

FMCSA Seeks Public Comment on Revising Current Hours-of-Service Regulations for Interstate Truck Drivers

The U.S. Department of Transportation's Federal Motor Carrier Safety Administration (FMCSA) today announced that it is seeking public comment on revising four specific areas of current hours-of-service (HOS) regulations, which limit the operating hours of commercial truck drivers.

The upcoming Advanced Notice of Proposed Rulemaking (ANPRM)

(<http://bit.ly/2x5rn24>), which will be published in the Federal Register, responds to widespread Congressional, industry, and citizen concerns and seeks feedback from the public to determine if HOS revisions may alleviate unnecessary burdens placed on drivers while maintaining safety on our nation's highways and roads. The comment period will be open for 30 days.

The four specific areas under consideration for revision are:

- Expanding the current 100 air-mile "short-haul" exemption from 12 hours on-duty to 14 hours on-duty, in order to be consistent with the rules for long-haul truck drivers;
- Extending the current 14-hour on-duty limitation by up to two hours when a truck driver encounters adverse driving conditions;
- Revising the current mandatory 30-minute break for truck drivers after 8

hours of continuous driving; and

- Reinstating the option for splitting up the required 10-hour off-duty rest break for drivers operating trucks that are

equipped with a sleeper-berth compartment.

In addition, the ANPRM seeks public comment and relevant data on two recently submitted petitions requesting regulatory relief from HOS rules (1) pertaining to the 14-hour on-duty limitation (filed by the Owner-Operators Independent Drivers Association) and (2) pertaining to

the 10-hour off-duty requirement (filed by TruckerNation).

Earlier this year, the congressionally mandated electronic logging device (ELD) rule, which required most FMCSA-regulated motor carriers to convert their records from paper to an electronic format, became effective. While compliance with the ELD rule has reached nearly 99 percent across the trucking industry, it has also brought focus to HOS regulations, especially with regard to certain regulations having a significant impact on agriculture and other sectors of trucking.

Additional information on the ANPRM, including how to submit comments to the Federal Register docket, is available at <http://bit.ly/2x5rn24>. **Public comments**



(CTA/LAWSON continued on page 5)



CHAIRMAN'S CORNER

by Alan Freese

As I sit at my desk writing this, it hits me that we're past Labor Day and all the buzz of summer is fading into the sunset. Man, it seems like yesterday we were pulling our hair out looking for help, trucks, materials and happy customers.

Looking back, I hope everybody had the ability to make strides on the right side of the dollar and the heat and craziness didn't drive you to the nut house. Me, I can't complain. We just wrapped up the Executive Board Retreat a couple of weeks ago, and I have to tell you it was an epic weekend with some great people.

Friday night, we were able to dine at the world-famous Sardine Factory on Cannery Row, courtesy of Rick Bruns / Victory Packaging; and man, they didn't disappoint. From the minute we sat down to the minute we left, we were treated like royalty – I can't ex-

plain how cool this evening was, it's beyond words.

Saturday, we went wine tasting in Carmel Valley courtesy of Champion Risk & Insurance Services/Vanliner Insurance Company and CDS Moving Equipment. Although I'm not a wine guy like Bob Fraser, I was still able to take in and enjoy the surroundings of the tour. Hell, I even had a few pours – some of them pretty damn good. Saturday evening, we went to Sapporo's Japanese restaurant on the wharf, courtesy of Paul Hanson Partners Specialty Insurance. Again, a great time with great people.

I know to some of you it may seem that all we do is eat and drink, but the truth of it is, you're pretty close. Growing up in an Italian home, I can tell you that food brings people together and makes for good times. Still today, I always enjoy being with friends and family for meals and time away from work.

If your house is like ours, there's nothing sacred and just about anything can and does come up during meals. It's always a good time for me when I'm able to sit down with the people I care about and enjoy their

(CHAIRMAN'S CORNER continued on page 4)

THE BUILDING BLOCKS



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PRESIDENT'S COMMENTS

By Steve Weitekamp

In this month's issue, you will see some really good news; a notification from the Bureau of Electronic and Appliance Repair, Home Furnishings and Thermal Insulation (BEARHFTI) advising that restoration companies now fall under the same regulation as traditional movers when they move household goods as a part of their project. To put it more clearly, restoration companies that transfer household goods must be permitted by the Bureau and follow all the same regulations as other movers. This is a change that we have been working toward for a number of years. While the road ahead may include some starts and stops, we are pleased that the Bureau understood the issue, and more importantly took action to correct this inequity.

