

Minutes of the One Hundred Fourteenth Unified Carrier Registration Plan Board of Directors Meeting

November 10th, 2016

Tele-conference

The One Hundred Fourteenth (114th) Unified Carrier Registration (UCR) Plan Board of Directors (Board) meeting was called to order by Avelino Gutierrez, Chairman at 2:00 pm EST.

Attendance - Board of Directors:

Present – Avelino Gutierrez, Adam Anderson, Sandy Bowling, Woody Chambers, Tina Thurman, Larry Herold, Mike Hoeme, Elizabeth Leaman, Scott Morris, Bob Pitcher, Rick Schweitzer, Chris Burroughs and Monte Wiederhold.

Absent – Daphne Jefferson

Avelino Gutierrez conducted a roll call of the States with **self-introductions** of government and industry representatives made by those in attendance.

Avelino Gutierrez commented that Tina Thurman would be taking meeting minutes in the absence of Adam Anderson.

Scott Morris moved to accept the **meeting agenda**, which was seconded by Sandy Bowling (Exhibit A) – motion passed.

Sandy Bowling moved to accept the **minutes for the October 13th 2016 Board meeting**, seconded by Monte Wiederhold, (Exhibit B)

Avelino thanked Tina Thurman for taking the minutes.

Avelino Gutierrez established the **teleconference ground rules**.

UCR Legislative Update – No Update

FMCSA Update – Daphne Jefferson – None,

Rick Wood mentioned that the appointment letter to replace Angel Oliver has taken a little longer than expected.

Woody Chambers asked how come the 2016 MCMIS does not have a UCR identifier on the 392.2 code. Rick Wood said he will look into it and report back.

Report by DSL Transportation Services, Inc. – Dave Lazarides – Reviewed his report provided to the Board (Exhibit C). As part of the discussion Dave talked about getting with Indiana to come up with a report to track the work the I/T FTE's are doing so the Board is getting what is paid for or is the hours accumulating as owed to the Board.

Sandy Bowling reported that they are going through 40 applications at this time to hire the /T people.

Audit Subcommittee – Mike Hoeme - No Report.

Procedures/Best Practices Subcommittee – Adam Anderson – Reviewed his document titled “Current UCR Agreement Section 10” – (Exhibit D) the proposed changes was have a place in

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the Agreement to have each of the individual registration systems to upload data in a timely manner to Iteris. This is to help resolve the issue with the upload issues to Safer.

Adam Anderson moved that the Board approve the proposed changes to the UCR Agreement to add a section "A" and "B" in Section 10(f)(4). Section "A" requiring that registration systems upload completed registration information within 15 minutes of completion and section (B) requiring declined payment information being sent also, seconded by Scott Morris, motion passed.

Discussion: Sandy Bowling asked for a clarification as to which decline they are reporting. She gets a report back from FMCSA that the payment didn't upload or that it actually declined from the bank. Adam reported it was when it is declined from the bank. This is because sometimes it is still showing in CVIEW as paid but it is not showing in Safer as paid.

Sandy said the issue is when it goes from FMCSA to CVIEW.

Adam Anderson moved that all registration systems are to be in compliance with this motion within three months from today, Elizabeth Leaman seconded, motioned passed.

Adam Anderson also reported he had sent out the update on the contract report (Exhibit E). Scott reported he had one or two more to get to me. Also an updated contract with DSL. An email will be sent to those state with their own systems.

Indiana System Subcommittee – Sandy Bowling – Avelino Gutierrez brought up that he had talked to Sandy Bowling about having Scott Morris be the acting Chair of the Indiana Subcommittee because of the change in the MOU with Indiana and a potential conflict of interest.

Scott Morris – Advised everyone that Dave Lazarides will be the designee to work with Indiana.

Indiana Department of Revenue – Sandy Bowling – Sandy Bowling moved to have Dave Lazarides to look into how much it would cost the Board to have the UCR On-line system be at the top of the list on search engines, seconded by Scott Morris, Motion passed.

Larry Herold asked if we need to have a motion just to look into it.

Elizabeth Leaman pointed out that it is a state protected system and there will need to be a bit of research.

Dave did point out that he will be glad to look into it, but it could be that someone else could pay more and then they go to the top.

