



# Unified Carrier Registration Plan

## Board Meeting Minutes

October 8, 2020

**PRESENT**  
(Board Only)

| <u>NAME</u>              | <u>ORGANIZATION</u> | <u>PRESENT</u> |
|--------------------------|---------------------|----------------|
| Elizabeth Leaman (Chair) | MADPU               | X              |
| Bob Pitcher (Vice Chair) | ATA                 | X              |
| Carol Fallin             | TXDMV               | X              |
| Monte Wiederhold         | Reever Transport    | X              |
| Chris Burroughs          | TIA                 | X              |
|                          |                     |                |
| Mike Hoeme               | KCC                 | X              |
| Sandy Bowling            | INDOR               | X              |
| Scott Morris             | ALPSC               | X              |
| Terry Mercer             | RIPUC               | X              |
| Bill Debord              | KYMCD               | X              |
| Ken Riddle               | FMCSA               | X              |
| Tamara Young             | OOIDA               | X              |
| Crystal Stevens          | OCC                 | X              |
| Suzanne Stillwell        | WUTC                | X              |

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## Minutes

- I. Welcome and Call to Order** – UCR Board Chair, Elizabeth Leaman  
The UCR Board Chair welcomed attendees, called the meeting to order, called roll for the Board, and facilitated self-introductions. The Chair confirmed that a quorum had been established to properly conduct business during the meeting.
- II. Verification of Meeting Notice** – UCR Executive Director, Avelino Gutierrez  
The UCR Executive Director verified publication of the meeting notice on the UCR website and distribution to the UCR contact list via e-mail followed by subsequent publication of the notice in the *Federal Register*. The agenda was posted and emailed on September 29 and published on Friday, October 2, 2020, Volume 85, Number 192 on pages 62368-62370 of the Federal Register.
- III. Review and Approval of Board Agenda** – UCR Board Chair, Elizabeth Leaman  
Agenda was reviewed and the Board considered it for adoption. A MOTION to approve the Board Meeting Agenda was MADE and SECONDED. The MOTION CARRIED.
- IV. Approval of Minutes from the August, 13 2020 UCR Board Meeting** – UCR Executive Director, Avelino Gutierrez  
Minutes of the August 13, 2020 meeting were reviewed and the Board considered action to approve. It was noted that in the FMCSA Report, Wiley Deck was appointed as the new Deputy Administrator, not Administrative Director. The minutes will be updated to reflect the amendment. A MOTION to approve the August Minutes with the noted amendment was MADE and SECONDED. The MOTION CARRIED.
- V. States Appearing Before the Board Due to Non-Compliance with UCR Audit Requirements for 2019** – UCR Executive Director, Avelino Gutierrez  
Certain participating states had been advised of their non-compliance for 2019 with the audit requirements contained in the UCR Agreement, specifically Section 19. This section requires states to perform minimum standards for completing Focused Anomaly Reviews (FARs) and Tiers 5 and 6 audit retreats. States not in compliance with these requirements had been called to appear before the UCR Board of Directors to address the following:
1. The reason(s) for the state’s non-compliance for 2019
  2. Action(s) the state intends to take to achieve compliance and avoid non-compliance going forward
  3. Suggestions regarding how UCR can help states avoid non-compliance in the future
- Brandin Clark from the state of Utah addressed the Board regarding the state’s non-compliance.
- Latrice Kirkland Montague from the state of Illinois addressed the Board regarding the state’s non-compliance
- Jerri Hunter from the state of Idaho submitted a letter in their defense
- VI. Report of FMCSA** – FMCSA Representative, Ken Riddle/Rick Wood  
FMCSA provided a report on recent agency activity.
- VII. Discussion and Possible Approval of 2021 UCR Meetings (Board and Subcommittee)** – UCR Executive Director, Avelino Gutierrez

The UCR Executive Director discussed possible options for 2021 UCR Meeting dates. The board agreed to amend and adopt the 2021 meeting schedule for the Board and Subcommittees. A MOTION to approve the amended 2021 UCR Board and Subcommittee Meetings was MADE and SECONDED. The MOTION CARRIED.

**VIII. Discussion and Possible Approval of an additional December 2020 Education and Training Subcommittee Meeting** – UCR Executive Director, Avelino Gutierrez

The UCR Executive Director discussed adding an addition Subcommittee meeting in December 2020, The Board agreed to adopt the new meeting schedule. A MOTION to approve the additional meeting in 2020 was MADE and SECONDED. The MOTION CARRIES.

**IX. Discussion and Possible Approval of updates and clean-up of the UCR Handbook**– UCR Executive Director, Avelino Gutierrez

The UCR Executive Director discussed the proposed updates and clean-up to the UCR Handbook. The Board called for discussion surrounding updates to the UCR handbook. The updated UCR Handbook will be posted to the website with all track changes accepted. The MOTION to approve the revisions to the UCR Handbook was MADE and SECONDED. The MOTION CARRIED.

**Updates Concerning UCR Legislation** – UCR Board Chair, Elizabeth Leaman

The UCR Board Chair called for any updates regarding UCR legislation since the last Board meeting. None was brought forward.

**X. Chief Legal Officer Report** – UCR Chief Legal Officer, Alex Leath

The UCR Chief Legal Officer provided an update on the status of the March 2019 data event, the Twelve Percent Logistics litigation, several cease and desist letters sent to third party permitting agents, and other matters.

