



# **Unified Carrier Registration Plan**

## **Board Meeting**

November 5, 2020

### **Teleconference and Screen Sharing**

#### **Board Attendance**

Elizabeth Leaman, Chairman of the Board  
Robert Pitcher, Vice Chairman of the Board  
Ken Riddle  
Scott Morris  
Sandra Bowling  
Chris Burroughs  
Carol Fallin  
Mike Hoeme  
Monte Wiederhold  
William Debord  
Crystal Stevens  
Suzanne Stillwell  
Tamara Young

#### **Others in Attendance**

Avelino Gutierrez, UCR Executive Director  
Alex Leath, Chief Legal Counsel

#### **Kellen Company:**

Dave Scholz, Lori Barker-Cummings, Daniel Choppa, John Mazzaglia, Abiola Bankole-Hameed, Matt Mantione

Seikosoft  
Toby Piquet, Lori Lefai

States in Attendance  
AL, CT, IN, KS, KY, MA, MI, MO, NE, NM, OK, TN, TX, VA, WA, WI

UNIFIED CARRIER REGISTRATION PLAN  
**BOARD OF DIRECTORS MEETING**  
**November 5, 2020**

MINUTES

**I. Welcome and Call to Order**

The UCR Board Chair welcomed attendees, called the meeting to order at 12:03pm ET, called roll for the Board, confirmed the presence of a quorum, and facilitated self-introductions.

**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 on October 26, 2020 followed by subsequent publication of the notice in the *Federal Register* in vol. 85, no. 220, Pages 68635-68637.

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

The agenda was reviewed and the Board considered adoption.

A MOTION was MADE and SECONDED to approve the proposed November Board Meeting agenda. The MOTION CARRIED.

**IV. Approval of Minutes from the October 8, 2020 UCR Board Meeting**

Draft Minutes of the October 8, 2020 Board meeting were reviewed. The Board considered action to approve.

A MOTION was MADE and SECONDED to approve the October 8, 2020 Board Meeting minutes. The MOTION CARRIED.

**V. Report of FMCSA**

The Federal Motor Carrier Safety Administration (FMCSA) provided a report on relevant activity. The UCR Board member reappointments are still being prepared and on track for approval from the Secretary. A safety analysis study was distributed to UCR board members in August 2020. The analysis found that carriers were 40% more likely to be involved in a crash if they had a violation on their UCR or FMCSA registration.

**VI. Updates Concerning UCR Legislation**

The UCR Board Chair called for updates regarding UCR legislation since the last Board meeting. There were no updates presented.

**VII. Chief Legal Officer Report**

The UCR Chief Legal Officer provided an update on the status of the March 2019 data event, the Twelve Percent Logistics litigation, several cease and desist letters sent to third party permitting service providers, and other matters. UCR is waiting on the decision from the judge regarding the Twelve Percent Logistics matter.

## **VIII. Amendment to UCR Agreement**

The UCR Executive Director discussed a proposal to change the UCR Agreement to reflect the language of the UCR Handbook on the issue of International Registration Plan (IRP) vehicle plates equating to the number of vehicles counting towards a carrier's fleet for the purpose of calculating its UCR fee. The UCR Agreement currently states that "IRP plates cannot be excluded from the vehicle count." UCR Agreement, Section 10(e)(5)(i). The UCR Handbook adopted by the Board at the October 8, 2020 Board meeting states [that there is] "a very strong presumption that a vehicle registered under IRP is countable towards a carrier's fleet for purposes of calculating its UCR fee." UCR Handbook, Effect of IRP Registration, page 26. The Board took action to change the UCR Agreement to mirror the language of the UCR Handbook as discussed above.

A MOTION was MADE and SECONDED to approve updating the language in the UCR Agreement to mirror the language of the UCR Handbook. The MOTION CARRIED with one opposition.

