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TMTA TRUCKFacts

The Voice of the Texas Trucking Industry

June 24, 2010

2010 Texas Truck Driving and Technician Champions Announced

The TMTA 2010 Truck Driving and Technician Championship was held last week in College Station, TX. Congratulations to all the driver and technicians across the state that participated. Thank you to the many family and friends who came out in support of these professionals. The 2010 Texas Truck Driving and Technician Championship results are as follows:

Driving Competition:

Grand Champion: David Bolden, HEB
Step Van: Aryn Pittaway, FedEx Express
Straight: Beningo Zamudio, HEB
Three Axle: Juan Trevino, HEB
Four Axle: Edward Garcia, HEB
Five Axle: Ray Jackson, HEB
Flatbed: David Bolden, HEB
Tanker: Eli Garza, ExxonMobil
Sleeper: Rick Pledger, Wal-Mart
Twins: David Martinez, HEB

Technician Competition:

1st Place: Monte Merritt - ATC FW Freightliner
2nd Place: Steve Roen - Rush Peterbilt
3rd Place: Sergio Mingo - HEB
4th Place: Billy Huseman - West Texas Peterbilt
5th Place: Rudy Laguna - HEB

The Texas Team of drivers will go on to compete at the National Truck Driving Championship in Columbus, Ohio on August 3-7.

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Monte Merritt will represent Texas technicians on October 20-23 at the National Technicians' Skills Competition (TMCSuperTech2010) in Raleigh, NC. Congratulations gentlemen!

Hotel Reservations Deadline Wednesday, June 30

TMTA's 2010 Annual Conference will be held July 27-29 at the Hyatt Regency Hill Country Resort and Spa in San Antonio. Registration is available on the TMTA Web site.

To make hotel room reservations, call 800-233-1234. Be sure to mention the TMTA room block; the TMTA room rate is \$199. **The cut off date for hotel room reservations is Wednesday, June 30.**

Texas Roadcheck 2010 Results

During Roadcheck 2010, which ran from June 8 through June 10, DPS troopers inspected 6,906 commercial vehicles. During the three-day campaign, 25 percent of the vehicles inspected in Texas (1,738) were placed out of service because they were found to have serious enough safety violations to be removed from service until repairs could be made.

Troopers placed 160 of the drivers (2.3 percent) out of service for violations ranging from not properly tracking their hours of service to suspended, expired or cancelled driver licenses. Four drivers were placed out of service for drug or alcohol violations. Troopers issued five tickets for seat belt violations.

Vehicle out-of-service violations included 900 for brakes out of adjustment, 702 for brake system problems, 283 for tire or wheel issues and 322 with light malfunctions. Overall, 27,143 violations were documented as a result of the 6,906 inspections conducted.

Vehicles passing inspection received a CVSA decal exempting the vehicle from inspection for a 90-day period, unless they have an obvious safety defect. Troopers issued 2,516 decals during Roadcheck 2010.

ATA Testifies on CSA 2010

Yesterday, Keith Klein, Executive Vice President and COO of Transport America, testified about CSA 2010 on behalf of the American Trucking Associations before the House Subcommittee on Highways and Transit. Mr. Klein communicated ATA's support for the program's objectives of targeting unsafe operators and changing their behavior, and removing the most egregious actors from the road. However, Mr. Klein also expressed ATA's ongoing concerns with the current design of CSA 2010 and how its flaws will affect the industry and highway safety, if not corrected prior to implementation. To read Mr. Klein's complete testimony, visit

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Also, in response to trucking industry concerns, the Federal Motor Carrier Safety Administration will change the way it calculates a fleet's crash risk under CSA 2010. The change will use vehicle miles traveled in addition to the number of trucks a fleet owns to calculate the risk factor as reported in Transport Topics.

Dallas/Fort Worth's I-635 to Gets Facelift and Additional Lanes

An \$850 million loan from the U.S. Department of Transportation was given to the Dallas-Fort Worth area to reconstruct existing roads and add new toll lanes to I-635, more commonly known as the LBJ Freeway.

