



Unified Carrier Registration Plan
Board of Directors Meeting Minutes

August 1, 2019
Washington, DC

UNIFIED CARRIER REGISTRATION PLAN

August 1, 2019

MINUTES

PORTIONS OPEN TO THE PUBLIC

I. Welcome, Call to Order, and Introductions – Acting Chair

The 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

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

III. Review and Approval of Agenda and Setting of Ground Rules – Acting Chair

The Acting Chair next presented a draft of the proposed agenda for the August 1, 2019 meeting of the Board.

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

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

The Operations Manager reported that minutes of the June 4, 2019 Board meeting were distributed to the Board members for review prior to the meeting. It was suggested that the minutes be amended to correct a clerical error.

After discussion, a MOTION was MADE and SECONDED to adopt the minutes from the June 4, 2019 meeting of the Board as amended. THE MOTION CARRIED.

V. SUBCOMMITTEE REPORTS

A. FINANCE SUBCOMMITTEE REPORT

i. Proposal for Funding Unbudgeted Expense Reserve – Subcommittee Chair and Depository Manager

The Subcommittee Chair, with assistance from the Depository Manager, recommended the Board authorize funding for the unbudgeted expense reserve, established at the June 4, 2019 Board meeting, at a level of \$2.5 million.

After discussion, a MOTION was MADE and SECONDED to accept the recommendation to fund the unbudgeted expense reserve at the level of \$2.5 million. THE MOTION CARRIED.

ii. Closing 2018 Registration Year on Sept. 30 - Subcommittee Chair and Depository Manager

The 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.

After discussion, a MOTION was MADE and SECONDED to accept the recommendation to close the 2018 UCR registration year on September 30, 2019. THE MOTION CARRIED.

iii. Subcommittee Reports & Updates – Acting Chair and Depository Manager

- The 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 its request further.
- The 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 – Seikosoftware and Depository Manager

- The National Registration System developer (Seikosoftware) reported that a new module enabling the 41 participating states to conduct annual carrier audits will be available in early August.
- The 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).
- The 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

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

D. EDUCATION AND TRAINING SUBCOMMITTEE REPORT

i. Subcommittee Reports & Updates – Operations Manager

- The 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

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

VI. Updates Concerning UCR Legislation – Acting Chair

No reports or updates.

VII. Report of FMCSA – FMCSA Legal Counsel

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)

The Depository Manager and the Operations Manager reviewed the Administrator's 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 questions from Board members regarding the National Registration System. No questions were raised.

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

The Chief Legal Officer recommended that the Board authorize the Acting Chair to execute an agreement with Kroll Information Assurance, LLC (“Kroll”) 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 Kroll notifications. THE MOTION CARRIED.

X. Update on Twelve Percent Logistics Litigation – Chief Legal Officer

The Chief Legal Officer updated the Board on the status of the ongoing Twelve Percent Logistics litigation reported to the Board at its June 4, 2019 meeting and answered questions.

Upon completion of the discussion on the Twelve Percent Logistics litigation, a MOTION was MADE and SECONDED to conclude the closed portions of the meeting. THE MOTION CARRIED.

PORTIONS OPEN TO THE PUBLIC

XI. Old/New Matters – Acting Chair

The 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 has been selected by OOIDA to replace Mr. Pugh on the Board once Mr. Pugh’s Board appointment is approved by the Secretary.

The Acting Chair instructed the Registration System Subcommittee to evaluate whether UCR should publicly release a list of non-registered carriers and report back to the Board with a proposed recommendation.

The Acting Chair instructed the Administrator to establish UCR email addresses for all UCR Board members, the Chief Legal Officer and other staff members.

The Acting Chair 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 on the contract renewal at the October meeting.

XII. Future UCR Meetings – Acting Chair

The Acting Chair reviewed a list of upcoming Subcommittee and Board meetings for the remainder of 2019.

XIII. Adjournment – Acting Chair

The Acting Chair requested a motion for adjournment.

A MOTION was MADE and SECONDED to adjourn the meeting. THE MOTION CARRIED. The Acting Chair adjourned the meeting at 12:05 p.m.