

Reguletter

The MCPR Office has Moved!!

As of January 4th the MCPR office is now located in Maple Grove. Our new address is: **15490 101st Ave N., Suite 100, Maple Grove, MN 55369.**

Our phone numbers have also changed! New phone numbers are:

- **MCPR Main # (763) 235-6466**
- Bill Bond - Executive Director # (763) 235-6472
- Jessica Brunelle - Regulatory Compliance Manager # (763) 235-6473
- Judy Hansen - Membership Records/Questions # (763) 235-6484
- Kathi Schlieff - Exhibitor Questions # (763) 235-6483

Email addresses remain the same

IRS Issues 2014 Standard Mileage Rates

IRS has set the 2014 optional standard mileage rates used to calculate the deductible costs of operating an automobile for business, charitable, medical or moving purposes. Beginning on January 1, 2014, the standard mileage rates for the use of a car (also vans, pickups or panel trucks) will be: 56 cents per mile for business miles driven; 23.5 cents per mile driven for medical or moving purposes; and 14 cents per mile driven in service of charitable organizations. The business, medical, and moving expense rates decrease one-half cent from the 2013 rates. The charitable rate is based on statute and did not change. (Asmark Institute)

Worker Protection Standard Pending Revision

On EPA's agenda is a comprehensive revision of the 1992-94 Worker Protection Standard. Watch for more information on this important subject in future issues. CropLife America is preparing for the revision on a variety of technical and education/outreach fronts. (Asmark Institute)



FMCSA Announces One-Year Extension of Paper Medical Certificate Requirement for Commercial Bus and Truck Drivers

The Federal Motor Carrier Administration (FMCSA) recently announced that it is extending by one year, until Jan. 30, 2015, a requirement that interstate commercial driver's license (CDL) holders retain paper copies of their medical examiner's certificate and continue to make the document available for review upon request at the roadside by federal and state commercial motor vehicle inspectors.

In Dec. 2008, FMCSA issued a Final Rule modernizing, streamlining, and simplifying record keeping obligations for drivers, carriers and state governments by requiring that a driver's medical certification record be merged with state-issued CDLs. States received support from FMCSA to implement the necessary IT system upgrades and merge the records into one, online database – the Commercial Driver's License Information System (CDLIS). FMCSA announced the one-year extension recently to protect commercial drivers from being cited for violations because some states are not yet in full compliance with the new system. For a copy of the Federal Register announcement, see: http://www.fmcsa.dot.gov/rules-regulations/administration/rulemakings/rule-programs/rule_making_details.aspx?ruleid=468. (Federal Motor Carrier Safety Administration)

Driver Shortages for 2014

The national transportation situation is going to get tougher in 2014. The quick and dirty on this is that we aren't producing enough workers in the transportation industry fast enough to replace the number of workers we are losing through retirements and jumping industries. To make matters worse, more and more drivers are finding their DOT driving status is being threatened by federal rules each time the government ratchets-up the requirements.

Truck driver shortages are expected to push much higher than the current 100,000 today assuming that construction activity and the general economy continue to improve in 2014 as expected. There aren't enough new entrants coming into the sector and trucking firms are not adding capacity fast enough to keep up with what should be rapid tonnage and shipment growth in 2014. (Asmark Institute)

Anhydrous Ammonia Storage and Handling Standard

On December 26th, OSHA issued a Federal Register Notice requesting comment on the compliance burdens associated with its Anhydrous Ammonia Storage and Handling Standard, 29 C.F.R. 1910.111. This notice is required periodically by the Office of Management and Budget (OMB) under the Paperwork Reduction Act. In the notice, OSHA estimates 203,000 entities are subject to 1910.111 and that 345 annual burden hours are associated with the information collection requirements contained in the standard. These estimates cover the universe of those handling anhydrous ammonia, not just fertilizer facilities (i.e. ammonia refrigeration facilities). The burdens identified by OSHA are: (1) nameplates and markings for certain anhydrous ammonia containers (1910.111(b)(3)); and (3) nameplates for refrigerated containers (1910.111(b)(4)).