Additionally, on the regulatory front, BEARHFTI is thankfully getting a name

change. From the moment we learned that our industry regulatory program was being transferred, we wondered about the name. Our team, well versed in California government, hadn't heard of the Bureau and wondered about the change. One quick-witted legislative staffer jokingly stated that it made sense being that we moved electronics, appliances, and home furnishings. The reality was that all involved felt that a new name for the Bureau was in order, a name more reflective of the updated mission and easier for the public and industry to link to services provided. Once again, Senator Jerry Hill stepped in with a bill, **SB 1483 (Hill)** that will change the Bureau's name to the **Bureau of Household Goods and Services**. Thank you, Senator Hill, for your efforts.

Our Chairman's column reviewed the social aspects of August's executive committee retreat. While they were memorable, important business was also transacted. First, the members of the executive committee are to be commended for their dedication to the work of the Association. In addition to

(PRESIDENT'S COMMENTS continued on page 5)



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(CHAIRMAN'S CORNER continued from page 2)

company. (BTW, Jay Casey what happened? No show, no call, no nothing – tickets at will call and everything – hurtful.)

I heard a guy the other day say, "Don't count the days, make the day's count." Man, is that true! Think about it, how many times have you found yourself so wrapped up waiting for an event to happen that you let everything else fall to the wayside, then when it passes, you have a bunch of catching up to do? I know I'm guilty of this all the time, but how do you turn it around? For me, I've been telling myself to make it count. I don't know if it's working, but I'm trying. Seems as time goes on, it gets easier to push things off and worry about them later. For some it's no big deal, but for many it can be trouble. Anybody know anybody like that?? Yeah, me neither.

As fall is quickly approaching, we have a lot on our plate. Fall PPF in St. Louis is just a few weeks away, and the IAM convention is the first week in October. Chapter meetings are firing back up and our Cardinale Classic Golf and Bocce Tournament is October 12th at the Hyatt in Monterey if you're

looking for a good excuse to spend a weekend in Monterey.

I'm really looking forward to traveling the state to all the chapters and having a great meal with great people. I've heard the stop in Modesto can be challenging, but what the hell, I'm always up for a good time, and I know Jay is a super host despite standing us up at the EBR.

Please don't forget my Chairman's Choice Charity, St. Jude Children's Research Hospital. Here's the link to donate: <https://www.gofundme.com/cmsa-chairmans-choice>

In closing, I want to say thanks to all of you that make it happen day in and day out. I hope that all of your summers were great, and you still have hair left. I can't wait to get to Modesto and take on some street tacos and hot yoga! Cheers, Alan.



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(FMCSA continued from page 1)

must be submitted by September 24, 2018.

Information on current HOS regulations is available at <http://bit.ly/2CRrJj2>.

Information on electronic logging devices (ELDs) carried on-board long-haul trucks and used by commercial vehicle enforcement officers to check compliance with HOS regulations is available at <http://bit.ly/2Mre55F>

(PRESIDENT'S COMMENTS continued from page 3)

fantastic meals, thanks to the generosity of our associate member sponsors, the group conducted meetings on both Friday and Saturday. Members took valuable time out of their busy schedules to meet to review issues impacting our industry and consider plans that will ensure that CMSA leadership continues to be on the leading edge of an ever-changing landscape.



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Regulator Shines Spotlight on Damage Restoration Companies, Interstate Movers

Regulating body begins new enforcement effort of existing law

SACRAMENTO—If you're moving within ("intrastate") or out of state ("interstate"), or if a damage restoration company is moving or storing your goods while rebuilding your home, did you know there are laws protecting you from predatory "bandit" companies that extort money from customers while holding goods hostage?

