

MCAB Meeting Minutes
Thursday, November 17, 2022
MSP Headquarters
7150 Harris Drive
Dimondale, MI 48821
9:30 a.m.-10:30 a.m.

Members Present

Ms. Jessica Kines
Ms. Carol Heinowski
Mr. Don Lahring
Mr. Michael Rushing
Mr. Paul Behmlander
Mr. Randy Whitaker

MSP-CVED Staff Present

Capt. Richard Arnold
MC Insp. Brad Cushman
MC Lt. George Bracco
Mr. Abe Droste
Ms. Beth Schafer
Ms. Chelsea Phillips
Sgt. Travis Fletcher

Others in Attendance

Mr. Aarne Frobom
Mr. Chris Blundell
Mr. John Wallace
Mr. Mohammed Alghurabi
Ms. Dee Thomas
Mr. Josh Miller
Mr. Scott Spray
Mr. Roger Hayes

Members Absent

Mr. Al DeMeester
Mr. Bill Kotynski
Mr. Brian Hitchcock
Mr. Glen Merkel
Mr. James Burg
Mr. Joe Ballor
Mr. Joshua Rhodes
Ms. Nichole Gavriloski
Mr. Robert Esler
Ms. Sarah Stewart

Welcome

The MCAB meeting was called to order at 9:30 a.m. by Ms. Jessica Kines.

Agenda and Meeting Minutes

- A motion was made to amend the agenda regarding item four, the proposal of a new January 2023 meeting date. The amendment was emailed to the Board members for a vote.
 - The board approved the new meeting date for the January MCAB meeting. The board will meet Wednesday, January 18, 2023.
- The meeting minutes for the September 15, 2022, meeting were approved.

A presentation was made by Mr. Mohammed Alghuragi regarding the Gordie Howe International Bridge.

Agency Reports

CVED Update—MC Lt. George Bracco, Mr. Abe Droste, and Ms. Chelsey Phillips:

- See attachment regarding CVED traffic crash statistics and fiscal year 2022, year to date activities.

Mr. Abe Droste reported that the 2023 UCR registration period opened October 1, 2022. Enforcement starts January 1, 2023. Michigan ranks second in the USA for UCR compliance.

Ms. Chelsey Phillips reported that the intrastate authority renewal period opened October 1, 2022. There have been 830 renewals submitted, 675 of them have been closed.

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The CVED authority portal that will be replacing iCars and Accela has a start date of March 1, 2023. There will be a demonstration before that date.

Center for Truck Safety-Ms. Dee Thomas:

- Nothing to report

Secretary of State-Mr. Chris Blundell:

- SOS new quarterly news bite will be sent out in December 2022.
- SOS-IRP section has been approved to hire two new people and a second auditor.

Treasury-Mr. Seth Martin was not present:

- See attached treasury report.

MDOT-Mr. Aarne Frohom:

- MDOT is preparing a bond offering, of which the proceeds will go towards construction for 2023 and following years.

FMCSA - Mr. John Wallace:

- The FMCSA Drug and Alcohol Clearinghouse is three years old. Effective January 6, 2023, when you do pre-employment checks, you will not need to request the previous history.
- Notice of rulemaking:
 - Speed limiters is currently in the comment period.
 - Electronic ID system.

Legislative Updates-MDOT-Mr. Aarne Frohom:

- See attached Legislative bills.
- 640 Tow Trucks Spring Weight Restrictions
- 943 Work-Zone Definition
- 1195 C.D.L. Deduction
- 4277 Hand-Held Cell Phones

New Business:

Proper merging in construction zones.

Public Comments:

Legislature 5290 – Spring Weight Limits.

Upcoming Meeting Dates

- January 18, 2023
- March 16, 2023
- May 18, 2023
- September 21, 2023
- November 16, 2023

10/27/2022

MCAB
Motor Carrier Advisory Board

MSP-CVED Updates:

Traffic Crash Statistics: Comparison FY21 to FY22

Evaluation period	Total Number of crashes	Total number of Truck/Bus crashes	Total number of fatal crashes	Truck/Bus fatal crashes	Percentage CMV related crash/fatal
FY22	298,355	15,430	1,049	89	5.2/8.5
FY21	277,623	13,667	1,111	84	4.9/7.6
Change	+7.5%	+13%	-5.5%	+5%	
FY19	321,412	15,390	919	93	4.8/10.1

Source: Traffic Crash Reporting System 10/27/22

MSP-CVED FY2022 Activity

MSP-CVED completed: 46,627 vehicle inspections from 56,825 traffic stops.

Special Permit checks 2,417 vehicles weighed 7,540.

Citations issued 19,056 verbal warnings 43,743.

