



Logistics Management Resources, Inc.

INDUSTRY ISSUES 2016

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1 FMCSA ANNOUNCES THREE-MONTH EXTENSION OF UNIFIED REGISTRATION SYSTEM EFFECTIVE DATE

Federal Motor Carrier Safety Administration

July 20, 2016

FMCSA Announces Three-Month Extension of Unified Registration System Effective Date. FMCSA is delaying the implementation of the final stage of the Unified Registration System (URS) until Jan. 14, 2017, with a new full compliance date of April 14, 2017. The agency is currently updating its information technology systems and undertaking a complex migration of millions of records to remote storage servers. This work will provide the agency and its state partners a foundation to successfully launch the final stage of URS. The agency estimates that the initial phase of URS, launched in December 2015, has saved the industry approximately \$1.6 million in processing time during the first six months. To date, FMCSA has issued 62,000 USDOT numbers, removed 340,000 dormant USDOT numbers from agency databases, and screened 100% of operating authority applications for reincarnated carriers. [Click here](#) to read the Federal Register notice.

2 DRIVER TURNOVER AT TRUCKLOAD FLEETS DROPS IN Q1 2016

Refrigerated Transporter

July 11, 2016

Truck driver turnover at truckload fleets fell in the first quarter of 2016, according to American Trucking Associations (ATA). Turnover at large truckload fleets dropped 13 points in the first quarter to 89%—the lowest it has been since the second quarter of 2015. For all of 2015, turnover averaged 93%. At smaller fleets—carriers with less than \$30 million in annual revenue—turnover dipped one point to 88%, the lowest point since the third quarter of 2015. For the entire year of 2015, small-fleet truckload turnover averaged 79%. [\(For More, Click Here\).](#)

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3 TRUCK DRIVER DETENTION TIMES CREATE A LINGERING PROBLEM

Refrigerated Transporter

July 18, 2016

Nearly 63% of drivers spend more than three hours at a shipper's dock waiting to get loaded and unloaded, according to a recent survey by DAT Solutions.

Of the 247 carriers surveyed, 54% reported typical detention times of three to four hours, while 9% said it was common to be detained five or more hours.

Detention is one of the top five business problems facing carriers, according to 84% of the survey respondents. By contrast, among the 50 freight brokers who responded to the survey, only 20% agreed that detention was one of their top five problems, while 78% said other problems had a bigger impact on their business.

Both brokers and carriers defined detention as holding a driver and truck at the dock for more than two hours while loading or unloading. Most of the carriers surveyed are seldom paid for detention, and when payment is offered, it does not cover the full business cost that results from the delay.

[\(For More, Click Here\)](#).

4 DOT TO AUDIT TRUCK LOADING AND UNLOADING DELAYS

Truckinginfo

June 16, 2016

The Department of Transportation's Inspector General has initiated an audit of commercial motor vehicle loading and unloading delays in response to provisions of the Fixing America's Surface Transportation (FAST) Act highway bill, which became law late last year.

The DOT IG said that the FAST Act directs the Federal Motor Carrier Safety Administration to issue regulations on collecting data on loading and unloading delays. The law also directs DOT to report on the impact of loading and unloading delays in areas such as the economy and efficiency of the transportation system.

"Accordingly, we are initiating this audit," said DOT IG in a statement issued June 16. "Our objectives will be to (1) assess available data on motor carrier loading and unloading delays and (2) provide information on measuring the potential effects of loading and unloading delays." [\(For More, Click Here\)](#).

5 FMCSA PROPOSES RAISING CSA CRASH THRESHOLD TO THREE CRASHES BEFORE SCORE IS CALCULATED

Overdrive

July 14, 2016

In addition to the two-year program to test the feasibility of removing certain non-preventable crashes from carriers' CSA scores, the Federal Motor Carrier Safety Administration this week also announced a proposed methodological change to the CSA Crash Indicator BASIC. The change, if finalized, would raise the minimum number of crashes to three — from the current two — needed before a carrier receives a Crash Indicator BASIC rating.

Crashes follow carriers in CSA for a rolling 24-month period. If a carrier is involved in two crashes in the trailing 24-month period, crashes will be included in their Safety Measurement System rankings. [\(For More, Click Here\)](#).

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6 FMCSA DEFENDS ELD RULE AGAINST OOIDA COURT CHALLENGE

Truckinginfo

June 16, 2016

The Federal Motor Carrier Safety Administration forcefully defended its Electronic Logging Device rule in a court brief filed June 15.

The filing was in response to a lawsuit brought against the mandate by the Owner Operator Independent Drivers Association. The 60-page brief was filed in the U.S. Court of Appeals for the Seventh Circuit on the last due it was due, per a deadline set by the court.

