



**Now on the KnowZone: FMCSA Video Update!** Bill Bronrott, Deputy Administrator, has been involved in the legislative aspects of transportation safety for more than 30 years. Terry Shelton, Chief Information Officer, talks with Bill about the career choices that brought him from the Maryland House of Delegates to his new appointment at FMCSA. <https://knowzone.fmcsa.dot.gov/about/internal/video-update/fmcsa-update.htm>



Pictured left to right: FMCSA Florida Division Administrator Jim Gregg, Florida Trucking Association Vice President Matt Ubben, Florida Department of Transportation Assistant Secretary Debbie Hunt, Florida Department of Transportation - Office of Motor Carrier Compliance Director Col. David Dees, Florida Trucking Association President and CEO Mary Lou Rajchel, Florida Highway Patrol Lt. Col. Ernesto Duarte, Office of Motor Carrier Compliance SSgt. Michael Doredant.

Photo Caption: The success of the “No Zone” educational program led by the Office of Motor Carrier Compliance, Florida Department of Transportation, was honored on June 4, 2010, with the Davis Productivity Award, which recognizes state employees and work units for making

measurable improvements in the way they serve Florida citizens. In partnership with FMCSA, the Florida Trucking Association, the Florida Association of District School Superintendents, and with supported provided by Prudential Financial and Florida TaxWatch, more than 30,000 new drivers participated in “No Zone” demonstrations at held high schools and community events across Florida during the current school year.

## FMCSA Office of Communications No 1139

### NEWS ACCOUNTS OF FATAL CRASHES INVOLVING CMVs

- C1. Indiana, Scott County 1 fatality (minivan rear-ended tractor trailer at 5:40 a.m. on I-65; fatigue, speed suspected factors)
- C2. Tennessee, Jefferson County 1 (tractor trailer driver lost control, struck bridge at 2:40 a.m. on I-40W; fatigue suspected)
- C3. Oklahoma, Noble County 1 (disabled Peterbilt parked on shoulder with hazard lights on, struck by Freightliner at 2:50 p.m. on I-35)
- C4. Georgia, Lowndes County 1 (car crossed center line into oncoming traffic, collided with tractor trailer on Highway 376)
- C5. South Carolina, Colleton County 1 (SUV crossed centerline, struck tractor-trailer on Highway 64)
- C6. Florida, Levy County 1 (school bus converted into farm vehicle ran stop sign, collided with pickup at Alt. U.S. 27 and Country Road 347)
- C7. Florida, Key West 1 (bicyclist veered off sidewalk, struck side of a tractor-trailer)

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### **OTHER CRASH INCIDENTS AND FOLLOW-UP (6)**

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C1. WLKY (Louisville, Kentucky); Thursday, June 17, 2010

**HEADLINE: Man Killed, 2 Children Injured In Scott Co. Crash; Police: Fatigue, Speed Possible Causes**

Byline: Lauren M Horton

SCOTT CO., Ind. -- One man is dead and 2 children are injured after an early morning crash on I-65 in Scott County, Indiana Thursday.

Indiana State Police said the accident happened around 5:40 a.m. on I-65 just before exit 19 when a minivan rear-ended a tractor trailer.

A female driver, a male passenger and 2 children were inside the minivan. The male passenger was pronounced dead at the scene.

The children were transported to Kosair Children's Hospital. Officials said the woman refused medical treatment and went to the hospital with her children.

State Police said preliminary investigations reveal that fatigue and speed may have been possible factors leading up to the crash.

Interstate-65 is shut down at Exit 19. Traffic is being rerouted to U.S. 31.

End.

C2. WBIR TV 10 (Knoxville, Tennessee); Thursday, June 17, 2010

**HEADLINE: A tractor trailer has hit a bridge and closed I-40W in Jefferson County; Fatal crash prompts closure of I-40 in Jefferson County**



Traffic is being rerouted around I-40W just east of the I-40 and I-81 split because of a tractor trailer accident.

Around 2:40 a.m. Thursday morning the call came in to 911 that a tractor trailer had hit a bridge on I-40W in Jefferson County.

THP believe that the driver fell asleep and lost control of the truck crashing into the Spring Creek bridge. That is just at mile marker 423.

The driver was killed in the crash.

Drivers are being asked to use Exit 424 onto 25/75 and from there they will be able to get back on I-40.

TDOT says that the bridge is safe to travel.

THP is on scene and the wreck is expected to be cleared by 8:00 a.m.

End.

C3. Enid (Oklahoma) News and Eagle; Wednesday, June 16, 2010

**HEADLINE: Enid man dies in accident**

An Enid man was killed Wednesday in an accident on Interstate 35 south of Perry in Noble County.

Phillip D. Martin, 33, was pronounced dead at the scene of head and trunk injuries, according to an Oklahoma Highway Patrol report.

The accident happened at 2:50 p.m. in the northbound lanes of I-35 almost seven and one-half miles south of Perry.

According to the report, Martin and Brian D. Robertson, 27, of Enid, were passengers in a disabled 1998 Peterbilt parked on the shoulder with its hazard lights on. Both men were out of the vehicle, sitting on the passenger side in the shade. Robertson was sitting, leaning against a front tire, and Martin was 3 to 4 feet from him.

Their truck was hit by a 2000 Freightliner driven by Ray Hernandez, 48, of Ardmore, according to the report. Hernandez told troopers he tried to move to change lanes to avoid the other truck but couldn't.

