



Unified Carrier Registration Plan

Board Attendance

Elizabeth Leaman

Bob Pitcher

Scott Morris

Mike Hoeme

Carol Fallin

Monte Weiderhold

Bill Debord

Suzanne Stillwell

Terry Mercer

Crystal Stevens

Tamara Young

Ken Riddle

Absent Board Members

Rick Schweitzer

Chris Burroughs

Others in Attendance

UCR: Avelino Gutierrez, Alex Leath

FMCSA: Rick Wood

Kellen Company: Jessalynne Ku, Lori Cummings, Dave Scholz, Matt Mantione, Tom

Gooding, Katherine Thurmond

DSL Transportation: Dave Lazarides

Seikosoft: Toby Piquet, Lori Lefai, Chris Campbell

Represented States

AL, CO, GA, IL, IN, IA, KS, KY, LA, ME, MA, MI, MO, NE, NH, NC, OK, RI, TX,
VA, WA, WY

**UNIFIED CARRIER REGISTRATION PLAN
BOARD OF DIRECTORS MEETING
June 8, 2021**

MINUTES

- I. Welcome and Call to Order** – Elizabeth Leaman, UCR Board Chair
The UCR Board Chair welcomed attendees, called the meeting to order at 12:02 pm ET, called roll for the Board, confirmed the presence of a quorum, and facilitated self-introductions.
- II. Verification of Meeting Notice** – Avelino Gutierrez, UCR Executive Director
The UCR Executive Director verified publication of the meeting notice on the UCR website and distribution to the UCR contact list via e-mail on May 27, 2021 followed by subsequent publication of the notice in the *Federal Register* on June 2, 2021, in vol. 86, no. 104, starting on page 29629.
- III. Review and Approval of Board Agenda** – Elizabeth Leaman, UCR Board Chair
The Agenda was reviewed, and the Board took action to adopt.

A MOTION was MADE and SECONDED to approve the agenda of the June 8, 2021 Board of Directors Meeting. The MOTION CARRIED.
- IV. Approval of Minutes of the April 22, 2021 UCR Board Meeting** – Elizabeth Leaman, UCR Board Chair
Draft Minutes of the April 22, 2021 UCR Board meeting were reviewed. The Board took action to approve.

A MOTION was MADE and SECONDED to approve the minutes from the April 22, 2021 Board of Directors Meeting with the noted revisions. The MOTION CARRIED.
- V. Report of the Federal Motor Carrier Safety Administration (FMCSA)** – Ken Riddle, FMCSA Representative
The Federal Motor Carrier Safety Administration (FMCSA) provided a report on relevant activity.
- VI. Updates Concerning UCR Legislation** – Elizabeth Leaman, UCR Board Chair
The UCR Board Chair called for any updates regarding UCR legislation since the last Board meeting.

No updates were offered.
- VII. Chief Legal Officer Report** – Alex Leath, UCR Chief Legal Officer
The UCR Chief Legal Officer provided an update on the status of the March 2019 data event. A discussion took place regarding the UCR lawsuit against Seikosoftware resulting from the data event.
- VIII. New Master Services Agreement Between the UCR Plan and Seikosoftware** – Elizabeth Leaman, UCR Board Chair, Alex Leath, UCR Chief Legal Officer, and Avelino Gutierrez, UCR Executive Director

The UCR Board Chair, the UCR Chief Legal Officer, and the UCR Executive Director discussed a new proposed Master Services Agreement between the UCR Plan and Seikosoftware as the current Master Services Agreement expires on September 30, 2021.

A MOTION was MADE and SECONDED to approve the new Master Services Agreement between the UCR Plan and Seikosoftware containing additional developer assistance beginning June 15, 2021 and which term runs from October 1, 2021 to September 30, 2026. The MOTION CARRIED.

IX. Discussion of the Final Report Received from the UCR Plan's External Auditor Regarding the Audited Statements of Cash Receipts and Disbursements of the Depository for the Calendar Years Ended December 31, 2019 and December 31, 2018 – Alex Leath, UCR Chief Legal Officer and Avelino Gutierrez, UCR Executive Director

The UCR Chief Legal Officer and the UCR Executive Director discussed the Final Report of Audited Statements of Cash Receipts and Disbursements of the Depository for Calendar Years Ended December 31, 2019 and December 31, 2018 from our external auditor, Williams Benator and Libby, LLP, including a material weakness identified in a letter dated May 12, 2021. A plan to address and rectify the material weakness going forward was presented to the Board.

X. SUBCOMMITTEE REPORTS

Audit Subcommittee – Mike Hoeme, UCR Audit Subcommittee Chair

- A. 2021 Inspection Audits – Lydia Sahley, UCR Audit Subcommittee Vice-Chair**
The Audit Subcommittee Vice-Chair discussed possibly requiring participating states to audit 100% of the motor carriers identified through roadside inspection. The Board discussed but did not take any action related to requiring participating states to audit all unregistered motor carriers identified through roadside enforcement. The UCR Audit Subcommittee will discuss at their next subcommittee meeting.

