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THE OFFICIAL PUBLICATION OF THE SOUTH DAKOTA TRUCKING ASSOCIATION

APRIL 2024

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**CHAMPIONING SAFETY AND EXCELLENCE:
KEIZER COMPANIES EARN SIX
PRESTIGIOUS SAFETY AWARDS**

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**WOMEN IN TRUCKING ASSOCIATION
ANNOUNCES 2024 DRIVERS OF THE YEARS**

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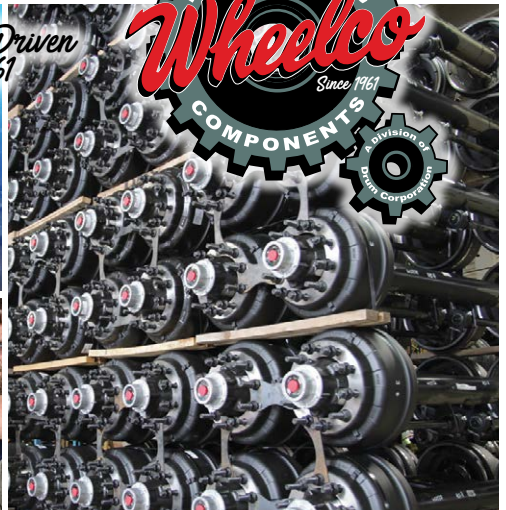


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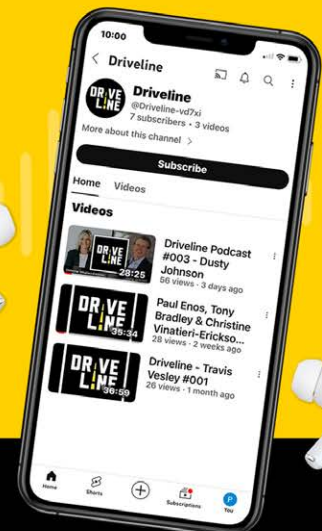
On the cover



Pictured left to right are Chris Lutick, UPS; Christine Vinatieri-Erickson, SDTA President; and Bob Willey, SDTA Chairman, during the Call on Washington earlier this month.



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Saturday, May 18, 2024

Southeast Technical College | Sioux Falls, SD

7 AM | Driver Check-in
DRIVERS MUST BE SIGNED IN BY 7:30 AM



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MESSAGE FROM THE Chairman

Good Day, Ladies and Gentlemen,

I am writing this while sitting in the Chicago airport, returning from Washington, DC. Christine, Chris Lutick, and I had two jam-packed days. Christine and I met with OOIDA on Wednesday morning. We addressed quite a few issues with the proposed speed limiter rule coming out in May. They, like our organization, believe this is a foolish deal. If anyone had the opportunity to read the most recent issue of Landline magazine, they presented numerous statistics as to why this is bad. We talked about the overtime bill. I presented my case for why I think this is bad, but they think it is D.O.A. We also talked about the green initiative, which we all know isn't workable at the moment, as well as other issues like nuclear lawsuits and workforce development. For the most part, they support the same things we do.

On Wednesday afternoon, we met with ATA.

They presented some of their views on the same subjects that we presented to OOIDA. I tried to explain to them why I felt some of the safety technologies they wanted to tie to the speed limiters were unsafe due to the false readings and unexpected braking. I don't know if this softened their position or not. We also discussed the attempt to raise the minimum insurance limit to \$5 million again. Some members might want to impeach me after I stated that most, but not all, are already carrying \$1 million if not more, and the only thing this would do is line trial lawyers' pockets.

On Thursday, we met with our delegation. We are fortunate to be "preaching to the choir" when we discuss our concerns with them. Our entire delegation always treats us very well. I believe they actually listen to us. But we still need more voices behind us when we go to Washington because there is strength in numbers. Thursday evening, we went to dinner with representatives from the Minnesota Trucking Association. Christine and I had a very nice conversation with the Minnesota Chairman and his wife.

In closing, everybody be safe and remember that the Spring Board Meeting and Annual Cliff Tjaden Fishing Event are coming up on May 9th and 10th in Chamberlain.

Safe travels,

Bob Willey

Bob Willey Trucking

bwilleytrucking@gmail.com





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MESSAGE FROM THE
President

Christine's Corner

Budding trees and green grass are on the way. Being in South Dakota and the ever-changing seasons always makes me excited around this time to see sunshine. On a personal note, I have been spending time at the tennis courts watching my middle schooler battle on the Jefferson Varsity Tennis team as well as soaking up time with my other two boys.

Earlier in April, Chairman Bob Willey, Board Member Chris Lutick, and I traveled to Washington, DC, to meet with our South Dakota Congressmen. We started the trip off with a meeting with OOIDA leadership and ended that meeting with an invitation to attend our SDTA convention in September. We next had a briefing with ATA leadership and were joined by state association members from Minnesota and Georgia. Our Wednesday was filled with meetings with all three members of our delegation: Senator Rounds, Senator Thune, and Representative Johnson. These meetings were extremely productive, and much of the time we were just 'preaching to the choir'. We stressed our opposition to speed limiters and the overtime rule, along with discussing the massive forestry issue and mismanagement of the Black Hill Forest and, of course, the importance of the trucking industry. We are grateful for our three congressmen and their staff for always making it a priority to meet with us. If you haven't attended a Call on Washington, I would highly encourage you to do so. This trip is generally planned for March or April.

Here in the office, we are buzzing around filling all the orders from the Pit Stop Print Shop, planning upcoming events from our Fishing Calcutta/Spring Board Meeting on May 9 and 10, Truck Driving Championships on May 18th, SDTA Golf Outing on July 18, and we are in full steam planning the 2024 SDTA Convention on September 25-27 in Deadwood SD.