Robertson was taken to Perry hospital, where he was treated and released, according to the report. Hernandez was taken to Stillwater Medical Center, where he was treated and released.

The report listed inattention as the cause of the accident.

End.

C4. WALB-TV10 NBC (Albany, Georgia); Wednesday, June 16, 2010

#### **HEADLINE: Lowndes High teacher dies in crash**



VIDEO: <http://www.walb.com/Global/story.asp?S=12661647>

Byline: Jade Bulecza

LOWNDES COUNTY, GA (WALB) –A Lowndes High teacher was killed in a head-on crash last night.

Troopers say 24-year old Mandi Corbett's mustang slammed into a tractor trailer after she crossed the center line on Highway 376 close to nine Tuesday night.

She died on impact.

The truck driver was 59-year old Charles Owens of North Carolina. He was not seriously injured.

Corbett taught english at Lowndes High School and lived in Echols County.

"She was a hard working nice little ole girl that I can't say anything negative about," said Chester Corbett, Mandi Corbett's great uncle. "Everybody that met her loved her. She had everything going for her."

Troopers don't know why the car crossed the center line.

End.

C5. WCSC-TV5 (Charleston, South Carolina); Wednesday, June 16, 2010

**HEADLINE: Driver killed in Colleton County accident**

WALTERBORO, SC (WCSC) - A driver was killed during an accident in on Highway 64 in Colleton County Tuesday afternoon.

The South Carolina Highway Patrol said that the driver of a 2000 Ford Expedition crossed the centerline and struck the left side of a tractor-trailer around 3:15 p.m. Tuesday.

Police say the driver of the Explorer was not wearing a seat belt. The driver's identity has not been released by the Colleton County Coroner's office.

The driver of the tractor-trailer, Forell Brown, 33, of Barnwell was taken to Colleton Medical Center for treatment.

The collision is under investigation by the South Carolina Highway Patrol.

End.

C6. Gainesville (Florida) Sun; Thursday, June 17, 2010

**HEADLINE: 1 dead, 6 injured in Levy County crash; The crash happened at the intersection of Alt. U.S. 27 and County Road 347 when a bus apparently ran a stop sign**

Byline: Karen Voyles, Staff writer

A driver was killed and six others injured during a Levy County crash on Tuesday morning.

According to the Florida Highway Patrol, Donna L. Bishop, 45, of Monticello, was pronounced dead at Shands at the University of Florida shortly after the 8:40 a.m. crash.

FHP Trooper C.K. Harris said the crash happened at the intersection of Alt. U.S. 27 and County Road 347 when a 1992 school bus that had been converted into a farm vehicle apparently ran a stop sign and pulled out in front of the 2004 Chevy pickup that Bishop had been driving.

Harris said the converted bus, being driven by Jesus E. Marino Castillo, 26, of Immokalee, was southbound on the county road and crossing the four-lane federal highway. Bishop was eastbound on the highway when the converted school bus was driven into her path.

The left front of Bishop's truck hit the right front side of the converted bus.

Bishop's passenger, William A. Bishop, 52, of Monitcello, was taken to Shands in serious condition. A passenger riding in the converted bus, Valantine Flores, 36, of Immokalee, was ejected during the crash and also taken to Shands in serious condition.

An FHP crash report showed Castillo and three other passengers on the converted bus received minor injuries: George Punzo, 24, Sergio Cruz, 26, and Aliasar Coxuhua, 23, all of Immokalee.

Charges in the case are pending further investigation, according to FHP.

End.

C7. Key West (Florida) KeysNoter; Wednesday, June 16, 2010

#### **HEADLINE: Bicycle-truck crash victim identified**

Authorities on Monday identified Robert Dale Brower, 53, as the victim of a fatal bicycling accident that took place Friday in Key West.

Police say Brower, who listed an address of "general delivery" was riding his bike westbound in the 3000 block of North Roosevelt Boulevard when he veered off the sidewalk and into the side of a tractor-trailer headed in the same direction. It was about 3:15 p.m.

Brower was pronounced dead on the scene and the road was closed for several hours as police investigated the accident.

There have been 13 deaths on roads south of Florida City this year.

End.

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1. Transport Topics; week of June 14, 2010, issue

#### **HEADLINE: OOIDA Plans EOBR Rule Challenge; Group Says Benefits Don't Justify Cost**

Byline: Sean McNally, Senior Reporter

The Owner-Operator Independent Drivers Association filed notice that it will challenge a new federal rule requiring fleets with poor hours-of-service records to use electronic onboard recorders to monitor drivers.

The petition, filed on June 3 in the 7th U.S. Circuit Court of Appeals, does not specifically outline the objections to the **Federal Motor Carrier Safety Administration's** rule, although OOIDA has been a vocal opponent of mandating the use of EOBRs.

“We think the time to address the issues that we have consistently raised through the years is now,” OOIDA Executive Vice President Todd Spencer told Transport Topics. “Do these things promote safety and produce better safety performance?”

A spokeswoman for FMCSA said the agency had no comment.

Spencer said that, in part, the lawsuit is to prepare for the next EOBR rule, which FMCSA has said will cover even more carriers.

Issued in April, FMCSA’s current regulation requires fleets with a violation rate of 10% or more in a single compliance review to use EOBRs to monitor their drivers.

Under the current rule, with which fleets have until 2012 to comply, as many as 5,700 carriers will be required to have the devices.

