



Unified Carrier Registration Plan

Board Meeting Agenda

July 27, 2023
10:00 a.m. – 1:30 p.m. Mountain Time

Board Attendance:

Elizabeth Leaman
David Bauer
William Debord
Carol Fallin
Mike Hoeme
Jessica Kines
Terrence Mercer
Scott Morris
Mathew Perkinson
Crystal Stevens
Monte Wiederhold

Absent Board Members:

Earl Adams, Brandon Buchanan, Chris Burroughs, Corey Keating

Others in Attendance:

UCR: Avelino Gutierrez, Alex Leath
FMCSA: Heather MacClintock, Ken Riddle, Frederic Wood
DSL Transportation: Dave Lazarides
Kellen: Tom Gooding, Tom Lawrence, John Macwan, Matt Mantione, Jessie Yuhaniak
Seikosoft: Chris Campbell, Lori Lefai, Toby Piquet
IFTA: Carmen Martorana

**UNIFIED CARRIER REGISTRATION PLAN
BOARD OF DIRECTORS MEETING
July 27, 2023**

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 10:01 AM, called roll for the Board, confirmed the presence of a quorum, and facilitated self-introductions.
- II. Verification of Publication 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 July 18, 2023, followed by subsequent publication of the notice in the *Federal Register* Vol. 88, No. 139, starting on page 47249 on July 21, 2023.
- III. Review and Approval of Board Agenda** – Elizabeth Leaman, UCR Board Chair
The proposed Agenda was reviewed. Ms. Leaman proposed the following three changes to the order of the agenda items to accommodate scheduling conflicts:
1. The UCR Penetration Test (Original Item XI) be moved directly after Item VI.
 2. The Amendments to Change the Method of Estimating Collections for the Future Months Remaining in a Registration Year (Original Item XIII, Finance Subcommittee, Item B) be moved to follow the new Item VII, becoming Item VIII.
 3. The Dispute Resolution Subcommittee Update (Original Item XIII, Dispute Resolution Subcommittee) be moved to the top of the Subcommittee Reports.

A MOTION was made by Scott Morris and SECONDED to adopt the agenda as amended. The MOTION carried unanimously.

- IV. Approval of Minutes of the June 8 UCR Board Meeting** – Elizabeth Leaman, UCR Board Chair
Draft Minutes from the June 8, 2023 UCR Board meeting were reviewed.

A MOTION was made by Carol Fallin and SECONDED. The MOTION carried unanimously.

- V. Report of FMCSA** – Ken Riddle, FMCSA
Ken Riddle provided a report from the Federal Motor Carrier Safety Administration (FMCSA).

- VI. Appearance Before the Board by the States of California, Idaho, Delaware, Indiana, Mississippi, North Dakota, Pennsylvania, and South Carolina to Explain Their Non-Compliance with State Performance Standards** – Avelino Gutierrez, UCR Executive Director
The UCR Executive Director provided background regarding the non-compliance of California, Idaho, Delaware, Indiana, Mississippi, North Dakota, Pennsylvania, and South Carolina with state performance standards for reporting year 2022 and introduced a representative from each state. The UCR Plan requested that each state representative explain why the deficiency occurred, and what is being done to prevent a deficiency in the future.

The following representatives appeared before the Board and provided updates on the actions taken by the state to reach compliance. All states reached compliance by the time of the meeting.

- California: Christian Milhoan
- Idaho: Jerri Hunter

- Delaware: Robyn Bose and Bonnie Yoder
- Indiana: Cindy Denny
- Mississippi: Binanca Pryor
- North Dakota: Mel Horner
- Pennsylvania: Andrew Turriziani
- South Carolina: Brian Carlson and Cindy Hutto

VII. UCR Penetration Test – Tom Gooding, Kellen
Tom Gooding, Kellen’s Chief Technology Officer, provided an update and report on relevant activity.