We have kicked off our Driveline Podcast with several new interviews and conversations. We have many more planned in the upcoming months. Stay tuned.

We have been pumping out lots of content lately as well to keep you informed. If you have staff that you would like to receive our communications, please reach out to us. Be sure to like and follow our social media pages!

Until next time...Onward,

Christine M. Vinatieri-Erickson



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APRIL 2024 DRIVER OF THE MONTH



Brad Hendriks, K&J Trucking, Inc., Sioux Falls, SD, was selected as the April 2024 Driver of the Month by the South Dakota Safety Management Council.

In his 34-year career, Brad has logged over 4 million miles on the road. He has spent the last twenty years working for K&J Trucking, Inc. Brad drove solo for the first ten years of his K&J career. He did a great job with whatever task or load you assigned him. In 2014, his wife Bonnie joined Brad, and they have been team-driving ever since.

Brad is a true professional that any company would be lucky to have employed with them. He is always willing to lend a helping hand, especially to his fellow drivers.

When Brad is at home, he enjoys spending time with his kids. His hobbies include riding motorcycles with his wife and driving their Mustang.

Brad and Bonnie reside in Brandon, SD. They have four adult children: Ryan (36), Ross (33), Tyler (29), and Tiffany (28).

The South Dakota Trucking Association joins the Safety Management Council in congratulating Brad Hendriks for being selected as the April 2024 Driver of the Month.

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HONOR YOUR BEST DRIVERS!



Nominate them for Driver of the Month

A nomination form & rules can be found on page 27 or online at www.southdakotatrucking.com under the Resources tab.

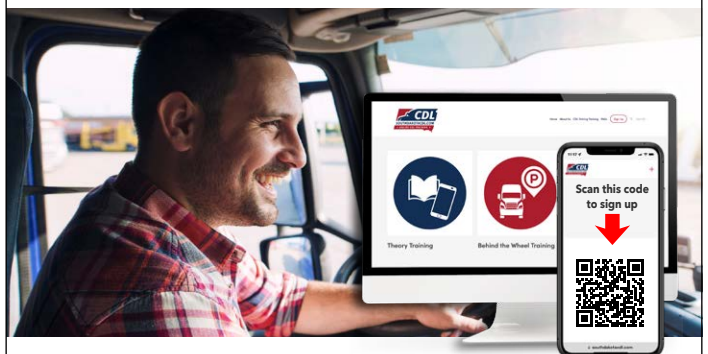


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A Calcutta will be held on:

Thursday, May 9 | 6 PM

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Upcoming Events



MARK YOUR CALENDAR

MAY 9, 2024

SDTA Spring/Summer Executive Committee Meeting
10:00 a.m.
AmericInn
Chamberlain, SD

MAY 9, 2024

SDTA Spring/Summer Board of Directors Meeting
1:00 p.m.
AmericInn
Chamberlain, SD

MAY 9, 2024

Social Hour, Dinner and Calcutta for the Annual Cliff Tjaden Fishing Event
6:00 p.m.
AmericInn
Chamberlain, SD

MAY 10, 2024

Annual Cliff Tjaden Fishing Event
7:30 a.m. - 3:30 p.m.
Cedar Shore Marina
Oacoma, SD

MAY 18, 2024

SD Truck Driving Championships
7:00 a.m.
Southeast Technical College
Sioux Falls, SD

JUNE 6-9, 2024

Wheel Jam Truck Show
State Fairgrounds
Huron, SD

JULY 18, 2024

SDTA East River Golf Event
9:00 a.m.
Brandon Golf Course
Brandon, SD

AUGUST 21-24, 2024

National Truck Driving Championships
Indianapolis, IN

SEPTEMBER 15-21, 2024

National Truck Driver Appreciation Week

SEPTEMBER 25-27, 2024

SDTA 89th Annual Convention
Deadwood Mountain Grand Hotel and Casino
Deadwood, SD

NOVEMBER 14, 2024

SDTA & SDADA Annual Pheasant Hunt
8:00 a.m.
Meet at Hutch's Cafe
Presho, SD

NOVEMBER 15, 2024

SDTA Fall Executive Committee Meeting
8:00 a.m.
AmericInn
Fort Pierre, SD

NOVEMBER 15, 2024

SDTA Fall Board of Directors Meeting
10:00 a.m.
AmericInn
Fort Pierre, SD

NOVEMBER 19, 2024

West River Legislative Reception
5:30 - 7:00 p.m.
Minervas | Lincoln Room
Rapid City, SD

NOVEMBER 21, 2024

East River Legislative Reception
5:30 - 7:00 p.m.
Minervas | Lower Level
Sioux Falls, SD

FEBRUARY 10, 2025

Annual Legislative Reception and Sundae Bar
6:00 p.m.
Ramkota Hotel & Conference Center
Pierre, SD

FEBRUARY 11, 2025

SDTA Winter Executive Committee Meeting
10:00 a.m.
Ramkota Hotel & Conference Center
Pierre, SD

FEBRUARY 11, 2025

SDTA Winter Board of Directors Meeting
12:30 p.m.
Ramkota Hotel & Conference Center
Pierre, SD

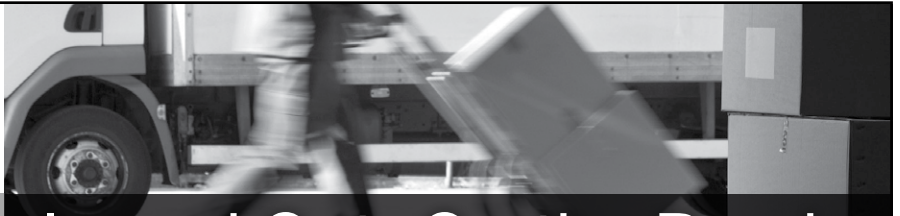
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Reserving a Spot is One Way to Conquer Parking Shortage

Renee Berg | The Free Press

NORTH MANKATO, Minn. – With 35 years of driving a big rig, Gary Schmidt knows the trucking industry.