However, FMCSA has said it expects to issue a follow-up regulation that would expand the number of fleets required to use EOBRs.

During a June 9 meeting of the agency’s Motor Carrier Safety Advisory Committee, Administrator Anne Ferro said, “Work is well under way on a broader EOBR mandate.”

Spencer said OOIDA does not believe the cost of the devices is justified by its potential safety benefits.

“This is really nothing more than another recordkeeping device that is subject to the same shortcomings of a paper logbook, and if that’s all that it is, how is it that you can justify putting this kind of cost on an industry that’s predominantly small businesses?” he said.

Spencer also said FMCSA has “yet to produce any evidence that using these systems produces better safety performance or reduces accidents.”

End.

2. Land Line Now BLOG; Wednesday, June 16, 2010

### **BLOG HEADLINE: Politics once again rules the day**

Posted by Mark H. Reddig

In the wake of a national sleep apnea conference in Washington, DC, many folks in the medical community and government seem to think that truckers need to be tested for the condition in mass.

That, despite the lack of any evidence that it affects safety.

That’s left a lot of truckers with a lot of frustration and a lot of questions.

Let’s take a quick look at one of those questions, one I’ve heard many times:

If apnea is this common, if it is this dangerous, then why are we not testing the folks who drive cars? Why is it not a disqualifying condition for them?

Those questions are valid. If sleep apnea is like virtually anything else involved in driving, then car drivers are far more likely to have the accident for that reason than a trucker is.

Let's think it over.

I've used this figure a lot lately, but truckers drive as much in one year as the average car driver does in 10 years.

When you look at how often truckers are involved in accidents compared with car drivers, and how rarely they are the cause, it's clear where the real problem is.

But apnea testing is no more likely to be addressed for four wheelers than anything else car drivers do, and for the same reason:

More people drive cars, and they vote. Put too many restrictions on them, and you face problems at the polling place. When you're a politician, that's your bread and butter.

That's why I talk all the time about calling your lawmakers. The squeaky wheel gets the grease in DC, just like anywhere else. And if truckers become more squeaky, well, you get the idea.

So let's squeak, people. And the louder, the better.

Just make sure it's a squeak, and not a snore.

End.

3. Commercial Carrier Journal; Thursday, June 17, 2010

### **HEADLINE: J.J. Keller offers CSA 2010 professional advisory, support service**

J.J. Keller & Associates now is offering expert guidance to companies, to address the impact of Comprehensive Safety Analysis 2010 on fleet operations. Their **CSA 2010** Professional Advisory & Support Service – CSA 2010 PASS – puts one of J.J. Keller's Regulatory & Safety Consultants in direct contact with fleet managers and company executives to provide an assessment of exposure to U.S. Department of Transportation interventions and fines.

“CSA 2010 PASS is a way for fleets to have a regulatory expert working for their company, without incurring the expense of hiring a full-time employee,” says Rich Coveyau, J.J. Keller corporate regulatory and safety consulting manager. “Our team reviews and scores a fleet's safety record and violations, but what comes next is most important – we help companies improve any gaps in regulatory compliance through training, education and process improvement. The CSA scorecard is useful, but without appropriate corrective action, a visit or letter from DOT will likely happen.”

The CSA 2010 PASS program is tailored to company needs and typically includes a review of roadside inspections and violations, a company-specific CSA scorecard, discussion on interpreting scores, an assessment of current fleet compliance practices, driver training and policy development. A discussion of best practices is a part of all fleet interaction.

For fleets with more than 25 regulated vehicles, J.J. Keller is offering CSA 2010 Quick PASS, in which Keller provides a company CSA 2010 scorecard as well as two hours of telephone advisement, for \$395. CSA 2010 Quick PASS is intended to help companies immediately understand their exposure to CSA 2010 when the new Safety Measurement System (SMS) is implemented by DOT in late 2010.

To view video of a consultant speaking about CSA 2010 PASS, go to [www.jjkellerservices.com/consulting/csapass.html](http://www.jjkellerservices.com/consulting/csapass.html)

End.

4. TruckingInfo.com; Thursday, June 17, 2010

### **HEADLINE: Technology Activity to Pick Up Among Fleets This Year**

Trucking executives are more optimistic about the use of technology in the year ahead, with 44 percent planning to boost their information technology investment in the next 12 months. According to Eyefortransport's 2010 truckIT Report, which surveyed over 400 fleet operators, only about 20 percent of respondents expect to cut their IT budget this year, compared to almost 50 percent in 2009.

"As such, 2010 could prove to be the year where firms with a competitive edge and innovative ideas, begin to prosper once more," Eyefortransport said in the report. "This year has brought with it optimism and opportunity."

When asked about their company's IT investment strategy, about 38 percent of respondents believe they should invest only when there is a clear and quick return on investment. However, when compared to 2009, a greater number of fleets seek to purchase technologies to leave them better placed when the economy picks up. A much smaller number, 2 percent, plan to cut all technology investments this year.

The key areas where fleets planned to make purchases were route/schedule optimization, customer service, fuel management, track and trace, handheld devices, driver communications and security, which all saw an increased percentage over 2009.

When asked what factors they consider when investing in or upgrading their technology, reliability was the most important factor for over 70 percent of respondents. Technical quality and cost were also key factors, while functionality to core objectives, long-term ROI (over 12 months) and fast ROI (under 12 months) were all seen as being key factors by around 50 percent of respondents.