VIII. Amendments to Change the Method of Estimating Collections for the Future Months Remaining in a Registration Year – Scott Morris, UCR Finance Subcommittee Chair
The UCR Finance Subcommittee Chair led a discussion regarding possible amendments to Section 6.c.ii of the Fee Change Recommendation Policy.

A MOTION was made by Scott Morris and SECONDED that the Board adopt the proposed amendments to Section 6.c.ii of the Fee Change Recommendation Policy to change the method of estimating collections for the future months remaining in a registration year from the current average of the prior three years to the minimum of the last three years. The MOTION carried unanimously.

IX. Renewal and Renaming of Existing Audit “Pilot Projects” – Avelino Gutierrez, UCR Executive Director

The UCR Executive Director outlined the fees and scopes of work for contracts associated with the renewal and renaming of Existing Audit “Pilot Projects” into “Compliance Specialist Agreements.” The current contracts expire on September 30, 2023, and would be renewed at the Board Chair’s discretion for a one-year term to begin on October 1, 2023. He further requested that a vote on this Item be tabled until the next agenda item was voted on.

A MOTION to table the Renewal and Renaming of Existing Audit “Pilot Projects” was made by Scott Morris and SECONDED. The MOTION carried; Monte Wierderhold opposed.

X. Proposal to Contract with DSL for One Additional Compliance Specialist FTE – Avelino Gutierrez, UCR Executive Director

The UCR Executive Director led a discussion to contract with DSL for one additional Compliance Specialist whose scope of work is concentrated on, but not limited to, FARs audits.

A MOTION was made by Elizabeth Leaman and SECONDED that the Board approve the one Compliance Specialist Agreement on the following essential terms:

1. **AGREEMENT:** One additional 1 FTE between the UCR Plan and DSL for a total of 2 FTEs as part of the Compliance Specialist Agreement between the UCR Plan and DSL.
2. **TERM and PRICE:** The Compliance Specialist Agreement between the UCR Plan and DSL shall compensate both FTEs at the annual rate of \$78,750 commencing on October 1, 2023, and ending on October 1, 2024. The UCR Board Chair shall have the option at the Chair’s discretion to renew the Compliance Specialist Agreement for an additional 5% for each FTE for 1 additional year. If the Board Chair renews the Agreement, the Board Chair shall report to the Board at the next meeting following renewal on the rationale used by the Board Chair

for renewal.

3. **SCOPE OF WORK:** The Compliance Specialist shall work on FARs and Tier 5 and 6 non-registered motor carriers and to other UCR motor carrier audit activities at the direction of the Executive Director after consultation with Board Chair.

Following discussion, Board Chair Elizabeth Leaman requested a roll call vote on this motion.

The vote was recorded as follows:

- Elizabeth Leaman: Yes
- David Bauer: Abstain
- William Debord: Yes
- Carol Fallin: Yes
- Mike Hoeme: Yes
- Jessica Kines: No
- Terrence Mercer: Yes
- Scott Morris: Yes
- Mathew Perkinson: Yes
- Crystal Stevens: Yes
- Monte Wiederhold: No
 - Absent Board members: Earl Adams, Brandon Buchanan, Chris Burroughs, Corey Keating

The MOTION carried.

XI. Continued Discussion Regarding the Renewal and Renaming of Existing Audit “Pilot Projects” – Avelino Gutierrez, UCR Executive Director

Following the vote on Item X, a MOTION was made by Crystal Stevens and SECONDED that the Board approve the two Compliance Specialist Agreements on the following essential terms:

1. **AGREEMENTS:** One Compliance Specialist Agreement for 2 FTEs between the UCR Plan and DSL, and one Compliance Specialist Agreement for 2 FTEs between the UCR Plan and Seikosoft.
2. **TERM and PRICE:** The Compliance Specialist Agreement between the UCR Plan and Seikosoft shall compensate each FTE at the annual rate of \$89,250 commencing on October 1, 2023, and ending on October 1, 2024. The Compliance Specialist Agreement between the UCR Plan and DSL shall compensate each FTE at the annual rate of \$78,750 commencing on October 1, 2023, and ending on October 1, 2024. The UCR Board Chair shall have the option at the Chair’s discretion to renew both Agreements for an additional 5% for each FTE for 1 additional year. If the Board Chair renews either or both Agreements, the Board Chair shall report to the Board at the next meeting following renewal on the rationale used by the Board Chair for the renewal(s).
3. **SCOPE OF WORK:** The Compliance Specialist shall be directed to work on FARs and Tier 5 and 6 non-registered motor carriers and other UCR motor carrier audit activities at the direction of the Executive Director after consultation with Board Chair.

Board Chair Elizabeth Leaman requested a roll call vote on this motion. The vote was recorded as follows:

- Elizabeth Leaman: Yes

- David Bauer: Abstain
- William Debord: Yes
- Carol Fallin: Yes
- Mike Hoeme: Yes
- Jessica Kines: No
- Terrence Mercer: Yes
- Scott Morris: Yes
- Mathew Perkinson: Yes
- Crystal Stevens: Yes
- Monte Wiederhold: No
 - Absent Board members: Earl Adams, Brandon Buchanan, Chris Burroughs, Corey Keating

The MOTION carried.

- XII. Discussion of Proposed Changes to UCR Agreement** – Elizabeth Leaman, UCR Board Chair, Scott Morris, UCR Board Vice-Chair, Mike Hoeme, Audit Subcommittee Chair, Avelino Gutierrez, UCR Executive Director, Alex Leath, UCR Board Chief Legal Officer
The group discussed proposed changes to the UCR Agreement.

A MOTION was made by Elizabeth Leaman and SECONDED that the Board approve the UCR Agreement as presented as an interim UCR Agreement and direct Kellen to post the interim UCR Agreement on the UCR Plan website.

- XIII. Discussion of Automatic Annual Renewal of UCR Registration** – Avelino Gutierrez, UCR Executive Director, Chris Campbell, Seikosoft
The UCR Executive Director and Seikosoft outlined the issues involved in the voluntary annual automatic renewal of UCR registrations.

A MOTION was made by Elizabeth Leaman and SECONDED that the Board direct the Audit Subcommittee to draft a plan to implement automatic renewal for the 2025 UCR Registration Year containing business rules and procedures to be brought to the Board for its consideration at the September 28, 2023, Board Meeting. If adopted by the Board at that meeting, the option to opt-in to automatic renewal would commence with the 2024 UCR Registration Year on October 1, 2023. The MOTION carried. Monte Wiederhold abstained.

- XIV. Discussion of a Possible Agreement Between Henry Su and the UCR Plan** – Avelino Gutierrez, UCR Executive Director and Alex Leath, UCR Chief Legal Officer

A MOTION to table this item was made by Elizabeth Leaman and SECONDED. The MOTION carried unanimously.

- XV. Subcommittee Reports**

Dispute Resolution Subcommittee – William Debord, UCR Dispute Resolution Subcommittee Chair

Update on Current Initiatives – William Debord, UCR Dispute Resolution Subcommittee Chair

The UCR Dispute Resolution Subcommittee Chair provided an update on planned initiatives.

Audit Subcommittee – Mike Hoeme, UCR Audit Subcommittee Chair

- A. Update on the Project to Replace the Retreat Audit Program with a Program that Relies on Roadside Inspection Data** – Mike Hoeme, UCR Audit Subcommittee Chair
The UCR Audit Subcommittee Chair provided an update on options to replace the Retreat Audit Program currently utilized by the States with a roadside inspection data driven audit for non-IRP plated commercial motor vehicles and the motor carriers operating this type of registered equipment.
- B. Options to Clean up the Unregistered Motor Carrier UCR Universe in Shadow MCMIS**
– Mike Hoeme, UCR Audit Subcommittee Chair
The UCR Audit Subcommittee Chair provided an update on the Subcommittee’s actions regarding steps necessary for the NRS and State Auditors address the 2022/2023 unregistered motor carriers.
- C. Update on the Upcoming Q&A Session for State Auditors** – Mike Hoeme, UCR Audit Subcommittee Chair
The UCR Audit Subcommittee Chair shared that the next 60-minute virtual question and answer session will take place on Wednesday, September 13, 2023.

