



Unified Carrier Registration Plan

Board Attendance

Elizabeth Leaman

Scott Morris

Chris Burroughs

William Debord

Carol Fallin

Mike Hoeme

Crystal Stevens

David Bauer

Jessica Kines

Monte Wiederhold

Robin Hutcheson

Terrence Mercer

Absent Board Members

Brandon Buchanan

Tamara Young

Others in Attendance

UCR: Avelino Gutierrez, Alex Leath

Kellen Company: Jessalynne Ku, Dave Scholz, Matt Mantione, Tom Lawrence

DSL Transportation: Dave Lazarides

Seikosoftware: Toby Piquet, Lori Lefai, Chris Campbell, Cody Marshall,

**UNIFIED CARRIER REGISTRATION PLAN
BOARD OF DIRECTORS MEETING
August 11, 2022**

PROPOSED MINUTES

- I. Welcome and Call to Order** – Elizabeth Leaman, UCR Board Chair
The UCR Board Chair welcomed attendees, called the meeting to order at 1:30 pm CT, 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 August 2, 2022 followed by subsequent publication of the notice in the *Federal Register* on August 5, 2022 in Vol. 87, No. 150 starting on page 48073.
- 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 by Scott Morris and SECONDED to approve the agenda of the August 11, 2022 Board of Directors Meeting. The MOTION CARRIED unanimously.
- IV. Approval of Minutes from the June 7, 2022 UCR Board Meeting** – Elizabeth Leaman, UCR Board Chair
Draft Minutes from the June 7, 2022 UCR Board meeting were reviewed. There was mention to capture more details of FMCSA updates. The Board took action to approve.

The UCR Board Chair, Elizabeth Leaman, requested that approval of the minutes from the June 7, 2022 be tabled until the September 27, 2022 UCR Board of Directors meeting. A MOTION was MADE by Terrence Mercer and SECONDED to table approval of the minutes until the September 27, 2022 Board meeting. The MOTION CARRIED unanimously.
- V. Report of the Federal Motor Carrier Safety Administration (FMCSA)** – Robin Hutcheson, FMCSA Deputy Administrator and Kenneth Riddle, FMCSA Office of Registration
The FMCSA provided a report on relevant activity.
- VI. State Officials from the North Carolina DOT and the South Carolina DMV Appeared Before the UCR Board to Explain their Non-Compliance with UCR State Performance Standards**– Avelino Gutierrez, UCR Executive Director
The UCR Executive Director provided background regarding the non-compliance of North Carolina and South Carolina with UCR audit performance requirements for reporting year 2021 and introduce the representative from each of those two states. The UCR Plan asked North Carolina and South Carolina to explain why the deficiency occurred, what is being done to prevent a deficiency in the future, and to determine whether North Carolina or South Carolina need resources from UCR auditors to help each state achieve compliance in the future. Representative from both states explained their position regarding UCR audit compliance, confirmed they will be compliant for future years and expressed no current need from UCR to support their auditing efforts.

- VII. Renewal of UCR Contracts with Contractors (Kellen and AAG3 LLC) –** Scott Morris, UCR Finance Subcommittee Chair and Alex Leath, UCR Chief Legal Officer
The UCR Finance Subcommittee Chair and UCR Chief Legal Officer discussed possible extensions to the contracts with the Kellen Company (UCR Administrator) and AAG3 LLC (UCR Executive Director).

A MOTION was MADE by Scott Morris and SECONDED that the UCR Board of Directors approve a contract extension between the UCR Plan and the Kellen Company on the terms for 3 years with options for the UCR Plan to extend by a fourth and fifth year at the desire of the UCR Board of Directors. the UCR Finance Subcommittee recommends the UCR Board approve this motion. The MOTION CARRIED unanimously. The UCR Board authorized the UCR Board Chair to execute the contract agreement as approved by the Board.

A MOTION was MADE by Scott Morris and SECONDED that the UCR Board of Directors approve a contract extension between the UCR Plan and AAG3 LLC on the terms for 3 years with options for the UCR Plan to extend by a fourth and fifth year at the desire of the UCR Board of Directors. The MOTION CARRIED. Monte Wiederhold dissented. The UCR Board authorized the UCR Board Chair to execute the contract agreement as approved by the Board.