Schmidt is a driver for Cliff Viessman Inc., which has a terminal in North Mankato, and confirms that a nationwide problem affecting drivers is occurring locally as well. That problem is the drastic shortage of spots for truckers to park their rigs at night to get sleep.

“The whole objective is to make sure you have a safe space to get the proper rest so you’re safe on the road,” he said. “Safety is still the top priority. That trumps everything.”

The parking spot shortage has been an issue for years but has gotten worse, Schmidt said. As the problem has worsened, some drivers have opted for dangerous solutions, such as pulling off to the side of the road on on-ramps or off-ramps to sleep because other off-road spots are full.

Schmidt’s solution to the parking shortage is to book paid spots on his travels. He recently went south to Georgia and called ahead to truck stops on the way there and back to buy a spot.

“You have to call ahead because by 6 or 7 in the evening, it’s full.” Paid spots aren’t a cheap solution for truckers, however. They’re typically about \$20 a night, and when you’re on the road 200-plus days a year, “That’s a lot of money,” said Dan Forsythe, owner of Minnesota Valley Transport in New Ulm, Minn.

The parking shortage for truckers ranked as being among the top five concerns, according to a Minnesota Trucking Association survey, said Ryan Viessman of Cliff Viessman Inc. It’s No. 2 on the American Transportation Research Institute’s 19th annual Top Industry Issue list, released in October.

“Yes, definitely there is a shortage,” said Viessman, director of operations at the



Schmidt

SD Trucking Association



Froehlich

LinkedIn



Hausladen

Minnesota Trucking Association

company. “And it’s not only in Minnesota but all over the country.”

He calls the overcrowding “a safety issue.” Trucks are forced to go up and down a road, sometimes parking before a rest area and with their truck sticking out on the interstate a bit.

Others might drive on, far from well rested, Viessman said. But they’re still on the road because there was no place to stop and sleep. The private sector has been building stores across the country, he said, but “it isn’t keeping up with demand” for big rig parking spots.

“It’s a constant concern,” said Ben Froehlich, vice president of operations with Volk Transfer in Mankato. “What ends up happening is drivers will short their drive time in order to make sure they’ve got safe parking. Other times, they end up having to park on ramps. It’s not safe.”

“It’s a long road. We have a long ways to go to make up to where we need to be to provide enough parking. But if we don’t do something, the problem is never going to go away.”

Safety is the biggest factor for both truck drivers and the motoring public, Froehlich said.

“We don’t want motorists out there to be running into the back of semis sitting on the side of

the road,” he said. “It does happen on occasion, and it turns out very poorly for the motorist.”

Froehlich said the parking shortage problem has “been going on for decades.”

One solution is for truck stops to expand their footprint and add parking spaces.

John Hausladen, president and CEO of the Minnesota Trucking Association, agreed that safe and readily available truck parking is a “huge issue for the trucking industry.”

His group has been lobbying every year for expanded truck parking, and one bill the association proposed is intended to create incentives for government and public partnerships to expand truck parking.

“It’s a big problem, and it’s been ongoing,” Hausladen said.

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Cliff Viessman Inc.

A Cliff Viessman truck. The company is headquartered in Gary, S.D., and has five terminals in Minnesota.



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Championing Safety and Excellence: Keizer Companies Earn Six Prestigious Safety Awards

Keizer Companies, one of the largest family-owned dealers and distributors of transport and refrigeration equipment in the Midwest, is delighted to share that its companies with branches in Sioux City, IA, Omaha, NE, and Sioux Falls, SD, have earned six prestigious annual National Safety Council (NSC) awards this month. NSC awards recognize each year companies with the highest safety standards and practices across the USA, who are excelling in improving workplace health and safety and preventing injuries.

Power Only Transport LLC, the group's freight transportation company based in Sioux Falls, SD, earned the NSC's Occupational Excellence Awards for its outstanding safety record of reported injuries and illnesses.



This achievement also comes after winning the South Dakota Governor's Meritorious Safety Awards for 2023.

The group's Carrier Transcold dealer Transport Refrigeration



of South Dakota Inc was also awarded the NSC's Occupational Excellence Awards, along with the Safety Leadership Award which honors companies, locations or divisions that have

achieved at least five consecutive years without incurring an occupational injury or illness. Transport Refrigeration of South Dakota has also earned the South Dakota Governor's Meritorious Safety Award in 2023, for the 3rd time.

Last but not least, Mid-States Utility Trailer Sales, one of the nation's largest semi-trailer dealerships and a Top 5 Utility Manufacturing dealer, earned the Occupational Excellence

Award and the Significant Improvement Award, as well as being recognized as one of Nebraska's Safest Companies by the NSC. Keynote speaker, Lauren Sisler, will join the NCS at an upcoming award ceremony on 1st May to celebrate Mid-States Utility Trailer Sales along with fellow nominees for its exemplary safety record and commitment to ensuring that their team members return home safely to their families at the end of each workday.