OSHA solicits comments on whether the proposed information collection requirements are necessary for the proper performance of OSHA's functions, including whether the information is useful; the accuracy of OSHA's estimate of the burden (time and cost) of the information collection requirements, including the validity of the methodology and assumptions used; the quality, utility, and clarity of the information collected; and, ways to minimize the burdens on employers who must comply with the standard. Comments are due February 24, 2014. (Asmark Institute)

OSHA Seeks Public Comment on Standards to Improve Chemical Safety

OSHA recently announced a request for information seeking public comment on potential revisions to its Process Safety Management (PSM) standard and related standards, as well as other policy options to prevent major chemical incidents. The request is in response to President Obama's Executive Order 13650, which seeks to improve chemical facility safety and security, issued in the wake of the April 2013 West, Texas tragedy that killed 15 in an ammonium nitrate explosion.

In addition to comments on its Process Safety Management standard, OSHA seeks input on potential updates to its Explosives and Blasting Agents, Flammable Liquids and Spray Finishing standards, as well as potential changes to PSM enforcement policies. The agency also asks for information and data on specific rulemaking and policy options, and the workplace hazards they address. OSHA will use the information received in response to the request to determine what actions, if any, it may take.

The request appeared in the December 9th Federal Register and the public will have 90 days to submit written comments. Once the RFI is published in the Federal Register, interested parties may submit comments at www.regulations.gov, the Federal eRulemaking Portal. (Asmark Institute)

Regulatory Fights Loom Large in 2014

Here's a glance at ten of the biggest regulatory fights expected in 2014. Battles lines are being drawn for a series of upcoming clashes over new regulations on the horizon in 2014. The year promises to be chock full of contentious fights over scores of new rules stemming from ObamaCare, Dodd-Frank and a host of other laws. Here is what is on tap:

- Emissions standards for existing power plants
- Regulation coming to e-cigarettes, cigars
- ObamaCare's birth control mandate heads to court
- Turbulence for plan to allow phones on planes
- EPA to assert power over streams and ponds
- Smog rule on the way
- SEC to force executives to disclose pay
- Calorie counts coming to restaurant menus
- Delays to rearview camera rule under attack
- OSHA to rekindle combustible dust debate

Enter: <http://thehill.com/blogs/regwatch/pending-regs/193920-regulatory-fights-loom-large-in-2014> into your web browser to review the details associated to each of these issues. (Asmark Institute)

Are Your Mechanics and Inspectors DOT Qualified?

Can you provide documented proof that the people who perform maintenance and inspection tasks on your commercial motor vehicles are qualified? If not, you may be in violation of the Federal Motor Carrier Safety Regulations and may be opening yourself up to liability, even if you rely on another company to do all your maintenance and inspections. In terms of liability, allowing unqualified or unknown persons to inspect or work on critical safety components could be a costly mistake. If a contracted maintenance facility uses an unqualified technician to fix the brakes on one of your tractors, for example, and that tractor is involved in a serious accident later in the day, you could face an expensive lawsuit for using an unqualified brake mechanic to repair your vehicles.

Whether you perform inspections and maintenance in-house or have another party perform those tasks for you, you (as the motor carrier) are ultimately responsible for proving that they're qualified.

In terms of the regulations, the Federal Motor Carrier Safety Regulations require qualifications for anyone performing:

- Annual (periodic) vehicle inspections — see 49 CFR 396.19; or
- Brake inspections, maintenance, service, or repairs — see 49 CFR 396.25.

In either case, formal training is not necessarily required. Knowing the regulations and having at least one year of experience performing these tasks can be enough to satisfy the qualification requirements.

No matter who performs these tasks for you, make sure you either have documentation on file showing that those individuals are qualified or have a contract specifying that only qualified personnel will be allowed to inspect or repair your equipment. If you do not have proof of qualifications in hand, then, at a minimum, make sure your maintenance personnel can provide that proof on demand. In the event of an audit, you could be asked to provide such proof within 48 hours.

So before you cross paths with a plaintiff's attorney or a government auditor, ask yourself if you're using qualified inspection and maintenance personnel, and make sure you can prove it! (Asmark Institute)