Original incidents 4,213

Driving While License Suspended 159

Driving on a restricted license or inadequate 815

Operating While intoxicated 18

Operating Under Influence of Drugs 6

Fugitive Arrest 150

CCW violations 28

Possession of drugs 12

Alcohol possession 24

Drug and Alcohol Clearinghouse Violations 53 driver 31 carrier.

MSP-CVED's 25th MCORS has 13 officers in the FTO program.

MSP-CVED's 26th MCORS will begin in January 2023.

Fowlerville westbound scale is scheduled to be completed by December 1, 2022, and the eastbound Ionia scale will be the next fixed facility to be replaced.

**Treasury Department Report
for the Motor Carrier Advisory Board (MCAB) Meeting on November 17, 2022**

Renewing of IFTA licenses began on November 1, 2022. You are allowed to apply 2023 decals 2 months prior to 1/1/2023 if you can show your 2023 license and file a 4th quarter 2022 IFTA tax return. The annual IFTA “grace period” is for applying decals and not renewing your license. Renewals must be completed by 12/31/2022 to take advantage of applying decals by March 1, 2023.

The Michigan IFTA tax system is still planning a software platform change in the next few months. Implementation was expected to happen around November 20, 2022; however, it has been pushed forward to February 2023 now. The performance and features of our tax system will not change however it will provide a much different look and feel. The new platform’s focus is to accommodate the use of mobile communication usage, such as smart phones and tablet style devices. Although navigation will be new, the functionality will be very similar to what we currently use. Notifications and instructions will be sent out prior to implementation to assist with the transition.

As always, if anyone has any IFTA needs they may contact the IFTA tax unit at 517-636-4580 or via email at IFTA_Licensing@michigan.gov. If the board has any specific questions for me, you may reach me via email at MartinS6@michigan.gov.

Thank you,
Seth Martin
Departmental Supervisor
IFTA Tax Unit – Dept of Treasury

Trucking-related Bills in the 101st Michigan Legislature – 2021-2022

Prepared for the November 17th meeting of the Motor Carrier Advisory Board. As of Nov. 16, 2022.
By Aarne Frobom, Michigan Department of Transportation (517) 282-9373, froboma@Michigan.gov This
is not an official interpretation by the State of Michigan. For status of bills and actual language, see
www.legislature.mi.gov/ and enter the bill number.

Passed means passed house of origin. *Enrolled* or *presented* means passed both houses. *P.A. Number* ___
means enacted into law.

Senate

- 400 O.W.I. EXPUNGEMENT PERIOD (McBroom) Extend to 5 years the time before a first OWI conviction may be expunged under HBs 4219 and 4220. P.A.82 of 2021.
- 639 TRAFFIC-CONTROL OFFICER (Zorn) To definition of *police officer* for purposes of enforcing the Vehicle Code, add, “a traffic control officer employed by a county, city, village, or township.” No qualifications or limits on duties.
- 640 TOW TRUCKS, SPRING WEIGHT RESTRICTION (Zorn) Amend Subsec. 722(8) to exempt tow trucks from seasonal weight restrictions, when traveling light or towing a disabled vehicle. Reported to House, on 2nd reading.
- 674 FUEL-INVENTORY TAX INCREASES (Nesbitt) Repeal application of tax increases to already-taxed fuel in dealers’ and fleets’ inventories. (End reporting burden for indexed fuel-tax increases every Jan. 1st. P.A.124 of 2021.
- 706 CONNECTED and AUTOMATED VEHICLE LANES; TOLLS; (Horn+9) Allow MDOT to designate highway lanes as “automated vehicle roadways” and provide for tolls on AV users or others. (*By contractor for possible project between Detroit and Ann Arbor.*) P.A.179 of 2022.
- 874 WORK-ZONE SPEED CAMERAS (Schmidt) Authorize MDOT or MSP (not local units) to use speed cameras in trunkline work zones. Require notification signs.
Create new civil infraction of an “individual” (not *person*) violating a work-zone speed limit by 6 mph while workers are present. (Unclear if “individual” includes a corporation.)
Registered owners or lessees are presumed responsible; may rebut presumption by mail if the owner was not driving—not required to identify driver. Citations to be mailed by first-class mail.
Same as HB 5750. Compare HB 5272. See HB 5286 (flashing lights on work-zone signs).
- 875 PROHIBIT RED-LIGHT CAMERAS (Theis+11) Prohibit use of automated cameras to enforce traffic signals. Compare HB 5284, and SB 874 and HB 5272 (work zone speeds). Passed.
- 887 LANE CLOSURES (Hertel+6) Amend P.A.165 of 1917 (closures and detours) to require when closing a freeway completely, require “crashworthy temporary traffic barriers” that comply with the MMUTCD. When freeways are partially closed at night, require concrete barriers between traffic and workers. Modernize reference to MMUTCD. Also HB 5734.
- 943 *WORK ZONE DEFINITION* (Huizenga+2) Define *work zone* as “adjacent to a barrier, berm, lane, or shoulder . . . within which . . . work . . . is being conducted by 1 or more individuals . . .” Broaden application of “work convoy” signs and rotating beacons. Add “or equipment” to mentions of vehicles protected by rotating beacons. Compare HB 5286. Passed.
- 1064 VEHICLE DEALERS, FEES, TITLES (Nesbitt+9 of both parties) Amend Vehicle Code to relax regulation of vehicle dealers. Broaden definition of *sell*. Cancel licenses for dealers selling less than 5 vehicles/year. Loosen laws governing delivery of titles. P.A.224 of 2022.
- 1134 ELECTED G.V.W. (McBroom) Make it a civil infraction to operate a commercial motor vehicle registered at the wrong weight; \$150 fine. (Correct omission?)
- 1151 TOLL ENFORCEMENT (Schmidt) Require SOS to refuse registration or transfer upon notice from a Michigan toll bridge or tunnel operator (not toll roads or other states) of 3 failures to pay tolls. Does not authorize new toll facilities. Provide for dispute arbitration by operator, and appeals. Reported.