The initiatives that have had the greatest impact on reducing costs for fleets included optimizing routes/loads/scheduling and improving internal processes, which were the most popular responses. An increased focus on reducing fuel use was also seen as a beneficial initiative by a number of respondents.

### **Specific Technologies**

Eyefortransport also asked respondents about their use of specific types of technologies. When asked about whether they're operating in the cloud, or on the Internet, only 4 percent said they

rely solely on applications in the cloud, though 38 percent indicated they use it for some applications. In addition, 25 percent were considering using the cloud, while 33 percent have no plans to use it.

Most fleets surveyed, 65 percent, offer their customers real-time Web-based visibility of their load, up from 50 percent last year. Other popular track-and-trace mechanisms included text alerts, at 57 percent, and call centers, at 41 percent.

This year, more fleets felt radio-frequency identification technology was cost prohibitive and not improving their operations. While 29 percent were using it in 2009, now only 22 percent are using it.

When asked whether they have installed on-board recorders, 27 percent said they installed the devices a while ago, while 12 percent installed them recently and 18 percent are in the process. However, 43 percent don't think it's necessary to install them.

The biggest obstacle fleet operators were facing was integrating technology with their back office systems; this was not seen as a big obstacle last year. This year, convincing senior management of the business case and ROI of technology became a larger challenge, while reduced or eliminated budgets was less of an obstacle.

"Although increased IT/technology spending has begun, it will still be some time before the trucking industry sees dramatic improvements," the report concluded.

End.

5. Journal of Commerce online; Wednesday, June 16, 2010

### **HEADLINE: Senate Bill Targets Broker Fraud; Independent truckers, brokerage industry back bill raising bond requirement**

Byline: Thomas Gallagher

A bipartisan Senate bill aimed at defending businesses from fraudulent freight brokering schemes is being backed by independent truckers and freight brokers.

The Motor Carrier Protection Act of 2010 would help the Department of Transportation crack down on fraud affecting both groups, industry officials said.

The law would prevent "bad brokers" from not paying truckers, said Todd Spencer, executive vice president of the Owner-Operator Independent Drivers Association.

It would also prevent carriers from brokering freight without the proper authority, said Robert Voltmann, president and CEO of the Transportation Intermediaries Association.

Significantly, the bill would raise the federally mandated broker bond from \$10,000 to \$100,000 and establish significant penalties for violations of broker regulations.

Sen. Olympia Snowe, R-Maine, and Sen. Amy Klobuchar, D-Minn., introduced the bill last week. TIA and OOIDA are working to get similar legislation in the House.

"This isn't about re-regulating brokers and carriers, it's about fighting creeps, about fighting fraud," said Voltmann, who says brokerage scams are increasing.

Beyond raising the broker bond, the bill would establish strict guidelines for companies that provide brokers with surety bonds and on how they administer bonds.

Trucking companies would be required to have a broker or freight forwarder license and bond in addition to their motor carrier operating authority to broker freight.

Brokers and freight forwarders would have to renew their operating authority annually with the **DOT's Federal Motor Carrier Safety Administration.**

Revenue from operating authority fees would help FMCSA enforce the rules.  
End.

6. DC Velocity (logistics publication); Wednesday, June 16, 2010

**HEADLINE: Senate bill takes aim at alleged abuses by freight brokers; Measure would tighten government oversight over intermediaries, raise penalties for regulatory violations**

Byline: Mark B. Solomon

Legislation was introduced in the Senate on June 15 to crack down on allegedly fraudulent behavior by truck brokers and other intermediaries against smaller trucking concerns, notably one-person owner-operators.

The bill, the Motor Carrier Protection Act of 2010, was introduced by Sens. Olympia J. Snowe (R-Maine) and Amy Klobuchar (D-Minn.). The legislation would make it more expensive for brokers, freight forwarders, and other intermediaries to operate, and would deal harshly with third-parties engaging in illegal practices.

The bill increases the bond placed by brokers to \$100,000 from \$10,000 and for the first time, imposes bonding requirements on freight forwarders. The legislation also sets stricter government requirements for entities seeking broker and forwarder authority, and levies tough penalties—such as unlimited liability for freight charges—for such violations as conducting brokerage activities without a bond or license.

In addition, brokers and forwarders would be required to renew their operating authority on an annual basis and would lose their authority if they failed to do so. The bill also sets strict regulations on bond companies and the way bonds are administered. It also requires truckers to have a brokers or forwarders license or bond before they can tender freight to another carrier for compensation. In a statement, the senators said the bill provides smaller trucking firms with the tools to retaliate against corrupt practices by brokers. Currently, these companies have little or no legal recourse to fraudulent actions by intermediaries, the lawmakers said.

"All too often, motor vehicle operators fall victim to the deceitful behavior of fly-by-night brokers and freight forwarders who engage in preposterous criminal activities, such as financial fraud," said Sen. Snowe, a member of the Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety, and Security, which has jurisdiction over the legislation.

"Many truckers are small, independent businesses that fraudulent freight forwarders and corrupt brokers too often easily prey upon," said Sen. Klobuchar. "This legislation ensures trucking operators have the tools and protections necessary to prevent fraud, and also modernizes and strengthens federal oversight of this industry."

Perhaps the biggest problem for smaller truckers is not getting paid in a timely manner for freight they receive from brokers, or in some cases not being paid at all. Over the last five years, about one-quarter of all owner-operators have had trouble collecting payments from brokers or other intermediaries, according to a survey by the Owner-Operator Independent Drivers Association (OOIDA), the trade group representing owner-operators.