**XI. SUBCOMMITTEE REPORTS**

**Audit Subcommittee** – UCR Audit Subcommittee Chair, Mike Hoeme

**A. Requirement to Continue Audits for 2019 Through December 31, 2020** – UCR Audit Subcommittee Chair

The UCR Audit Subcommittee Chair reminded state auditors to monitor FARs and the MCS-150 audit list. September 30, 2020 was the last day for new FARs and MCS-150 audits to have been assigned and must be completed by December 31, 2020.

**B. Update on the 2020 New Entrant and Unregistered Solicitation Campaigns** – Seikosoft  
Seikosoft provided an updated report on new entrant motor carrier campaigns managed by the National Registration System (NRS), new entrant motor carrier campaigns managed by the states, unregistered motor carrier campaigns managed by the NRS, and unregistered motor carrier campaigns managed by the states.

**C. Update on the Non-Universe Motor Carrier Solicitation Campaigns** – Seikosoft  
Seikosoft provided an updated report on the solicitation campaign targeting motor carriers identified through roadside inspections to be operating in interstate commerce but identified in MCMIS as either intrastate or inactive.

**D. Unregistered Carrier List Potentially Containing Private Passenger and Intrastate Motor Carriers** – Seikosoft

Seikosoft provided an update on the potential for the Unregistered List to contain private passenger and intrastate motor carriers that changed their carrier status to Interstate during 2020.

**E. Unregistered Brokers – UCR Audit Subcommittee Chair**

The UCR Audit Subcommittee Chair discussed the challenges that unregistered brokers present to UCR enforcement. The discussion regarded jurisdiction and other challenges, as well as dialogue regarding successful ideas for addressing broker registration enforcement. SeikoSoft announced the development of a new report in the NRS titled The Broker Only Report.

**F. Update on the Audit of the Depository - UCR Depository Manager**

The UCR Depository Manager provided an update on the progress achieved on the 2019 Depository audit and plans for addressing open items through completion.

**Finance Subcommittee – UCR Finance Subcommittee Chair, Scott Morris**

**A. Review UCR Bank Balance Summary Report – UCR Finance Subcommittee Chair/UCR Depository Manager, Dave Scholz**

The Finance Subcommittee Chair and the Depository Manager reviewed the new UCR Bank Balance Summary Report and led a discussion regarding its purpose and usefulness. This report will be added to future Board Packets to provide transparency to financial operations of the Depository.

**B. Discuss the Proposed Schedule for Distributions from the Depository for the 2021 Registration Year - UCR Depository Manager, Dave Scholz**

The UCR Depository Manager discussed the proposed schedule for the Depository to make distributions to states that have not yet achieved their revenue entitlements during 2021.

**C. Certificates of Deposit – UCR Depository Manager, Dave Scholz**

The UCR Depository Manager provided a review of the 2019 Savings Account held at the Bank of North Dakota and discussed the benefits of investing those funds in short-term certificates of deposit, not to exceed 6 months in duration. The Board was asked to take action to adopt the recommended CD investment proposal. A MOTION to adopt the recommended CD proposal was MADE and SECONDED. The MOTION CARRIED.

**D. Review of 2020 Administrative Expenses Through September 30, 2020 – UCR Depository Manager, Dave Scholz**

The UCR Depository Manager presented the administrative costs incurred for the period of January 1, 2020 through September 30, 2020, compared to the budget for the same time-period, and discuss significant variances.

**E. Status of 2019 Registration Year Fee Collections and Compliance Percentages – UCR Depository Manager, Dave Scholz**

The UCR Depository Manager provided a “pre-final” review on the results of collections and registration compliance rates for the 2019 registration year.

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

**A. Update on Audit Training Modules – UCR Education and Training Subcommittee Chair, Carol Fallin**

The UCR Education and Training Subcommittee Chair provided an update on the development of the Basic Audit Training module. A script has been developed based on the outline provided at the September Meeting. The logic flow for the decision tree has also begun as a separate task project. Both will be reviewed at the October Education and Training Subcommittee Meeting.

**B. Discuss the approval of funding for the Basic Audit Training Module – UCR Education and Training Subcommittee Chair, Carol Fallin**

The UCR Education and Training Subcommittee Chair provided information around the approval of funding for the Basic Audit training module, and requested approval from the UCR Board to accept total funding of \$29,000 (\$24,000 for the Basic Audit Training module and \$5,000 for the Decision Tree Project). A MOTION to approve the fees as presented was MADE and SECONDED. The MOTION CARRIED.

**XII. Contractor Reports – UCR Executive Director, Avelino Gutierrez**

- **UCR Executive Director**

The UCR Executive Director provided a report covering recent activity for the UCR Plan including penalty provisions from each state which will be provided to the Board on a frequent basis

- **DSL Transportation Services, Inc.**

DSL reported on the latest data from the FARs program, discussed motor carrier inspection results and other matters.

- **Seikosoftware**

Seikosoftware provided an update on recent activity related to the NRS.

- **UCR Administrator Report (Kellen) – UCR Operations and Depository Managers**

The UCR Administrator provided its management report covering recent activity for the Depository, Operations, and Communications.

**XIII. Other Business – UCR Board Chair, Elizabeth Leaman**

The UCR Board Chair called for any business, old or new, from the floor. There was no other business presented to the Board.

**XIV. Adjournment – UCR Board Chair, Elizabeth Leaman**

The UCR Board Chair adjourned the meeting at 3:00pm ET.