

Transportation Update

DECEMBER, 2011

— Compiled by Illinois Farm Bureau®



Hand-held Cell Phone Ban for CMV Operators

Effective January 3, 2012

In late November, U.S. Transportation Secretary Ray LaHood announced a final rule prohibiting interstate truck and bus drivers from using hand-held cell phones while operating their vehicles. According to IDOT officials, since Illinois adopts the federal regulations by reference, the ban will be applied to intrastate carriers, as well.

The rule was issued jointly from the Federal Motor Carrier Safety Administration (FMCSA) and the Pipeline and Hazardous Materials Safety Administration (PHMSA.) It is among

the actions taken by the U.S. Department of Transportation to end distracted driving.

“When drivers of large trucks, buses and hazardous materials take their eyes off the road for even a few seconds, the outcome can be deadly,” said Transportation Secretary Ray LaHood. “I hope that this rule will save lives by helping commercial drivers stay laser-focused on safety at all times while behind the wheel.”

The final rule prohibits drivers of commercial motor vehicles (CMVs) from using a hand-held

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USDOT# Revisions

Individual carriers must update information from time-to-time

When a carrier registers for a USDOT number, that marks the first of a series of communications the carrier will have with that federal agency. The longest it can be between communiques is two years, but carriers will likely have need to provide updates more often than that.

There is a requirement that the information provided on form MCS-150 be revised at least once every two years. The specifics of that

filing schedule is based on the last digit of the USDOT Number assigned to the carrier. If the next-to-last digit of its USDOT Number is odd, the motor carrier shall file its update in every odd-numbered calendar year. If the next-to-last digit of the USDOT Number is even, the motor carrier shall file its update in every even-numbered calendar year.

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TRUCKING

Truck crash fatalities lowest ever

Illinois' performance is best among large states—second only to Nevada nationwide

Major gains in truck highway safety were confirmed recently when the Federal Motor Carrier Safety Administration (FMCSA) posted the final results of 2009 crash data showing that fatalities in truck-involved crashes fell to the lowest level in history.

The data confirm preliminary numbers released in April that truck involved crashes fell more than 14% to 1.17 per 100 million miles in 2009, from 1.37 in 2008, which had been the lowest ever.

FMCSA's final analysis also showed that from 2007 to 2009, the number of fatal large truck-involved crashes fell 31 % to 3,215 from 4,633.

Illinois was among the stellar performers in making safety gains. The data figures range from 1999 through the end of 2009—the same beginning date as when Secretary of State Jesse White took office.

"These safety gains are the result of

many things: sensible regulation; improvements in technology; slower, more fuel-efficient driving; the dedication of professional drivers and safety directors; as well as more effective enforcement techniques that look at all the factors involved in crashed, not just a select few," said American Trucking Associations President Bill Graves.

In Illinois, it also meant beefed up oversight over CLD training, the oversight of commercial schools, and the Secretary of State's complete retesting of all CDL holders

From 2007 to 2009, injury crashes decreased by 30% nationwide, dropping from 76,000 to 53,000. Crashes resulting in property damage decreased by 28%, from 333,000 to 239,000.

The report comes at a time when trucking industry advocates are chiding agency officials for proposing a

new hours-of-service rule, although motor carriers have made significant safety improvements under the existing rule.

Comparing the big 5 states, Illinois fared very well. Illinois went from 178 fatal crashes in 1999 down to 85 fatal crashes in 2009 for a decrease of 52.3 %, Florida decreased from 294 to 170 for a 42.2% decrease, New York went from 153 to 101 for a 34% decrease, Texas went from 367 to 270 for a 26.5 % decrease and California went from 304 to 239 for a 29.4% decrease.

Among the other highlights of the study:

Of the 33,808 people killed in motor vehicle crashes in 2009, 10% of 3,380 died in crashes involving a large truck. Also 74,000 people were injured in crashes involving large trucks; 15% of

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The chart at right lists the fatal accidents involving large trucks for Midwestern states and the five largest states. It offers a comparison with Illinois' record over this 11-year period. Illinois topped all these states in percentage reduction of fatal accidents over this period of time and was topped itself only by a fraction of a percent by Nevada.