Industry Advisory Subcommittee – Bob Pitcher – No Report.

Revenue and Fees Subcommittee – Larry Herold – Committee talked about what to do with the fees, the possibility of revenue dropping, and a reserve fund. The committee did not have any recommendation and the Board should make a decision on the reserve.

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The committee did look at the possibility of a projected amount of the total revenue collected for 2016, we looked at the projections of where we were at and how much we expect to be over. If the projections hold out than we would be looking at a possibility of being over 4.2 million with a possibility of a 4% decline. Larry than opened it out to the Board for a discussion about a fee reduction for 2018 (Exhibit F).

Woody Chambers asked if it was possible to see how many carriers are registering in which bracket and what the number of trucks they are indicating as to the number of trucks in each bracket. Determine what the trend would be.

Scott Morris reported that we could get some data on the breakdown of the number of vehicles in each bracket but not sure how useful it would be. For 2017 for the month of October the registrations both dollars and carriers are down compared to previous years. It could be due to the carriers are fully aware of their responsibility, there was one less day this time, or a concern over uncertainty due to the election.

Larry proposed the committee would get the requested data and come back in December with a recommendation.

Elizabeth Leaman asked if we have ever had an economist look over the data and compare it to the economy and comeback with a projection.

Rick Wood mentioned that in the beginning we had some pretty anecdotal work done but never an in-depth study done.

Dispute Resolution Subcommittee – Tina Thurman – No Report.

Administrative Fee's Subcommittee – Elizabeth Leaman – Received an e-mail from Texas with an invoice seeking reimbursement from the Board for the cost of sending out notifications to the carriers in Mexico.

Elizabeth Leaman moved that the Board approve payment of the invoice to Texas in the amount of \$736.71, for reimbursement of costs for mailing out renewal notifications to Mexico, seconded by Woody Chambers, motion passed.

Elizabeth reported that she and Dave will be still working on the website, looking at designing it to be similar to what IRP has. Still working on what type of website should be, a “.com, .gov, .net”.

Depository Subcommittee – Scott Morris – Reviewed the September Financial report (Exhibit G), revenue is still coming in for the 2015 and 2017 years, invoices should go out in December.

Made a distribution for 2015 and a pending distribution for 2016. The 2016 distribution will put all states over the cap, but the system will still try and send out some revenue until the system catches up on the revenue amounts.

Old/New Matters:

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Avelino Gutierrez reported he is currently trying to get a hold of a particular state in regards to their payments to the Depository, but he is playing a huge game of phone tag.

Scott Morris discussed the proposal regarding help with the RFP (Exhibit H). Scott Morris moved that the Board give approval for him to enter into a contract with The Writers For Hire to help draft the RFP, for the initial price of \$3,000 and an additional up to a cap of \$7,500 dollars, seconded by Adam Anderson, motion passed with one nay vote.

Scott Morris addressed an issue that before he was the chair of the Depository he had been receiving e-mails with excel and outlook files and when he upgraded to a new computer those files have been locked and he can't open it. Scott has contacted a computer forensics firm and they believe they can open the files for around \$500.00. Access to those files help resolve some of the issues for prior years.

Avelino Gutierrez moved that Scott Morris be allowed to contract on behalf of the Board with Computer Forensics to help gain access to files that have been password locked to help resolve past years issues, seconded by Adam Anderson, motion passed.

Future Board Meetings:

December 15th, 2016 12:00 PM EST

February 5th thru 7th, 2017, Board meeting on February 7th (San Diego, CA)

March 16th, 2017 12:00 PM EDT

June 3rd thru 7th, 2017, Board Meeting on June 7th, 2016 9:00 AM EDT (Santa Fe, NM)

Minutes approved by the UCR Board on December 15, 2016.

Adam Anderson,
UCR Board Member/Secretary

Exhibit A – Meeting Agenda

Exhibit B – Board Meeting Minutes

Exhibit C – DLS Services report

Exhibit D – Current UCR Agreement Section 10

Exhibit E – UCR Contracts

Exhibit F – Rev. Fee Subcommittee report

Exhibit G – September Financial Report

Exhibit H – RFP Contract