

Minutes of the Unified Carrier Registration Plan Board of Directors Meeting  
Hilton Hotel, Chicago O'Hare Airport  
July 13 and 14, 2006

Attendance:

Board of Directors - Avellino Gutierrez, Bob Pitcher, Rick Craig, Barb Hague, David Hugel, Frank LaQua, Dave Lazarides, Bill Leonard, Angel Oliver, Tony Portanova, Rick Schweitzer, Craig Sharkey, Ruth Skluzacek, Terry Willert. Absent – Bob Voltmann.

Others: Brian Price, FMCSA; Judy Rutledge, FMCSA; John Jabas, FFE; Dave Saddler, IRP Inc.; Jim Poe, IN DOR; John Lynch, TRALA; Bill Debord, KY DOT; Carolyn Barr, Con-Way; Jan Balkin, NADSF; Scott Morris, AL PSC; Sonia Sanders, KY DOT; Robert Marvin, OH PUC; Craig Baner, IL CC Police; Cathy Hunter, WA UTC; Gene Eckhardt, WA UTC; Connie Owen, JJ Keller; and Buzz Danzl, MN DOT.

David Hugel, on behalf of the Secretary of the USDOT, confirmed Avelino Gutierrez as Chairman and Bob Pitcher as Vice-Chairman of the Board of Directors, and then turned the meeting over to them.

Roberts Rules of Order will be observed because some work will be reviewed by Secretary of the USDOT.

Tony Portanova made a motion that all discussions be run through the chair or the vice chair by raising hand and being recognized in order; formal actions require motion/second, discussion, and then vote. Motion passed.

The Agenda was reviewed and approved.

Brian Price, David Hugel, and Judy Rutledge presented a FMCSA update that included: the role of the Board and FMCSA regarding implementation of SAFETYLU; the Administrative Procedures Act; a Notice of Proposed Rule Making (NPRM) for the UCR system; paper credentials at the roadside; plan to contract out administrative functions of the Board; and seed money for the Board and subcommittee expenses.

By general consensus, all agreed to eliminating paper credentials.

By general consensus, proxy voting will not be permitted at Board meetings.

Ruth Skluzacek made a motion to accept attendance at a Board meeting, including voting, by teleconference when the Board member is unable to attend in person and when the Board meeting is publicly noticed. Motion passed.

Chris Mele presented a legislative update. Markup language for a 12 month extension of SSRS has been sent to the Appropriations Committee and the Commerce Committee.

Bill Leonard made a motion establish the following subcommittees - Procedures, Fees, UCR, and Legal. Discussion followed regarding committee responsibilities. Bill Leonard amended the motion to establish the Revenue and Fees Committee, UCR Systems Committee, Procedures Committee, and Industry Advisory Committee. Motion passed.

Ruth Skluzacek made a motion that the Revenue and Fees Committee be responsible for gathering revenue information beginning in 2004 to establish entitlements. Motion passed.

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Bob Pitcher made a motion that in determining whether a state is initially eligible for participating in UCRA the Board shall rely on whether the state has filed a plan with USDOT under sec 14504(a). Motion passed.

Ruth Skluzacek made a motion to delay Audit Committee assignments and functions description pending later review by the Board. Motion passed

Ruth Skluzacek made a motion that the UCR System Committee would develop system for UCR with IT requirements. Motion passed.

Rick Schweitzer made a motion that the Procedures Committee would cover all things required under the UCR Agreement. Motion passed.

The Industry Advisory Committee will act as a conduit, advisory up and down, Bob Pitcher to brief them regularly, and IRP charters are available to assist in establishing the committee structure.

Comments were received from non-Board representatives that included: electronic access to information by law enforcement is vital; what info is available relative to carrier info and what is law enforcement accessing; and that the receipt carried in vehicle is not verifiable and that real time access to 24-hour authority info is much better.

The procedures for state participation will be part of the Procedures Committee function.

The meeting adjourned for day at 5:08 p.m.

Meeting reconvened at 8:00 a.m., July 14, 2006.

Avelino Gutierrez announced the chairs of the committees as follows:

Dave Lazarides, UCR Systems Committee.

Barb Hague, Procedures Committee.

Bill Leonard, Revenue and Fees Committee.

Committee membership will be combined with the NCSTS committee members.

By general consensus the UCR System Committee will look into the various options regarding the depository, distinction between depository of information and depository of fees, administration and place for information to be centrally located, rules for grant making, procurement requirements, and complications in RFP.

By general consensus, a committee will be appointed to craft the questions relative to what the Board should do in the areas of state administration costs, requirement for a federal online system used for processing, money for state program limited to state costs, central function to take care of maintenance is part of the money that the states get to maintain the central system, processing in 38 states or 1 centralized location, central banking function and central processing function, who pays when it's a federal online system, the system is needed within next year, carriers payment to their base states, state must funnel excess revenues to depository, and states are always going to have to allow for walk-ins even with a mandated online system.

Avelino Gutierrez will draft a letter before the next Board meeting regarding content and deadline for states to submit a plan.

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By general consensus, the Revenue and Fees Committee will review the carrier population data using available databases including MCMIS, IRP, and IFTA.

FMCSA advised that it will explore the procedure for establishing the fee structure once the recommendation is submitted to the USDOT. FMCSA has to act within 90 days of Board recommendation.

The Board discussed. The Procedures Committee will recommend the process to change the UCRA.

General discussion followed of what fees can or cannot be collected from exempt carriers, intrastate application and annual fees, and address change fees if SSRS is not extended and UCR is not up. A Board opinion on this is needed so that the States can be advised.

FMCSA will determine the Board's status as an agency for APA purposes, provide sample regulations to implement Sunshine Act, determine freight forwarder/broker numbers registered, what travel the board will pay for, provide guidelines for grant for administrative support of the Board. Travel, when it comes to subcommittees, is up to the Board to approve, but FMCSA can't definitively say whether money will be available.

Interstate Advisory Committee is larger than some other committees; recommended that, except in individual circumstances, it will not ask that expenses be reimbursed.

Committee chairs need to submit their requests to Bob Pitcher or Avelino Gutierrez who will forward to Brian Price. No promise that travel will be reimbursed until approved by Board chair/vice chair and forwarded to FMCSA.

Committee chairs will contact recruits, work on timetables for tasks,

Bob Pitcher and Avelino Gutierrez will draft and circulate 4 letters to the Board – one to non-participating states to join and deadlines, one to SSRS states on process and deadlines, one of consensus of the Board on what fees can and cannot be collected, and one with a set of legal questions to FMCSA.

Jim Poe will get IRP data to Dave Saddler and Tim Adams from AAMVA.

Bill Leonard, as chairman of the Revenue and Fees Committee, will write to jurisdictions to determine entitlements.

The next Board meeting was tentatively set for Aug 22-23 at Hilton O'Hare Chicago.

Brian Price will get answer to outstanding issue of hotel and expenses/per diem, will send instructions on how to voucher expenses next week.

Board adjourned at 10:43a.m.