Shane Keizer, the President of Keizer Companies, said: "The importance of safety in our industry cannot be overstated. The vision of the National Safety Council is that no-one should be injured or made ill through their work. In the transportation industry, achieving this requires more than complying with legislation; it means getting every employee behind our safety mission. Our teams have earned an exceptional safety record over the years. Winning six safety awards from the National Safety Council this year is a significant achievement. I could not be more proud of everyone for going above and beyond to keep a safe, injury-free working environment for themselves and their colleagues."

Tom Johnston, the group's Safety Manager, added: "Health, safety and wellbeing are at the heart of everything we do at Keizer Companies. I'm delighted the efforts we make and the huge milestones we are achieving have been recognized by the NSC. The accolades are a testament to the tireless work of our teams across all locations, whether they're working out on the roads or in support functions in one of our offices."

The SDTA extends its congratulations to everyone at Keizer Companies on receiving these prestigious awards!

Welcome to Our Newest Members

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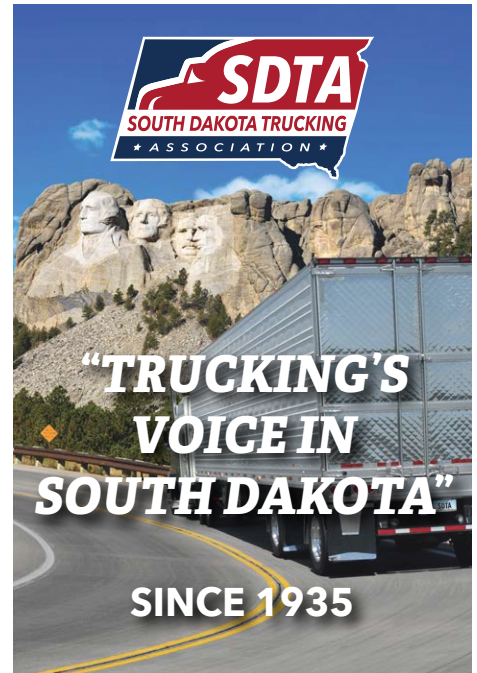
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Women In Trucking Association Announces 2024 Drivers of the Year



PHOTO CREDIT: Women In Trucking Association, Inc.

Courtney Bloom | Women In Trucking Association

LOUISVILLE, Ky. — March 25, 2024 — The Women In Trucking Association (WIT) announced on Friday three drivers as the winners of the fifth annual Driver of the Year award sponsored by Walmart.

The 2024 Drivers of the Year are:

Carmen Anderson, America's Service Line
Deb LaBree, Castle Transport LLC, leased to Landstar
Jodi Edwards, J.B. Hunt Transport Services, Inc.

The announcement was made during the Salute to Women Behind the Wheel event, hosted by WIT at the Mid-America Trucking Show (MATS) in Louisville, KY. The event honors female commercial drivers for their efforts and successes in the trucking industry.

"All of these deserving drivers are members of the WIT Image Team," said Jennifer Hedrick, WIT president and CEO. "They represent the WIT mission and participate in ride-along events for legislators, regulators, and industry leaders to provide a deeper understanding of the obstacles they face on the road. They also speak to the media and other industry professionals at public events and industry trade shows."

Carmen Anderson, a company driver at America's Service Line, LLC, has 2.5 million safe-driving miles. In 2015, she won the South Dakota Truck Driving championship and went on to compete in nationals in St Louis. Two years later, she was selected for the Wisconsin Road Team. In August 2019, she was named the Wisconsin Motor Carriers Association (WMCA) Driver of the Month. She also won the WMCA 2019 Driver of the Year, the first woman to be named the sole recipient of the award. Anderson is a lifetime member of WIT and a lifetime member of Owner-Operator Independent Drivers Association (OOIDA). She also serves on the organizing committee for the South Dakota Special Olympics. She was named one of the WIT Top Women to Watch in Transportation in 2021. She is trained to recognize and prevent human trafficking through her involvement with Truckers Against Trafficking (TAT) and has appeared on TV news to speak on the topic.

Deb LaBree became a professional truck driver in 2006. She is an independent owner-operator of Castle Transport LLC and has been leased to Landstar since June of 2014. She is well known for mentoring other business capacity owners (BCOs) within Landstar and has received the Bronze and Silver Star of Quality awards from Landstar for customer service and mentorship.

LaBree has been a team driver with her husband, Del, for all her career. She has received the safety award every year since she began driving and was named the NASTC Driver of the Year in 2020. LaBree has been instrumental in growing and managing the WIT Facebook group which has more than 11,000 active members. She was also the July 2020 WIT Member of the Month and is a past WIT board member.

LaBree has shared her experience as a guest on SiriusXM's Dave Nemo Show and Women In Trucking Show. Other media appearances include NBC, Today with Megyn Kelley, Wall Street Journal and various industry publication interviews. She also volunteers to participate as a research subject for various college projects.

Jodi Edwards has been a professional driver with J.B. Hunt Transport, Inc. for more than 25 years, during which she has driven more than 2 million miles collision-free. Throughout her career, Edwards has exemplified a passion for safety and professionalism and is an encouraging advocate for women entering the transportation industry.

Among her many accomplishments, she has been named Driver of the Year for her region and has received multiple safe driving awards at J.B. Hunt.

Edwards has been a Smith System® certified instructor for more than 10 years and has been a driver trainer at J.B. Hunt for more than 20 years, where she continues to share her wisdom and experience while driving with J.B. Hunt's intermodal division.

Edwards has been recognized nationally for her professional achievements, being interviewed for industry publications

as well as sharing her thoughts live on the Sirius XM® radio show "Road Dog Trucking." She is a cherished member of the J.B. Hunt family and an important voice and ally for women throughout the transportation industry.

Sponsored by Walmart, the annual Driver of the Year award was established to promote the achievements of female professional drivers who lead the industry in safety standards while actively enhancing the public image of the trucking industry.