◆◆◆

State	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
California	304	331	334	313	311	359	357	358	326	283	239
Florida	294	279	303	320	314	322	341	309	259	237	170
Illinois	178	152	172	142	162	139	171	136	137	126	85
Indiana	167	138	120	110	142	139	125	120	125	114	82
Iowa	92	78	70	61	56	58	61	66	62	63	57
Kansas	78	70	73	70	62	76	67	61	69	53	50
Kentucky	86	85	91	104	108	110	108	93	95	93	101
Michigan	126	137	115	120	104	110	100	106	109	82	62
Minnesota	83	73	59	75	61	65	59	59	67	62	48
Missouri	144	145	118	137	140	132	142	120	120	107	79
Nebraska	52	48	55	47	46	39	39	27	37	38	40
New York	153	147	128	123	139	121	127	155	137	109	101
Ohio	183	166	156	182	134	160	158	141	116	129	101
Texas	367	412	422	391	419	396	429	409	430	392	270
Wisconsin	72	91	91	85	86	90	76	70	74	59	48
U.S. Total	4,560	4,573	4,451	4,224	4,335	4,478	4,551	4,350	4,204	3,754	2,987

Seminars highlight trucking regs

Interpretative reversals, court decision and new rules for 2012 are among the topics

New this winter for the On the Road series of seminars are discussions on five new topics that have developed over 2011.

- Supreme Court on 80,000# legislation;
- Reversal in federal interpretations;
- Delays in the heavy vehicle use tax;
- Medical card linked to the CDL; and
- Hand-held cell phone ban

Add to that the always complicated

associations among various regulations and the importance of getting weights and markings right.

To help farmers keep up with it all, a number of county Farm Bureaus® have scheduled *On the Road* seminars for this year and next.

These two-hour programs will help attendees better understand the laws that apply, and could help them avoid fines that can be costly.

If farmers would like to attend a seminar in their area, they should call ahead to the hosting county to register and save a seat. If there's not a seminar in your area, talk with your county Farm Bureau manager about scheduling one closer to home.



Farmers with CMVs: keep ahead of paperwork over winter

Farmers should be using the winter downtime to be sure they have their equipment, licenses and permits all in order ahead of spring planting.

On the list of things to consider are:

- USDOT registry (update at least every 2 years) Name & number on trucks.
- UCR registry & fee—due Dec. 30
- Heavy vehicle use tax—past due, file using IRS Form 2290
- Vehicle registration—due by either Mar. 31 (IRP) or Jun. 30
- Medical card registry with CDL—due between Jan. 30 2012 & Jan. 30, 2014
- Hand-held cell phone ban, policy for employees—due Jan. 3, 2012



ON THE ROAD SEMINARS 2011-12

Counties	Date	Time	Location
Moultrie	12/21	3:00 p	Sullivan, Moultrie CFB Bldg.
DeKalb (Northern IL Farm Show)	01/11	9:30 a	DeKalb, NIU Convocation Center
Winnebago	01/23	10:00 a	Rockford, Winnebago CFB Bldg
Menard	01/24	9:30 a	Petersburg, Menard CFB Bldg
Mason	01/24	2:00 p	Havana, Mason CFB Bldg
Peoria	01/25	9:00 a	Peoria, Peoria CFB Bldg.
Effingham	01/25	7:00 p	Effingham, Effingham CFB Bldg
Jackson	01/30	6:00 p	Murphysboro, Jackson Co. Extension Office
Union	01/31	7:30 a	Jonesboro, Union CFB Bldg.
Johnson, Pope-Hardin, Pul-Alex & Massac	01/31	6:00 p	Vienna, The Gambit Golf Course
Perry & Washington	02/01	12:00 p	Pinckneyville, Grecian Steakhouse
Williamson	02/01	6:00 p	Marion, FS Building
Saline	02/02	6:00 p	Harrisburg, Saline CFB Bldg.
Lawrence	02/03	1:00 p	Lawrenceville, Lawrence CFB Bldg.
Macon	02/07	1:00 p	Decatur, Macon CFB Bldg.
Knox	02/21	6:00 p	Galesburg, Knox County Agri Cntr
Pike, Adams, Scott, Brown, Cass-Morgan	02/24	1:00 p	Perry, JWCC Orr Farm Center
Effingham	02/27	7:30 p	Effingham, Effingham CFB Bldg.

