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WR-19-15

CDL Driver Tips for Surviving a Roadside Inspection

Roadside inspections are a critical part of the trucking industry. They help ensure that truck drivers are compliant with the laws and are operating safely on the road. It is important drivers are ready for the possibility of a roadside inspection every day. Failing a roadside inspection will result in civil penalties and possible out of service orders. The following tips for drivers stopped for a roadside inspection will help your company avoid unnecessary fines and out of service orders. Click [here](#) for more details.

Electric Vehicle Tax Credit Legislation Introduced

This week, Senators Debbie Stabenow (D-MI), Lamar Alexander (R-TN), Gary Peters (D-MI), and Susan Collins (R-ME) along with Congressman Dan Kildee (D-MI) introduced the "Driving America Forward Act," which would expand the electric vehicle (EV) and hydrogen fuel cell tax credits. Specifically, the legislation would reduce the \$7,500 credit to \$7,000 and would lift the tax credit cap from 200,000 to 600,000. Under current law, the tax credit phases out on a per manufacturer basis once that company has sold 200,000 EVs total for use in the United States. Recently, Tesla and GM reached the 200,000 cap and are now no longer able to take advantage of the credit.

"Expanding the EV tax credit places the burden on the poor and middle class who are subsidizing the wealthy's luxury buying power which is unfair. On top of that, EVs currently have no skin in the game to fund highway infrastructure while utilities are unfairly expanding EV infrastructure on the backs of their rate payer base. Not to mention that the jury is still out on EV environmental gains," said PMAA President Rob Underwood.

The EV tax credit legislation now competes with Senate Environment and Public Works (EPW) Committee Chairman's John Barrasso (R-WY) bill known as the "Fairness for Every Driver Act" (S. 343). Barrasso's bill would repeal the \$7,500 EV tax credit and impose a federal highway user fee on alternative fuel vehicles. President Donald Trump has also called for ending the credit.

PMAA fully supports S. 343 which would ensure that all vehicle owners and operators, no matter what fuel type they choose, pay their fair share for road maintenance and repair.

FMCSA to Add No-Fault Crash Category to Motor Carrier Safety Rating Scores

The U.S. DOT's Federal Motor Carrier Safety Administration (FMCSA) is taking action to change the way no-fault accidents are recorded in its carrier safety rating program. The new regulatory action is important to petroleum marketers because it will remove a key data point that can significantly lower safety scores under the Compliance Safety Accountability (CSA) scores metric. Low safety scores can lead to loss of operating authority.

The CSA program, which monitors and records carrier safety data, replaced the former and less obtuse motor carrier safety rating system about 10 years ago. The single biggest complaint against the CSA program since its inception is its failure to take into account fault when scoring commercial motor vehicle crashes. No-fault crashes have been counted against motor carriers regardless of whether the carrier was to blame. This has led to artificially low CSA scores, which can affect everything from carriers' operating authority and enhanced safety monitoring to their legal defenses and insurance rates.

The FMCSA now says it will make permanent the current no-fault data demonstration project that allows truck crashes in which the driver was not at fault to be listed as "not preventable" in CSA program scores. The FMCSA first launched the Crash Preventability Demonstration Project in 2017 as a two-year pilot program. The program currently classifies a crash as "not preventable" on a CSA profile when the carrier is not at fault. However, before that determination can be made, a carrier must submit a request for data review through the agency's DataQs system, attaching documentation that establishes no fault. Currently, there are eight crash categories that can be challenged under the new program.

Prior to no-fault designation on CSA scores, fatal crashes listed on a carrier's safety profile did not contain information on whether the carrier was at fault in the crash. Under the new program, if a crash is found to be not preventable, a carrier's private Crash Indicator Behavioral Analysis Safety Improvement Category, or BASIC, score would be recalculated with the crash omitted. BASIC scores underpin carrier ratings in the CSA program. The FMCSA says that the new no-fault program can be implemented without a formal rulemaking.

EPA Administrator Testifies Before Congress

This week, EPA Administrator Andrew Wheeler testified before the House Energy and Commerce Committee and Climate Change Subcommittee hearing on the FY2020 EPA Budget. The EPA Administrator was grilled on the recent small refinery exemptions (SREs) that has indirectly reduced the corn ethanol mandate and reduced RIN values. Under the RFS, refiners must blend certain volumes of biofuels into their fuel each year or purchase credits from those that do. Small refineries with a capacity of less than 75,000 barrels per day can get waivers if they prove that compliance with RFS would cause them significant economic harm. The EPA has granted over 30 SREs for 2016 and 2017 compliance years and has indicated that it has received 39 petitions for SREs for 2018. Wheeler seemed to indicate that there could be fewer SREs granted for compliance year 2018 given that RIN values have dropped

dramatically. Corn state Senators have criticized the Trump Administration for granting the refinery waivers and not reallocating them to other obligated parties.

