

The fifty-eighth (58th) Unified Carrier Registration (UCR) Plan Board of Directors (Board) meeting was called to order by Avelino Gutierrez, Chairman at 12:06 p.m. EDT.

Attendance: Board of Directors:

Present - Sandy Bowling, Bill Bronrott, Woody Chambers, Avelino Gutierrez, Frank LaQua, Dave Lazarides, Scott Morris, Bob Pitcher, Rick Schweitzer, Bob Voltmann, and Gene Eckhardt

Absent – Bill Leonard, Angel Oliver and Jay Gingerich.

Self-introductions of government and industry representatives were made by those in attendance.

Avelino Gutierrez welcomed the attendees and established the **teleconference ground rules**.

Avelino Gutierrez moved to amend the agenda to appoint a temporary secretary, Jeanne Pickett, and Sandy Bowling seconded the motion. Amendment was approved.

Avelino Gutierrez moved to accept the **meeting agenda**, which was seconded by Scott Morris. There was no discussion and the agenda was approved.

Gene Eckhardt moved to accept the minutes of the December 2, 2010, board meeting. Scott Morris seconded the motion. There was no discussion and the minutes were approved.

UCR Legislative Update - Dick Henderson – The House committee is determined to write a bill and move it out of committee in the spring. Senator Barbara Boxer is working on a bill that will be scaled down but will cover core services and the safety side. Neither bill has been reviewed to date. CVSA is conducting a second round of discussions as to what will be in the bills. Bottom-line - there could be a bill but it is uncertain.

FMCSA Update - Bill Bronrott – In regards to temporarily filling the board vacancy, FMCSA is asking the Eastern Service Center field administrators for assistance in identifying eastern region candidates for consideration. He asked to let that process play out over the next few weeks. Secondly, the 4 positions up for renewal as of May 31 will be advertised in the federal register. As for Buddy Covert's position, the plan is to informally poll the board for a candidate to carry the position through May 31. The name submitted by Frank LaQua has also been forwarded to the FMCSA. There will be discussion between now and at the next board meeting.

Jose Rodriguez – UCR applications and fees are still coming to FMCSA. If MCS-150's are included, they process those and return UCR applications to the owner/operators or state agency. Rodriguez suggested a review of the instruction sheets and/or website may be in order to ensure complete information and accuracy. States with multiple instruction sheets may need to combine them into one. Sandy Bowling said there were 2 documents, the UCR brochure or the FAQs information, that may be causing the problem.

Scott Morris advised the NCTS conference would be June 12-15 but no agenda was in place yet. He also said there is a signed contract for hotel rooms so the meeting would be held.

Jose Rodriguez said he was working with field administrators and IT on what type of MCMIS access would be available and how controls could be maintained. Solutions may be available by the next meeting.

Procedures Subcommittee - Scott Morris – Advised he is working on issues but the committee had not met yet. He requested Neil Murphy's contact information.

UCR System & Best Practices Subcommittees - Dave Lazarides – The State of Washington requested UCR information for British Columbia and Oregon from ITERIS. ITERIS has requested the UCR Board to rule on whether it has authority to provide information about other states' motor carriers to another state. There was discussion about filters used by Bill Leonard and the possibility of FMCSA producing the reports. Rodriguez said he would look into FMCSA producing the reports if he could have a format of what was needed.

Avelino Gutierrez commended Washington for using its resources for soliciting more UCR registrations when the state had already reached its revenue cap. He then moved to allow Washington access to Oregon and British Columbia ITERIS data and Scott Morris seconded the motion. Roll call vote – Sandy Bowling, Woody Chambers, Scott Morris, Frank LaQua, Dave Lazarides, Bob Pitcher, Bill Bronrott, Mark Schweitzer, Bob Voltmann, Gene Eckhardt and Avelino Gutierrez all voted yes. Vote passed 11 to 0; 3 absent – Bill Leonard, Angel Oliver, and Jay Gingerich

Scott Morris and Jose Rodriguez left the meeting at 12:50 EST.

Dave Lazarides finished his report with discussion of the issue that some state enforcement personnel are using the Indiana system as their enforcement tool instead of SAFER. State enforcement personnel should be advised that some states have their own system so only SAFER should be used.

Dave Lazarides and Sandy Bowling are posting states' compliance percentages for 2010 & 2011 on the UCR homepage. The current compliance percentage is 55%.

Industry Advisory Subcommittee - Bob Pitcher - No report

Revenue and Fees Subcommittee - Bill Leonard - Absent

Depository Subcommittee - Frank LaQua - Reported on UCR collections to date from individual state systems and the Indiana system and payment amounts from the Depository.

Collections:

- 2007 - \$74 million
- 2008 - \$78 million
- 2009 - \$83 million
- 2010 - \$91 million
- 2011 - \$72.5 million

Depository Distributions (last Depository payment made in April 2010 for Registration Year 2009):

- 2007 - \$13 million
- 2008 - \$13 million
- 2009 - \$13 million

The third exhibit, UCR Depository Receipts, reflects future payments but the formula for dividing the amounts has yet to be determined:

- 2007 - \$ 60,000
- 2008 - \$ 72,000
- 2009 - \$817,000
- 2010 - \$19 million
- 2011 - \$9 million

Depository disbursements will be made in April with bills going out this month.

Registration System of the State of Indiana – Sandy Bowling - Reported that some states believe all states send their UCR information to the Indiana system – that is not true. Carriers and enforcement personnel will look at the Indiana system and the carrier's registration information is not always there. They should always go to the SAFER site first; if the information is not there, then check the Indiana system and finally the states with individual systems. Sandy also suggested that enforcement personnel could call the state of registration to determine if the paperwork was there but not uploaded to FMCSA.

Audit Subcommittee – Bill Leonard, Acting Chair – deferred to next meeting.

Old/New Matters:

- Avelino Gutierrez noted the following changes to the UCR Subcommittee List, Exhibit A:
 - Russ Stover was added to the Industry Advisory Subcommittee; and
 - Scott Morris was added to the Best Practices Subcommittee.
- Gene Eckhardt requested to be added to the Revenue & Fees and Best Practices subcommittees.
- A law dealing with subcommittees having to publish notice in the federal register was sent to Scott Morris and Bob Pitcher. The law indicates that as long as a subcommittee does not take action for the Board, they do not have to post the meeting. Avelino Gutierrez will make it an exhibit for next board meeting.
- Avelino Gutierrez would prefer a face-to-face meeting between June 12 and 15. He would like to limit the meeting to 1 day or ½ days to accommodate travel plans.

Future Board meetings are scheduled for:

Thursday, March 3, 2011, 12 noon – 3 p.m. EST by teleconference.
Thursday, April 14, 2011, 12 noon – 3 p.m. EST by teleconference.

The Board adjourned at 1:13 p.m. EST.

Minutes approved by the UCR Board on March 3, 2011.

Jeanne Pickett
Minutes taker

Exhibit A – UCR Subcommittee List
Exhibit B – UCR Cap Report by Participating State
Exhibit C – UCR Depository Distributions by Date and State
Exhibit D – UCR Depository Receipts by Date and State