Intrastate moving companies that perform moves within California and damage restoration companies that move and store their clients' goods while a restoration project is underway are required to be licensed by the Bureau of Electronic and Appliance Repair, Home Furnishings and Thermal Insulation (BEARHFTI), part of the

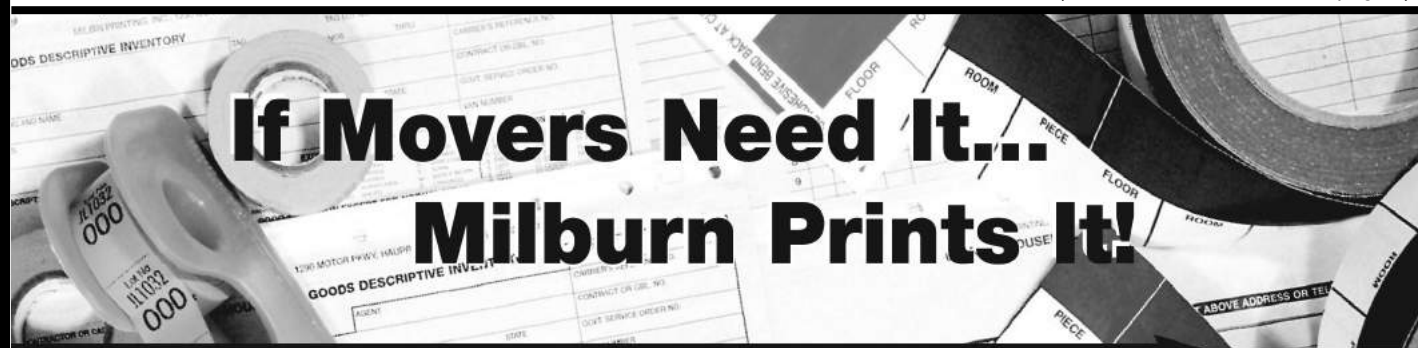
Department of Consumer Affairs.

In addition, interstate moving companies that perform moves across state lines regardless of the point of origin, are required to be licensed by the U.S. Department of Transportation's Federal Motor Carrier Safety Administration (FMCSA). Moving companies that perform both intrastate and interstate moves must be licensed by both BEARHFTI and the

FMCSA.

Existing state law provides for the regulation of any household mover owning or operating motor vehicles in the transportation of property for hire upon the public high-

(REGULATOR continued on page 7)



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ways, including intrastate movers and restoration companies. BEARHFTI became the new licensing and regulatory home for household movers on July 1, 2018, when the Household Movers Act, passed by the State Legislature and signed by Governor Jerry Brown, went into effect. The Act requires the use of resources to combat unlicensed activity in the moving and storage industry. Interstate movers must comply with the FMCSA's federal licensing requirements for the transportation of household goods.

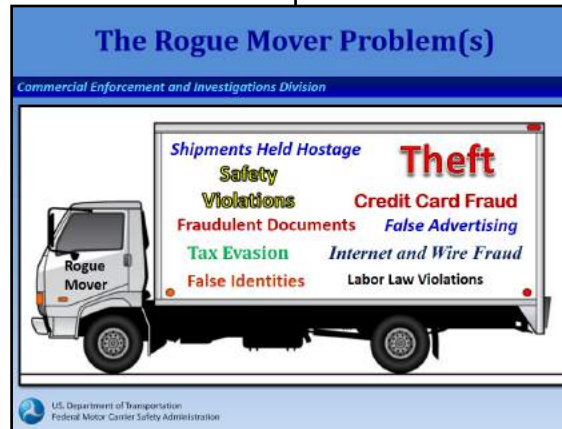
"BEARHFTI warns consumers to hire only licensed household moving companies to avoid becoming victims of predatory companies," said Nicholas Oliver, Chief of BEARHFTI. "These unlicensed movers can extort money from customers, use bait-and-switch tactics, hold possessions hostage, steal some or all of

the items or not insure damaged or destroyed items. We take a hard stance against this illegal activity, and we hope to send a message to bad operators that holding consumer goods hostage for more money will not be tolerated."

As the new regulator for the industry, the bureau will aggressively seek enforcement actions against unlicensed companies. Investigators plan to use sting operations and work with local law enforcement to identify unlawfully operating businesses which can be cited and fined up to \$5,000 for each violation. The Bureau will also refer viola-

tions of the Act to local district or city attorneys for possible prosecution.

Consumers moving within California can check a moving company's license and find important information at <http://www.bearhfti.ca.gov/consumers/movers.shtml>.