FUEL

Gasoline price likely to weaken relative to diesel in 2012

Source: EIA

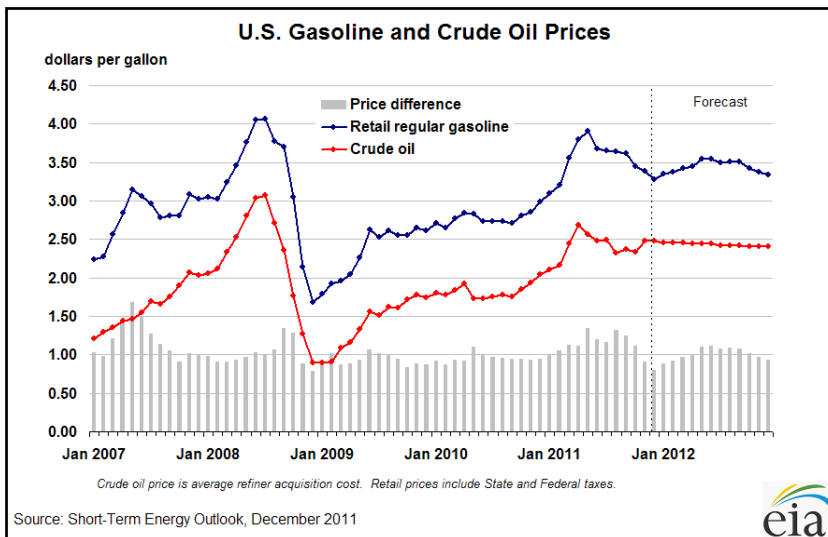
The US Energy Information Administration (EIA) forecasts that the annual average regular-grade gasoline retail price, which was \$2.78 per gallon in 2010, will be \$3.53 per gallon in 2011 and \$3.45 per gallon in 2012 (U.S. Gasoline and Crude Oil Prices Chart).

The higher retail price in 2011 reflects not only the higher cost of crude oil but also changes in the average U.S. refinery gasoline margin (the difference between refinery wholesale gasoline prices and the average cost of crude oil), which increases from \$0.34 per gallon in 2010 to \$0.47 per gallon in 2011, then declines to \$0.35 per gallon in 2012.

EIA expects that on-highway diesel fuel retail prices, which averaged \$2.99 per

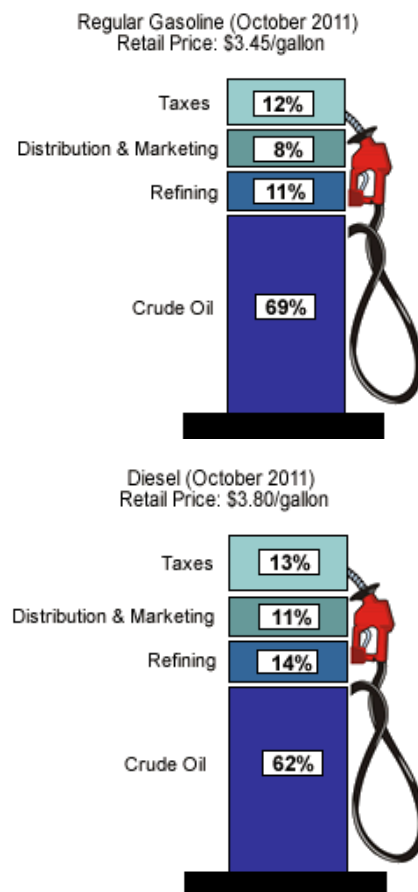
gallon in 2010, will average \$3.85 per gallon in both 2011 and 2012 (U.S. Diesel Fuel and Crude Oil Prices Chart).

