

Current Issues for CMCA

December, 2008

Issue	Impact on CMCA	CMCA Actions	Status
Aurora Truck Permits	Very costly to industry, affects regional freight movement, sets terrible precedent	Working with Waste Mgmt. and our legal counsel in trying to derail proposal.	Working group has been set up. CMCA is working with our legal counsel and ATA on legal arguments that prohibit Aurora from issuing such permits.
Truck Parking	Colorado is short several hundred parking spaces for overnight parking for trucks along key corridors such as I-25 and I-70	Working with CDOT on short/long term needs. CDOT will create short term parking in Dotsero along I-70. CMCA is seeking to ensure that this proposal does not adversely affect our truckstop operators.	Dotsero is ready for this winter. We would like to see a public-private partnership for this site between CDOT and a private truckstop operator. We are working on a press event with CDOT relating to emergency packages for truckdrivers when closures occur.
Revocable Permits	Revocable permits allow for trucks with regular deliveries within 5 miles of the Port to avoid clearing the Port. Important from a cost and time perspective for fleets	CMCA provided comments and testified on this matter. CMCA suggested broadening of rules.	Final rules from the Department of Revenue were published on October 30,2008. The rules are a great improvement and in line with many of CMCA's comments.
Quad Axle Rulemaking/Permit	Will provide greater productivity for trucking operations.	CMCA worked with others on passage of bill.	Permits are being issued as of Oct.1. Rulemaking will follow.
Weather Restrictions On LCVs and OSOW	Tighter enforcement and interpretation of weather rules caused substantial problems for LCV and OSOW operators last winter	CMCA has been working with CSP,CDOT, and POE to modify rules so as to lessen problems.	Awaiting action on the part of CSP as to recommendations as to implementation of new procedures.
I-70 Issues	Road closures and safety issues in the winter continue to be a concern for the industry	CMCA worked with CDOT on a major increase in chain up areas along with lighting and signage. Worked with CDOT on approval of newer, safer device in lieu of chains.	CDOT spent an additional \$3 million on chain area improvements (\$5.5 m to date). Autosock approved, Quick clearance program for heavy duty trucks in place – Truck Closures Down
Commerce City Concerns	Several matters relating to tax interpretation by the city which could be costly to CMCA members	CMCA has assisted several members on info. and suggestions on legal/ accounting support	CMCA is working with our members and monitoring the situation

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Oilfield Exemption	Problems have arisen as to interpretations by the states and federal govt. relating to hours of service exemptions for oil transporters	CMCA has met with FMCSA, CDOR and UDOT to try to resolve problems.	Problems have diminished but a clear interpretation of the rules is needed. CMCA helped host a regional meeting on the issue and we are working with states and FMCSA on a guidance letter regarding the oilfield exemption.
Size and Weight (LCVs and OSOW)	Modifications to LCV rules could help improve productivity. Changes to size and weight rules could also be helpful.	CMCA has a meeting this month with CDOT and Dept of Ag on discussion as to LCV rule changes. CMCA exploring grandfather rights for 85,000 pounds on Interstate in Colo.	Developing position as to recommended changes on LCV rules. Conducting research on grandfather rights for 85,000 lbs.
Transportation Funding	Both the federal government and Colorado are woefully short on transportation funding	CMCA has participated on the Governor's Blue Ribbon Panel and is working with the Governor's Office and legislators on funding proposals.	CMCA anticipates several legislative proposals for transportation funding. We anticipate that we will see a bill to allow tolls on existing highways as well as privatization. CMCA will oppose those measures. CMCA has indicated that it will support reasonable fee increases if we see commensurate benefits and support for efforts to help industry.
Intrastate Fees for Transporters	PUC administratively raised the fee for intrastate transporters from \$5 to \$50 per vehicle.	CMCA has objected to the increase that was done without public hearing and is seeking a rollback.	CMCA has met with the PUC and spoken to the Governor's Office. We are meeting with Governor's Office to discuss what can be done.

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Automatic Temperature Compensation (ATC)	OOIDA and others have pushed for mandatory equipment for fueling stations to address temperature variations.	CMCA has opposed mandatory or voluntary ATC measures. We are working with CWPMA and NATSO on this matter.	The National Conference on Weights and Measures (NCWM) has held a meetings over the last year to consider whether the group should develop a standard for ATC. In January, NCWM opted to delay any action on ATC until July of 2009, pending the outcome of two studies.
Banning Unfair Indemnification Provisions	Over the last several years we have witnessed the advent of contracts by some shippers and facility operators which include a broad based indemnification provision. This provision forces motor carriers to accept full responsibility for any accidents or incidents that may be partially caused by the shipper or facility operator or may solely be the fault of the shipper or facility operator.	CMCA brought legislation last year to ban these provisions in contracts. Different versions of the legislation passed in both house but the bill ultimately failed.	CMCA is working to bring back this measure in 2009.
Town of Vail Delivery and Pickup	The Town of Vail has indicated that they wish to restrict trucks from the core area of the Town of Vail. They have constructed underground delivery docks where they are seeking to require transporters to use for pickup and delivery. Companies will need to “wheel” their loads with dollies to stores and businesses in the restricted area.	CMCA has expressed its concerns over the proposal and its implications for truck operators and the businesses we serve. CMCA attended a recent meeting of transporters and businesses where we identified a number of issues and problems with the plan.	The Town Council of Vail recently approved implementation of a delivery plan that greatly restricts truck traffic in parts of the town. The plan will go into effect in Jan. 2009. CMCA is advising our companies to notify businesses in the area as to higher delivery costs and potential difficulties in meeting delivery schedules.