"Walmart is proud to sponsor the Driver of the Year award because it aligns with our commitment to diversity, inclusivity, and excellence. Carmen Anderson, Deb LaBree and Jodi Edwards, are trailblazing women who are more than drivers – they are leaders, mentors and role models. Their achievements prove that success isn't defined by gender. We're extremely proud to recognize each of them as this year's Driver of the Year," said Fernando Cortes, Senior Vice President of Transportation, Walmart.

Members of the judging panel were Jenny Lovering, General Transportation Manager, Walmart; Sarah Smith, SVP Human Resources, Penske and Vice Chair of the WIT board; and Ellen Voie, founder, WIT.

The SDTA extends its congratulations to Carmen Anderson on receiving this award!

Carmen Anderson is from Sioux Falls and a member of the South Dakota Champions Club. She has participated in the South Dakota Truck Driving Championship several times and is very involved in the South Dakota Convoy for Special Olympics.

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Drug Clearinghouse Creates Advantages, Challenges for Industry

New Requirements Coming in November Could Further Shrink Available Driver Pool

Mindy Long | Special to Transport Topics

Although the Federal Motor Carrier Safety Administration's efforts in streamlining the driver verification process are helping fleets reduce their risk via the Drug & Alcohol Clearinghouse, it also has reduced the pool of qualified drivers, which could shrink further when new requirements take effect Nov. 18.

"The Clearinghouse's intention is to make sure the roads are safer and to identify drivers with failed drug and alcohol tests early," said Mike Precia, CEO of Fleetworthy Solutions. "The challenge is the number of people it impacts."

P. Sean Garney, co-director of Scopelitis Transportation Consulting, said fleets are using the Clearinghouse exactly as intended — to verify that their drivers are not disqualified from operating a commercial motor vehicle for prohibited conduct related to drug and alcohol use and misuse.

As of Jan. 1, 158,330 drivers were in prohibited status, meaning they could not drive a commercial motor vehicle until they completed the required return-to-duty process. "Only about 30% of the drivers with violations in the Clearinghouse have begun this process and have had their privileges restored," Garney said.

Also, there are still fleets not complying with the rule. Last year, safety investigations of motor carriers resulted in over 10,500 Clearinghouse-related violations, including over 2,000 for failing to register with the Clearinghouse, Garney said. "On roadside last year, almost 5,400 drivers were placed out of service for violations listed in the Clearinghouse, meaning prohibited drivers are still driving."

On Nov. 18, FMCSA will start notifying state licensing agencies when a driver licensed in a state is newly prohibited in

the Clearinghouse. States will then begin downgrading the CDL and removing commercial driving privileges.

All traffic safety enforcement officers will be able to identify prohibited drivers by conducting a license check during a traffic stop. "It will no longer limit it to just roadside inspectors during a CVSA inspection," said Kathy Close, an editor with J.J. Keller & Associates.

The shift will pressure drivers with unresolved violations in the Clearinghouse to act rather than wait. Close said the preamble to the final rule noted about 5,000 drivers will have to work with the DMV each year due to downgraded CDLs. "What it will do is remove those drivers who are trying to hide a violation without seeking evaluation and treatment," she explained.

Robert Brower, assistant vice president of safety and risk management at IMC, said that the deadline could help push drivers who want to remain in the industry to complete a substance abuse program and return-to-duty drug test.

Jeremy Reymer, founder of Driver-Reach, said the requirement shouldn't affect the recruiting or qualifying process. "If it works as it should, it will expedite the visibility of drivers who have failed a drug test instead of it being at the mercy of the mandatory annual query that a carrier needs to conduct on their current driver pool," he said, adding that there could be implementation delays at the state level.

Fleet Support

Fleets said they support the regulation. "The Drug & Alcohol Clearinghouse was created to 'close the loop' on drivers that are in violation and/or using illegal drugs while operating a CMV," said Jason Bolton, director of safety and compliance for Averitt Express. "While the program isn't perfect, it's far better than what we had prior."

He added that it will be difficult for drivers to fly under the radar with the drug and alcohol regulations, which is not only better for hiring and regulatory compliance but also safer for the motorist and the public.

Tracy Rushing, executive director of safety and human resources for RE Garrison Trucking, said the Clearinghouse has given carriers more certainty that information is accurate and helps them make better decisions. She expects to see more drivers in a prohibited status beginning in November, but it won't change the fleets' operations. "Our practices and guidelines will stay the same because the expectations stay the same," Rushing said.

However, challenges still remain. Precia said carriers are now tasked with managing the Clearinghouse and ensuring they're compliant while running their business. "It is another thing to manage on top of the long list of things they have to manage," he said, adding that the Clearinghouse requires queries at the time of hire and then annually based on the initial query date. "It is a rolling 12 months. If you don't have a single pane of glass keeping track of when you're hiring drivers, it is easy to get off cadence."

Brower noted that by creating automated workflow processes, IMC has been able to make these requests seamless through its internal onboarding and compliance systems. Even still, Rushing noted that employers often find themselves waiting for drivers, and one issue is getting drivers to log in to the Clearinghouse. "They struggle more with getting their credentials to work rather than giving you consent," she said.

Candi Coate, north regional safety manager for Highway Transport, said drivers have to take time upfront to enroll and register in the Clearinghouse, but once that's completed, it helps reduce how

much time it takes for an employer to verify compliance. To help avoid hiring delays, DriverReach prompts drivers to complete their Clearinghouse registration when they submit an application.