all years except 2009 as world demand growth for diesel fuel, primarily in the emerging economies, outpaced gasoline demand growth. In 2010 gasoline prices fell below wholesale diesel prices again as world demand growth for diesel fuel picked up. EIA expects the gasoline wholesale price to weaken further relative to diesel prices, averaging 17 cents per gallon below diesel in 2011 and 22 cents per gallon below diesel in 2012.



sel Fuel and Crude Oil Prices Chart). Between 1990 and 2004 annual average wholesale gasoline prices ranged from 5 cents per gallon to 11 cents per gallon above wholesale diesel prices. Beginning in 2005, wholesale gasoline prices fell below wholesale diesel fuel prices in

U.S. On-Highway Diesel Fuel Prices* (dollars per gallon) full history (*includes all taxes)						
December 12, 2011	Change from					
	11/28/11	12/05/11	12/12/11	week ago	year ago	
U.S.	3.307	3.290	3.286	↓ -0.004	↑ 0.306	
East Coast (PADD1)	3.328	3.301	3.303	↑ 0.002	↑ 0.294	
New England (PADD1A)	3.430	3.401	3.376	↓ -0.025	↑ 0.289	
Central Atlantic (PADD1B)	3.373	3.338	3.334	↓ -0.004	↑ 0.258	
Lower Atlantic (PADD1C)	3.264	3.244	3.259	↑ 0.015	↑ 0.324	
Midwest (PADD2)	3.189	3.213	3.227	↑ 0.014	↑ 0.295	
Gulf Coast (PADD3)	3.112	3.090	3.087	↓ -0.003	↑ 0.261	
Rocky Mountain (PADD4)	3.346	3.297	3.238	↓ -0.059	↑ 0.441	
West Coast (PADD5)	3.648	3.591	3.548	↓ -0.043	↑ 0.361	
West Coast less California	3.529	3.481	3.439	↓ -0.042	↑ 0.361	



The Indiana Rail Road Co. has reached its two millionth carload since it was formed in 1986. It took 18 years to reach the first million, but only six years to transport the second million. Part of its 500 miles of track run into Crawford & Jasper Counties in Illinois.

Tiger III grants in Illinois

Source: Progressive Railroading

Two TIGER III grants totaling \$33.85 million were announced on December 12 that will help fund two passenger-rail projects in Illinois.

The [Chicago Transit Authority](#) (CTA) will receive a \$20 million grant for its Blue Line/Chicago Bike Share program. The authority will use the proceeds to repair 3.6 miles of track on the Blue Line to complete all track improvements between Chicago's Downtown Loop and O'Hare International Airport. The grant will also help fund a planned bike-sharing program designed to provide riders access to bike-share facilities at and around CTA rail and bus stations.

The Madison County Transit Board of Trustees and city of Alton will receive a \$13.85 million TIGER III grant to help fund a multi-modal transportation center that will be built in conjunction with a new Amtrak high-speed intercity passenger-rail station in Alton. The grant also will help fund work to provide roadway and pedestrian access to the new Amtrak station.



UP seeks STB ruling on its requirement of indemnity from shippers of TIH materials

The Surface Transportation Board (STB) is looking into the reasonableness of tariff provisions that require shippers to indemnify Union Pacific Railroad (UP) against future liabilities when the railroad transports toxic by inhalation hazardous (TIH) commodities, such as anhydrous ammonia. That applies to liabilities other than those resulting from UP's negligence or fault,

UP filed a petition on April 27, 2011, asking the board for a declaration that the indemnification provisions are reasonable. That would include liabilities resulting from shipper negligence or fault, the negligence or fault of third parties, or acts of God.

The request stemmed from a dispute with Olin Corporation and SunBelt Chlor Alkali Partnership. Norfolk Southern filed a notice of intent to partici-

pate, and Canadian Pacific filed a statement in support of UP.

