



Unified Carrier Registration Plan
Board of Directors Meeting Minutes

August 1, 2019
Washington, DC

UNIFIED CARRIER REGISTRATION PLAN

MINUTES

PORTIONS OPEN TO THE PUBLIC

I. Welcome, Call to Order, and Introductions

UCR Acting Chair called the meeting to order at 9:04 a.m., called roll for the Board, and confirmed a quorum.

II. Verification of Publication of Meeting Notice

Operations Manager confirmed the publication of notice for the meeting in the *Federal Register* occurred on July 19, 2019 (Vol. 84, No. 139).

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

A MOTION was MADE and SECONDED to adopt the August 1, 2019 Board meeting agenda as presented. THE MOTION CARRIED.

IV. Approval of Minutes of the June 4, 2019 UCR Board Meeting

Operations Manager reported that minutes of the June 4, 2019 Board meeting were distributed prior to the meeting. It was suggested that the minutes be amended to correct a clerical error. A MOTION was MADE and SECONDED to adopt the minutes as amended. THE MOTION CARRIED.

V. SUBCOMMITTEE REPORTS

A. FINANCE SUBCOMMITTEE REPORT

i. Proposal for Funding Unbudgeted Expense Reserve

Subcommittee Chair, with assistance from the Depository Manager, recommended the Board authorize funding for the unbudgeted expense reserve, established at the June 2019 Board meeting, at a level of \$2.5 million. A MOTION was MADE and SECONDED to accept the recommendation. THE MOTION CARRIED.

ii. Closing 2018 Registration Year on Sept. 30

Subcommittee Chair, with assistance from the Depository Manager, recommended that the Board authorize the closing of the 2018 UCR registration year to occur on September 30, 2019. A MOTION was MADE and SECONDED to accept the recommendation. THE MOTION CARRIED.

iii. Subcommittee Reports & Updates

- UCR Acting Chair reported that following the audit conducted by the state of Texas, in connection with its effort to obtain an increase in its UCR entitlement cap, the state has chosen not to pursue further action.
- Depository Manager reported that a recommendation for fee levels for the 2020-21 UCR registration year will be presented to the Board later in the year.

B. AUDIT SUBCOMMITTEE REPORT

i. Subcommittee Reports & Updates

- National Registration System developer reported that a new module enabling the 41 participating states to conduct annual carrier audits will be available in early August.
- Depository Manager reported that UCR compliance reviews will be conducted in Kansas (Aug. 7-8), as well as Minnesota and Wisconsin (October – exact dates to be determined).
- Depository Manager reported that the Audit Subcommittee will review a recommendation for selecting eight (8) participating states for compliance reviews in 2020 at its next meeting on September 19.

C. REGISTRATION SYSTEM SUBCOMMITTEE REPORT

i. Subcommittee Reports & Updates

- Depository Manager reported that UCR Administrator is researching options for conducting security testing of National Registration System and will have more information for the Board to consider later in the year.
- Depository Manager reported that the Registration System Subcommittee will discuss technology requirements needed to integrate remaining independent state registration systems (IL, MN, KS) with National Registration System at its next meeting on August 20.

D. EDUCATION AND TRAINING SUBCOMMITTEE REPORT

i. Subcommittee Reports & Updates

- Operations Manager reported that a focus group will meet in late August to prioritize education topics for initial rollout of the new UCR education/training program.

E. INDUSTRY ADVISORY SUBCOMMITTEE REPORT

i. Subcommittee Reports & Updates

- Subcommittee Chair reported that he has heard little feedback regarding the new National Registration System.

VI. Updates Concerning UCR Legislation

No reports or updates.

VII. Report of FMCSA

FMCSA legal counsel reported that pending Board appointments remain under review at the Office of the Secretary of Transportation.

VIII. Contractor Reports

A. UCR Administrator (Kellen)

Depository Manager and Operations Manager reviewed the Administrator management report covering recent activity for the Depository, Operations, and Communications.

B. DSL Transportation Services, Inc.

DSL Transportation reviewed the latest data on state fee collections based on reporting from the Focused Anomalies Review (FARs) program.

C. Seikosoftware

Seikosoftware asked for any questions regarding the National Registration System and there were none.

PORTIONS CLOSED TO THE PUBLIC

Pursuant to the Government in the Sunshine Act at 5 U.S.C. § 552b(d)(1), the Board voted to approve closing the portions of the meeting dealing with items IX and X on the agenda.

The Chief Legal Officer advised that the Board may close these portions of this meeting pursuant to Government in the Sunshine Act exemptions (9)(B) and (10). By approving this action, the Board determined that public participation would likely disclose information for which premature disclosure would likely frustrate implementation of a proposed agency action and/or specifically concern the discussion of information, the premature disclosure of which would likely negatively impact the agency's participation in an ongoing civil action or proceeding. Therefore, by approving this action, the Board invoked Exemptions (9)(B) and (10) to close these portions of the meeting (5 U.S.C. § 552b(c)(9)(B) and (10)).

A copy of the votes on the closure of these two portions of this meeting is publicly available on the Unified Carrier Registration Plan website (<https://plan.ucr.gov>).

IX. Update Board RE: Data Investigation

Chief Legal Officer recommended that the Board authorize the UCR Acting Chair to execute an agreement with Kroll Cybersecurity to notify approximately 23,000 individuals identified by the data investigation and offer those individuals Kroll's "Essential" credit monitoring service. A MOTION was MADE and SECONDED to accept the recommendation. THE MOTION CARRIED.

Following discussion, a MOTION was MADE and SECONDED to release a public statement to all UCR stakeholders regarding the data investigation to coincide with the notifications. THE MOTION CARRIED.

X. Update on Twelve Percent Logistics Litigation

Chief Legal Officer updated the Board on the status of the ongoing litigation reported to the Board at its June 4, 2019 meeting.

A MOTION was MADE and SECONDED to conclude the closed portion of the meeting. THE MOTION CARRIED.

PORTIONS OPEN TO THE PUBLIC

XI. Old/New Matters

UCR Acting Chair called for any business requiring possible Board action for inclusion on the August 1, 2019 Board agenda.

Lewie Pugh introduced Tamara Young and reported that Tamara is selected by OOIDA to replace Mr. Pugh on the Board once Mr. Pugh's Board appointment is approved by The Secretary.

The Board instructed the Registration System Subcommittee to evaluate whether UCR should publically release a list of non-registered carriers and report back to the Board.

The Board instructed the Administrator to establish UCR email addresses for all UCR Board members.

The Board instructed the Administrator to make available, via the secure website portal, the proposed contract renewal with Kellen so that the Board can be prepared to discuss and possibly vote at the October meeting.

XII. Future UCR Meetings

UCR Acting Chair reviewed a list of upcoming meetings for the remainder of 2019.

XIII. Adjournment

There being no other business, UCR Acting Chair adjourned the meeting at 12:05 p.m.