- 1194 C.D.L. GRANTS (Victory) Amend Strategic Fund Act to create new fund and CDL grant program to award competitive grants to employers based in Michigan to cover 80% of training and testing costs of remedying shortages of CDL or specially-endorsed drivers, or 100% in a “high-demand sector.”
- 1195 C.D.L. DEDUCTION (Victory) Amend Income Tax Act to allow deduction of 100% of wages earned during the first 3 years as a CDL driver for 1 Michigan employer, and 50% for the next 3 years.

House

- 4077 SELF-SERVE GAS STATIONS (LaFave+8) Amend NREPA to allow unattended self-service fuel pumps without a locked fence. Require notices, safety measures, and emergency shutoffs. Compare 100th HB 4792 vetoed on safety grounds. Passed.
- 4146 I.R.P. PLATES (LaGrand+2) Make it a civil infraction and not a \$100 misdemeanor to operate a truck without a valid IRP registration; preserve \$500 fine for elected-GVW violations. Tie-barred to HB 4153 (uniform fines). Part of decriminalization package. Hearing held.
- 4148 MOTOR CARRIER FUEL TAX (Fink+1) Make it a civil infraction and not a misdemeanor to violate the Motor Carrier Fuel Tax Act; limit fine to \$150 (plus tax assessments).
- 4178, 4179 H.O.V. LANES (Clemente+5) Clarify that the Department may restrict lanes to high-occupancy or any other classes of vehicles (such as trucks, buses, automated vehicles or others). (Enable HOV lanes on I-75 in Oakland County, when northernmost segments are complete, around August, 2023.) Same as SBs 139,140. Compare SB 706 (AV lanes, enacted).
- 4219, 4220 O.W.I. EXPUNGEMENT (Yancey+5) Allow application for (not automatic) expungement of public record of first conviction for operating while intoxicated (OWI) after 5 years, except for causing injury or death or in commercial vehicles. Records persist in driving record and CDLIS. See SB 400. P.As 78 & 79 of 2021.
- 4277 HAND-HELD CELL PHONES (Manoogian+9) Amend cell-phone and texting law to prohibit use of a “mobile electronic device” while driving. Define *mobile electronic device* as any hand-held or portable communication or game device. Allow use of navigation devices if data are not entered by hand. Allow emergency use. Allow voice-activated phones built into a vehicle, and hand activation of a phone feature or selection of a phone number. Exclude CB, amateur, and 2-way radio, and parked vehicles. Prohibit use of social networking sites and watching video. Allow primary enforcement stops; prohibit searches of vehicles. Repeal all phone law after 5 years. S-1 reported.
- 4697 ONE-STOP OVERSIZE PERMITS (Maddock) MDOT may (not *must*) issue permits for movement of mobile homes and other oversize loads for roads under all jurisdictions.
Require permit applications to be electronic. Permits to be “deemed issued” if MDOT does not process the application in 2 business days (5 days for annual permits); require web site showing application status. Local agencies to inform MDOT of permit fees. MDOT to collect and distribute fees to all jurisdictions, and may add administrative and payment-processing fees that cover costs.
- 4787 MILITARY C.D.L. TEST (Markkanen) Waive written knowledge test for commercial driver license for persons with military truck experience. P.A.148 of 2021.
- 4959 WORKER’S COMPENSATION, TRUCKING AUTHORITY (Fink+3) Require Worker’s Compensation Agency to notify Public Service Commission of truck lines whose worker’s disability compensation insurance coverage has lapsed. (Protect owners of impound yards entered by uninsured towing firms.)
Require monthly web posting of all trucking certificate-of-authority applications and revocations. H-1 passed.
- 4960 TOWED VEHICLES, L.E.I.N. (Fink+4) Require towed impounded (but not claimed) vehicles to be entered in Law Enforcement Information Network within 24 hours. P.A.89 of 2022.
- 4976-4978 LOG-TRUCK FUEL RECIPROCITY (Markkanen+3) Allow Dept. of Treasury to negotiate agreements with other states (not Ontario) to allow “timber harvester” trucks to operate 30 miles across the state line without registering under IFTA; allow log trucks to pay all fuel tax at the pump in either state. Allow Secretary of State to enter reciprocity agreements with any other jurisdiction covering vehicle registration, instead of Highway Reciprocity Board. (Eliminate need for 5-day fuel trip permits. Michigan log trucks may operate 30 miles into Wisconsin without IRP plates.) P.As 24-26 of 2022.