A MOTION was MADE and SECONDED and THEN WITHDRAWN to discuss the concerns raised during the next Audit Subcommittee meeting. The MOTION was NOT CARRIED.

- B. Review the Current Focused Anomaly Reviews (FARs) Audits Assigned to the States – Lydia Sahley, UCR Audit Subcommittee Vice-Chair**
The UCR Audit Subcommittee Vice-Chair discussed the current number of FARs assigned to the states and consider options to increase the number of FARs assigned. The Board discussed the number of FARs required to be processed annually by each participating state. The UCR Audit Subcommittee recommended that the Board adopt this action.

A MOTION was MADE and SECONDED and FAILED on a 5 to 5 tie vote. The MOTION was NOT CARRIED.

- C. Definition of Commercial Motor Vehicle for UCR Purposes** – Mike Hoeme, UCR Audit Subcommittee Chair and Avelino Gutierrez, UCR Executive Director
The UCR Audit Subcommittee Chair and the UCR Executive Director provided proposed modifications to the definition of a “Commercial Motor Vehicle” for UCR purposes. The proposed changes include clarifying language while retaining the definition of Commercial Motor Vehicle as set forth by reference to the UCR Act (49 U.S. Code § 31101.) The Board discussed and took action to adopt the proposed modifications for inclusion in the UCR Handbook. The UCR Audit Subcommittee recommended that the Board adopt the proposed modifications to this definition.

A MOTION was MADE and SECONDED to approve the proposed modifications to the definition of a “Commercial Motor Vehicle”. The MOTION CARRIED.

- D. State UCR Audit Reports for Registration Year 2020** – Mike Hoeme, UCR Audit Subcommittee Chair
The UCR Audit Subcommittee Chair discussed the states’ obligations to complete audit reports for registration year 2020 and discussed the preliminary status of audit reports for registration year 2020 that were due on June 1, 2021.

Finance Subcommittee – UCR Finance Subcommittee Chair

- A. UCR Registration Fee Recommendation for 2023 – Calculation Methodology** – Scott Morris, UCR Finance Subcommittee Chair and Dave Scholz, UCR Depository Manager
The UCR Finance Subcommittee Chair and the UCR Depository Manager discussed the merits of using an “average collections” method for estimating the remaining fees collected before the end of the 2021 registration year on September 30, 2022 versus the “minimum collections” method used for estimating fee collections over the same period. The discussion included an explanation that the estimates used are based on the last 3 most recent closed registration years. The 3 most recent closed registration years are 2017 – 2019. The UCR Finance Subcommittee Chair recommended that the 2020 registration year data never be used for estimating potential fee changes in the future for two reasons. Those reasons being the distortion in the data caused by the late start of the 2020 registration year which began on February 13, 2020 as well as the COVID-19 pandemic. The Board discussed and took action to select the most appropriate method to use and to exclude the 2020 registration year data from future estimates due to timing and other issues as discussed above. The UCR Finance Subcommittee recommended that the Board adopt the “average collections” method for calculating and recommending the UCR registration fee to the U.S. Department of Transportation Secretary and FMCSA for the 2023 UCR registration year and to exclude the 2020 registration year data from future fee estimates.

A MOTION was MADE and SECONDED to adopt the “average collections” method for calculating and recommending the UCR registration fee to the U.S. Department of Transportation Secretary and FMCSA for the 2023 UCR registration year, and to exclude data from the 2020 registration year from future fee estimates. The MOTION CARRIED.

Education and Training Subcommittee – Carol Fallin, UCR Education and Training Subcommittee Chair

A. Update on Basic Audit Training Module and Flow Chart/Decision Tree – Carol Fallin, UCR Education and Training Subcommittee Chair and Lori Cummings, UCR Operations Director

The UCR Education and Training Subcommittee Chair provided an update on the development of the Basic Audit Training Module and Flow Chart/Decision Tree and other possible training modules going forward.

XI. Contractor Reports – Avelino Gutierrez, UCR Executive Director

A. UCR Executive Director’s Report – Avelino Gutierrez, UCR Executive Director
The UCR Executive Director provided a report covering recent activity for the UCR Plan.

B. DSL Transportation Services, Inc. – Dave Lazarides
DSL Transportation Services, Inc. reported on the latest data from the FARs program, discussed motor carrier inspection results, and other matters.

C. Seikosoftware – Toby Piquet
Seikosoftware provided an update on recent/new activity related to the National Registration System.

D. UCR Administrator Report (Kellen) – Lori Cummings, UCR Operations Director and Dave Scholz, UCR Depository Manager
The UCR Staff provided a management report covering recent activity for the Depository, Operations, and Communications.

XII. Other Business – Elizabeth Leaman, UCR Board Chair
The UCR Board Chair called for any business, old or new, from the floor. The UCR Board Chair announced that all states and other participants will be required to register through Zoom for the next board meeting. The purpose of this is primarily to eliminate state roll call at the beginning of the meeting. This will go into effect for the August 12, 2021 Board meeting. There was no other business brought before the Board.

XIII. Adjournment – Elizabeth Leaman, UCR Board Chair
The UCR Board Chair adjourned the meeting at 2:25 pm ET.