



Regulatory Policy Committee

CHAIRMAN: Jim Stockeland, President, Bison Transport USA Transport TCA

STAFF LIAISON: David Heller, Hailey Betham

Minutes:

MEETING DATE: Sunday, March 24, 2024

TIME: 2:00 p.m. – 3:00 p.m.

PLACE: Gaylord Opryland Resort & Convention Center

Committee Members

Tim Chrulski

Trevor Kurtz

John Simms

Jon Coca

Scott Manthey

Karen Smerchek

Jeff Davis

Ed J. Nagle

Lance Votroubek

Dan Doran

Dean Newell

Jared Whitson

Amber Edmonson

Steve Newton,

Dave Widly

Gary Falldin

Misti Olszewski

Jon Wildish

Chris Gulker

Rob Penner

David Williams

Jennifer Hill

Barry Pottle

Nicholas Wingerter

Brent Hutto

Scott Randall

Chris Woody

Timothy Kordula

Allie S. Schwalb

Bob Kretsinger

Shelly Seaton

Guests

Alan Alberto

Paul Bunn

Brett Cumbee

Chandler Anderson

Jeff Burga

Shelly Dellinger

Jordan Atwater

Terry Burnett

Ryan Doran

Joe Beacom

Vivian Carrena

Alfonzo Dozal

Anneliese Benson

Don Christenson

Victor Duggard

Kevin Boydstein

Aaron Craddock

Symon Edmoonds

Andrew Erin	Matt Miller	Kris Rzepkowski
Jason Fisher	Sepeti Moala	Taylor Santiago
Dave Gallano	Dave Mowrer	Mark Seymour
Frank Gambino	Shawn Nelson	Melanie Simard
Dan Gold	William Nelson	Bill Skinner
Eric Grant	Kevin Nixon	Jason Smith
Matthrew Grimm	Jennifer Nuest	Deanne Smith
J.C. Hall	Janet Pantuo	Lucas Subler
Ken Harvey	Ray Patterson	Eric Tompkins
Dave Hewlett	Mitchell Peterson	Somer Torres
Jim Higby	Garth Pitzel	Paul Truman
Harry Howell	Steve Ponder	Bob Vandernburgt
Mark Jamison	Dan Porterfield	Paul Vargo
Gary Johnson	Meredith Priestly	Stephanie Webster
Tim LaFon	Dario Rodriguez	Kevin Williams
Chad Liter	Robert Ragan	Shawn Yadon
Gabe MacFarlane	Kevin Reynolds	
Dan Miller	Brigitte Roy	

Call to Order: The motion of the approval of the antitrust review and the minutes of the previous committee meeting held were approved at **12:38 p.m.**

- I. Summary of Comments Filed – David Heller, TCA Staff
 - I. Senior VP of Safety and Government Affairs, David Heller gave a summary of what TCA has submitted comments on since the committee’s last meeting. TCA submitted comments on CA/WA Meal and Rest Break Waivers, Safety Fitness Determination, AEB’s, the upcoming detention time study, and Data Q processes.

- II. Regulatory Update – David Heller, TCA Staff
 - I. During the regulatory update provided by David Heller, Senior VP of Safety and Government Affairs at TCA, several key issues facing the trucking industry were discussed. The NPRM for Speed Limiters, initially expected in December 2023, is now slated for May 2024. The FMCSA's proposed CSA Methodology, which lacks

Item Response Theory, was highlighted. NHTSA's ANPRM on Side Underride Guards, which estimates 17.2 lives saved but focuses only on crashes under 40 mph, was a focal point. Concerns were raised about the trailer effect, wear and tear on the guards, additional weight, and the impact on safety inspections, especially pre-trip inspections.

III. Policy review subcommittee discussion – Jim Stockeland, Chair

I. Chair Jim Stockeland presented the committee with the recommended changes to TCA's policy to keep them up to date and relevant to the trucking industry today. Through this discussion, the committee made a motion to update the following policies.

a. Equipment

i. " Motor carriers have the responsibility of operating safe and efficient equipment. Standards for new and in-service truck equipment should be based on sound economic and engineering principles that enhance safety. Federal rulemakings on engineering standards for new truck equipment should address performance capability and not design technology. Performance standards should be cost-effective. Standards for trucks in use must consider new vehicle standards, fair wear and tear, and the consumer's ability to comply. The federal government, not state or local governments, should have exclusive jurisdiction over equipment performance standards. TCA is eager to work with all parties in assuring that future equipment developments are safe, efficient, reliable, long-lived, and easily maintained."

b. Equipment – Driver and Vehicle Data Privacy

i. "Data Security

Commercial vehicles and drivers generate data from onboard and off-board systems regarding information that may involve vehicle performance, cargo status, and navigation connectivity that can be used for system diagnostics, identifying freight, and an intelligent transportation network.

TCA supports government and industry initiatives to ensure that vehicle ownership conveys the following rights of access and control to the vehicle owner, and owner's designees:

1. Direct access to data collected, generated, recorded, or stored by the vehicle.
2. Access to and use of operator data which may be personally attributable or identifiable, including driver behavior data and geolocation data, and right to grant or limit access to this data by other parties.

3. A dependable, low risk means of interfacing with the vehicle to retrieve data.
4. Any Data collected, recorded, or stored should be protected by industry standard data security measures protecting all stakeholders involved.”

c. Safety – Electronic Logging Devices

- i. "TCA supports federal laws and regulations requiring the use of electronic logging devices (ELD) for documenting compliance with hours of service (HOS) rules. TCA believes the following issues should be addressed in regard to ELDs:

1. ELDs requirements should be based on the minimal, functional, and performance specifications necessary to accurately record and report HOS compliance and assure reliability and utility of operation.
2. Except for HOS compliance data, statutory protections should be afforded to motor carriers pertaining to the control, ownership, and admissibility/discoverability of data generated and derived from ELDs, and to assure the privacy rights of drivers.
3. Drivers shall be responsible for operating ELDs in full compliance with all applicable regulations.
4. ELD regulations must address the operational diversity of the trucking industry, continue existing exceptions to the record of duty status, and consider additional exemptions that balance compliance and the evolving industry diversity.
5. Motor carriers using compliant ELDs should be relieved of the burden of retaining supporting documents for verification of driving time.
6. ELDs should be made simultaneously applicable to all vehicles of the affected population of motor carriers. It should avoid any implementation inequities identified and take measures to eliminate them. Tax incentives should be pursued as a means to facilitate adoption of ELD systems.”

d. Other

- i. The removal of TCA’S Department of Defense Policy as these practices are best left between DOD and the motor carrier.
- ii. The removal of TCA’s policy regarding Antilock Brake Systems due to being outdated.

- iii. The committee will also begin work on policy that supports the association position on human trafficking which will be presented to the Board in September.

IV. Old/New Business

- I. There was no new or old business to be discussed

V. Executive Session

- I. There was no executive session during this meeting.

VI. Adjournment

- I. The Meeting adjourned at 2:32 p.m.