Another concern for carriers is knowing what and when the employer must report certain violations. "When a medical review officer is not involved, the employer must report a violation," J.J. Keller's Close explained. "Since MROs only report failed drug tests, employers also report negative return-to-duty tests and when the follow-up program is complete."

Carriers must adhere to a three-day time frame for reporting violations, which Brower said can be problematic. "Some situations are not as cut and dry and take research from both the designated employee rep and medical review officer to ensure accuracy," he said.

Even passwords can cause headaches. "When someone who was the account administrator leaves the carrier, the new person might not have the password. They have to go through the Clearinghouse IT department. It can take time, which means they could be late on their queries," Close said.

For overall security, Garney said it is essential to periodically audit who in the company has access to the Clearinghouse and update that information at least annually. "As a part of this, employers should verify who in their team received notifications of changes and ensure they know what to do when they are provided this information," he explained.

Coate said the No. 1 challenge is the reduction of qualified CDL drivers. She explained, concerning the retention side, that it's more critical now that "we keep our finger on the pulse with driver satisfaction and continue to find creative ways to reduce turnover rates."

To help raise awareness, Precia recommended that fleets educate drivers through drug and alcohol training. "It

starts with making sure the carriers have a policy in place that is firm and serious. That trickles down to everything they're doing when coaching and interacting with drivers," he said. "We have to make sure people with CDLs understand those decisions can affect their ability to earn."

Close recommends carriers include information about the loss of driving privileges in the information they share with drivers and establish policies around violations and hiring. "Always consider state and federal employment laws when hiring," she said. "There are employment laws that prevent you from discriminating against someone who has been rehabilitated."

Many employers terminate drivers who fail drug tests or are prohibited in the Clearinghouse. "This is a problem because the rules generally require drivers to have an employer sponsor to complete the return-to-duty process, and it can be difficult to find a new employer if the Clearinghouse shows the driver cannot legally operate a CMV," Garney explained.

Return to Duty

Returning to duty requires several steps, including finding and engaging a certified substance abuse professional for a driver evaluation, following a prescribed education or treatment program, passing a return-to-duty test and completing a follow-up testing program that includes six random follow-up tests over 12 months.

Carriers may be able to move employees to other positions while they are working to return to duty. "They could work in the yard or somewhere else as they're waiting to become eligible," Precia said.

RE Garrison Trucking works with drivers completing the return-to-duty process. "They can call and say, 'I just need a carrier to take a chance on me, hear my story, read my review and see my follow-ups,'" Rushing said. "It is scary for a carrier to do that, but we're going

to rely on the SAP professional and their opinion."

The fleet has almost no turnover with the drivers they work with on follow-up testing. "You have to spend a good bit more time with that driver getting more information. It builds their confidence in you and your confidence in them," she continued.

Drivers are responsible for the cost of completing the process. "We always pass that follow-up cost back to the driver," Rushing said. "It is your return to duty, your program and your rehabilitation."

Many in the industry remain concerned about how marijuana, which truck drivers are prohibited from consuming under federal law, will affect the driver pool.

"Marijuana accounts for nearly 60% of positive drug tests. With more and more states legalizing or decriminalizing marijuana, prohibited drivers in these states may be choosing professions that don't prohibit them from consuming marijuana," Garney said, adding that the restriction may change in the long run, as the Department of Health and Human Services has recommended that the Drug Enforcement Agency move marijuana from a Schedule 1 to Schedule 3 drug.

Close said some see using marijuana as equivalent to having a casual drink, which is why she believes education is critical. "I think there are opportunities to make it very clear for drivers," she said.

Rushing thinks fleets should emphasize drivers' critical role in the economy. "We have to say, 'You're a master craftsman, and we need you to do what you do,'" she said. "'Professional drivers can earn over \$100,000 a year.' The tone had to be, 'Really? Is this the choice you're going to make?'"

Continued on Page 23.

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FMCSA Looks to Streamline Tracking of Motor Carriers, Freight Brokers

Agency touts new registration system as more user-friendly

John Gallagher | Freightwaves

WASHINGTON — Regulators are moving ahead with plans for a new registration system that will help the government keep better track of motor carriers and freight brokers.

The Federal Motor Carrier Safety Administration will be asking the White House Office of Management and Budget to review and approve a request to collect new information that will inform the FMCSA Registration System (FRS). FRS will replace the current Unified Registration System (URS), according to a Federal Register notice scheduled for Friday.

FMCSA and the states use operating-authority registration information to track motor carriers, freight forwarders and brokers, as well as the companies that insure them.

“Registering motor carriers is essential to being able to identify carriers so that their safety performance can be tracked and evaluated,” FMCSA stated in the notice.

“The data makes it possible to link individual trucks to the responsible motor carrier . . . ensuring that commercial motor vehicles are maintained and operated safely. In general, registration information collected informs prioritization of the agency’s activities and aids in assessing and statistically analyzing the safety outcomes of those activities.”

The information collection — and ultimately the FRS — will apply to:

- New registrants applying for safety and/or operating authority registration for the first time from FMCSA.
- Existing registrants (i.e., entities that already have a U.S. Department of Transportation number and/or operating authority) subject to FMCSA’s registration and certification regulations that want to apply for additional authorities.
- Registrants seeking to process name changes, address changes and reinstatements of operating authority for motor carriers, freight forwarders and brokers.
- Registrants requesting to voluntarily suspend their safety and/or operating authority registration with FMCSA.
- Motor carriers, brokers and freight forwarders that must designate an agent on whom service of notices in proceedings before the secretary of transportation may be made.

- Designated agents and entities providing proof of financial responsibility requirements, such as insurance companies and bond agents.
- Mexico-based carriers that want to operate beyond the U.S. municipalities on the U.S.-Mexico border and their commercial zones.