"People grossly misrepresent [themselves], and sometimes they are selling nothing but hot air. We all pay a price for that. Truckers pay up front, and it has cost too many their livelihoods and their businesses," said Todd Spencer, executive vice president of OOIDA.

Officials of the Transportation Intermediaries Association, which represents many of the nation's intermediaries, were unavailable for comment at press time.

End.

7. eTrucker.com; Wednesday, June 16, 2010

## **HEADLINE: Bill would increase broker scrutiny**

Byline: Jill Dunn

Sen. Olympia Snowe has introduced a bill that would strengthen regulatory oversight of brokers and freight forwarders.

On June 14, the Maine Republican introduced S. 3483, the Motor Carrier Protection Act of 2010, which was referred to the Committee on Commerce, Science, and Transportation with one co-sponsor.

The Owner-Operator Independent Drivers Association and the Transportation Intermediaries Association contributed to the bill. When introducing the bill, Snowe said little federal oversight is currently provided, other than requiring brokers to pay a \$10,000 bond.

"According to trucking experts, a broker can rake in revenues far in excess of that \$10,000 upfront payment in less than a month, allowing them to disappear in the night, losing their bond but more than making up for it in revenues stolen from hard-working truck operators who are left with nothing to show for their delivery, and no way to recoup those losses," she said.

One group operated 12 freight broker companies over a three-year period in Georgia, defrauding truckers and evading law enforcement by continually changing business names and locations. The bill increases bond to \$100,000 and applies the bonding requirement to freight forwarders.

The bill also:

- Ups requirements for entities seeking broker/forwarder authority.

- Establishes strict penalties for violations, including unlimited liability for freight charges for brokerage activities without a license or bond.
- Authorizes private damages remedies against companies that violate **Federal Motor Carrier Safety Administration** regulations.
- Implements an annual registration requirement to renew broker/forwarder operating authority and generate revenue for FMCSA enforcement.
- Establishes strict regulations on bond providers and how bonds are administered.
- Requires separate registration numbers per authority and whatever authority used in a transaction must be in writing.

End.

## **STATE NEWS**

8. Rolla (Missouri) Daily News; Wednesday, June 16, 2010

### **HEADLINE: Statewide School Bus Inspection Program Results**

St. Louis, Mo. — Colonel Ron Replogle, superintendent of the Missouri State Highway Patrol, announces results of the Motor Vehicle Inspection Division's 2010 school bus inspection program.

A total of 12,250 buses were inspected by Missouri State Highway Patrol personnel across the state of Missouri between the dates of February 2 and April 30, 2010. Missouri's 2010 statewide approval rating was 84.3%.

The results are as follows:

10,326 buses received approval upon initial inspection. During the annual school bus inspection program, buses found to be free of defective items are "approved". 1,553 buses were rejected. Buses with one or more minor defects, yet deemed safe for the transport of students, are identified as "defective".

371 buses were placed out-of-service. Buses containing one or more major defects, deemed to be unsafe for the transport of students, are identified as "out-of-service" by inspection personnel.

While defective buses may continue to be used for pupil transportation until repair is made, out-of-service buses must be repaired, re-inspected by Highway Patrol motor vehicle inspection personnel, and placed back into service prior to being used for student transport. School districts are allowed 10 days following initial inspection in which to repair identified defective or out-of-service item(s) before being re-inspected by inspection personnel.

"For decades the Patrol has inspected every school bus in the state each year," said Col. Ron Replogle. "Our children deserve safe transportation to and from school every day. This program encourages every bus company to help ensure Missouri has the safest school buses in the nation."

Further information regarding the annual school bus inspection program of the Missouri State Highway Patrol may be obtained from Motor Vehicle Inspection Analyst Brenda Davis, Missouri State Highway Patrol, at (573) 526-6292, or via e-mail at [brenda.davis@mshp.dps.mo.gov](mailto:brenda.davis@mshp.dps.mo.gov)

End.

## **OTHER NEWS**

9. Press release from NTSB: Wednesday, June 16, 2010

### **HEADLINE: NTSB TO MEET ON TOUR BUS ACCIDENT THAT KILLED SEVEN AND INJURED TEN NEAR DOLAN SPRINGS, ARIZONA**

On June 22 the National Transportation Safety Board will hold a public Board meeting on its investigation into a multiple-fatality, single-vehicle tour bus accident that occurred last year near Dolan Springs, Ariz.

The purpose of the meeting will be to determine probable cause of the accident and to consider proposed safety recommendations to reduce the likelihood of future such mishaps.

On Friday, January 30, 2009, at 4:06 p.m. MST, a 2007 Chevrolet/Starcraft 29-passenger bus, operated by DW Tour and Charter and carrying 16 passengers and the driver, crashed on U.S. Highway 93 on a return trip from Grand Canyon West to Las Vegas. The bus came to rest on the southbound side of the four-lane divided highway after veering out its northbound lane, crossing the median and rolling over. Seven passengers were killed, and nine passengers and the driver sustained minor to serious injuries.

The Board meeting will be held in Washington on Tuesday, June 22, 2010, at 9:30 a.m. EDT, in the NTSB Board Room and Conference Center at 429 L'Enfant Plaza, S.W.

A live and archived webcast of the proceedings will be available on the Board's website at <http://www.nts.gov/Events/Boardmeeting.htm>. Technical support details are available under "Board Meetings." To report any problems, please call 703-993-3100 and ask for Webcast Technical Support.

