

**MCAB Meeting Minutes**  
Thursday, September 15, 2022  
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 Hitchcock  
Mr. Don Lahring  
Mr. Glen Merkel  
Mr. James Burg  
Mr. Joshua Rhodes  
Mr. Michael Rushing  
Mr. Paul Behmlander  
Mr. Robert Esler

**MSP-CVED Staff Present**

MC Insp. Brad Cushman  
MC Lt. George Bracco  
Mr. Abe Droste  
Ms. Ashley Andersen  
Ms. Beth Schafer  
Ms. Chelsea Phillips

**Others in Attendance**

Mr. Aarne Frobom  
Mr. Chris Blundell  
Mr. John Wallace  
Mr. Toby Archambault  
Mr. Luke Schulte  
Ms. Jill Skutar  
Ms. Dee Thomas  
Mr. Steven Tatum  
Ms. Kristina Droste  
Mr. Travis Fletcher  
Mr. Michael Rushing  
Ms. Traci Riehl

**Members Absent**

Mr. Al DeMeester  
Ms. Carol Heinowski  
Mr. Joe Ballor  
Ms. Nichole Gavriloski  
Mr. Randy Whitaker  
Ms. Sarah Stewart

**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 May 19, 2022, meeting were approved.

**Agency Reports**

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

- See attachment regarding CVED traffic crash statistics and fiscal year 2022, year to date activities.

Mr. Abe Droste reported that the 2023 UCR registration period opens October 1, 2022. Enforcement starts January 1, 2023.

Ms. Ashley Anderson reported that the intrastate authority renewal period opens October 1, 2022. If you register after December 1, 2022, late fees will be added.

The CVED authority portal that will be replacing iCars and Accela has a start date of March 1, 2023. There will be a demonstration before that date.

**Center for Truck Safety—Ms. Dee Thomas:**

- Truck Driver appreciation week is September 11-17, 2022.
- Introduced Mr. Steve Tattum, the new instructor for the simulator.

**Secretary of State—Mr. Chris Blundell:**

- SOS started a new quarterly news bite regarding IRP. The first one was sent out in September 2022 and was about audits.
- Mr. Luke Schulte discussed the new IRP Ballot 446.

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**Treasury-Mr. Seth Martin was not present:**

- See attached treasury report.

**MDOT-Mr. Aarne Frohom:**

- The speed limitations on the oversized and overweight permits are changing.
  - For single trip permits where the MPH is 55 or less, there will no longer be a 10-mile reduction.
  - The 10-mile reduction will remain in effect for the roads posted over 55 MPH.
  - This will apply to the annual permits as soon as the program can be updated.
- MDOT is applying for Federal funding to accelerate the pavement preservation program over the next couple of years.

**FMCSA - Mr. John Wallace:**

- The FMCSA provisionally reviewed the Truck Renting and Leasing Association Inc. exemption from the provisions that require motor carriers to install and use ELDs in trucks being rented for eight days or less regardless of the reason not to use ELDs.
- FMCSA extended the COVID 19 emergency declaration, which provides regulatory relief for carriers providing direct assistance in support of the national emergency. This extension expired August 14, 2022.
- Stats on the 2022 International Road Check results:
  - 59,026 inspections were conducted in three days.
  - 12,456 trucks were placed out of service for vehicle defect.
  - 3,417 drivers were placed out of service.
  - The focus this year was on wheel ends.
- FMCSA is working on an Anti CPI masking project. Only 30% of the moving violations charged against a CDL driver on the road were abstracted to the driving record.
- Michigan was issued a finding for systematic masking throughout the state. To address that finding in their action plan they applied for and received a 2020 CDLPI funding.

**Legislative Updates-MDOT-Mr. Aarne Frohom:**

- See attached Legislative bills.
- 640 Tow Trucks Spring Weight Restrictions
- 4277 Hand-Held Cell Phones
- 874 Work-Zone Speed Cameras
- 5272 Speed Cameras, Work Zones

**New Business:**

Tire Anomaly Classification System (TACS)

**Upcoming Meeting Dates**

- November 17, 2022

## Treasury Department Report for the Motor Carrier Advisory Board (MCAB) Meeting on September 15, 2022

Due to the increase in licensees this year, we project a depletion of 2022 decal inventory by the end of October. This may prompt usage of a 30-day temporary decal permit for many vehicles however, the IFTA Agreement allows applying 2023 decals 2 months in advance (which begins on 11/1/2022). We encourage carriers to renew as soon as renewal season opens on 11/1/2022 and apply the 2023 decals immediately and keep a copy of both the 2022 and 2023 licenses in their qualified vehicles.

