



Unified Carrier Registration Plan

Board Meeting Minutes

October 17, 2019
San Diego, CA

**UCR Board of Directors Meeting
October 17, 2019**

MINUTES

OPEN TO THE PUBLIC

I. Welcome, Call to Order & Introductions

The UCR Board Chair called the meeting to order, called roll for the Board, and confirmed a quorum.

II. Verification of Meeting Notice

The Operations Manager verified the publication of the meeting notice in the *Federal Register* on October 9, 2019 (Vol. 84; No. 196).

III. Review and Approval of Board Agenda and Setting of Ground Rules

A MOTION was MADE and SECONDED to approve the October 17, 2019 Board agenda as presented. THE MOTION CARRIED.

IV. Approval of Minutes of the Aug. 1 & Sept. 5 UCR Board Meetings

A MOTION was MADE and SECONDED to approve draft minutes of the August 1, 2019 and September 5, 2019 Board meetings. THE MOTION CARRIED.

V. Report of FMCSA

The FMCSA representative reported that the proposed rulemaking to establish UCR fees for 2020 is under review at the Department of Transportation (DOT). It was also reported that three nominations to replace Board members who recently resigned have been received by the DOT (Suzanne Stillwell nominated to replace Adam Anderson; Crystal Stevens nominated to replace Marci Kelley; Tamara Young nominated to replace Lewie Pugh).

VI. UCR Executive Director Position

The Board Chair proposed that the Board hire Mr. Avelino Gutierrez to fill the UCR Executive Director position. The Chair reminded the Board that funding for this position was approved in the FY 2019 budget.

A MOTION was MADE and SECONDED to authorize the Board Chair to negotiate and execute a contract with Mr. Gutierrez to serve as Executive Director. THE MOTION CARRIED by a vote of 11 yea's; 1 nay; and zero abstentions.

VII. SUBCOMMITTEE REPORTS

Procedures Subcommittee

A. Proposed Amendments to UCR Refund Procedure

The Depository Manager led a discussion regarding the need to amend the UCR refund procedure so that states may provide carriers a refund following the findings of an audit.

A MOTION was MADE and SECONDED to adopt new language to address this scenario in the refund procedure. THE MOTION CARRIED.

Next, the Depository Manager proposed adding a new step to the UCR registration process for third-parties (e.g., permit agents) to verify that they have legal authority to register any given customer. Following discussion, this proposal was tabled.

B. Proposed Amendments to UCR Handbook

The UCR Vice Chair reviewed proposed new amendments to the UCR Handbook to address the procedure for requesting, reviewing and processing carrier refunds, the situation whereby a carrier registers for UCR online and elects to pay by paper check, annual carrier audit requirements for participating states and the definition of a commercial motor vehicle.

A MOTION was MADE and SECONDED to adopt the new Handbook amendments. THE MOTION CARRIED. (*The latest edition of the UCR Handbook is available at plan.ucr.gov*).

C. Proposed Amendment to the UCR Agreement

The UCR Operations Manager, with assistance from the Registrations System Subcommittee Chair, reviewed a proposal to amend Section 10 of the UCR Agreement to clarify the annual start and end dates of the UCR registration period.

A MOTION was MADE and SECONDED to adopt the new language for Sec. 10. THE MOTION CARRIED. (*The latest edition of the UCR Agreement is available at plan.ucr.gov*).

D. Proposed Board Subcommittee Policy

The Depository Manager led a discussion regarding a proposed policy to establish criteria for service on, and composition of, the UCR Subcommittees. Following discussion, this item was tabled.

E. Proposed Written Information Security Policy

The Chief Legal Officer reviewed a proposed policy to ensure the security, confidentiality, integrity, and availability of personal and other sensitive information collected, created, used, and maintained by the UCR. Following discussion, this item was tabled.

F. Proposed Incident Response Plan

Next, the Chief Legal Officer reviewed a proposed policy to provide a structured and systematic incident response process for all information security incidents that affect any of the UCR's information technology systems, network, or data, including the UCR's data held or IT services provided by third-party vendors or other service providers. Following discussion, this item was tabled.

Audit Subcommittee

A. Report from States Delinquent on 2018 Carrier Audits

The Audit Subcommittee Chair reported that representatives from three states that have not submitted their annual UCR carrier audits have been notified and requested to appear before the Board (either in-person or via teleconference). None of the state representatives were present. Mr. Hoeme reported he plans to follow up with each individually and report back to the Board.

B. Report on FY 2018 Depository Audit

The Depository Manager reported that the independent financial audit of the UCR Depository for FY 2018 is complete and a draft report is being prepared. The Depository Manager stated that the audit firm is reporting a clean review.

C. 2020 Proposed Audit Plan

The Depository Manager proposed the key components of the 2020 UCR Audit Plan:

- Conducting compliance reviews for eight (8) participating states in 2020
- Conducting an independent financial review of the National Registration System for FY 2019 (vendor to be determined)
- Contracting with Williams, Benator & Libby to conduct an independent financial audit of the Depository for FY 2019

A MOTION was MADE and SECONDED to approve these elements of the Audit Plan as presented. THE MOTION CARRIED.

D. Compliance Goal for Participating States

The Audit Chair led a discussion on the need for establishing a UCR compliance goal for all participating states. The Audit Chair recommended the goal be set at 85%.

A MOTION was MADE and SECONDED to adopt the new compliance goal. THE MOTION CARRIED.

E. Solicitation of New and Unregistered Motor Carriers

Next, the Audit Chair reported on a proposal to require all participating states to solicit new and unregistered carriers based in their states.

A MOTION was MADE and SECONDED to adopt the new requirement. THE MOTION CARRIED.

Finance Subcommittee

A. Contract Addendum with UCR Administrator

The UCR Board Chair reported that negotiations for a contract renewal with the UCR Administrator (Kellen) are ongoing and that the new UCR Executive Director will now become involved in that process.

B. Ending 2018 FARs on Dec. 31, 2019

The Finance Chair reviewed a proposal requiring participating states to immediately conclude their review and processing of any focused anomaly reviews (FARs) identified for the 2018 registration year.

A MOTION was MADE and SECONDED to adopt this proposal. THE MOTION CARRIED.

Education and Training Subcommittee

A. Review of Timeline

The Education Chair, with assistance from the Operations Manager, provided a brief activities report, noting that the first education/training sessions are scheduled to debut in Q1 2020.

VIII. Updates Concerning UCR Legislation

The UCR Board Chair called for any updates regarding UCR Legislation since the last Board meeting and there was none.

IX. Contractor Reports

- **UCR Administrator (Kellen)**

The UCR Administrator provided their monthly management report. It was noted that new .gov emails for all Board members are now available and all UCR correspondence will be conducted through these new email accounts starting Nov. 1, 2019.

- **DSL Transportation Services, Inc.**

DSL reported that \$1.84 million has been collected by the states through the Focused Anomalies Review (FARs) program to date.

- **Seikosoftware**

Seikosoftware reported the public registration portal is no longer accepting registrations for the 2018 UCR period.

X. Data Event Update

The Chief Legal Officer Board stated that written notifications are now being distributed to those potentially affected by the data event reported to the Board on June 4, 2019.

XI. Proposed Calendar for 2020 UCR Meetings

The Operations Manager reviewed a proposed calendar of UCR meetings (Board & Subcommittees) for 2020. Following discussion, this item was tabled to provide the Executive Director an opportunity to review.

XII. Old/New Matters

The UCR Board Chair called for any business, old or new, from the floor and there was none.

XIII. Adjourn

The UCR Board Chair adjourned the meeting 11:00 a.m. ET