



Regulatory Policy Committee

CHAIRMAN: Dean Newell, VP of Safety and Training, Maverick USA
TCA STAFF LIAISON: David Heller, Kathryn Sanner

MINUTES:

MEETING DATE: Tuesday, September 22, 2020
TIME: 12:30 p.m. – 1:30 p.m. ET
PLACE: Virtual

MEMBERS PRESENT

Adam Blanchard
Mike Cobb
Jon Coca
Roy Cox
Jeff Davis
Dennis Dellinger
Amber Edmondson
John Elliott
Josh Kaburick
Robert Kretsinger
Scott Manthey
Brenda Miller

Dean Newell
Scott Randall
Jon Simms
Karen Smerchek
Jonathan Todd
Randy Vernon
Jim Ward
Sarah Wellman
Dave Widly
Dave Williams
Nick Wingerter

GUESTS PRESENT

Mehdi Arradizadeh
James Birkhead
Tim Clark
Richard Clemente
John Culp
Missy Edwards
Dave Hartman
Jane Jazrawy

Trevor Kurtz
Mylene Patterson
Chris Petersen
Amanda Schuier
Prasad Sharma
Glynn Spangenberg
Marilyn Surber

TCA STAFF

Kim Grimmick
David Heller
John Lyboldt

Kathryn Sanner
Jim Schoonover

I. Call to Order

Chairman Dean Newell called the meeting to order at approximately 12:30 p.m. ET. Attendees who were not identified through their Zoom video were asked to introduce

themselves. A video by DriverFacts, the sponsor of the 2020 TCA Fall Business Meetings, welcomed participants to the meeting. A motion was made, seconded, and passed to conduct the meeting according to the antitrust guidelines. A motion was made, seconded, and passed to approve the minutes of the previous meeting in Kissimmee, FL on March 1, 2020.

II. Hours of Service Implementation Update – Rich Clemente, Transportation Specialist, FMCSA

Rich Clemente of the Federal Motor Carrier Safety Administration (FMCSA) updated attendees on the new hours-of-service (HOS) regulations, which are set to go into effect on September 29. He outlined the four key provisions of the new rules, including the short-haul exception, the adverse driving conditions definition, the 30-minute break rule, and the sleeper berth provision. Clemente also informed the committee about recently announced litigation seeking a review of the new rules. A question was asked about the possibility for further updates to the sleeper berth provision to account for a 6/4 and 5/5 split, including whether FMCSA will be pursuing a pilot program to collect the necessary data. Clemente noted that the window is not shut but that no additional HOS changes are imminent.

III. Regulatory Update – David Heller, Vice President of Government Affairs, TCA

TCA's David Heller informed the committee of the numerous actions taken by FMCSA to provide flexibility to the trucking industry in response to the coronavirus pandemic. He also highlighted other recent actions by FMCSA, including a proposed pilot program to gather data on a potential 3-hour pause provision to the HOS rules and a proposed pilot program to study the safety performance of 18-20-year-old drivers in interstate commerce. He discussed the Drug & Alcohol Clearinghouse, hair testing, compliance reviews, and the Crash Preventability Determination Program.

IV. Overview of Regulatory Comments Submitted – Kathryn Sanner, Manager of Government Affairs, TCA

Kathryn Sanner explained to committee members that TCA had filed eight regulatory comments since the last committee meeting in March. These comments included five pertaining to HOS and the electronic logging device mandate, one supporting a request for tank truck carriers to install pulsating brake lamps, one supporting FMCSA's proposal to close a reporting loophole with the Drug & Alcohol Clearinghouse, and one regarding FMCSA's proposed Beyond Compliance program. Sanner also discussed comments expected to be filed in the coming weeks regarding hair testing, FMCSA's 3-hour pause pilot program, and the Agency's younger driver pilot program.

V. Update on TCA Call on Washington – Kathryn Sanner, Manager of Government Affairs, TCA

Kathryn Sanner updated attendees on the status of TCA's Call on Washington, noting that TCA plans to resume hosting small groups for congressional visits once Capitol Hill and Washington, DC reopen to visitors. TCA will reach out to members to gauge availability for visits, which will take place on a rolling basis every few weeks after the reopening, and

which will be limited to a maximum of 5-6 attendees at a time. TCA is also available to help members set up local meetings or terminal visits with their lawmakers.

VI. Old/New Business

Since there was no old or new business to address, Chairman Newell adjourned the meeting at approximately 1:25 p.m. ET.

VII. Adjournment

DRAFT