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Governor Brown, Attorney General Becerra, and California Air Resources Board: At Every Turn, We Will Defend Our Nation's Clean Car Emissions Standards

SACRAMENTO – California Governor Edmund G. Brown Jr., California Attorney General Xavier Becerra, and California Air Resources Board (CARB) Chair Mary D. Nichols today expressed their strong opposition to the proposed rule from the Trump Administration that would eviscerate the current greenhouse gas emission standards for model year 2021-2026 vehicles and put in place weakened emission and fuel efficiency standards at the expense of public health, the economy and the environment.

Instead of adopting maximum feasible standards to increase vehicle fuel efficiency, as federal law requires, the Administration is

moving to freeze the standards at the 2020 level through model year 2026. Similarly, rather than addressing the pressing threat of climate change as the Clean Air Act mandates, the Administration is moving to freeze greenhouse gas emissions standards for vehicles for those same years.

If enacted, this proposal will cost consumers billions of dollars in additional gasoline to run less efficient cars and light-duty trucks. It will also degrade air quality and put millions of additional tons of climate-disrupting pollution into the atmosphere. The Trump Administration is also proposing to withdraw the waiver granted to California

(GOVERNOR BROWN continued on page 13)

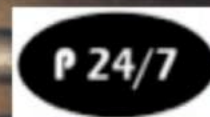
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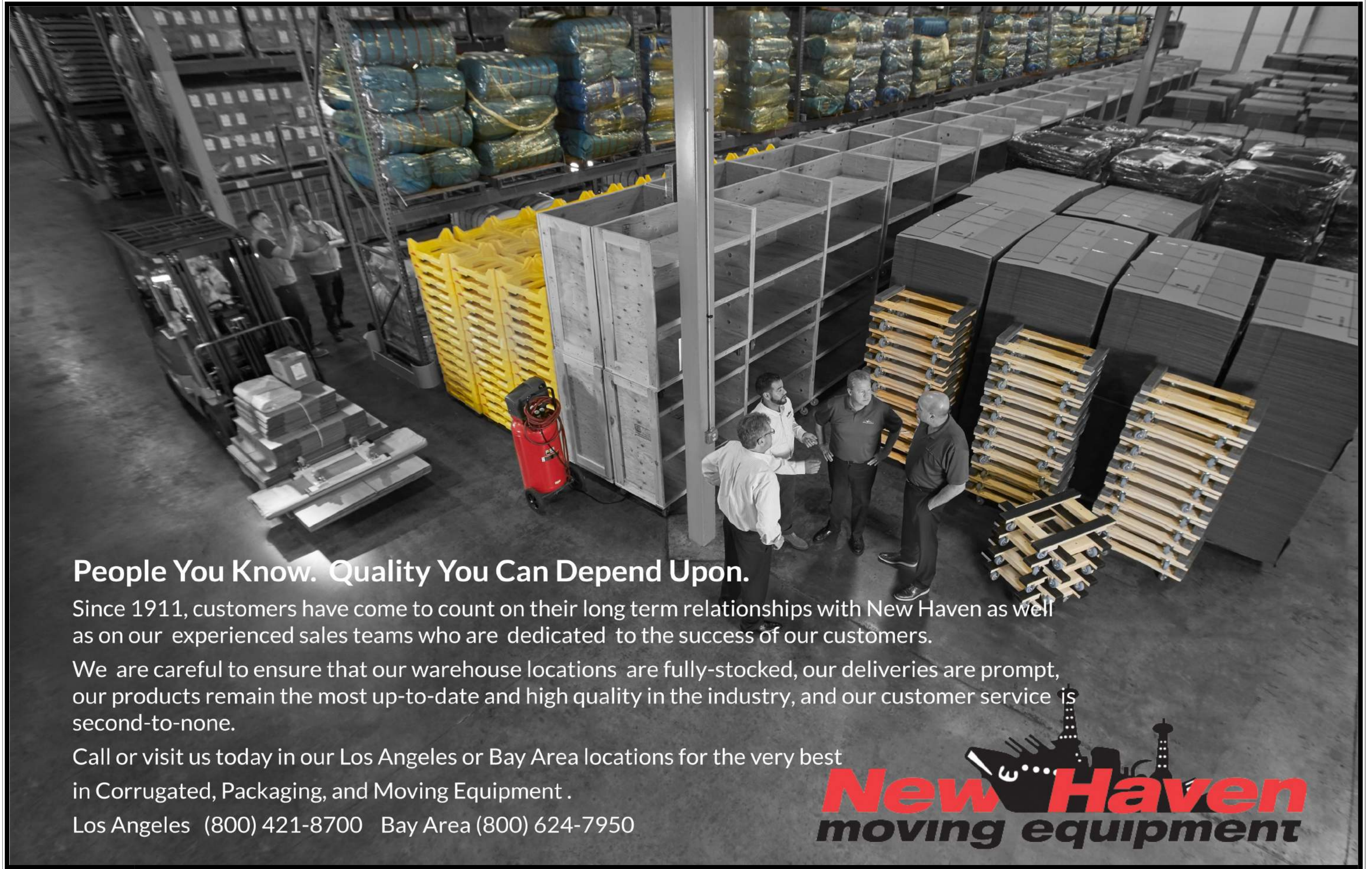