FMCSA argued in its brief that, contrary to OOIDA's legal challenge, the ELD rule is constitutional as it does not violate the Fourth Amendment prohibition of unreasonable searches.

The agency also said the mandate does not impinge on drivers' rights to privacy and that its cost-benefit analysis "amply supports" the rulemaking.

OOIDA filed a Petition for Review of the ELD rule on Dec. 11, 2015 — the day after the mandate was announced.

Earlier this year, the association said it sought the judicial review because it contends: (A) The rule violates Fourth Amendment rights against reasonable searches and seizures; (B) The costs associated with compliance are not justified; and (C) The mandate fails to comply with a congressional statute requiring ELDs to accurately and automatically record changes in drivers' duty status.

"This mandate means monitoring the movement and activities of real people for law enforcement purposes and is an outrageous intrusion of the privacy of professional truckers," said OOIDA President and CEO Jim Johnston at the time. He also stated that there is "simply no proof that the costs, burdens and privacy infringements associated with this mandate are justified." ([For More, Click Here](#)).

7 TRUCKERS WORRY ABOUT CARGO THEFTS IN DFW

NBC DFW

May 17, 2016

On the highways that criss-cross Dallas and Fort Worth, some truckers are now afraid to pull off the road. "You stop, you get fuel, you keep going." Truck driver Thomas Schnider says.

The concern: gangs of thieves stealing trucks -- or everything inside the trailer.

Austin-based security company - Freight Watch International - warns drivers to avoid DFW if possible.

"We consider Dallas to be one of the top three locations for cargo theft volume in the United States," says Dan Burges with Freight Watch International. "We have certain areas -- what we refer to as just red zones or no-stop areas -- and Dallas/Ft. Worth is definitely one of them.

Sometimes the thieves actually stakeout warehouses looking for trucks leaving the loading docks. They follow the trucks down the highway sometimes for a hundred miles or more. Then they wait until the truck driver pulls off at a gas station a truck stop or a restaurant.

DFW is a prime target because there are so many highways and many retailers have large warehouse centers here. Companies can only fight back with more high-tech surveillance. Freight Watch recently directed Duncanville police right to a stolen trailer using one of their high-tech transponders.

"They were in the process of unloading the merchandise when the officers pulled up on them." Officer Doug Sisk of Duncanville Police says. Sisk tells us the truck was filled with TVs. ([For More, Click Here](#)).

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8 SEASONAL FREIGHT EXPANDS JUNE SPOT MARKET VOLUME

Refrigerated Transporter

July 14, 2016

Seasonal freight added 28% to spot market load availability in June 2016, boosting total volume to levels seen in 2013 and 2012, and only 12% below 2015 totals, according to the DAT North American Freight Index. It is typical for freight volume to increase in June and decline in July, but this year's surge also jump-started volume and rates in July to-date.

Month over month by equipment type, dry and refrigerated vans enjoyed the biggest volume increases, up 49% and 39%, respectively. Both segments had seen only single-digit increases in June of the previous four years. Flatbed freight gained only 7.1%, a more typical advance for the month.

Average linehaul rates followed the same pattern on the spot market in June, with an increase of 4.4% for vans and 3.6% for reefers, while flatbed rates rose only 0.6% month over month. The average fuel surcharge also rose 10% compared with May. The surcharge, which is pegged to the retail price of diesel fuel, comprises a portion of the total rate paid to carriers. ([For More, Click here](#)).

9 RULES ON CDL CLEARINGHOUSE, SPEED LIMITERS STILL SET FOR SUMMER PUBLICATION

Overdrive

July 18, 2016

Still stuck with the OMB after 14 months is a rule proposal [to mandate speed limiters on Class 8 trucks](#). The projected publication date is this summer, according to the DOT's report.

A joint rule between the National Highway Traffic Safety Administration and the Environmental Protection Agency to implement the second phase of fuel efficiency and emissions standards no longer has a projected publication date listed. It previously was scheduled for Sept. 12. [The rule was sent to the White House's OMB June 3](#). The new standards will begin taking effect for trailers for model year 2018 units and 2021 for tractors. The plan goes through 2027, when the entire vehicle – engine, truck and trailer – will be required to meet certain standards. ([For More, Click Here](#)).

10 FMCSA ANNOUNCES PLAN TO ALLOW OWNER-OPERATORS TO CONTEST NON-PREVENTABLE CRASHES USED AGAINST THEM IN CSA SCORES

Overdrive

July 07, 2016

The U.S. DOT's Federal Motor Carrier Safety Administration has announced plans for a two-year program to test implementing a form of "crash accountability" into the Compliance, Safety, Accountability carrier safety rating program. The plan floated by FMCSA on July 7 will allow carriers to contest crashes counted against them in CSA and potentially remove those deemed non-preventable by the driver and carrier.