A summary of the Board's final report, which will include its findings, probable cause and safety recommendations, will appear on the website shortly after the conclusion of the meeting. The entire report will appear on the website several weeks later.

End.

10. Press release from ATRI; Wednesday, June 16, 2010

### **HEADLINE: ATRI RELEASES SYNTHESIS OF CARBON ACCOUNTING TOOLS**

Arlington, VA – The American Transportation Research Institute (ATRI) today released the findings of its analysis of greenhouse gas reporting tools and emissions models. The report highlights the efficacy and applicability of the models to trucking industry operations.

Addressing greenhouse gas emissions is an emerging issue as the public and private sectors seek to quantify the carbon footprint associated with supply chains. In response, there is growing pressure on motor carriers to quantify greenhouse gas emissions.

"This research is critical for motor carriers seeking to identify potential sources of greenhouse gas emissions within their operations. ATRI's study also highlights the need for industry involvement in standardizing approaches for carbon accounting," said Mike Naatz, President – Customer Care Division and Chief Customer Officer for YRC Worldwide. Mr. Naatz is a member of the ATRI Research Advisory Committee which identified this research priority.

ATRI's research identified both U.S. and international reporting tools and methodologies. Among the key findings were differences in the weighting of model inputs which in turn impact the reported level of emissions.

A copy of the report can be found at [www.atri-online.org](http://www.atri-online.org)

ATRI is the trucking industry's 501(c)(3) not-for-profit research organization. It is engaged in critical research relating to freight transportation's essential role in maintaining a safe, secure and efficient transportation system.

End.

11. KSAZ-TV10 FOX (Phoenix, Arizona); Wednesday, June 16, 2010

**HEADLINE: Demand is High for Qualified Truck Drivers; Trucking industry looks to hire 200,000 this year**

VIDEO: [http://www.myfoxphoenix.com/dpp/money/job\\_news/truck-drivers-demand-6-16-2010](http://www.myfoxphoenix.com/dpp/money/job_news/truck-drivers-demand-6-16-2010)

PHOENIX - It may not be the most glamorous job out there, but the trucking industry is looking to hire hundreds of thousands of people.

For men and women who find themselves out of work, the trucking business may be just what they need to get back into the workforce.

Right now there is a huge demand for qualified and licensed drivers, and trucking schools in the valley are filling up with new students.

The signup board at Southwest Truck Driver Training School in south Phoenix is chock full of names. They're all hoping to open the door to a new career behind the wheel.

"There are opportunities for drivers, whether it be buses, trucks hauling freight, dirt, whatever the case may be," says Troy Brasher, Director of Southwest Truck Driver Training.

"For a lot of people it is a Band-Aid. If you were recently laid off, within four weeks I can have you in a truck earning between \$30,000 and \$40,000 your first year."

The trucking industry needs to hire about 200,000 drivers by the end of this year. The high demand is leading more people in Arizona to pursue a job on the road.

Brasher says most students will have guaranteed jobs after 180 hours of instruction, split between the classroom and at the wheel of the 70-foot-long tractor-trailers.

It costs between \$3,500 and \$5,000 to get a commercial driver's license there.

In the next 15 years, the trucking industry is estimated to need 1 million new drivers.

For more info: [www.swtdt.com](http://www.swtdt.com)

End.

12. Tulsa World (Tulsa, Oklahoma); Wednesday, June 16, 2010

### **HEADLINE: Second day of Arrow Trucking auction brings higher bids**

Byline: D.R. STEWART World Staff Writer

Cars, trucks, forklifts and other big-ticket items attracted lively bidding Wednesday on the second day of Arrow Trucking Co.'s bankruptcy estate auction.

More than 100 bidders roamed Arrow's maintenance yard at 4241 S. Elwood Ave., offering near-market prices for vehicles, truck components and supplies, lumber, steel pipe, angle iron, asphalt shingles and building materials.

In contrast to Tuesday's auction of office furnishings and supplies that sold at rock-bottom prices, Wednesday's sale featured industry bargain hunters looking to profit from Arrow's misfortune.

A trucking industry veteran bought five Kenworth fiberglass engine hoods for \$1,300. Another trucker bought a rear-mounted tractor scraper but thought he paid too much.

A representative of Montana-based Waggoner's Trucking bought five tractor-trailer hitch components for \$200, which he said was cheap.

Proceeds of the sale, which was conducted by Mr. Ed's Auction Co. of Catoosa, will go to Arrow Trucking Co. bankruptcy trustee Patrick J. Malloy III.

Malloy is seeking to reimburse Arrow creditors as well as former employees owed wages and benefits when the Tulsa flatbed carrier suspended operations on Dec. 22.

Lawyers for Arrow Trucking filed a Chapter 7 bankruptcy liquidation petition in U.S. District Court for the Northern District of Oklahoma in Tulsa on Jan. 8.

Some of the larger winning bids Wednesday included \$27,000 for a 33,000-pound Caterpillar forklift and \$21,500 for a 2006 Kenworth T60 truck with a sleeper cab and 462,414 miles.

The only "classic" vehicle sold was a 1956 green International RFD212 truck restored in 2006 by Frontier International Trucks of Tulsa. It went for \$15,000.

Scott Manes, however, was more interested in a 40-foot trailer/container with custom built-in tool bins filled with electrical and industrial components.