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New Rule Bans Retaliatory Drug Testing of Employees Who Report Injury

Our company has a mandatory drug testing policy in the event of an accident/injury. Does the new federal regulation incorporated into the record-keeping requirements now prohibit blanket drug testing policies?

According to the U.S. Department of Labor (DOL), the new rule does not prohibit drug testing of employees, including drug testing pursuant to the U.S.

Department of Transportation rules or any other federal or state law.

The new rule only prohibits employers from using drug testing, or the threat of drug testing, to retaliate against an employee for reporting an injury or illness.

DOL states that the regulation was developed to improve tracking of workplace inju-

ries and illnesses and to protect the employee's right to report injuries and illnesses without fear of retaliation.

Examples

Examples of permitted post-incident drug testing include:

- Post-incident drug testing pursuant to a state or federal law, including Workers' Compensation Drug Free Workplace policies. Random drug testing and pre-employment drug testing also are permitted, although in California the use of random drug testing is extremely limited.
- If there is a reasonable possibility that employee drug use could have contributed to the reported injury or illness, such as injuries resulting from crane or forklift operations.

Not Triggers for Drug Test

However, injuries relating to carpal tunnel



(NEW RULE continued on page 13)

The advertisement features a large black and pink Stevens truck on the right. On the left, there are four circular icons: a handshake, a woman talking on a phone, a man holding a box, and a group of people. Below these is a globe icon. The text 'Reputation. Dedication. Excellence. Stevens is The Way to Move™' is prominently displayed in the center. Below this, it states 'Stevens Worldwide Van Lines is committed to our agents' success by assisting them in building their local and interstate business.' and lists 'Stevens Agent Advantages include:'. The bottom section includes the Stevens logo, a pink ribbon for breast cancer support, and contact information for Morrie Stevens, Jr.

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(NEW RULE continued from page 12)

syndrome or insect bites, or even the case of an innocent bystander who was in the wrong place at the wrong time would not necessarily trigger a drug test.

Similarly, the time-honored collective bargaining agreement can be a slippery slope.

For example: a company's collective bargaining agreement requires all employees who report lost-time injuries to take a drug test regardless of whether drug use could have contributed to the injury. An employee

then reports a lost-time injury that could not reasonably have been caused by drug use (again we will use the example of an insect bite or carpal tunnel syndrome). A drug test would not be necessary.

More Information

These guidelines are advisory in nature and informational in content. Additional information can be found at https://www.osha.gov/recordkeeping/modernization_guidance.html.

By Mel Davis, Cal/OSHA Adviser

(GOVERNOR BROWN continued from page 9)

more than five years ago for the State's own greenhouse gas emissions standards and its successful zero-emission vehicle (ZEV) programs—an unprecedented and unlawful action that flies in the face of congressional intent and would aggravate the harms to consumers, public health, and the environment caused by the weakening of the federal standards. The Administration proposal would also block the many other states that use California standards from moving forward.

“For Trump to now destroy a law first enacted at the request of Ronald Reagan five decades ago is a betrayal and an assault on the health of Americans everywhere,” **said Governor Brown.** “Under his reckless scheme, motorists will pay more at the pump, get worse gas mileage and breathe dirtier air. California will fight this stupidity in every conceivable way possible.”

