



# Motor Carrier Services Update - Spring 2006

MCS UPDATE

SPRING 2006

"Striving to meet the needs of the AAMVA membership and working to improve highway safety and efficiencies in the motor carrier services community."

## Springing Forward With Progress

We are making some progress on the two major issues AAMVA MCS is focused on right now, the Federal Heavy Vehicle Use Tax (HVUT) and the new Unified Carrier Registration (UCR). Both of these programs hold major implications on the AAMVA membership and we are working hard to ensure your needs are addressed.

With respect to the HVUT, we are working jointly with the FMCSA Expanded CVISN working group to address the issues surrounding the entire HVUT process. The IRS is working on developing an automated filing process for motor carriers to file their HVUT electronically. This requirement is based on law changes that took place in late 2004 and in the Federal Highway Re-Authorization bill SAFETEA-LU.

The IRS is mandated to create an electronic filing system for carriers and carriers with 25 or more vehicles are required to file electronically. Additionally, SAFETEA-LU mandates the IRS to create an electronic data structure which will allow states to electronically verify proof of payment. We are working with the IRS and FHWA to try to ensure that the jurisdictions are at the table as this process moves forward. While it will still take some time, there should be progress in the coming months.

As for the UCR, things are not moving quite as well as we had hoped, but things are beginning to take shape. AAMVA staff recently participated in a meeting with a group of folks from NARUC, NCSTS, CVSA, NCSL and others to discuss a strategy to seek an extension of the current SSRS. The law as it currently stands repeals the SSRS as of January 1, 2007. Due to the many things yet to be completed on development of the new UCR, it looks doubtful that UCR can be developed and ready for implementation by that date. At this point a formal proposal or request has not been submitted to Congress, but hopefully something will happen in the short future.

**Recently, the SSRS jurisdictions were asked for specific data to help support the need for an extension. If your jurisdiction participates in the SSRS, it is very important to supply the needed information, so if your jurisdiction has not yet responded, please do so at your earliest convenience.**

Watch for updates on these and other important programs coming very soon!

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## **New Study Says Auto Drivers Cause 56 % of Car - Truck Crashes**

Highway crashes involving a large truck and an automobile are more likely to be caused by the car driver than the truck driver, according to the Federal Motor Carrier Safety Administration (FMCSA). For two-vehicle crashes involving a truck and a passenger vehicle, trucks were assigned the critical reason in 44% of the crashes and passenger vehicles in 56%, based on data from a long awaited crash-causation study. The study and report were mandated by the 1999 law that created FMCSA and was sent to Congress in early March 2006. FMCSA said drivers, rather than equipment failure or environmental factors such as weather, were the main reason for most crashes, and that in two-vehicle car-truck crashes, fatigued automobile drivers were almost twice as likely to be the cause of the crash.

## FMCSA Studies Ways to Harmonize US - Canadian CMV Safety

FMCSA is undertaking a Canadian Issues Project intended to identify and document all existing agreements, regulatory requirements, and issues that impact the movement of commercial motor vehicles (CMV) and goods and services across the US and Canadian border.

The study will be conducted over a two year period, and will include the development of hard copy and electronic outreach materials that will provide industry with information on cross border operating requirements.

The following objectives have been established for this project:

- *To ensure motor carriers with cross-border operations in Canada and the US have access to information on the requirements of operating in both countries including CMV safety regulatory variances;*
- *To provide the FMCSA with a comprehensive report of historical, current, and future planned FMCSA - Canada activities and initiatives;*
- *To identify significant issues that would impact FMCSA's ability to work toward harmonization and reciprocal recognition of programs, policies, regulations and standards with Transport Canada and other Canadian governmental agencies relating to CMV safety; and,*
- *To provide assistance to FMCSA in evaluating the effect of FMCSA regulatory proposals and policy initiatives on Canadian motor carriers and drivers operating in the US. Additionally, evaluate the effect of regulatory proposals and policy changes on current FMCSA initiatives with Transport Canada and other Canadian government organizations, and bi-lateral agreements with Transport Canada (including Departmental agreements).*

Canada and the US share the world's largest trading relationship and longest undefended border. There are approximately 14 million truck crossings a year across the US - Canada border, which equates to one truck every 2.5 seconds - an astonishing statistic with about 67 percent going through the top six border crossings.

