened October 1, 2023, with enforcement beginning January 1, 2024.
- Michigan has the highest UCR enforcement accuracy percentage in the nation.
- The renewal for the CVED Intrastate authority opened October 1, 2023.
- Late fees will be applied to renewals as of December 2, 2023, and will increase every month.

Legislative Updates-MDOT-Mr. Aarne Frobom:

- 275 – Fuel Tax, Electrification
- 4132 - Work-Zone Speed Cameras
- 5304 – Trucks Keep Right
- Distracted driving law – declined but going back on

New Business:

- Possible MDOT zipper merge signage presentation in January.

Public Comments:

Upcoming Meeting Dates

- January 18, 2024
- March 21, 2024
- May 16, 2024
- September 19, 2024
- November 21, 2024

MSP-CVED Updates:

Traffic Crash Statistics: Comparison FY22 to FY23

Evaluation period	Total Number of crashes	Total number of Truck/Bus crashes	Total number of fatal crashes	Truck/Bus fatal crashes	Percentage CMV related crash/fatal
FY23	301,946	15,654	1,020	93	5.2/9.1
FY22	300,145	15,755	1,101	95	5.3/8.6
Change	.5%	-.08%	-8%	-2%	
FY19	321,419	15,391	919	93	4.8/10.1

Source: Traffic Crash Reporting System 11/14/23

MSP-CVED FY2023 YTD Activity

MSP-CVED completed: 48,538 vehicle inspections from 54,752 traffic stops.

Special Permit checks 2,078 vehicles weighed 7,481

Citations issued 17,852 Verbal warnings 43,653

Original incidents 4,959

Driving While License Suspended 162

Driving on a restricted license or inadequate 884

Operating While intoxicated 24

Operating Under Influence of Drugs 3

Fugitive Arrest 179

CCW/weapons violations 27

Possession of drugs 20

Alcohol possession 16

Hand held/Text 766

Seat belt 1,406

Speed 2,121

Drug and Alcohol Clearinghouse Violations 59 driver 32 carrier.

Parking 185 citations 344 verbal warnings

Michigan currently has **3,474** drivers in violation of the Drug and Alcohol Clearing House.

Trucking-related Bills in the 102nd Michigan Legislature – 2023-2024

Prepared for the November meeting of the Motor Carrier Advisory Board. As of November 14, 2023.
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

- 14 FEDERAL REGULATION (McCann+13) Amend Administrative Procedures Act to repeal 2018 requirement that state rules not be “more stringent” than federal minimums, for rules mandated to be promulgated by federal law, or for federal standards. (*Probably does not apply to non-California emissions regulations.*) P.A.104 of 2023.
- 275 FUEL TAX, ELECTRIFICATION (Singh+14) Prohibit petroleum fuel sales unless accompanied by purchase of credits from biofuels or electrification spending, to achieve statewide carbon-intensity standards. Applies to all vehicle fuels, including off-road Diesel, bus, farm, train, ship, and aviation fuel.
Tax rate unknown, but possibly 10 to 50 cents/gallon; to be set administratively by EGLE based on spending to avoid carbon emissions. Revenue to be directed to electric-vehicle subsidies, vehicle-charger and infrastructure installation, biofuels, atomic, wind and solar generation, and other spending.
Require carbon intensity of vehicle fuels to be reduced 25% below 2019 levels by 2035, or more at discretion of EGLE.

House

- 4028 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. Require notice to county. Same as 101st SB 640. H-1 reported.
- 4132, 4133 WORK-ZONE SPEED CAMERAS (Snyder+1 of both parties; MITA bill.) 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 10 mph while workers are present. (Unclear if “individual” includes a corporation, like a trucking company.)
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 delivered by first-class mail. Passed House.
- 4250-4252 HAND-HELD CELL PHONES (Koleszar+8 of both parties) Prohibit use of any hand-held “mobile electronic device” while driving. Allow use of navigation devices if data are not entered by hand. Allow emergency use. Allow voice-activated phones built into or attached to a vehicle, and hand activation of a phone feature or selection of a phone number by a single touch. Exclude CB and 2-way radio, and parked vehicles. Prohibit use of social networking sites and watching video. Allow primary enforcement stops; prohibit searches of vehicles. Effective June 30, 2023. P.As 39-41 of 2023.
- 4352, 4353 CARPOOL LANES on I-75 (Shannon+2) Authorize MDOT to restrict newly-built lanes to HOVs (as on I-75 in Oakland County). Authorize enforcement. P.As 148 and 149 of 2023.
- 4990 LOOKUP FEES (Brabec+1) Increase commercial record look-up fee (as for driving and criminal records) from \$11 to \$15. P.A.129 of 2023.
- 5023 CITY TOWING MANAGEMENT (Farhat+19) Prohibit local governments from contracting with third parties to manage and administer towing operations or impound lots.
- 5304 TRUCKS KEEP RIGHT (Bruck+16 of both parties) Amend Vehicle Code to make keep-right law apply only on freeways with 2 lanes on a side. Preserve self-contradictory Subsec. 634(3) limiting

trucks to 2 rightmost lanes on freeways with 3 or more lanes (but allowing free use of all lanes); update language.

Court Decisions

I.R.P. and NO-FAULT In *Frankenmuth Mutual Insurance Company v. Michigan Automobile Insurance Placement Facility* ([COA Docket No. 362955](#)), Court of Appeals finds that no-fault coverage is required by IRP trucks based in other states if they operate in Michigan more than 30 days in a calendar year.

Administrative Actions

ESCORT FEE Mackinac Bridge Authority to charge \$100 to escort oversize loads across bridge. Effective date unannounced. Affects 1,700 loads/year.