“The Trump Administration has launched a brazen and unlawful attack on our nation's Clean Car Standards. The California Department of Justice will use every legal tool

at its disposal to fight back,” **said Attorney General Becerra.** “Our nation's Clean Car Standards save consumers thousands of dollars, protect our families' health, and ensure that we continue tackling climate change, the most important global environmental issue of our time. We are ready to do what is necessary to hold this Administration accountable.”

“At first glance, this proposal completely misrepresents costs and savings. It also relies on bizarre assumptions about consumer behavior to make its case on safety,” **said California Air Resources Board Chair Mary D. Nichols.** “CARB will examine all 978 pages of fine print to figure out how the Administration can possibly justify its absurd conclusion that weakening standards to allow dirtier, less efficient vehicles will actually save lives and money. Stay tuned for further comment. Meantime, California remains fully committed to a rigorous 50-state program with a full range of vehicle choices. That program is in effect right now and will remain so for the foreseeable future.”

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CMSA LEGACY

*LOOKING BACK
OVER THE LAST 100 YEARS*

By Steve DeBolt
2007 - 2008 CMSA CHAIRMAN



The memories of my time as Chairman of the California Moving & Storage Association began over 30 years ago when my Uncle Ed DeBolt took me to my first CMSA local chapter meeting in San Diego. I immediately felt the strong connection between all the

members in the room. I thought, "How could this happen between all these competitors?" I learned very quickly that while we were competitors outside the room, when we were together, we embraced each other in a higher purpose. I learned that it was not about us individually, but what we could accomplish as a group, as an Association. I am so very privileged and thankful that I have been a part of so many decisions and successful accomplishments through this Association. I had the very distinct privilege to be a part of the Search Committee that hired our current President Steve Weitekamp, which has proven to be a great decision.

I have had so many good role models and chairmen/chairwomen I looked up to through my time participating in committees and on the board. In addition to all the important work on the board, there are also so many great memories over the years. Dancing the night away with Jerry Caton...yes, in his wheelchair. Meeting Cal and John Farnsworth at his travel trailer in Lake Tahoe and then riding to an event in the back of John's SUV. Riding Harleys around Kauai with

Brad and Christy Metzner. Attending the first (and only) convention outside the US in Acapulco. Being a victim of the "short sheet" by Sue Geissel and Jill Longo and too many good times with Ken and Linda Armstrong to mention.

My year as chairman in 2007, started out on fire, literally. My wife, Kathy, and I were caught in the Witch Creek fire at our home in Poway in October. As I traveled the state at chapter meetings, I was amazed by the outpouring of care and concern that the membership showed during this difficult time. I am humbled by all the fine men and women that I have followed as chairperson. It was such an honor to be a chairman of the CMSA, but our strength comes from the membership.

Thank you to all the people who served on my board and devoted their time and effort during my term. I look at the picture of my board almost daily and it gives me such fond memories of one of the greatest years of my life. Happy 100th anniversary to CMSA, and congratulations to all.

(LEGACY continued on page 17)



By Jolyce Ledvina
2004-2006 CMSA ASSOCIATE BOARD MEMBER



It was truly an honor to serve as the Associate Board Member Representative and be a part of this fantastic organization. When I started participating in CMSA events in 2000, little did I know of the special bond our members have for each other and the friend-

ships that would develop in the years to come. Some of my best memories are from the much-anticipated annual conferences we all attend. In addition to the excellent educational content, the trade shows were always a strong focus of the board with much

attention given to the suppliers and member attendance. One trade show in particular that stands out (in Lake Tahoe) included a theme of "I Heart Movers," started by MSS, DAS, IGC & ACI and joined quickly by others. The pins, flashing neon martini glasses and specialty candies were a hit; and brought good fun and laughter to many!

A special thank you to then CMSA President Doug Hill for his encouragement and support during my tenure on the board and to Steve Weitekamp for his continued leadership, support and mentorship. Happy 100th anniversary to the CMSA. Thank you for all your hard work and dedication to our industry.

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MEMORIAL BULLETIN

Archie E. Nogle 1925 - 2018



Archie was born on May 23, 1925, in Sand Creek, Wisconsin, to Herbert and Lenora Nogle. He was raised in Whittier, California and later moved to Lompoc in 1958.

He had a 30-year military career as a pilot, flying missions in the Korean and Vietnam wars when he

retired as a Major in 1973.

Archie owned the United Van Lines agency on 8th Street and was involved with the Lompoc school board, Kiwanis club, church, and 4H club with his children.