A few jurisdictions have continued to pass 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 third quarter of 2022, we have been able to apply a split rate for Georgia on our tax system. This will provide 2 lines of entry for specific dates so the tax per gallon for Georgia will be accurate. As jurisdictions continue to implement fuel tax "holidays", please review any IFTA notices from jurisdictions posted on the IFTA Inc website at [www.IFTACH.org](http://www.IFTACH.org). These notices will provide information on how to report your fuel taxes for each circumstance. 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.

The Michigan IFTA tax system will be going through a software platform change in the next 2 months. Implementation is expected to happen around November 20, 2022. The performance and features of our tax system will not change however it will provide a much different look and feel. The new platform's focus is to accommodate the use of mobile communication usage, such as smart phones and tablet style devices. Although navigation will be new, the functionality will be very similar to what we currently use. Notifications and instructions will be sent out soon to help with the transition.

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](mailto:IFTA_Licensing@michigan.gov). If the board has any specific questions for me, you may reach me via email at [MartinS6@michigan.gov](mailto:MartinS6@michigan.gov).

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

**MSP-CVED Updates:**

Traffic Crash Statistics: Comparison FY21 to FY22

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
<b>FY22 to date</b>	258,350	13,063	874	77	5.0/8.8
<b>FY21 to date</b>	244,158	11,770	956	65	4.8/6.7
<b>Change</b>	+6.4%	+11%	-8.5%	+18.5% was 24	
<b>FY19 Prepand.</b>	287,769	13,590	797	84	4.7/10.5

Source: Traffic Crash Reporting System 8/26/22

**MSP-CVED FY2022 YTD Activity 10-1-21 to 8-20-22**

MSP-CVED completed: 40,641 vehicle inspections from 49,623 traffic stops.

Special Permit checks 2,132 vehicles weighed 6,630.

Citations issued 16,572 verbal warnings 38,097.

Original incidents 3,661

Driving While License Suspended 140

Driving on a restricted license or inadequate 717

Operating While intoxicated 15

Operating Under Influence of Drugs 5

Fugitive Arrest 138

CCW violations 26

Possession of drugs 10

Alcohol possession 17

Drug and Alcohol Clearinghouse Violations 42 driver 30 carrier.

MSP-CVED's 25<sup>th</sup> recruit school started 21 recruits on February 20, 2022 and graduated 13 officers.MSP-CVED's 26<sup>th</sup> recruit school is now in the recruiting and hiring phase, 17 people have passed the hiring interview and currently 8 applicants are in the background stages.Fowlerville westbound scale is scheduled to be completed by December 1<sup>st</sup>.



## Trucking-related Bills in the 101<sup>st</sup> Michigan Legislature – 2021-2022

Prepared for the September 15<sup>th</sup> meeting of the Motor Carrier Advisory Board. As of Sept. 13, 2022.  
By Arne Frobom, Michigan Department of Transportation (517) 282-9373, [froboma@Michigan.gov](mailto: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/](http://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. House hearing held.
- 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. 1<sup>st</sup>. 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 or others. (*By contractor for possible project between Detroit and Ann Arbor.*) P.A.179 of 2022.
- 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). Passed.
- 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. Passed.
- 1064 VEHICLE DEALERS, FEES, TITLES (Nesbitt+9 of both parties) Amend Vehicle Code to relax regulation of vehicle dealers. Broaden definition of *sell*. Cancel licenses for dealers selling less than 5 vehicles/year. Loosen laws governing delivery of titles. Similar to HB 6282. Passed unanimously.
- 1134 ELECTED G.V.W. (McBroom) Make it a civil infraction to operate a commercial motor vehicle registered at the wrong weight; \$150 fine. (Correct omission?)
- 1151 TOLL ENFORCEMENT (Schmidt) Require SOS to refuse registration or transfer upon notice from a Michigan toll bridge or tunnel operator (not toll roads or other states) of 3 failures to pay tolls. Does not authorize new toll facilities. Provide for dispute arbitration by operator, and appeals.



## 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 100<sup>th</sup> 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. Compare SB 706 (AV lanes, enacted).
- 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. S-1 reported.
- 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. P.A.89 of 2022.
- 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.” Change “person” to “individual” in Sec. 627. See SB 943 (*work zone* definition). P.A.52 of 2022.
- 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 85<sup>th</sup> 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.
- 6277 STATE POLICE TOWING (Garza+3) Require DTMB to contract with a towing and storage firm for the area covered by each State Police post. No regulation of rates or contract terms.

### **Administrative Actions**

PERMIT SPEED LIMITS For MDOT single-trip permits, permitted speed on roads with posted truck speed limits greater than 55 mph is 10 mph less than the posted limit; for roads posted at or below 55 mph, permitted speed is equal to the posted limit. Annual permits to follow as soon as software updates are complete.