Responses opposing the petition were filed not only by Olin and SunBelt, but also by Dyno Nobel, Inc. (DNI), and (jointly) The Fertilizer Institute (TFI), The Chlorine Institute (CI), and American Chemistry Council (ACC).

The STB will institute a proceeding, with the burden of proof on UP because it is the party seeking the declaratory order. Details regarding requirements for public participation are included in the board's decision in [Union Pacific Railroad Company-Petition for Declaratory Order, STB Docket No. FD 35504](#).



Frac sand plant at Rochelle

Class I rail service influenced decision to locate

Source: Progressive Railroading

Officials from Coated Sand Solutions and the city of Rochelle announced the company will build a rail-served resin coating facility in the northwest Illinois city.

To be built in phases beginning in September 2012, the \$40 million facility will be located south of Interstate 88 on Steward Road. The plant will produce resin-coated frac sand used during shale oil drilling.

Coated Sands Solutions plant manager, Joe Ebens, noted the access to both

BNSF and UP rail service as a key consideration.

The city owns City Industrial Rail, a short line that interchanges with BNSF and UP. The facility is expected to triple the short line's rail-car switching volume.

The Rochelle facility will be Coated Sand Solutions' first plant and will use a -quartz mined from existing U. S. Silica Co. deposits in nearby areas, according to the company.



Mid-continent transportation bottleneck offsets petroleum availability—pricing

EIA has revised the projected oil price paths upward from last month's *Outlook*, particularly for WTI. EIA expects that the average refiner acquisition cost for crude oil (RAC) will average \$102 per barrel in 2012, slightly higher than the projection of \$100 per barrel in last month's *Outlook*. EIA expects that the WTI price will average \$98 per barrel in 2012.

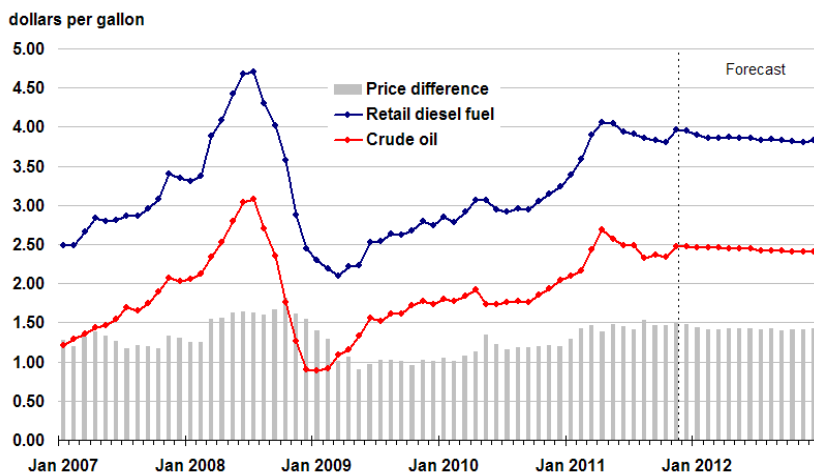
For most of the last 30 years, WTI traded at a premium over the average RAC price. However, the recent growth in crude oil supply, particularly from Canada and North Dakota, to the midcontinent region where WTI is traded, has not yet been matched by increases in transportation capacity out of the mid-continent. This transportation bottleneck contributed to the large price discount this year for WTI relative to other U.S. and world crude oils, which reached a record price discount in the

third quarter of 2011. The recent announcement of the planned reversal of the Seaway pipeline, which will begin shipping crude oil from Cushing, Oklahoma to the Gulf Coast in 2012 supports a reduced WTI price discount relative to the RAC. WTI crude oil spot prices increased from an average \$86 per barrel in October 2011 to \$97 per barrel in November 2011, an \$11 per barrel increase, while the estimated average RAC increased from \$98 per barrel to \$104 per barrel, an increase of \$6 per barrel. EIA expects that the WTI discount will continue to narrow to \$3 per barrel below RAC by the fourth quarter of 2012.

EIA notes that energy price forecasts are highly uncertain ([Market Prices and Uncertainty Report](#)).