## **IX. SUBCOMMITTEE REPORTS**

### **Audit Subcommittee – UCR Audit Subcommittee Chair**

#### **A. Tracking of Audit Data in the National Registration System (NRS)**

The UCR Audit Subcommittee Chair discussed the merits of the Audit Subcommittee having an oversight role in the audit notes on closed Focused Anomaly Reviews (FARs) and MCS-150 retreat audits when there is an indication of an error or insufficient documentation to close the audit. The Board took action to authorize the Audit Subcommittee having an oversight role regarding audit notes. The Audit Subcommittee recommended that the Board adopt this action. The Board took action to approve the Audit Subcommittee's recommendation.

A MOTION was MADE and SECONDED to approve an oversight role regarding audit notes. The MOTION CARRIED.

#### **B. State Compliance Reviews**

The UCR Depository Manager discussed plans for completing state compliance reviews for calendar year 2020 and made recommendations for the eight state compliance reviews planned for calendar year 2021. The Board took action to approve the compliance reviews planned for calendar year 2021.

A MOTION was MADE and SECONDED to approve the compliance reviews for the presented states. The MOTION CARRIED.

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

Seikosoftware provided an updated report 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.

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

Seikosoftware provided an updated report on the solicitation campaign targeting motor carriers identified through roadside inspections to be operating in interstate commerce but identified in the Motor Carrier Management Information System (MCMIS) as either intrastate or inactive.

**E. Update to the Unregistered Carrier List for 2019 Potentially Containing Private Passenger and Intrastate Motor Carriers**

Seikosoftware provided an update on the potential for the Unregistered Carrier List to contain private passengers and intrastate motor carriers that changed their carrier status to interstate during calendar year 2020.

Action Item: These issues have been corrected in the National Registration System, therefore this agenda topic will be removed from future Board meetings.

**F. Update on Unregistered Brokers**

The UCR Audit Subcommittee Chair and Seikosoftware discussed the challenges of unregistered Brokers on UCR enforcement. The discussion regarded jurisdiction and other challenges, and also included dialogue regarding successes and ideas for addressing the issue.

**Finance Subcommittee**

**A. Review UCR Bank Balance Summary Report**

The UCR Finance Subcommittee Chair and the UCR Depository Manager reviewed the UCR Bank Balance Summary Report and answered questions from the Board.

**B. Discuss the Proposed Schedule for Distributions from the Depository for the 2021 Registration Year**

The UCR Depository Manager discussed the proposed schedule for the Depository to make distributions to states that have not yet achieved their revenue entitlements for the 2021 registration year.

**C. Certificates of Deposit**

The UCR Depository Manager provided an update on investing funds from the 2019 Savings Account held at the Bank of North Dakota in short-term certificates of deposit, not to exceed six months in duration.

**D. Review 2020 Administrative Expenses Through October 31, 2020**

The UCR Depository Manager presented the administrative costs incurred for the period of January 1, 2020 through October 31, 2020, compared to the budget for the same time-period, and discussed all significant variances.

**E. Status of 2020 and 2021 Registration Years Fee Collections and Compliance Percentages**

The UCR Depository Manager provided an update on the results of collections and registration compliance rates for the 2020 and 2021 registration years.

**Education and Training Subcommittee**

**Update on Basic Audit Training Module and Flow Chart/Decision Tree**

The UCR Education and Training Subcommittee Chair provided an update on the development of the Basic Audit Training Module and Flow Chart/Decision Tree. At this time, the Audit Module work has been postponed until the Subcommittee can convene and discuss the goals and objectives of this module and subsequent 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.**  
Avelino Gutierrez, UCR Executive Director reported on the latest data from the FARs program, discussed motor carrier inspection results, and other matters.
- **Seikosoftware**  
Seikosoftware provided an update on recent/new activity related to the NRS.
- **UCR Administrator Report (Kellen) – UCR Operations and Depository Managers**  
The UCR Administrator provided its management report covering recent activity for the Depository, Operations, and Communications.

**XI. Other Business**

The UCR Board Chair called for any business, old or new, from the floor.

There have been discussions around the postcard mailing solicitation from States as registration reminders to their constituents. The effectiveness of the solicitation campaigns through the NRS has been successful, and sending these mailings out after registration has begun will allow UCR to target those that have not yet registered.

**XII. Adjournment**

The UCR Board Chair adjourned the meeting at 1:38pm ET.