

TRUCKING TIPS

January 1, 2007

As always, when a new year rolls around there are numerous additions, proposals and changes to the regulations and statutes which impact trucking companies. Some of the new regulations have added responsibilities and some are changed. And, while many are not yet finalized, there are several changes in the wind.

SSRS and UCR: The Single State Registration System (SSRS) has expired. Because Congress did not enact an extension, carriers will not have to renew or make payments at this time. The proposed replacement system, the Unified Carrier Registration system (UCR) apparently has not yet received final approval. The available information suggests that UCR will be in place by mid-2007, and carriers will be invoiced for the fees due at that time. The proposed fee structure is a single company fee based on fleet size.

New Entrants: New carriers will likely face stricter regulations regarding "fitness" and safety. The proposals by FMCSA determined that a new company that violates any of 11 specific rules would fail a "New Entrant" audit and would not be eligible to continue operating. Under this proposal, carriers would also be subject to the current safety audit evaluation criteria in Appendix A of part 385. Those rules involve substance abuse program failures; using an unqualified, unlicensed or otherwise disqualified driver; failing to maintain hours of service records; failure to use a vehicle that has been subject to an annual inspection; and operating an "Out of Service" vehicle prior to mandated repairs being made.

Electronic On Board Recorders (EOBR): The Office of Management and Budget has cleared the way for a proposed rule on requiring and mandating the installation of EOBRs for operational recordkeeping systems in vehicles. The details and applicability to various sized trucks and fleets is still unknown.

Intermodal Equipment: The FMCSA is proposing that Intermodal Equipment Providers (IEPs) be responsible for the "Roadability" of the equipment they supply to trucking companies. As mandated by section 4118 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), this rulemaking would require intermodal equipment providers (IEPs) to register and file with FMCSA an Intermodal Equipment Provider Identification Report (Form MCS-150C); display the USDOT Number, or other unique identifier, on each intermodal container chassis offered for transportation in interstate commerce; establish a systematic inspection, repair, and maintenance program to ensure the safe operating condition of each intermodal container chassis; maintain documentation of the program; and provide a means to effectively respond to driver and motor carrier reports about intermodal container chassis mechanical defects and deficiencies

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