



# Unified Carrier Registration Plan

## Board Meeting Minutes

August 13, 2020

**ATTENDEES**  
(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	
Rick Schweitzer	NPTC	
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

## MINUTES

### **I. Welcome and Call to Order**

The UCR Board Chair welcomed attendees at 12:10pm EDT, called the meeting to order, called roll for the Board, and facilitated self-introductions. The UCR Board Chair confirmed a quorum.

### **II. Verification of Meeting Notice**

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 to the UCR email list on August 4th, and published on August 7th, Volume 85, Number 153, starting on page number 48072 of the Federal Register.

### **III. Review and Approval of Board Agenda**

The 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 of the June 9, 2020 UCR Board Meeting**

Minutes of the June 9, 2020 Board meeting were reviewed. The Board considered action to approve. A MOTION to approve the June 9th Board Meeting minutes was MADE and SECONDED. The MOTION CARRIED.

### **V. Discussion of COVID-19 Impact on UCR**

The UCR Board Chair led a discussion on the impact of the COVID-19 pandemic on industry, state operations, and UCR collections. The chair pointed out there were 5.1 million COVID-19 cases reported to-date in the United States with 163,651 deaths.

### **VI. Report of FMCSA**

FMCSA provided a report on relevant activity. The main focus has been on COVID-19, and ensuring that truckers have the items needed to protect themselves. FMCSA announced the departure of Jim Mullen from the agency and the appointment of Wiley Deck as the new FMCSA Administrative Director.

### **VII. Updates Concerning UCR Legislation**

The UCR Board Chair called for updates regarding UCR legislation since the last Board meeting. None were presented.

### **VIII. Chief Legal Officer Report**

The UCR Chief Legal Officer provided an update on the status of the March 2019 data event and the Twelve Percent Logistics litigation. The filing with Seikosoftware's insurance company was completed, and the insurance carrier recently responded to UCR with questions. Some progress has been made with the insurance carrier.

### **IX. SUBCOMMITTEE REPORTS**

#### **Audit Subcommittee**

#### **A. Current Status of 2019 State Audit Reports**

The Audit Subcommittee Chair provided an update regarding the 2019 state audits with emphasis on the Focused Anomaly Reviews (FARs), MCS-150 Retreats and compliance registration statistics. The Board authorized the subcommittee to proceed with issuing audit

deficiency letters to the 13 states identified as being deficient and requiring those states to come into compliance or appear before the Board at a future meeting to discuss reasons for continued non-compliance.

**B. Addition of State Compliance Percentages to the State Annual Audit Criteria** The subcommittee chair discussed the need to include state compliance percentages as a third audit standard when assessing state performance. A MOTION to approve the proposal was MADE and SECONDED. The MOTION CARRIED.

**C. Requirement to Continue Audits for 2019 Through December 31, 2020**

The Audit Chair discussed the requirement on states to continue audits based on their FARs and MCS-150 assignments after the September 30, 2020 closure of the Public Portal of the NRS. Audits for the 2019 registration year must be completed by December 31, 2020.

**D. Update on the 2020 New Entrant and Unregistered Solicitation Campaigns**

Seikosoftware provided an update 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.

**E. Update on the Non-Universe Motor Carrier Solicitation Campaigns**

Seikosoftware provided an update 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.

**F. Unregistered Carrier List for 2019 Potentially containing Private Passenger and Intrastate Motor Carriers**

Seikosoftware provided an update on the potential for the 2019 Unregistered List to contain Private Passengers and Intrastate Motor Carriers that changed their carrier status to Interstate during 2020.

**G. Pending Payments Policy**

The Audit Chair recommended that the Board consider modifying the current Pending Payment Policy. The action was assigned to the Finance Subcommittee for review and possible future action.

**H. Unregistered Brokers**

The Audit Chair discussed the challenges of unregistered Brokers on UCR enforcement. The discussion focused on Jurisdictional challenges.

**Finance Subcommittee – UCR Finance Subcommittee Chair**

**A. Proposed Policy for UCR Board Fee Recommendations**

The UCR Depository Manager presented a proposed policy regarding UCR fee change recommendations for future years. A MOTION to approve the proposal was MADE and SECONDED. The MOTION CARRIED.

**B. Proposed Amendment to Refunds Procedure**

The UCR Depository Manager presented a proposed amendment regarding the issuance of refunds when related to refunding permitting services that registered motor carriers without

express consent. A MOTION to approve the amendment was MADE and SECONDED. The MOTION CARRIED.

**C. Certificates of Deposit**

The UCR Depository Manager provided a recommendation for reinvesting the proceeds from a CD held at the Bank of North Dakota that matured on August 5, 2020. A MOTION to approve the proposal was MADE and SECONDED. The MOTION CARRIED.

**D. Board Insurance**

The UCR Depository Manager provided an update on the possible procurement of insurance for the UCR Board (Directors and Officers and Cybersecurity policies).

**E. Review 2020 Administrative Expenses Through June 30, 2020**

The UCR Depository Manager discussed the administrative costs incurred for the period of January 1, 2020 through June 30, 2020 compared to the budget and explained significant variances.

**F. Update on Current Financial Reserve Funds**

The UCR Depository Manager provided an update on the two financial reserves authorized by the Board and compared them to current bank account balances. Both financial reserves were fully funded as of August 5, 2020.

**Education and Training Subcommittee**

**A. Update on Plans to Launch New Training Modules**

The UCR Education and Training Subcommittee Chair provided an update on plans to launch future training modules.

**X. Contractor Reports**

• **UCR Executive Director**

The UCR Executive Director provided a report covering recent activity for the UCR Plan.

• **DSL Transportation Services, Inc.**

DSL reported on state collections based on reporting from the FARs program and other matters.

• **Seikosoftware**

Seikosoftware provided an update on recent activity related to the NRS and advised that the ability to upload documents to the audit site in the NRS is now functioning.

• **UCR Administrator Report (Kellen)**

The UCR Operations Manager and the Depository Manager provided updates on activity for the Depository, Operations, and Communications.

**XI. Other Business**

The UCR Board Chair called for any business, old or new, from the floor. No other business was brought before the Board

**XII. Adjournment – UCR Board Chair**

The UCR Board Chair adjourned the meeting at 3:30pm EDT.