U.S. Diesel Fuel and Crude Oil Prices



Crude oil price is average refiner acquisition cost. Retail prices include State and Federal taxes.

Source: Short-Term Energy Outlook, December 2011



Renewals

(Continued from page 1)

The month in which that filing is due is based on the last digit in the carrier's assigned number. The chart below provides the key.

Last Digit	Must file by last day of
1	January
2	February
3	March
4	April
5	May
6	June
7	July
8	August
9	September
0	October

Files are due by the last day of the month in question.

The required form must be filed with FMCSA Office of Information Management. The form may be filed electronically according to the

instructions at the agency's website, or it may be sent to Federal Motor Carrier Safety Administration, Office of Information Management, MC-RIO, 1200 New Jersey Avenue, SE., Washington, DC 20590.

Availability of forms. The forms and complete instructions are available from the FMCSA Web site at <http://www.fmcsa.dot.gov>; from all FMCSA Service Centers and Division offices nationwide; or by calling 1-800-832-5660.

You will need a PIN to access your MCS-150 information. You should have been issued one at the time you first registered. If you don't have that, you may request a PIN by [clicking here](#). Allow 4 to 7 business days to receive your PIN by mail.

In addition to the biannual update, carriers should update their information if they have a change in address or contact information; a change in carrier operating status, a change in fleet make-up. Instructions for filing are on the FMCSA website. [Click here](#).

National freight mobility infrastructure act

Congress will be forced to consider freight mobility, complete with funding mechanism

Source: Progressive Railroading

On Dec. 8, U.S. Rep. Adam Smith (D-Wash.) reintroduced the National Freight Mobility Infrastructure Act (H.R. 3607.) The intent of the bill is to provide federal support for the nation's freight mobility network and critical freight infrastructure improvements.

Smith's bill would create a Freight Mobility Infrastructure Improvement Program within the U.S. Department of Transportation (USDOT) to provide long-term financing for key infrastructure improvements. States, ports and regional transportation authorities would be able to work with non-governmental stakeholders and freight transportation industry entities to identify high-priority projects and apply for federal funds. The USDOT then would award competitive grants based on a project's freight mobility impacts, cost effectiveness and regional/national economic impact.

Smith said, "over the next 20 years, it is estimated that the volume of domestic freight will double while international freight will triple. This bill ensures our freight and transportation infrastructure remains competitive and strengthens economic growth."

The American Trucking Association projects revenue for transportation industry to increase 66% by 2022 as trucking continues to dominate the industry with a 70% share.

Funding for the new program would come from a freight-specific user fee and deposited into a newly-created National Freight Mobility Infrastructure Fund. The fee would equal one percent of the fair market value of multi-modal ground transportation costs. There would be a few exceptions for federal, state and local government transportation, and transport within a local geographic area.

Among the types of projects eligible to receive the funds: grade separations, rail and highway tunnel expansions,

new intermodal facilities, and new highway lanes that separate freight and passenger traffic.

Earlier this year, another bill that targets federal freight transportation funding and infrastructure improvements — the Focusing Resources, Economic Investment and Guidance to Help Transportation Act of 2011, or FREIGHT Act (H.R. 1338/S. 371) — was reintroduced in Congress.



Over \$215 million for repairs

37 states & territories receive funding for relief efforts

The U.S. Department of Transportation will provide more than \$215 million to states across the nation to cover the costs of repairing roads and bridges damaged by a variety of natural disasters. U.S. Transportation Secretary Ray LaHood made that announcement in late November.

The Federal Highway Administration (FHWA) will provide a total of \$215,198,775 from its emergency relief program to 34 states, Puerto Rico, the Virgin Islands, American Samoa, and federal lands agencies to reimburse them for repairs to roads and bridges caused by storms, flooding, hurricanes and other natural and catastrophic disasters.

The money will reimburse states for fixing or replacing highways, bridges and other roadway structures. Costs associated with detours, debris removal and other immediate measures nec-

essary to restore traffic flow in impacted areas are also eligible. The FHWA's emergency relief program reimburses states for the repair or reconstruction of federal-aid highways that were damaged in disasters and catastrophic failures.