Finance Subcommittee – Scott Morris, UCR Finance Subcommittee Chair

- A. Amendments to the Unbudgeted Expense Reserve Policy** – Scott Morris, UCR Finance Subcommittee Chair
The UCR Finance Subcommittee Chair led discussion regarding possible amendments to the Unbudgeted Expense Reserve Policy. The Subcommittee Chair recommended to the Board to adopt the Subcommittee’s recommended edits.

A MOTION was made by Scott Morris and SECONDED that the Board adopt the revised Unbudgeted Expense Policy as presented. The MOTION carried unanimously.
- B. 2025 Registration Fee Analysis and Recommendation** – Scott Morris, UCR Finance Subcommittee Chair
The UCR Finance Subcommittee Chair provided an analysis pertaining to the setting of 2025 registration fees and a 2025 registration fee recommendation. The Subcommittee Chair took action to recommend to the Board to adopt the Subcommittee’s recommendations.

A MOTION was made by Scott Morris and SECONDED that the Board recommend to the Secretary of the United States Department of Transportation the adoption of fees for the 2025 UCR Registration Year using the method outlined in the Fee Change Recommendation Policy and using the 2023 UCR registration year data through July 31, 2023. The MOTION carried unanimously.

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

- Update on Current and Future Training Initiatives** – Carol Fallin, UCR Education and Training Subcommittee Chair
The Education and Training Subcommittee Chair provided an update on current and planned future training initiatives and the E-Certificate program.

Industry Advisory Subcommittee – UCR Industry Advisory Subcommittee Chair

The UCR Industry Advisory Subcommittee Chair and Vice Chair were unable to attend this meeting. An update will be provided in subsequent meetings.

Enforcement Subcommittee – Jessica Kines, UCR Enforcement Subcommittee Chair

Update on Current Initiatives – Jessica Kines, UCR Enforcement Subcommittee Chair and Ryan Nance, UCR Enforcement Subcommittee Vice-Chair

The UCR Enforcement Subcommittee Chair and UCR Enforcement Subcommittee Vice-Chair provided an update on current and planned initiatives, as well as an enforcement efficiency report.

VIII. Contractor Reports – Elizabeth Leaman, UCR Board Chair

UCR Executive Director’s Report

The UCR Executive Director will share a draft of the 2024 meeting schedule in the coming weeks.

DSL Transportation Services, Inc.

Dave Lazarides reported on the latest data from the Focused Anomaly Reviews (FARs) program, discuss motor carrier inspection results, pilot projects and other matters.

Seikosoft

Toby Piquet provided an update on recent/new activity related to the National Registration System (NRS).

UCR Administrator Report (Kellen)

Matt Manton provided a management report covering recent activity for the Depository, Operations, and Communications.

IX. Other Business – Elizabeth Leaman, UCR Board Chair

The UCR Board Chair invited Carmen Martorana, IFTA Executive Director, to provide a report on recent IFTA activities.

Following Mr. Martorana’s report, the UCR Board Chair and FMCSA Representative Ken Riddle presented Mr. Scott Morris with letters of thanks from US Secretary of Transportation and the FMCSA Administrator for his years of service to the Alabama Public Service Commission and the UCR Board of Directors and congratulations upon his retirement.

X. Adjournment – Elizabeth Leaman, UCR Board Chair

The UCR Board Chair adjourned the meeting at 2:02 PM.