Manes, co-owner of American Environmental Fabrication & Supply in Hulbert, bought the container for \$1,000 and the electrical and industrial components for \$4,500. He was particularly interested in the explosion-proof fittings and electrical junction boxes, stainless steel tubing and insulated copper wiring.

"We build environmental air-cleaning equipment that burns off harmful volatile organic compounds," Manes said. "Our customers are underground coal mines, steel mills, paint shops and paper mills.

"What we do is just like what a catalytic converter does on your car: It burns harmful gases and exhausts clean air."

Manes said he "most definitely" got a bargain in the container, tool bins and components.

"In tough economic times, you have to save money any way you can," Manes said. "It's tough these (Arrow Trucking) guys went out of business, but at least we are keeping this stuff in the country."

At the back of Arrow's maintenance yard, bits and pieces of the former trucking company's operations also sold well.

An accident-demolished Arrow truck cab and engine sold for \$3,250, a five-foot-high roll of sheet steel sold for \$1,000 and four railroad wheels and axles went for \$700.

Rick Williams of Sand Springs was high bidder, at \$1,200, for 37 pieces of 15-foot steel pipe.

"My wife has six horses on 40 acres," Williams said. "We're going to build a corral."

Barry Don Sparks, rig supervisor and geologist for Cleveland Lease Service Inc. in Cleveland, Okla., bought a couple dozen 12-by-12-inch-by-15-foot railroad ties for \$1,000.

"I hope it's a good deal," Sparks said. "We have a well-service company."

Ed Vierheller, owner of Mr. Ed's Auction Co., said he was pleased with the turnout and the bids.

"They are wonderful values, wonderful prices today," Vierheller said.

Net revenue from the auction will be turned over to Malloy on Thursday or Friday, Vierheller said.

#### Winning bids

Some of the largest bids at Arrow's auction on Wednesday were for specialized heavy equipment, while some vehicles brought less.

- \$27,000: 33,000-pound Caterpillar forklift
- \$21,500: 2006 Kenworth T60 truck with a sleeper cab and 462,414 miles
- \$21,000: Caterpillar 200 20,000-pound forklift
- \$19,000: 52,000-pound Caterpillar forklift
- \$10,000: 2007 JLG power scaffold with 95 hours on it
- \$10,750: 1985 Jeep Laredo with 54,807 miles
- \$3,500: 2005 Ford Explorer with 16,507 miles
- \$2,700: 2007 Ford F-150 XLT service truck
- \$1,000: 1995 Ford F-150 XLT with 140,646 miles
- \$1,000: 1998 Ford Taurus with 179,000 miles

End.

## **OTHER CRASH INCIDENTS AND FOLLOW-UP (6)**

OC1. Gary (Indiana) Post Tribune; Wednesday, June 16, 2010

**HEADLINE: Scrap crushes car; truck driver leaves scene**



Photo Caption: A piece of scrap steel lays on a late-model Pontiac after an accident Wednesday in Gary.

Byline: JON SEIDEL

An oversized load of scrap machinery struck a railroad trestle and fell onto a vehicle about 10:30 a.m. Wednesday on U.S. 20, just west of Interstate 65.

The load crushed the driver's side of the gray Pontiac Bonneville and all four of its passengers were taken to a local hospital. Their conditions are unknown.

The truck driver did not stop, despite being notified by another trucker of the accident and telling the other truck driver he would stop. Gary and Indiana State Police and the Indiana Department of Transportation are trying to locate the driver, and are checking manifests for scrap trucks headed to the steel mills.

The truck driver was headed east on U.S. 20.

End.

OC2. LaSalle (Illinois) News Tribune; Wednesday, June 16, 2010

**HEADLINE: Man succeeds in \$3 million suit against Double D, truck driver**

Byline: Tom Collins

A man who was injured in 2008 while assisting a disabled tractor-trailer has settled a negligence case for \$3 million.

Christian Henninger was severely injured June 23, 2008, when he was struck by an eastbound semi driven by Mark D. Boehm of Spring Valley on Interstate 80, 3½ miles east of Utica.

The accident killed the tow-truck driver Henninger was helping, 49-year-old William B. Waite Jr. of Ladd.

Henninger sued Boehm and his employer, Double D Express in Peru, seeking at least \$100,000 in damages. Chief Judge James A. Lanuti approved the \$3 million settlement on June 3.

Henninger was represented by Peru attorneys Anthony C. Raccuglia and James McPhedran with contributions from associate Brad Popurella.

“Mr. Henninger has worked very hard in rehab to try to get himself to walk normally again,” Raccuglia said. “I’m convinced that with the intensity he’s demonstrated it shouldn’t be long before he’s walking with a cane.

“Having the settlement gives him the security to work on a regular, daily basis towards returning to normal.”

Chicago attorney Joseph Skryd, who represented Boehm and Double D, did not return a call seeking comment before press time today.

A wrongful death lawsuit brought by Waite’s survivors remains pending in La Salle County Circuit Court.

End.

OC3. Palestine (Texas) Herald Press; Thursday, June 17, 2010

## **HEADLINE: Palestine man found guilty of intoxication manslaughter**

Byline: PAUL STONE

PALESTINE — A 37-year-old Palestine man will be sentenced in September after being found guilty of intoxication manslaughter Tuesday at the Anderson County Courthouse.

A 12-person jury deliberated for almost 90 minutes Tuesday night before finding 37-year-old Michael Wayne Howerton guilty of the felony offense of intoxication manslaughter.