The lack of crash accountability in CSA — namely, using crashes that were in no way the fault of carriers against them in their CSA percentile rankings — has been one of the trucking industry's chief complaints against the CSA program.

The program's start date still has not been determined, FMCSA's Director of Enforcement Joe DeLorenzo said July 7 during a conference call with industry press. The two-year pilot program plan will be officially published in the Federal Register sometime in the coming days, he said, and will include a 60-day public comment period meant to help the agency guide the program. The agency asks industry stakeholders to weigh in on its proposal during the 60-day comment period. *Overdrive* will post a follow-up notice when the public comment period begins. ([For More, Click Here](#)).



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11 COMMERCIAL TRUCK PASSENGERS REQUIRED TO WEAR SEAT BELTS

Bulk Transporter

June 08, 2016

The Federal Motor Carrier Safety Administration (FMCSA) soon will require passengers riding in large commercial trucks to use seat belts whenever the vehicles are operated on public roads in interstate commerce. Effective August 8, the final rule revises Federal Motor Carrier Safety Regulations and holds motor carriers and drivers responsible for ensuring that passengers riding in large commercial trucks are using seat belts.

In 2014, 37 passengers traveling unrestrained in the cabs of large trucks were killed in roadway crashes, according to the most recent data from the National Highway Traffic Safety Administration (NHTSA). Of this number, approximately one-third were ejected from the truck cab. ([For More, Click Here](#)).

12 CVSA's 2016 BRAKE SAFETY WEEK IS SEPT. 11-17

CVSA

June 13, 2016

During the week of Sept. 11-17, 2016, law enforcement agencies across North America will conduct inspections on large trucks and buses to identify out-of-adjustment brakes, and brake-system and anti-lock braking system (ABS) violations as part of the Commercial Vehicle Safety Alliance's (CVSA) Brake Safety Week, an annual outreach and enforcement campaign designed to improve commercial motor vehicle (CMV) brake safety throughout North America.

Properly functioning brake systems are crucial to safe CMV operation. CMV brakes are designed to hold up under tough conditions, but they must be routinely inspected and maintained carefully and consistently so they operate and perform properly throughout the vehicle's life. Improperly installed or poorly maintained brake systems can reduce braking efficiency and increase the stopping distance of trucks and buses, posing serious risks to driver and public safety. ABS systems help the vehicle, and thus the driver, maintain control in certain situations, which reduces the risk of some types of crashes. ([For More, Click Here](#)).

13 TRUCK MAKERS HIT WITH RECORD EU FINES FOR PRICE-FIXING IN EUROPE

Truckinginfo

July 19, 2016

The European Union is fining five truck makers nearly 3 billion euros for acting as a cartel to fix prices of medium and heavy-duty trucks and time the introduction of technologies to comply with emissions rules.

It's the highest fines ever imposed by the EU for a single cartel — twice the previous highest amount, imposed in 2012, according to Margrethe Vestager, the European Union's competition commissioner, in a statement.

MAN (now owned by Volkswagen), Daimler, DAF (owned by Paccar), Iveco and Volvo/Renault, which together account for around nine out of every 10 medium and heavy trucks sold in Europe, had been working together for 14 years, from 1997 until the European Commission's investigation in 2011 put a stop to it.

MAN alerted the EU to the cartel's activities and got full immunity from fines. Volvo/Renault, Daimler and Iveco also cooperated with the EU and had their fines reduced. ([For More, Click Here](#)).



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14 THREAT OF \$10,000 FINES FOR TRUCKS LOOMS OVER SECTION OF MARYLAND HIGHWAY

Land Line

July 15, 2016

Truckers driving on Maryland Route 75 (Green Valley Road) in Frederick County should be mindful of truck restrictions on a particular stretch of the highway. Lawmakers are threatening to reintroduce a bill that will increase maximum fines from \$500 to \$10,000 if the problem persists.

Earlier this year, the Maryland General Assembly introduced bills SB885 and HB322, which would increase the maximum fine for disobeying a “traffic control device” that governed the height of vehicles travelling on MD 75 between Baldwin Road and Maryland Route 80 (Fingerboard Road) in Frederick County. The bills would raise the maximum fine to \$10,000 from \$500.

According to Maryland State Highway Administration press release, the truck restrictions were established three years ago after trucks kept getting stuck under a low railroad bridge. In effect, since July 18, 2013, commercial vehicles over 48 feet long or over 102 inches wide are banned from the stretch of highway. ([For More, Click Here](#)).