

MCAB Meeting Minutes
Thursday, September 21, 2023
MSP Headquarters
7150 Harris Drive
Dimondale, MI 48821
9:30 a.m.-10:30 a.m.

Members Present

Ms. Jessica Kines
Mr. Toby Archambault
Mr. James Burg
Mr. Don Lahring
Mr. Scott Spray
Mr. Randy Whitaker
Mr. Roger Hayes
Mr. Brian Brink
Ms. Carol Heinowski
Mr. Michael Rushing
Mr. Paul Behmlander

MSP-CVED Staff Present

Lt. Col. Michael Krumm
Ms. Beth Schafer
Ms. Chelsea Phillips
Mr. Abe Droste

Members Absent

Mr. Brian Hitchcock
Mr. Glen Merkel
Mr. Joshua Rhodes
Mr. Bill Kotynski

Others in Attendance

Mr. Aarne Frobom
Ms. Dee Thomas
Mr. Chris Blundell
Ms. Elvine VanBolden
Mr. Matt Fabre
Ms. Elisha Wulff
Sgt. Travis Fletcher

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 May 18, 2023, meeting minutes.

Agency Reports

CVED Update–Lt. Col. Michael Krumm, Mr. Abe Droste and Ms. Chelsea Phillips:

- Lt. Col. Michael Krumm presented Mr. James Burg a token of appreciation for his donation to the Canine Memorial.
- Mr. Abe Droste reported that renewal for the 2024 UCR will open October 1, 2023
- Ms. Chelsea Phillips reported that a brochure to claim your CVED Authority Portal will be mailed out September 29, 2023.
- Renewal for CVED authority will open October 1, 2023.
- See attachment regarding CVED traffic crash statistics and fiscal year 2022 and 2023, year to date activities.

Transportation-Mr. Aarne Frobom:

- Widening of I-75 in Oakland Co. to allow carpool lanes is almost complete.
- Mr. Aarne Frobom introduced Elisha Wulff with the planning bureau.
- Update the State Freight plan from every five years to every four years.
- Asked for input regarding the truck parking needs with-in the state of Michigan.

FMCSA - Mr. Matt Fabre:

- Passenger carrier initiative is being conducted in the month of September.
- The Drug & Alcohol clearinghouse part 2 rule will be in effect November 18, 2024.
- Announced that John Wallace will be retiring December 2023.

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Michigan Center for Truck Safety-Ms. Dee Thomas:

- Provide commercial motor vehicle (CMV) safety training to CMV drivers & industry personnel. Training included new entrant, simulator training, defensive driving course, reasonable suspicion training for Supervisors and for the UP only, driver performance management.
- Strengthen CDL programs by providing outreach to include seminars and community events.
- Improve and expand the public information and education for the CMV drivers & industry.

Secretary of State-Mr. Chris Blundell:

- There is a new administrative manager.
- The director, Dawn VanAken will be retiring December 2023
- Over 2,100 September IRP renewals
- They will be getting a new supervisor in November to manage the administrative side of IRP.

Treasury-Mr. Seth Martin was not present:

- See attachment.

Legislative Updates-MDOT-Mr. Aarne Frobom:

- A new bill may pass next week raising prices from 11 – 15 per look up
- 275 - Clean-Fuels Mandate
- 4132, 4133 Work-Zone Speed Cameras

New Business:

Ms. Carol Heinowski attended the Michigan Trucking Association annual “Call on Washington”. Some of the topics included: truck parking, repeal of the Federal Excise Tax, electric vehicles, legislation to curb nuclear jury verdicts and make it a Federal crime to “stage” an accident, barriers for drivers to enter the industry and the controversy over independent contractors, etc. Many of these topics already have corresponding bills that have been introduced in the House or the Senate.