Canada and the US regulate motor carriers and their operations in similar but different ways. In general,

the scope and content of the rules are similar, but do contain important differences. In the US, FMCSA has primary regulatory authority for inter-state, hazardous materials (HAZMAT) shipments, and international truck and bus operations. The regulatory environment in Canada is unique, different and more complex from the US environment in a number of important respects. In Canada, the federal government uses Transport Canada as it's vehicle for legislative authority for inter-provincial and inter-national truck and bus operations. However, since 1954 the federal government has delegated many of the functions to administer and enforce regulations applying to extra-provincial and international carriers back to the provinces and territories.

Watch for future updates on this important study!

*This update is issued regularly and is directed to the motor carrier services, motor vehicle and law enforcement community. Nothing in this update is confidential and further dissemination of the contents of this update is allowed and encouraged. The programs and services highlighted in this update focus on the issues of motor carrier services.*

*Comments and submissions to this update are welcomed.*

*Contact Tim Adams via e-mail at [Tadams@aamva.org](mailto:Tadams@aamva.org) or by phone at (502) 845-0398.*

## Other Motor Carrier Items of Interest



### Safety Belt Use for CMV Drivers is the Law

Title 49, Section 392.16 of the Code of Federal Regulations states:

“A commercial motor vehicle that has a seat belt assembly installed at the drivers seat shall not be driven unless the driver has properly restrained himself/herself with the seat belt assembly.”

There are many reason why drivers refuse to wear safety belts while operating their vehicles. It is very important in efforts to improve safety that we work and do what we can to educate and help encourage CMV drivers to buckle up.

AAMVA is a member of the FMCSA Commercial Motor Vehicle Safety Belt Partnership along with many other associations and organizations. Through this Partnership we are working to try to promote this program and hopefully drastically increase seat belt usage in commercial vehicles.

A recent study conducted by the US Department of Transportation shows only 54 percent of CMV drivers wear safety belts compared to 82 percent of passenger vehicle drivers. In 2004, close to half of the 634 CMV drivers killed in crashes were not wearing safety belts. Of those killed, 168 of them were ejected from their vehicles, and nearly 3 out of 4 were not buckled up.

We have made a commitment to work to help increase safety belt use in the commercial driver community and we need your help to do so. We will be contacting each jurisdiction to obtain a contact person to work with to help promote this program in DMV and MCS offices. There are a great of materials available to get the message out there and increase awareness. Through FMCSA we have access to poster, brochures and many other forms of information to supply to you to display in your offices or to provide to CDL drivers in our jurisdiction.

Please watch for future updates on this important program and for a request for a designated contact to help us make this promotion work and improve the use of safety belts in our CMV driver community.

### American Trucking Association and Canadian Trucking Alliance Endorse Speed Limiters

The American Trucking Association (ATA), the nation's largest trucking industry trade group, has endorsed a move to limit the maximum speed of large trucks, at the time of manufacture, to no more than 68 miles-per-hour. The group took the action at it's Winter Leadership meeting in Tampa, Florida. This aggressive safety action by the ATA is aimed at reducing the number and severity of speed-related crashes among all vehicles on the highways.

The Canadian Trucking Alliance (CTA) followed, by endorsing a national policy for Provincial Governments to pass laws making it mandatory for truck speed limiters set at 105 kilometers per hour, the equivalent of 65 miles-per-hour. CTA wants to eliminate speeding altogether, the environmental and safety benefits are simply to significant to ignore.