Prior to his trial, Howerton had filed a motion requesting that the court assess his punishment if found guilty of the offense.

A pre-sentence investigation will now be conducted, with Howerton’s punishment trial before 349th State District Judge Pam Foster Fletcher set to begin on Sept. 8.

Intoxication manslaughter is a second-degree felony offense punishable by two-to-20 years in the Texas Department of Criminal Justice and a fine not to exceed \$10,000.

"We're certainly pleased with the (guilty) verdict and think it's a very important verdict," Stanley Sokolowski, assistant district attorney for Anderson County, said Wednesday.

Since Howerton allegedly has two prior felony convictions, Sokolowski said that the punishment range in the case could be enhanced.

Howerton was operating a 2000 Chevrolet Blazer S-10 at a high rate of speed and traveling west on FM 321, approximately 2 miles east of Montalba, around 9:30 p.m. on Aug. 8, 2008 when an 18-wheel tractor trailer pulling a box trailer pulled out of a private driveway into the eastbound lane of traffic, authorities have said.

Howerton struck the box trailer in the rear axle wheels with the left side of his Blazer, with his vehicle ultimately flipping multiple times before coming to rest in a roadside ditch, according to authorities.

Howerton and his lone passenger, 26-year-old Misti Kroll of Tennessee Colony, were both ejected from the vehicle, authorities have said.

Kroll was pronounced dead at the scene, while Howerton suffered serious head and other injuries and was hospitalized at a Tyler hospital following the accident.

Neither person was wearing a seat belt at the time of the wreck, according to authorities.

The tractor trailer's driver was uninjured.

Testimony in Howerton's trial began June 10 at the Anderson County Courthouse, with Texas Department of Public Safety Trooper Chad Sparkman the first witness called by the state.

Sparkman testified that "the left tires" of the box trailer were touching the center stripe at the time of the collision, indicating the driver of the rig had essentially completed his left turn out of a private driveway onto FM 321.

The speed limit at the point of the wreck was 60 miles per hour, according to Sparkman's testimony.

During the state's opening argument last week, Sokolowski told jurors that computerized equipment on Howerton's vehicle would show that the defendant was traveling 86 miles per hour in the seconds immediately prior to the wreck.

The assistant district attorney also told jurors that testimony during the trial would show that Howerton did not apply his brakes prior to the collision.

Lab results showed that Howerton had a blood alcohol content of .08 approximately two hours after the wreck, according to Sparkman's testimony.

The legal BAC limit in Texas is .08.

Sokolowski represented the state during the trial, while Howerton was represented by local attorney Melvin Whitaker.

End.

OC4. Atlanta Journal Constitution; Wednesday, June 16, 2010

**HEADLINE: Train hits truck in Clayton, pushes it into DeKalb**



Photo Caption: Officials look over the cab of the dump truck on the front of the train. The truck driver suffered second-degree burns over a small portion of his body in the resulting fire and was taken to Grady Memorial Hospital, Clayton County Battalion Chief Landry Merkison said.

Byline: Larry Hartstein, The Atlanta Journal-Constitution

A dump truck trying to cross railroad tracks in Clayton County on Wednesday morning was hit by a Norfolk Southern train and pushed a quarter-mile into DeKalb County, authorities said.

The truck driver suffered second-degree burns over a small portion of his body in the resulting fire and was taken to Grady Memorial Hospital, Clayton County Battalion Chief Landry Merkison said.

The collision occurred at Moreland Avenue and Rock Cut Road in Conley.

"The truck was trying to cross when the arms were down, and he wasn't able to make it," Officer Otis Willis III, a Clayton County police spokesman, told the AJC. "It came to rest in DeKalb County."

The impact separated the cab and chassis from the rest of the truck, Merkison said. The fire stemmed from the truck's diesel fuel. No fuel from the train was spilled, and the train sustained only "dents and dings," Merkison said.

According to Willis, the driver will "most definitely receive citations" for crossing the tracks while the cautionary arms were down.

"We have witnesses that saw him go around [the arms]," Willis said.

End.

OC5. Tire Review (tire industry publication); Wednesday, June 16, 2010

**HEADLINE: Driver, Fleet Cited in Pennsylvania Wheel-Off Accident**

A driver and his trucking company employer have both been cited by police for a wheel-off incident last month near York, Pa.

In the May 25 incident, a dual tire/wheel assembly came off of a tractor-trailer on S.R. 30 near York, heavily damaging a Mercedes after crossing the median. The truck was hauling logs to a local paper mill.

The car's driver was treated for head and neck injuries.

The driver was cited for operating a tractor-trailer 5,000 pounds over the registered gross weight limit.

Heacock Lumber Co. of Plumsteadville, Pa., was cited for several vehicle inspection violations, including excessively worn or cracked brakes.

End.

OC6. Redding (California) Record-Searchlight; Wednesday, June 16, 2010\

**HEADLINE: Logger uninjured in truck rollover**

Because he was wearing his seat belt an Anderson log truck driver avoided injury Tuesday when his big rig rolled off Big Bend Road, California Highway Patrol officers said Wednesday.

Billy McLane, 24, was driving a 1999 Peterbuilt south on the road about three miles north of Highway 299 about 3:45 p.m. when he lost control of the truck at a sharp left curve, according to the CHP. The truck rolled onto its right side, sending most of its load down a steep embankment.

Traffic around the wreck in east Shasta County was limited to one lane for three hours as tow truck crews moved the truck.

End.