Public Comments:

Upcoming Meeting Dates

- November 16, 2023

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 to date	273400	13911	904	85	5.1/9.4
FY22 to date	275902	14347	990	85	5.2/9.1
Change	-.9%	-3%	-8.5%	0%	
FY19 to date	296592	14071	834	85	4.74/10.2

Source: Traffic Crash Reporting System 9/12/23

MSP-CVED FY2023 YTD Activity

MSP-CVED completed: 46,881 vehicle inspections from 52,858 traffic stops.

Special Permit checks 1988 vehicles weighed 7,195

Citations issued 17,161 Verbal warnings 42,151

Original incidents 4,757

Driving While License Suspended 150

Driving on a restricted license or inadequate 884

Operating While intoxicated 22

Operating Under Influence of Drugs 3

Fugitive Arrest 177

CCW/weapons violations 27

Possession of drugs 20

Alcohol possession 16

Hand held/Text 579

Seat belt 1366

Speed 2,042

Drug and Alcohol Clearinghouse Violations 58 driver 32 carrier.

Treasury Department Report

Motor Carrier Advisory Board (MCAB) Meeting on September 21, 2023

The Michigan IFTA tax system platform change occurred on September 15, 2023. Log in credentials stayed the same although some users may need to reset their passwords (it's been hit & miss). The feedback thus far has been satisfactory, and customers have been very cooperative in the change. A previous bookmarked link to the old system will not work although the landing page will provide the new web address as does our Michigan.gov/IFTA page. Since October will be the filing month for the 3rd quarter tax returns, we will be sending out reminders to licensees to file early rather than waiting till the very end of the month as we expect the number of incoming phone calls to be high.

Georgia has implemented another tax holiday that will not be reflected on the tax returns. There is no tax on fuel purchased in Georgia from September 13, 2023, to October 12, 2023. Therefore, the miles traveled in Georgia during this period should be reported in the total miles for Georgia but deducted from the taxable miles for Georgia. Any fuel purchases in Georgia during this period should be reported as non-IFTA fuel with a reason as "Georgia tax holiday". Do not report this fuel as tax paid as credit is not eligible for tax paid fuel however the gallons are needed to be reported as non-IFTA to determine the appropriate fleet MPG calculation.

Indiana has also reported an error for 3Q 2023 tax rates on fuel. Since the error was reported early enough for us to enter it in our Michigan IFTA system, the Indiana rates are correct when filing your return however the IFTA Inc website tax matrix is not correct.

Newfoundland has also reported an error in submitting tax rates to IFTA Inc. for the 3Q 2023 and they did not report this early enough for us to change it in our system. Therefore, Newfoundland has the responsibility to pursue tax discrepancies on their own accord.

2024 decals (red) have been received and are ready to go so there will be no delays for Michigan in distributing them starting November 1, 2023, when renewal season begins.

Finally, with more jurisdictions passing legislation on taxing of electric as a fuel for qualified carriers, Indiana passed legislation to implement a mileage-based tax on electric vehicles starting in 2024. The IFTA jurisdictions are in heavy discussions on how to implement this taxing process in our current tax reporting processes and the ideas are abundant. More to come on these developments.

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 102nd Michigan Legislature – 2023-2024

Prepared for the September 21st meeting of the Motor Carrier Advisory Board. As of Sept. 20, 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

- 275 CLEAN-FUELS MANDATE (Singh+14) Apply second tax to vehicle fuels and use revenue to subsidize biofuels and electric vehicles. 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 DEGLE based on spending to avoid carbon emissions. Revenue to be directed to electric-vehicle subsidies, vehicle-charger and infrastructure installation, biofuels, renewable fuels, and other spending.
Require carbon intensity of vehicle fuels to be reduced 25% below 2019 levels by 2035, or more

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. Same as 101st SB 640. Hearing held.
- 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, trucks, or other classes of vehicles (as on I-75 in Oakland County). Authorize enforcement. Reported to Senate.
- 5023 CITY TOWING MANAGEMENT (Farhat+19) Prohibit local governments from contracting with third parties to manage and administer towing operations or impound lots.

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.