He was preceded in death by his wife Barbara Nogle in 2004, his daughter Wendy Scalise in 2007, and his brother Wayne Nogle. He is survived by his wife of 13 years Socoro Nogle; his children Randy (Brenda) Nogle, Nancy (Bob) Brown, Jennifer (Dan) Thompson; his sister Hazel Harry, his brother Bud (Betty) Nogle, his sister-in-law Ruth Nogle, five grandchildren, and one great granddaughter.

NEW MEMBER SPOTLIGHT

CALI MOVERS INC

Our company was founded in 2010, and we are a family owned company that has grown rapidly over the last 8 years. We are a full service moving company and we do residential and commercial moving (local and long distance). We pride ourselves in excellent customer service and making sure that we can make our customers happy while easing the stress of their relocation.

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CALENDAR OF EVENTS

Tues., Sept. 11	Twin Counties Chapter Meeting	Wed., Oct. 10	San Diego Chapter Meeting
Wed., Sept. 12	San Diego Chapter Meeting	Fri., Oct. 12	Monterey Chapter Golf/Bocce Tournament
Thur., Sept. 13	OC/Beach Cities Chapter Meeting	Tues., Oct. 16	North Bay Chapter Meeting
Fri., Sept. 14	Northern Region Chapter Tech Day Meeting	Wed., Oct 17	Northern Region Chapter Meeting
Tues., Sept. 18	Mid Valley Chapter Meeting	Thurs., Oct. 18	Sacramento Chapter Meeting
Wed., Sept. 19	Monterey Bay Chapter Meeting	Tues., Oct. 23	Greater Los Angeles Chapter Meeting
Tues., Oct. 9	Ventura/Santa Barbara Chapter Meeting	Thurs., Oct. 25	Central Valley Chapter Meeting

CLASSIFIED ADVERTISING

CHARGES: 1-5 lines \$15; \$2 each additional line. CMSA box number \$5. Special heading/setup extra.
Email Renee Hifumi at rhifumi@thecmsa.org to place your advertisement.

BUSINESS WANTED

We are interested in purchasing all or a part of your business. We are able to provide quick cash for certain assets. We can assist in an exit strategy. Major CA markets are desired. Discussions will be in strictest confidence. Send information to CMSA, Box J1, 10900 E. 183rd St., #300, Cerritos, CA 90703.

EMPLOYMENT OPPORTUNITY

Circle Moving in Long Beach is looking for an experienced Warehouseman. Please send resume to circlemoving@circlemoving.com.

EMPLOYMENT OPPORTUNITY

Across Town Movers is looking to hire **a warehouseman in San Diego County. Experience a must.** Send your resume to mary@acrosstownmoversca.com or call 800-400-5700.

FOR SALE

We are looking to sell **60 HHGDs** storage vaults. Assembled in good condition. \$175 per vault. Call Bob at 562-229-3620 or email: bensign@greatamerican-logistics.com.

**Call us at (800) 672-1415
to place your classified ad!**

EMPLOYMENT OPPORTUNITY

Looking for managers in L.A./Orange and Northern Bay Area. Must be extremely computer literate. Must be good with people and should have experience in the Moving and Storage Industry. Send resumes and letters of inquiries to: CMSA, Box J2, 10900 E. 183rd St., #300, Cerritos, CA 90703.

EMPLOYMENT OPPORTUNITY

Rebel Van Lines is looking to hire Class A & B drivers. To apply, please email nan@rebelvanlines.com or call 800-421-5045.

EMPLOYMENT OPPORTUNITY

Ortiz Bros. Moving & Storage is looking to hire a local dispatcher who is organized and has strong verbal skills. Must have industry knowledge, MAC and Windows proficient, and able to multitask. Please email to ortizbrosmove@gmail.com.

HISTORICAL PHOTO

As the CMSA begins its second century, we want to continue celebrating our history with these wonderful historical pictures. If you have any pictures you would like to share, please email them in JPEG format to: information@thecmsa.org.



CMSA Executive Board Retreat, Monterey, CA - August 18, 2018
Having a little R&R while working on Association business.