The Administrator also indicated he needed guidance from Congress on how to handle the RFS after 2022, when mandated statutory volumes end. The Energy Independence and Security Act of 2007 (EISA) specifies RFS volumetric requirements through 2022 for total renewable fuels, advanced biofuels, cellulosic biofuels, and biomass-based diesel. After 2022, the law states that the EPA set required volumes of each renewable fuel in coordination with the Secretary of Energy and the Secretary of Agriculture. In other words, the law requires EPA to set RFS volumes post 2022 years taking into account the impact of the production and use of renewable fuels on the environment, energy security, the expected annual rate of future commercial production of renewable fuels, economic development, infrastructure and the overall costs to the public. When asked if the EPA is focusing on the future of the RFS post 2022, Wheeler indicated that the EPA's top priority is finalizing the proposed rule to allow E15 sales during the summer months, changing the RINs program to improve transparency, the RFS reset and setting the 2020 renewable volume obligation (RVOs) requirements.

Wheeler said that he would welcome Congressional insight on a post 2022 RFS world and said that he doesn't believe EPA has the authority to set a nationwide octane standard, only Congress has the authority.

Urge Congress to Extend the Biodiesel Blender's Tax Credit

Rep. Abby Finkenauer (D-IA) recently introduced bipartisan legislation (H.R. 2089) known as the "Biodiesel Tax Credit Extension Act," which would extend the biodiesel blender's tax credit for 2018 and 2019. PMAA supports this important legislation.

Click [here](#) to urge your members of Congress to cosponsor H.R. 2089.

Coalition Advises FTC on Data Privacy Legislation

This week, the Federal Trade Commission (FTC) held hearings on data privacy. PMAA and other members of the Main Street Associations Coalition submitted a comment [letter](#) outlining our required key principles for federal data privacy policy.

Any federal data privacy policy should apply to all industry sectors and not contain loopholes that leave consumers unprotected when their personal data is handled by a business. All of the companies involved in handling that chain of data should have legal obligations to properly guard it under privacy law and the law should not solely rely on private contracts to create those legal obligations. Protection of consumer data privacy is a priority policy issue and our associations collectively support federal privacy legislation that would establish a uniform, nationwide and consumer-centric data privacy law that does not pick regulatory winners and losers among differing business sectors.

White House to Promote Carbon Capture Technology ***Senate Focuses on Carbon Capture Legislation***

According to two senior Trump Administration officials who spoke to McClatchy's DC bureau last week, the White House is planning to promote carbon capture and storage technology in a move to combat carbon-dioxide emissions. Carbon capture technology is designed to gather carbon-dioxide emissions from large coal and fuel plants and prevent the gas from reaching Earth's atmosphere.

Just a few days later, on Tuesday, Senate Environment and Public Works (EPW) Committee advanced legislation known as the "Utilizing Significant Emissions with Innovative Technologies (USE IT) Act," by voice vote. The bill, S. 383, which is sponsored by EPW Committee Chairman John Barrasso (R-WY), aims to promote carbon capture technologies and to find productive uses for the gas once it has been captured. Additionally, the EPW Committee advanced a reauthorization of S. 747, known as the "Diesel Emissions Reduction (DERA) Act," by voice vote. DERA provides funding to replace older engines with cleaner engines to reduce air pollution and was reauthorized through fiscal year 2024 at current funding levels.

Lastly, on Wednesday, Democratic Sens. Sheldon Whitehouse (RI), Brian Schatz (HI), Martin Heinrich (NM) and Kirsten Gillibrand (NY) introduced a bill, known as the "American Opportunity Carbon Fee Act," which is intended to combat climate change by taxing carbon emissions at \$52 per metric ton beginning in 2020. The fee would then increase by six percent annually above inflation and be calculated where fossil fuels are mined, processed, refined or imported. The legislation, however, is unlikely to pass the GOP-led Senate.