## **“CVISN”**

### **Commercial Vehicle Information Systems and Networks**

The CVISN program, which is an effort sponsored by the FMCSA and ongoing in many US jurisdictions, continues to develop and move forward as jurisdictions work to create and implement technical solutions to help improve safety and data sharing on commercial motor carriers, vehicles and drivers.

As some jurisdictions continue work toward level one CVISN compliance, several jurisdictions are working on what is being called “Expanded CVISN”. The major efforts currently underway with Expanded CVISN include ad hoc working groups or teams working on:

- Roadside Identification
- Driver Information Sharing
- Heavy Vehicle Use Tax (Jointly with AAMVA)
- COMPASS Coordination

The following are brief reports on each of these working groups recent activities:

#### **Roadside Identification**

- Began developing high-level concepts proposed for roadside identification. This includes specifying the entities to be identified at the roadside, listing candidate technologies, and describing possible approaches for identifying those entities.
- Reviewing updated task description for surveying industry attitudes, stressing the importance of using the interview process to delve into any concerns industry might raise about identifying every commercial entity on the road.
- Reviewed feedback from various vendors about the challenges in using license plate readers to identify commercial vehicles. Some of the challenges include; positioning of license plate on vehicle, material plate is made of, fonts and formats and the jurisdiction.
- Near-term task will focus on refining high-level concepts and characterizing commercial license plates to enhance automated identification.

#### **HVUT**

Report on page # 2 covers activities of this ad hoc working group.

#### **Driver Information Sharing**

The Driver Information Sharing working ad hoc team has prepared a set of questions for state agencies and local law enforcement that supply and use information about commercial drivers. AAMVA and CVSA have helped to collect the responses. If you have not done so and wish to provide input, please contact Tim Adams for a information on the survey and how to complete. The group is working with the International Association of Chiefs of Police to circulate the questions to local law enforcement folks. The responses will be used to help identify business uses for various driver data elements.

#### **COMPASS Coordination**

The COMPASS Coordination ad hoc team is working with the FMCSA COMPASS team to provide input and comment on the work that is being done within FMCSA to revamp their technology systems. The major focus of this team to ensure that the CVISN concept of interfacing systems and having the necessary data available to help make informed decisions is made available to all parties that have a need especially the regulatory agencies and law enforcement.

Watch for future updates as these efforts proceed.

#### **ATA Can Intervene in Public Citizen’s HOS Challenge**

The US Court of Appeals for the District of Columbia Circuit has granted the ATA’s request to intervene in Public Citizen’s latest challenge to the FMCSA hours of service rules. Public Citizen is expected to challenge the new rules 11-hour daily driving time limit; the 34-hour restart; and the agencies decision not to immediately mandate electronic on-board recorders. Also granted intervention in support of FMCSA was NASSTRAC, Inc., the Health and Personal Care Logistics Conference, Inc., and United Parcel Service.

The interveners will file a joint brief in support of the challenged aspects of the HOS rules focusing on how they advance public safety while meeting the operational needs of the trucking industry.

## Other Motor Carrier Items of Interest

### Federal Register Notice

**March 24, 2006 (Volume 71, 57)**

Page 14986-14988

Department of Transportation

Federal Motor Carrier Safety Administration Program Grant Funds

This Register announces the availability of Motor Carrier Safety Assistance Program (MCSAP) grant funding as authorized by the SAFETEA-LU. MCSAP is a Federal grant program that provides financial assistance to States to reduce the number and severity of crashes and hazardous materials incidents involving commercial motor vehicles. The goal of MCSAP is to reduce CMV involved crashes, fatalities and injuries through consistent, uniform, and effective CMV safety programs.

Applications for Basic/Incentive grant funding should be submitted to the State's FMCSA Division Office by August 1 of each year. Applications for FY2006 High Priority grant funds or New Entrant Safety Audit Funds must be submitted to the State's FMCSA Division Office no later than April 28, 2006.

For further information, contact Mr. Michael J. Lamm, Federal Motor Carrier Safety Administration, Office of Safety Programs, State Programs Division at (202) 366-6830, 400 Seventh Street, SW, Washington, DC 20590.