Illinois will receive \$881,388 for two incidents in 2011: \$338,207 for April 19 heavy rains and flooding; and, \$543,181 for July 27 high winds and rainfall.

California will receive the largest single state grant—\$43,430,449 for damage from storms dating back to 1993. North Dakota is the recipient of the next largest amount, \$31,530,138, for flooding damage in the spring of 2011.



Ban

(Continued from page 1)

mobile telephone while operating a commercial truck or bus.

The rule's specific prohibitions are from:

- Using at least one hand to hold a mobile phone to conduct a voice communication;
- Dialing or answering a mobile phone by pressing more than a single button, and
- Reaching for a mobile phone in a manner that requires the driver to maneuver so that he or she is no longer in a seated, belted, driving position.

Drivers will not be able to use hand-held phones while temporarily stopped due to traffic, a traffic control device, or other momentary delays, but they will be able to use them after moving the vehicle to the side of, or off, the highway and stopping in a safe location.

Drivers who violate the restriction will face federal civil penalties of up to

\$2,750 for each offense and disqualification from operating a commercial motor vehicle for multiple offenses.

Additionally, states will suspend a driver's commercial driver's license (CDL) after two or more serious traffic violations. Commercial truck and bus companies that allow their drivers to use hand-held cell phones while driving will face a maximum penalty of \$11,000.

While driver distraction studies have produced mixed results, FMCSA research shows that using a hand-held cell phone while driving requires a commercial driver to take several risky steps beyond what is required for using a hands-free mobile phone. Commercial drivers reaching for an object, such as a cell phone, are three times more likely to be involved in a crash or other safety-critical event. Dialing a hand-held cell phone makes it six times more likely that commercial drivers will be involved in a crash or other safety-critical event.

FMCSA had issued a regulation in September 2010 banning text messaging

while operating a commercial truck or bus and PHMSA followed with a companion regulation in February 2011.

Nearly 5474 people died and half a million were injured in crashes involving a distracted driver in 2009. Distraction-related fatalities represented 16 percent of overall traffic fatalities in 2009, according to National Highway Traffic Safety Administration (NHTSA) research.

Many of the largest truck and bus companies, such as UPS, Covenant Transport, Wal-Mart, Peter Pan and Greyhound already have company policies in place banning their drivers from using hand-held phones.

The final hand-held cell phone ban rule can be accessed [here](#).

To learn more about the U.S. Department of Transportation's efforts to stop distracted driving, please visit <http://www.distraction.gov>.



COWS ON THE MOVE

Source: WCI Capitol Currents

In port commerce, Galveston claims to have set a U.S. record in exporting 5,585 head of cattle, all trucked from Kansas, aboard the world's largest livestock carrier, M/V Ocean Drover, bound for a Russian port on the Black Sea. The ship has accommodations for 75,000 sheep or 18,000 cattle on a single voyage."

First Midwest Ag Capital Partners and Scarff Brothers, Inc., which organized the venture, plan to send thousands of additional cattle through the Port of Galveston for export. The previous record for exported livestock involved 5,400 head shipped through Wilmington, Del.

Fatalities

(Continued from page 2)

those killed and 22% of those injured were occupants of large trucks.

From 2007 to 2009, the number of large trucks involved in injury crashes per 100 million vehicle miles traveled by large trucks declined by 26%.

Large truck tractors pulling semi-trailers accounted for 61% of the large trucks involved in fatal crashes and 47% of the large trucks involved in nonfatal crashes.

Truck tractors pulling a semi-trailer and a full trailer accounted for only 3% of large trucks involved in fatal and nonfa-

tal crashes. Triples accounted for 0.1% of all large trucks involved in fatal crashes.

In fatal crashes involving large trucks, driver related factors were recorded for 31% of the large truck drivers. By comparison, driver related factors were recorded for 62% of passenger vehicle drivers involved in fatal crashes.

Police reported that 82% of the drivers of large trucks involved in fatal crashes were wearing their safety belts, compared with 63% of passenger vehicle drivers.