New Contributions for the May 2019 Silent Auction

PMAA Small Business Committee (SBC) PAC Co-Chairs Brad Bell and Tim Keigher thank Stanley Roberts and Capital Oil, Inc., and Mike Rud and the North Dakota Petroleum Marketers Association for donating to the 2019 PMAA SBC PAC Silent Auction!

Stanley and Capital Oil, Inc. donated the "Callin' the Blue-Republican Presidents" Canvas. The famous past presidents surround a stained-glass shade over a billiard table, and they are having a Grand Ol' party.

President Lincoln stands tall as he gets ready to make his shot. These Republican presidents are enjoying each other's company as our great nation's first president's portrait casts his spirit over them. The 12x18 canvas is signed by the artist Andy Thomas. Take some time, sit back and relax and enter the amazing array of his artwork and capture history.

Mike Rud and NDPMA donated a bottle of Redbreast 15-year-old Irish Whiskey. It was launched in the U.S. in 2010 to celebrate the 50th anniversary of La Maison du Whisky. It is without a doubt one of the finest expressions of whiskey making in Ireland. The Irish nectar is indeed a

true collector's item. It has a silky/oily texture, the bold resinous oak spice grip on the finish, and the rich nutty toffee, fig, black raspberry, chocolaty, chewy nougat throughout the palate.

We want to remind you about our new format for the Annual Silent Auction and Raffle. This will be our first year with C2Auctions. They will be organizing the PMAA Small Business Committee (SBC) PAC Silent Auction and the Raffle during our PMAA Day on the Hill Conference. All PMAA members will be eligible to participate from anywhere in the U.S., as long as they download the Text2Bid Auction App on their mobile phone. We will provide a mobile link to all PMAA Association Executives prior to the event.

The purpose of mobile bidding is to make the PMAA SBC PAC Silent Auction more competitive and more fun by notifying bidders the instant they are outbid. A notification informs the bidder that they are no longer winning, and to increase their bid or begin bidding on a new item. The ability to react in real-time means more bids.

Last year there was tremendous support in contributions for the auction and PMAA SBC PAC Co-Chairs Brad Bell and Tim Keigher urge your participation this year as well! Brad and Tim wish to remind you that donations can include use of personal vacation properties.

The Auction will take place in conjunction with PMAA's Washington Conference on May 8 during the welcome reception. If you have items that you would like to contribute for the Silent Auction, please contact [Sabrina Pitcher](#) at 703-351-8000.

Purchase PAC Raffle Tickets for a Chance to Own Tom Brady New England Patriots Collectibles

Purchase your PMAA Small Business Committee (SBC) PAC raffle tickets now for an opportunity to win your own Tom Brady Collectibles.

Tom Brady is an American football quarterback for the New England Patriots of the National Football League (NFL). He is the only player to win six Super Bowls and the only player to win them all playing for one team. The Tom Brady framed 8x10 New England Patriots SB 53 photo laser engraved autograph comes fully certified with certificate of authenticity and tamper-evident hologram. It is also backed by SportsMemorabilia.com's authenticity guarantee.

The 39mm silver plated medallion shows an image of Tom Brady. His color image is embedded in the center of the coin and the back of the coin is struck with the NFL logo. The silver-plated coin is protected in a clear capsule to preserve its condition. The mint coin is individually struck with a serial number on its edge and accompanied by a certificate of authenticity. It is officially licensed by NFL and NFLPA.

The SBC PAC committee would like to thank the raffle award donor, Mike Rud and the North Dakota Petroleum Marketers Association.

The PMAA SBC PAC will hold the raffle during the Day on the Hill Meeting in Washington, DC on May 8-10 and the raffle winner will be identified during the Board Meeting on May 10. The winner does not have to be present to win. If you are not attending the conference, you will be notified the week following the May drawing if you are the fortunate owner of the Tom Brady Collectibles.

The proceeds of the raffle will benefit the PMAA SBC PAC. The money distributed to the PAC is used to benefit federal legislators who support the industry and have a solid record on key industry legislative issues.

To participate in the PMAA PAC auction raffle, please click [here](#) for instructions between April 26-May 10. Entries are \$25 each or five for \$100. Payments must be made by personal funds via MasterCard, VISA, American Express, Cash or Check (checks should be made out to the PMAA Small Business Committee). A C2Auction Representative will be available onsite for assistance or you can contact [Sabrina Pitcher](#) at 703-351-8000.