- 5272 SPEED CAMERAS, WORK ZONES (Eisen+9 of both parties) Allow road agencies, MSP, county sheriffs, and local units to use speed-enforcement cameras on their roads (does not allow local cameras on state trunklines), in work zones only when workers are present. Require notification signs. Police agencies to mail tickets to “individuals” (not *persons*) who are the registered owner. Owners are exempt if they were not operating the vehicle; not required to identify the driver. \$170-\$320 fines; 1-5 points. Convictions appear on driving record. Compare HB 5750 and SB 874. Hearing held.
- 5284 SPEED CAMERAS, GENERALLY (Anthony+6 of both parties) Same as HB 5272 above but allows automated enforcement of any speed limit on any road. Usual fines (\$170) and points apply.
- 5286 WORK-ZONE SPEED LIMIT SIGNS (Huizenga+2) Allow speed-limit signs enforced “only where workers are present” to have flashing lights activated where workers are present. Allow *speed limit sign* to include a sign that displays an “electronic” “illuminated changeable digital message.” Change “person” to “individual” in Sec. 627. See SB 943 (*work zone* definition). P.A.52 of 2022.
- 5290 SPRING WEIGHT LIMITS (O’Malley) Amend Vehicle Code Sec. 722 to apply seasonal load restrictions to “portions of roads and streets.” Allow all-season roads to which restrictions do not apply to be posted in either list or electronic map forms. Reported to Senate floor.
- 5510 WEIGH STATIONS (Meerman+1) Amend Vehicle Code to allow a truck to bypass weigh stations “if the ramp to the weigh station is full.” (Accomplished automatically at most weight stations and manually elsewhere.)
- 5662 C.D.L. INSTRUCTION, FEDERAL-AID PENALTY (O’Malley+1) Repeal definition of *truck driver training*. Amend driver-training law to define *commercial vehicle driver training* and *theory instruction* to match 49 CFR Part 380 (Special Training Requirements, taking effect February 7, 2022—see Parts 380.600 and 383.73(p)) and other federal regulations. Set standards for facilities and instructors. Require training providers to register with FMCSA under 380 Subpart G. (Ensure reciprocity for CDL training.) Update language. May be needed to allow issuance of new commercial learner’s permits after Feb. 7, and avoid federal-aid penalty. See HB 5663. P.A.194 of 2023.
- 5663 C.D.L. TRAINING and ENDORSEMENTS (Sneller+1) Amend Vehicle Code to match 49 CFR 380 (Special Training Requirements). Require training for hazmat and bus endorsements. Update language. See HB 5662. P.A.195 of 2023.
- 5750 WORK-ZONE SPEED CAMERAS (Cambensy+5) Same as SB 874.
- 5988 SPEED LIMITS, CITIES (Anthony+13 Dems.) Amend Sec. 628 to create new criteria for setting speed limits in villages and cities, including state trunklines and freeways. Make use of 85th percentile speed optional; allow public comment.
- 6065 SPEED, OVERTAKING (LaFave+5) Amend Secs. 627, 628 and 638 (overtaking) to allow drivers passing slower traffic on 2-lane roads to exceed the speed limit by 10 mph, for 10 seconds after completing the pass, outside city and village limits and school zones.
- 6277 STATE POLICE TOWING (Garza+3) Require DTMB to contract with a towing and storage firm for the area covered by each State Police post. No regulation of rates or contract terms.
- 6395 SPILLED POLLUTANTS, HIGHWAY RESTORATION (Garza) Amend Insurance Code to require auto property-protection insurers to pay for removing debris, pollutants, vehicles, or vehicle loads left on roads, including traffic control, and including restoring the road to “its pre-accident condition,” up to existing \$1,000,000 limit in MCL 500.3121(5). Tie-barred to HB 6396. To Rules and Competitiveness.

Administrative Actions

PERMIT SPEED LIMITS For MDOT single-trip permits, permitted speed on roads with posted truck speed limits greater than 55 mph is 10 mph less than the posted limit; for roads posted at or below 55 mph, permitted speed is equal to the posted limit. Annual permits to follow as soon as software updates are complete.