10 Years in the Making

FMCSA envisioned transitioning URS to a more streamlined online registration system when URS was finalized in 2013.

But due to suspensions and delays, the agency still separately collects different types of information — including voluntary and involuntary operating authority revocations, and the designation of brokers and freight forwarders — and compiles them into URS.

Initially, FMCSA estimates 650,000 entities — motor carriers, freight brokers, insurers and others — will be using the new system.

“FMCSA is developing FRS in such a way as to save users as much time as possible,” it noted in the Federal Register document. “However, FMCSA expects that, at worst, the time and effort required to complete an application, update, or process agent designation in FRS will be the same as it is to complete in the URS or using a paper form.

“In the future, during routine renewals and/or revisions for this new collection, and as FMCSA gathers information on average time per transaction in FRS, FMCSA expects to be able to refine these estimates.”

Public Meeting May 29

FMCSA held a public meeting in January to get URS users’ perspectives on improving their registration experience and plans a second virtual meeting, “FMCSA Registration Modernization Stakeholder Day II,” on May 29.

Motor carriers, brokers, insurance companies and other third-party service providers are encouraged to attend and provide feedback “as we develop a more user-friendly registration system that manages the registration life cycle of regulated entities.”

Reprinted from Freightwaves.



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West Virginia Takes a Stand Against Lawsuit Abuse with New Reform

Tee Jay Marañon | Truckers Report

The trucking industry is celebrating a significant victory in West Virginia with the enactment of a crucial legal reform aimed at curbing lawsuit abuse. Recently signed into law by Governor Jim Justice, S.B.583 has introduced a cap on non-economic damage awards at \$5 million. This move is a response to longstanding concerns about the exploitative practices in civil litigation that have not only affected the trucking industry but also imposed additional costs on consumers through higher insurance premiums and product prices.

American Trucking Associations (ATA) President and CEO Chris Spear commended the West Virginia Legislature and Governor Justice for implementing what he describes as a “commonsense reform.” According to Spear, the trucking industry plays a pivotal role in the U.S. economy by delivering essential goods and supporting quality jobs. He criticized the misuse of the civil litigation system by the plaintiffs’ bar, which he likened to a “casino game of ‘jackpot justice,’” where the focus shifts from fairness to profit. Spear believes that the new law will ensure that justice and fairness prevail in accident litigation, benefiting not just the trucking companies but also the broader public.

Echoing Spear’s sentiments, West Virginia Trucking Association President Traci Nelson expressed her enthusiasm for the legislation. She highlighted the importance of capping subjective, nonmonetary losses to deter abusive and frivolous lawsuits that have turned the legal system into a profit-making venture for some. Nelson underscored the critical role of the trucking industry in West Virginia, providing essential services, supporting middle-class jobs, and ensuring that communities receive their needed goods. With approximately 33,890 West Virginians em-



ployed in the trucking sector and 84 percent of the state’s communities depending solely on truck transport, Nelson regards the new law as vital for West Virginia’s economic health.

The legislation builds upon previous tort reform efforts in the state, including the 2021 amendment to the “seatbelt gag rule.” This earlier reform made evidence of a litigant’s non-usage of a safety belt admissible in most court cases, enhancing transparency and ensuring that jurors have all the necessary information to make a fair and just verdict.

The trucking industry, which is a significant employer in West Virginia and a key component of the state’s economy, views this legislation as a crucial step towards maintaining a fair and balanced legal environment. By capping non-economic damage awards, West Virginia aims to protect the trucking industry from lawsuit abuse, ensuring that it continues to serve the state’s communities efficiently and safely.

Reprinted from Truckers Report.

Drug Clearinghouse Creates Advantages, Challenges for Industry continued from Page 19.

Overall, the long-term value of the Clearinghouse is in keeping habitual drug or alcohol users from entering or remaining in the industry, making it safer for everyone and, to some extent, streamlining the process, according to Garney.

Carriers agree. “Imagine if we didn’t have this resource? Those drivers would still be on the roadway. Think on that,” Bolton said.

Precia said the key with the Clearinghouse is for carriers to invest in the resources that will help them remain

compliant with existing and new regulatory requirements as they emerge. “If they don’t have someone on staff or a vendor partner that is constantly keeping their finger on the pulse of regulatory changes, I would recommend they do that.”

If carriers still need to register with the Clearinghouse, Reymer said they need to do it immediately. “Even if you don’t hire anybody, you have to run queries every year. If you’re not, you’re in violation of multiple rules.”

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DRIVER OF THE MONTH NOMINATION FORM & RULES

Date: _____ Jacket Size: _____

Name of Driver: _____ Age: _____

Marital Status: _____ Spouse's Name: _____

Residence Address (in full): _____

Children & Ages: _____

Name of Carrier: _____

Home Terminal Address (in full): _____

Phone Number: _____ Email: _____

Years Employed by Present Employer: _____ Total Years of Experience: _____

Type of Equipment Operated: Truck Tractor-Semitrailer Doubles Other

Type of Driving: Over the Road City Other

Total Mileage: _____ Mileage with Present Employer: _____

of Accidents: _____ Chargeable Dates: _____

_____ Non-Chargeable Dates: _____

Has your driver ever been selected as a Driver of the Month or Driver of the Year in South Dakota or any other state?

Yes No If yes, when?: _____

Participation in truck driving championships or other transportation related activities: _____

Basis of Nomination: _____

With this entry, company agrees to send their driver, if selected as Driver of the Month, to the South Dakota Trucking Association Annual Convention, where the driver will participate in a personal interview. Drivers not being interviewed will not be eligible for the Driver of the Year honors. Interview times will be scheduled Friday afternoon during the convention.