### FMCSA Focuses Attention on Coach Industry

FMCSA is focusing efforts to crack down on over-the-road bus companies that flaunt safety regulations, and is implementing a series of initiatives aimed at getting slack operators off the road.

FMCSA's new National Motorcoach Safety Program has six elements, all of which are either now operational or will be by year end. Here's how the agency intends to ferret out the industry's bad apples:

- Force states that do not have formal motorcoach safety inspection programs to get in gear and adopt one - this year - or lose the money the FMCSA gives states to conduct coach inspections
- Increase by 20% this year the number of FMCSA compliance reviews of motorcoach companies.
- Adopt a new passenger-carrier compliance review prioritization system this year that will more rapidly identify unsafe companies and unsafe drivers.
- Reduce motorcoach fires by teaming up with NHTSA to tackle the problem
- Expedite safety audits of so-called new entrant motorcoach companies
- Improve the quality, timeliness and quantity of industry safety data.

While all states conduct motorcoach inspections and all get FMCSA funding to conduct the inspections many are little more than an afterthought. Fact is that fewer than half the States have formal bus inspection programs that meet Federal standards.

**The new AAMVA committee structure took effect in January and the next meeting of the new Standing Committees is the week of April 20th. With this change it is important that the Motor Carrier Services discipline continues to have strong representation to ensure that priority issues are pushed up within the standing committees.**

**If you or some of your employees are interested in getting actively involved in AAMVA Motor Carrier Services issues, please let Tim Adams know.**

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### **Georgia Revenue Department Consolidates IFTA, IRP at One Location**

On April 1, the Georgia Department of Revenue began managing all motor carrier events including the IFTA and IRP through it's Motor Vehicle Division at 1200 Tradeport Boulevard in Hapeville, Georgia.

In addition to IFTA and IRP, the Tradeport location will handle the Single State Registration System (SSRS) and Intrastate Permitting.

DOR offers three methods to register for IFTA; online at [www.dor.ga.gov](http://www.dor.ga.gov), through the mail and in person. IRP registration can be done either by mail or in person.

Online registration for 2007 IFTA licenses (renewals only) will be available beginning October 1, 2006. The Department plans to expand it's online services to include some IRP applications by the end of 2006.

### **Border Security a Concern at Detroit Crossings**

US and Canadian border inspectors at the Ambassador Bridge crossing in Detroit and elsewhere routinely allow vehicles to pass through border checkpoints without adequate scrutiny, in order to keep commercial traffic moving.

Even though US and Canadian officials say safety is not being short changed, inspectors say security lapses are a problem at the Ambassador Bridge, the busiest border crossing with Canada. At busiest times a practice known as lane flushing is used to wave through long lines of cars and trucks to ease congestion.

## **Share Your News**

### **Share Information with the Membership**

- Has your jurisdiction implemented a new process for electronic credentialing?
- Has your jurisdiction recently implemented PRISM or a new CVISN process?
- Is there something exciting happening in your jurisdiction with respect to motor carrier services or highway safety?

If so, please share the news with your fellow AAMVA jurisdictional members. We are always looking for interesting news or information to share with the AAMVA membership and would like to hear from you. Please send any news or information you have to Tim Adams via e-mail at [Tadams@aamva.org](mailto:Tadams@aamva.org) or give Tim a call at (502) 845-0398.

## **Upcoming MCS Events**

- ITS American Annual Conference - *May 7 - 9, 2006 Philadelphia, Pennsylvania*
- Specialized Carriers & Rigging Association - *April 25 - 29, 2006 Hilton Head, South Carolina*
- NCSTS Annual Meeting - *June 11 - 14, 2006 Birmingham, Alabama*
- Roadcheck 2006 - *June 6 - 8, 2006 Nationwide*
- The Truck Show - *June 15 - 17, 2006 Las Vegas, Nevada*
- IFTA Annual Business Meeting - *July 21 - 22, 2006 Las Vegas, Nevada*