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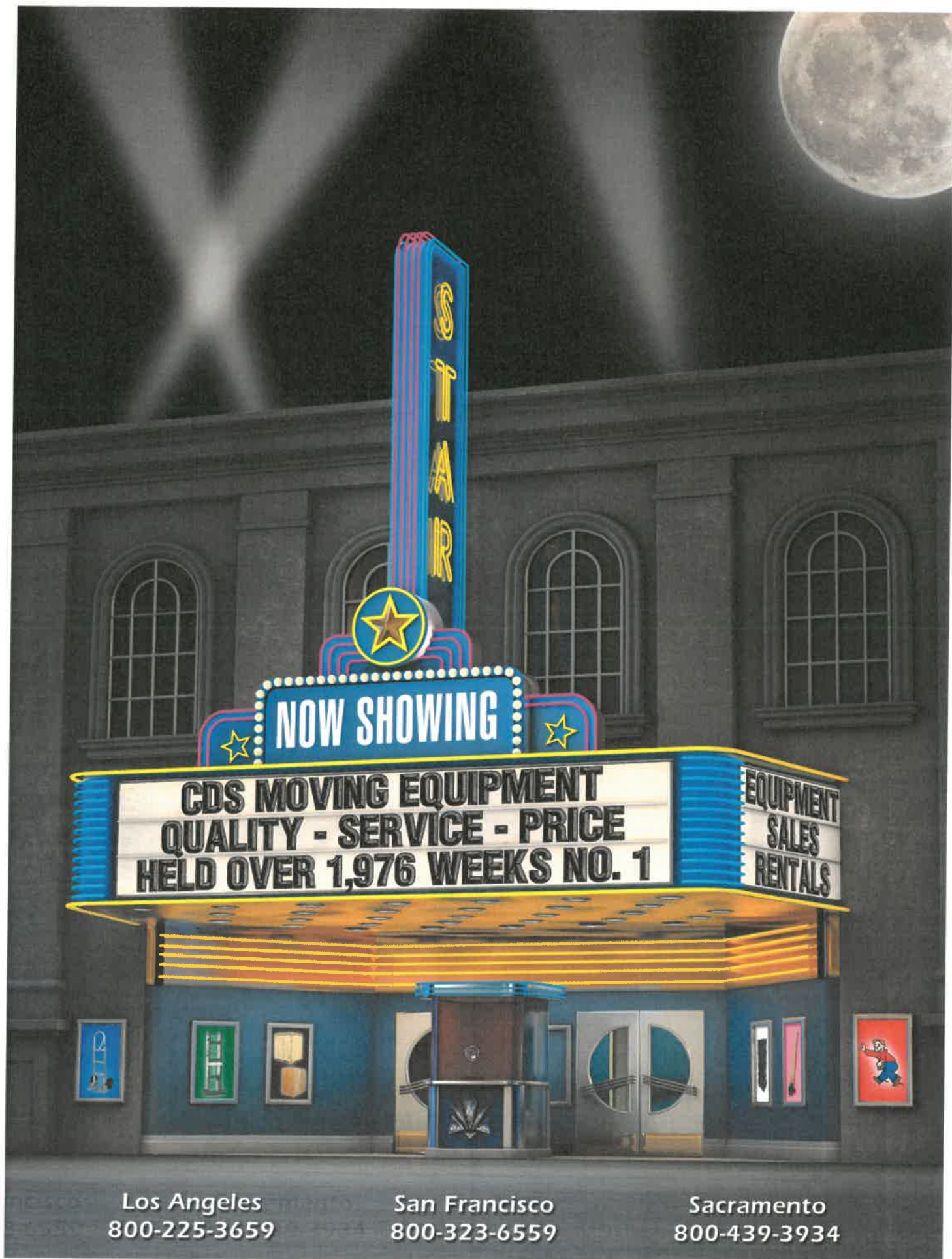
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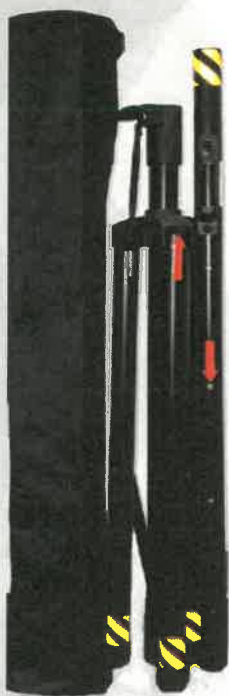


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