The amount approved today represents the second-largest loan in the history of the Department's Transportation Infrastructure Finance and Innovation Act (TIFIA) Program, which encourages new ways of funding projects.

The project includes reconstructing general purpose lanes and existing frontage roads; building new tolled lanes and frontage roads for approximately 13 miles along the I-635 and I-35E corridors in Dallas County; and building elevated direct connector ramps between I-635 and I-35E and other facilities to the extent necessary to improve connectivity, mobility and safety.

Bill Introduced to Curb Freight Broker Fraud

Sens. Olympia Snowe (R-Maine) and Amy Klobuchar (D-Minn.) on June 15 introduced the Motor Carrier Protection Act, which, according to a release, "would update the current requirements and provide motor vehicle operators with the tools they need to protect themselves and their company against fraudulent freight brokers.

The bill would:

Increase the broker bond to \$100,000 from \$10,000 and apply the bond requirements to freight forwarders.

Establish stricter requirements for entities seeking broker or forwarder authority.

Stiffen penalties for a number of violations of broker regulations.

Establish an annual registration requirement to renew broker or forwarder operating authority, and to require the Federal Motor Carrier Safety

Administration to revoke operating authority if it is not renewed annually.

Establish strict regulations on bond providers and the manner in

which bonds are administered.

Clarify that carriers must have a broker's or forwarder's license and bond in order to put freight on another carrier for compensation.

Require separate registration numbers per authority, and whatever authority is used in a transaction must be stated in writing.

UCR Registration is Due Thursday, July 1

To ensure the returned receipt of your UCR Registration is in the mail by the July 15, 2010 enforcement date, you must submit your applications and payment by July 1, 2010.

The deadline for 2010 Unified Carrier Registration (UCR) is next Thursday, July 1, 2010. The UCR registration packets for Texas based carriers were mailed earlier this month. The Texas Department of Public Safety is scheduled to begin enforcement on July 15, 2010.

San Antonio Chapter to Hear From Rep. McClendon

TMTA San Antonio Chapter meeting will be held August 26. The lunch will run from 11:30 a.m. to 1:00 p.m. at the Petroleum Club at 8620 N. New Braunfels Ave, Suite 700; in the Derrick II Room. The cost to attend is \$25.

Representative Ruth Jones McClendon will be the guest speaker during the lunch. She serves as chair of the Rules and Resolutions Committee and is a member of the House Transportation Committee. Mark your calendars and join us in San Antonio as we launch the TMTA San Antonio Chapter!

Please RSVP by August 23 to Les at les@tmta.com

Federal Appeals Court Rules on Broker Bond

This week the U.S. Court of Appeals for the D.C. Circuit ruled that a broker's surety bond obtained in compliance with regulations promulgated by the Federal Motor Carrier Safety Administration (FMCSA) covered a total of \$10,000 in claims, not up to \$10,000 per claim, as claimants asserted. The transportation broker involved here was in bankruptcy. Some 68 motor carriers whose freight charges the broker had failed to pay came against the broker's surety, with claims totaling over \$160,000. They argued that the surety was obligated under the federal regulations to pay each of them up to the face amount of the bond, \$10,000. The lower court had disagreed, finding that the bond was worth a total of \$10,000, and ordered pro rata shares of that amount paid to the carriers. The appellate court affirmed, saying that the regulations supported this result and the terms of the form governing the bond, FMCSA's Form BMC 84, left

no doubt.