- VIII. Establishment of a UCR Plan Enforcement Subcommittee –** Elizabeth Leaman, UCR Board Chair and Avelino Gutierrez, UCR Executive Director
The UCR Board Chair and UCR Executive Director discussed the merits of establishing a UCR Plan Enforcement Subcommittee. The Board took action to consider a UCR Plan Enforcement Subcommittee.

A MOTION was MADE by Scott Morris and SECONDED that the UCR Board of Directors approve the creation of a UCR Plan Enforcement Subcommittee. The MOTION CARRIED. Monte Wiederhold abstained.

- IX. Board Policy Applicable Once a Board Member Leaves the Board –** Elizabeth Leaman, UCR Board Chair
The UCR Board Chair introduced a new policy proposal providing that once a Board member departs from the UCR Board, that Board member will automatically be removed from all UCR Plan Subcommittees. The proposed policy would apply retroactively to all former UCR Board Members and prospectively to all current UCR Plan Board Members. The Board took action to consider adopting a policy applicable to Board members who serve on UCR Plan Subcommittees but who no longer serve on the UCR Plan Board.

A MOTION was MADE by William Debord and SECONDED that the UCR Board of Directors approve the Policy titled “Board Directors Departing from the UCR Board” requiring departing Board Members to be removed from all UCR Plan Subcommittees. The MOTION CARRIED unanimously.

X. SUBCOMMITTEE REPORTS

Audit Subcommittee – Mike Hoeme, UCR Audit Subcommittee Chair

A. **Additional Compliance Evaluation Tools for the Annual State Audit Progress Report** – Mike Hoeme, UCR Audit Subcommittee Chair

The UCR Audit Subcommittee Chair discussed the current evaluation process for the participating states' audit programs currently required by the UCR Agreement. The Board took action to approve options to require states to review and close all unregistered motor carriers in Brackets 5 and 6.

A MOTION was MADE by Mike Hoeme and SECONDED that the UCR Board authorize an additional requirement on the participating states to vet, confirm and close all brackets 6 and 5 *unregistered* motor carriers as a part of the annual audit procedures and that the UCR Agreement be amended accordingly. The proposal would become effective for the 2022 registration year. The MOTION CARRIED unanimously.

B. **Potential Revisions to the UCR Handbook** – Mike Hoeme, UCR Audit Subcommittee Chair and Avelino Gutierrez, UCR Executive Director

The UCR Audit Subcommittee Chair and UCR Executive Director led a discussion regarding potential revisions and clarifications to the language in the UCR Handbook pertaining to the usage of the term “operated” as it relates to a motor carrier beginning operations. An update on other proposed revisions to the UCR Handbook was also presented and discussed. The Board took action to approve revisions to the UCR Handbook.

A MOTION was MADE by Mike Hoeme and SECONDED that the UCR Board approve the revisions to the UCR Handbook as presented regarding:

- A. Calculating UCR Fees: Counting Vehicles
- B. Non-Commercial Motor Vehicles (CMV)
- C. The Significance of Applying for an Interstate USDOT Number

The MOTION CARRIED unanimously.

C. **State Compliance Review Program** – Mike Hoeme, UCR Audit Subcommittee Chair and Dave Scholz, UCR Depository Manager

The UCR Audit Subcommittee Chair and Depository Manager discussed the program objectives and states scheduled for review in 2022.

D. **Maximizing the Value of the Should Have Been (SHB) and Enforcement Efficiency Tools** – Mike Hoeme, UCR Audit Subcommittee Chair, Ryan Nance, UCR Audit Subcommittee Vice-Chair, and Dave Lazarides, DSL Transportation Services, Inc. (DSL)

The UCR Audit Subcommittee Chair, UCR Audit Subcommittee Vice-Chair and DSL provided an update on the value achieved by utilizing the SHB and other tools in the National Registration System (NRS). The discussion highlighted the benefit to the states' registration percentages by working with enforcement agencies in their respective states and explained the value that issuing violations brings to the UCR Plan and the industry.