Federated Insurance Risk Management Academy Webinar

Distracted Driving: Reinforcing the Importance of Driving S.A.F.E.: Tuesday, April 16, 2019, 1:00 p.m. CT

Distracted Driving awareness month occurs each April with companies, large and small, using this as an opportunity to reinforce best practices and driving habits behind the wheel in their businesses. Tragically, our nation's roadways are seeing significant year over year increases in deaths and injuries on our roadways in recent years. This webinar will discuss resources Federated has available to assist clients in distracted driving training and awareness, reinforce the importance of strong policies and procedures as they pertain to both employer and employee responsibility and introduce new in cab technology options to monitor and reinforce good employee behaviors behind the wheel.

What you will learn:

- Tips to combating the distracted driving epidemic
- Employer responsibility and employee responsibility
- Discussion about how to Drive S.A.F.E.R
- How to Reinforce the message

[Advance registration](#) is required for this 30-minute webinar.

For additional information or to discuss this in further detail, please contact your [Federated](#) regional representative or PMAA's National Account Executive [Jerry Leemkuil](#) at 800.533.0472. **Federated is a PMAA Corporate Platinum Partner.**

Please Take the Time Now to Register, Reserve Your Rooms and Make Your Final Plans Now for PMAA's Washington Conference and Day on the Hill

PMAA's annual Washington Conference and Day on the Hill will be held in our Nation's Capital of Washington, DC from May 8-10. Our industry continues to have dozens of important legislative and regulatory issues to discuss and the Day on the Hill continues to be the primary focus of this conference. Please make your final plans to attend this important and productive forum to meet with your members of Congress and network with other marketers from across the country!

The meeting will begin with an Opening Session / Issues Briefing and Region meetings during the afternoon of May 8. Our welcome reception, including our fun and popular PAC silent auction fundraiser in a new format, concludes the day! On the morning of May 9, marketers will head to Capitol Hill for visits with their Congressional delegations after a buffet breakfast and issues briefing for those who were not able to attend the opening session. ***Please make your Congressional appointments!*** There will be a hospitality suite and luncheon on the Hill. On the evening of May 9, we will honor our 2019 PMAA Chair Sharon Peterson. Our conference will conclude after the PMAA Board of Directors meet on May 10 following a buffet breakfast and committee meetings.

Please click [here](#) for our *event website* for all details and registration with secure event payment processing through Cvent. **We are expecting our largest attendance with over 250 hotel reservations and more than 190 members registered!** *We encourage you to complete your online registration for the meeting prior to making your travel arrangements and to make room reservations at your earliest convenience.* **Please do not delay as we anticipate a waitlist for registration.** May is a peak month here in Washington, DC where hotels book quickly and there are many citywide events also going on during our conference. It is your chance to make a positive difference for our industry! Please make your final plans now to attend this important and productive conference to meet with your members of Congress and network with other marketers from across the country!

We look forward to welcoming you to DC in May!

PMAA Corporate Platinum Partner Spotlight Featuring: Renewable Energy Group, Inc. *REG Supports Clean Cities Efforts*

Clean Cities Coalitions are organizations in cities and states across the country that work to connect green energy stakeholders ... which, come to think of it, is not that far removed from the work we do here at REG every day.

In fact, REG has partnered with numerous Clean Cities groups over the years, helping our blending partners make valuable connections and providing informational resources, such as — you guessed it — newsletters!

[Click here](#) to see how REG supports Clean Cities efforts around the country.

For additional information about Renewable Energy Group, Inc., please [visit](#) or contact [Troy Shoen](#). [Renewable Energy Group is a PMAA Corporate Platinum Partner](#).

Federated Insurance: Risk Management Corner ***Distracted Driving Awareness Month***

Unless you are a computer, you can't multitask. You might be able to quickly switch from task to task, but the idea that a person can effectively perform two or more actions simultaneously is just plain false. Whether it's at home, at work, or on the road, you're at your best when you concentrate on one activity.

April is Distracted Driving Awareness Month. While drivers should always keep their eyes — and minds — on the road, this month is a good time to remind yourself, and everyone in your life who drives a vehicle for personal or professional use, that when behind the wheel, the only things that matter are the road in front of you and the other vehicles around you.

To read more about this critical issue, please click [here](#). For additional information or to discuss further, please contact your [Federated](#) regional representative or PMAA's National Account Executive [Jerry Leemkuil](#) at 800.533.0472. [Federated is a PMAA Corporate Platinum Partner](#).