TMTA Annual Conference: Program at-a-Glance

Tuesday, July 27

Noon - 8:00 p.m.	Registration & Refreshments
1:00 p.m. Shotgun	2010 TMTA TruckPAC Golf Classic
7:00 p.m. - Midnight	Kiddy Korner
7:00 p.m. Foundation	Reception
7:45 p.m. - 10:00 p.m.	Foundation Buffet Dinner & Auctions
10:00 p.m. - Midnight	Entertainment by John Sprott in Charlie's Long Bar

Wednesday, July 28

7:30 a.m.	Registration Opens
7:30 a.m. - 8:30 a.m.	Breakfast Buffet
8:30 a.m. -10:15 a.m.	General Session featuring Chairman Tommy Hodges, Elaine Briles and Avery Vise
10:30 a.m. -11:30 a.m.	Executive Committee Meeting
10:30 a.m. -11:45 a.m.	Educational Sessions
	· <i>Texas State Regulatory Issues</i>
	· <i>How Do You Pay Your Owner/Operators and Employees? Do You Pass The Test?</i>
	· <i>What the Looming Health Care Overhaul Will Mean for Trucking Companies</i>
10:30 a.m.-12:30 p.m.	Spouse's Brunch featuring Heloise
Noon-1:00p.m.	Truck Safety/Maintenance Awards Luncheon
7:00 p.m.-11:00 p.m.	Kiddy Korner
7:00 p.m.-7:30 p.m.	Member Appreciation Reception
7:30 p.m.-11:00 p.m.	Chairman's Dinner and Dance featuring Dale Watson

Thursday, July 29

7:30 a.m.	Registration Opens
7:30 a.m. - 8:30 a.m.	Breakfast Buffet
8:30 a.m. - 10:15 a.m.	General Session featuring Coach Mike Leach
10:30 a.m. - 11:30 a.m.	Foundation Board of Trustees Meeting
10:30 a.m. - 11:45 a.m.	Educational Sessions
	· <i>General Update on the TxDMV</i>
	· <i>What the Looming Health Care Overhaul Will Mean for Trucking Companies</i>
	· <i>PresPass Technology</i>
Noon - 1:00 p.m.	TMTA Leadership Award Luncheon
1:30 p.m.-3:00 p.m.	Board of Directors
6:30 p.m. - Midnight	Kiddy Korner
7:00 p.m. - 8:00 p.m.	Allied Celebration Dinner
(8:00 p.m. - 9:30 p.m.)	Bobby Collins in Concert
9:30 p.m. - Midnight	"Thursday Night in Luckenbach" Texas Tycoons

**Reminder: Emergency Declaration for Response/Relief Efforts
Still in Effect**

The Emergency Declaration for trucks carrying response and relief supplies to combat the oil spill is still in **effect through 11:59 p.m. on June 30, 2010.**

Reminder: Comment Period for Use of EORBs and HOS Regulations

The Federal Motor Carrier Safety Administration (FMCSA) provides notice to the motor carrier industry and the public of regulatory guidance and policy changes regarding the retention of supporting documents and the use of electronic mobile communication/tracking technology in assessing motor carriers' and commercial motor vehicle drivers' compliance with the hours of service regulations.

Comments should be submitted on or before July 9, 2010.

For more information on this notice, visit: www.fmcsa.dot.gov

TMTA Calendar of Events

June 18-19 - State Truck Driving/Technician Championships

College Station, Texas

June 23 - Amarillo Local Chapter Meeting

July 13 - Tyler Local Chapter Meeting

July 21 - Houston Local Chapter Meeting

July 28 - Amarillo Local Chapter Meeting

July 27 - 29 TMTA Annual Conference

August 3-7 - National Truck Driving Championship

Ohio

August 13 - South Texas Local Chapter Meeting

August 19 - Houston Local Chapter Meeting

August 25 - Amarillo Local Chapter Meeting

August 26 - San Antonio Local Chapter Meeting

August 26-28 - Great American Trucking Show

Dallas, Texas

Sept. 15-17 - Safety Management Council Fall Seminar

Information contained in TRUCKFacts is attributed to the following sources: Texas Department of Transportation, American Trucking Associations, U.S. Department of Transportation, The State Laws Newsletter published by the American Trucking Associations, Transport Topics, Texas Department of Public Safety, Environmental Protection Agency, Texas Commission on Environmental Quality, Federal Motor Carrier Safety Administration and Texas Department of Motor Vehicles.

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