With this entry, the company agrees to submit Driver of the Year Entry Form for National Competition if your driver is selected as the South Dakota Driver of the Year.

Submitted by: _____ Title: _____

RULES:

Driver may be nominated for Driver of the Month for any outstanding act of heroism, a contribution to highway safety, an extraordinary act of courtesy, an exceptional deed or act of service to mankind within the community reflecting positively on the motor carrier industry, or for a long period of safe and courteous driving. An outstanding act shall be deemed to mean unusual or other than the normal every day courtesies afforded by truck drivers.

ELIGIBILITY:

1. The nominated driver must be an employee of a member in good standing of the South Dakota Trucking Association.
2. The nominated driver must have been an employee of the present employer for at least two years and have a minimum of five years overall experience.
3. South Dakota domiciled* drivers are eligible for nomination for an outstanding act performed in any state. * The intent of the word "domiciled" shall be interpreted to mean: Any driver reporting to or regularly dispatched from a terminal within the state of SD (in keeping with the Federal Motor Carrier Safety Regulations definition of his/her home terminal) regardless of where the driver may dwell.

4. A driver may receive the Driver of the Month award only one time in any contest year. He/she may be renominated in any subsequent year.
5. Nominations for outstanding acts on the highway shall be accompanied by supporting evidence (letters, statements, news clippings, etc.). A clear, factual account is absolutely necessary. Vague generalizations will not be accepted.
6. A copy of recent driver motor vehicle record check must accompany the nomination.
7. Drivers nominated and not selected as Driver of the Month will be held over and used in the following month's selection.
8. Entries must be in the SDTA office no later than the 10th of each month for that current month's contest.
9. Nominations may be made by any party, but must be approved by the employer or a representative of the employer.
10. The annual contest will run from September of the previous year through August of the current year.
11. Company agrees to submit a professional head and shoulders photo of the winning driver.

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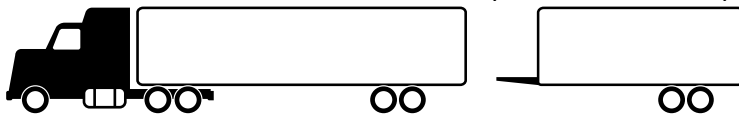
BLOW OVER HAZARDS



Weight-Based Wind Closures, Advisories & Definitions

Truck types prone to blowing over:

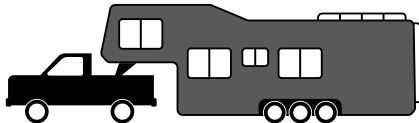
SEMI-TRUCK WITH ENCLOSED TRAILER (SINGLE OR TANDEM)



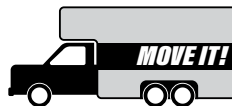
RECREATIONAL VEHICLES (SINGLE UNIT OR PULL BEHIND)



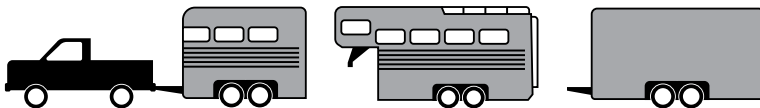
5TH WHEEL RECREATIONAL VEHICLES AND TOY HAULERS



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Truck types *not* prone to blowing over:

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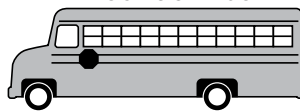
BELLY DUMP



EMPTY FLATBED TRUCK



SCHOOL BUS



FLATBED TRUCK CARRYING ODD SHAPED LOAD



511 Travel Information definitions

Blowing Snow

Snow propelled by the wind across or along the road surface at least 1 foot above the ground.

Drifted Snow

Drifts of any size that cross the white line and cause a driver to feel a bump or a pull on the steering wheel.

GVW – Gross Vehicle Weight

GVW is the total weight of the truck and payload at a point in time, including any persons in the vehicle and all contents of the tractor and trailer.

Reduced Visibility

Visibility of less than 400 feet for any reason.

Slick

Long, continuous sections of icy or snow-packed roads. Greater than 50 percent of the road section is icy or snow packed.

Slick in Spots

Short, non-continuous sections of icy or snow-packed road. Less than 50 percent of the road section is icy or snow packed.

Strong Winds

Wind gusts of 40 mph with any road condition.

WYDOT recommends drivers use their best judgment, as sensors may not be positioned in the areas with the strongest winds. Drivers assume their own risk. If strong winds are making it hard to keep control of your vehicle, regardless of its weight or shape, we recommend pulling over in a safe location (rest area, parking area, or town) to wait for winds to subside.

A photograph of a man and a woman shaking hands in a professional setting. The man is on the left, wearing a light blue shirt, and the woman is on the right, wearing a light-colored button-down shirt. They are both smiling and looking at each other. The background is a bright, out-of-focus office environment with large windows.

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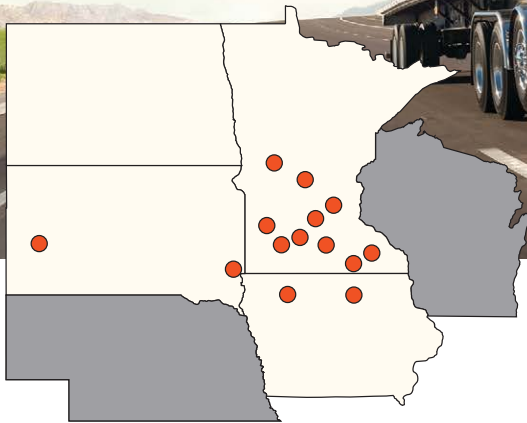
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