E. Review of States' Audit Compliance Rates for Registration Years 2021 and 2022

– Mike Hoeme, UCR Audit Subcommittee Chair

The UCR Audit Subcommittee Chair reviewed audit compliance by the participating states for registration years 2021 and 2022 and related compliance percentages for FARs, retreat audits, registration compliance percentages, broker registration statistics and enforcement efficiency.

Finance Subcommittee – UCR Finance Subcommittee Chair

A. Review Potential 2024 and 2025 Fee Recommendation – Scott Morris, UCR

Finance Subcommittee Chair and Dave Scholz, UCR Depository Manager

The UCR Finance Subcommittee Chair and UCR Depository Manager discussed the results of an analysis of actual and forecasted 2022 registration year revenues for the purpose of proposing a fee change recommendation for the 2024 and 2025 registration years. The Board took action to make a recommendation to the Secretary of the United States Department of Transportation (the “Secretary”) containing a fee change for the 2024 and 2025 UCR registration years, and all state entitlements and administrative costs for each of those two years.

A MOTION was MADE by Scott Morris and SECONDED that the UCR Board should approve the 2024 and 2025 fee recommendation as presented and supported by the underlying calculations and documentation, based on 2022 *actual* fee collections as of July 31, 2022 from the National Registration System, and *projected* revenue calculations for the remainder of the 2022 registration year based on historical collections over the 3 registration years from 2017 - 2019. The MOTION CARRIED. Monte Wiederhold opposed the motion. Additionally, the UCR Board authorized the Board Chair to direct the preparation and execution of documents required to be submitted to the Secretary of the United States Department of Transportation and the FMCSA in a manner consistent with the UCR Act and existing Board policy.

B. Review Performance of the 3 Current Pilot Projects – Scott Morris, Finance Subcommittee Chair and Dave Lazarides, DSL

The UCR Finance Subcommittee Chair and DSL reviewed the performance of the 3 current pilot projects focused on enhancing registration percentages of motor carriers (new and old) domiciled in non-participating states. Contracts for the 3 pilot projects will terminate on September 30, 2022 unless the UCR Board takes action to extend. The Board took action to consider extending the 3 pilot projects for additional 1-year terms.

A MOTION was MADE by Scott Morris and SECONDED that the UCR Board of Directors authorizes the continuance of all 3 pilot projects as discussed for another 1-year term with an expiration on September 30, 2023. The UCR Board of Directors further authorized the UCR Board Chair to execute the pilot project contract extensions as authorized by the UCR Board. The MOTION CARRIED unanimously.

Education and Training Subcommittee – Education and Training Subcommittee Chair

Update on Future Training Initiatives – Carol Fallin, UCR Education and Training Subcommittee Chair and Matt Mantione, UCR Staff Executive

The UCR Education and Training Subcommittee Chair and the UCR Staff Executive provided an update on current and planned future training initiatives and the E-Certificate program.

Industry Advisory Subcommittee – UCR Industry Advisory Subcommittee Chair

A. Update on Trucking Parking Initiative – Chris Burroughs, Industry Advisory Subcommittee Chair and Alex Leath, UCR Chief Legal Officer

The UCR Industry Advisory Subcommittee Chair and UCR Chief Legal Officer provided an update on the truck parking initiative and the potential letter of recommendation tabled at the last UCR Plan Board Meeting held on June 7, 2022. Such a letter might direct the UCR Board Chair to draft, sign, and send a document to the United States Congress recommending enactment of legislation pertaining to providing additional parking to motor carriers.

The UCR Chief Legal Officer opined that the UCR Act does not expressly authorize the UCR Board to lobby the U.S. Congress and recommended that the UCR Board not lobby the U.S. Congress.

A MOTION was MADE by Mike Hoeme and SECONDED that the UCR Board indefinitely table this agenda topic. The MOTION CARRIED unanimously.

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 reported on the latest data from the Focused Anomaly Reviews (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 (NRS).

D. UCR Administrator Report (Kellen) – Matt Mantione, UCR Executive Staff 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 – Scott Morris, UCR Board Vice-Chair

The UCR Board Chair called for any other items Board members would like to discuss. No new business was presented by any of the present UCR Board members.

XIII. Adjournment – Elizabeth Leaman, UCR Board Chair

The UCR Board Chair adjourned the meeting at 3:37 pm CT.