Unified Carrier Registration Plan

Board Meeting Agenda

October 24, 2024
12:00 PM – 3:00 PM Eastern Time

Board Members Present:
Elizabeth Leaman
David Bauer
Brandon Buchanan
Chris Burroughs
William Debord
Carol Fallin
Mike Hoeme
Jessica Kines
Terry Mercer
Ryan Nance
Mathew Perkinson
Crystal Stevens

Absent Board Members:
Corey Keating
Ken Riddle
Monte Weiderhold

Others in Attendance:
UCR: Avelino Gutierrez, Alex Leath
FMCSA: Rick Wood
DSL Transportation: Dave Lazarides
Kellen: Matt Mantione, Tom Gooding, Michelle Hall, Tom Lawrence, John Macwan
Seikosoft: Lori Lefai, Toby Piquet

UNIFIED CARRIER REGISTRATION PLAN

BOARD OF DIRECTORS MEETING
October 24, 2024

APPROVED MINUTES

I. Welcome and Call to Order – UCR Board Chair
The UCR Board Chair welcomed attendees, called the meeting to order, called roll for the Board, confirmed the presence of a quorum, and facilitated self-introductions.

II. Verification of Publication of Meeting Notice – UCR Executive Director
The UCR Executive Director verified publication of the meeting notice on the UCR website and distribution to the UCR contact list via e-mail on October 16, 2024 followed by the agenda being placed on public inspection on October 23, 2024. The agenda was scheduled to be published in the *Federal Register* on October 25, 2024.

III. Review and Approval of Board Agenda – UCR Board Chair
The proposed Agenda was reviewed.
A MOTION was made and SECONDED. The agenda was approved.

IV. Approval of Minutes of the August 15, 2024, UCR Board Meeting – UCR Board Chair
Draft Minutes from the August 15, 2024, UCR Board meeting were reviewed. A MOTION was made and SECONDED. The MOTION carried unanimously.

V. Report of FMCSA – FMCSA Representative
The Federal Motor Carrier Safety Administration (FMCSA) provided a report on any relevant agency activity, including the issuance of the final rule for the 2025 UCR Registration fees.

VI. Subcommittee Reports

Audit Subcommittee – UCR Audit Subcommittee Chair
Require all UCR Participating States to Utilize the Address of the UCR's National Registration System in Idaho Falls, ID, for the Remittance of all Mailed UCR Registration Fees- UCR Audit Subcommittee Chair
The Audit Subcommittee Chair discussed a proposal to require all participating Sates to utilize the address of the UCR's National Registration System in Idaho Falls, ID, for the remittance of all mailed UCR registration fees.

A MOTION was made and SECONDED that the Unified Carrier Registration Plan require all Participating States to utilize the address of the National Registration Plan in Idaho Falls, ID for the remittance of all mailed registration fees. The MOTION carried.

Dispute Resolution Subcommittee – UCR Dispute Resolution Subcommittee Chair
No report.

Education and Training Subcommittee – UCR Education and Training Subcommittee Chair
The UCR Education and Training Subcommittee Chair discussed the development of key projects. The projects that were discussed included the development of the educational audit certificate program, the optimization and redesign of the website, and the creation of a video explaining the purpose and value of the UCR Plan and the National Registration System it operates.

Enforcement Subcommittee – UCR Enforcement Subcommittee Chair
No report.

Finance Subcommittee – UCR Finance Subcommittee Chair and UCR Depository Manager

A. 2022 Financial Audit Recommendations –UCR Finance Subcommittee Chair and UCR Depository Manager
The UCR Finance Subcommittee Chair and the UCR Depository Manager provided an update on UCR's 2022 Financial Audit recommendations made by the external auditor.

A MOTION was made and SECONDED that the UCR Plan Board approve certain recommendations made by the external Auditor, WBL, in its final audit report of the Unified Carrier Registration Plan Depository for the Year Ended December 31, 2022. The MOTION carried.

B. The Finance Subcommittee Recommendation to the UCR Board for the Selection of an External Auditor to Audit the Unified Carrier Registration Plan Depository for the Year Ended December 31, 2023 – UCR Finance Subcommittee Chair and UCR Depository Manager
The UCR Finance Subcommittee Chair and the UCR Depository Manager provided an update on the selection of an audit firm to conduct the 2023 external audit. The UCR Finance Subcommittee recommended the appointment of Williams Benator and Libby, LLP ("WBL") to serve as the external auditors for the 2023 financial year.

A MOTION was made and SECONDED that the Finance Subcommittee recommended at its October 3, 2024, meeting that the UCR Plan Board approve the engagement of WBL as the external auditor to conduct an audit of the Unified Carrier Registration Plan Depository for the year ended December 31, 2023. The UCR Plan Board authorizes the engagement of WBL as the external auditor to conduct an audit of the Unified Carrier Registration Plan Depository for the year ended December 31, 2023. The MOTION carried.

Industry Advisory Subcommittee – UCR Industry Advisory Subcommittee Chair
No report.

VII. Contractor Reports – UCR Board Chair

UCR Executive Director Report
The UCR Executive Director provided a report covering his recent activity for the UCR Plan including any changes in the dates of UCR meetings in 2024.

UCR Administrator Report (Kellen)
The UCR Chief of Staff provided a management update covering recent activity for the Depository, Operations, and Communications.

DSL Transportation Services, Inc.
DSL Transportation Services, Inc. reported on the latest data from the FARs program, Tier 5 and 6 unregistered motor carriers, and other matters.

Seikosoft
Seikosoft provided an update on its recent/new activity related to the UCR's National Registration System.

PORTION CLOSED TO THE PUBLIC

Pursuant to the Government in the Sunshine Act at 5 U.S.C. § 552b(d)(1), the Board voted to approve closing the portion of the meeting dealing with item VIII on the agenda.

A MOTION was made and SECONDED to close the portion of the meeting dealing with item VIII on the agenda.

UCR's Legal Counsel has advised that the Board may close this portion of this meeting pursuant to Government in the Sunshine Act exemptions (9)(B) and (10). By approving this action, the Board determines that public participation would likely disclose information for which premature disclosure would likely frustrate implementation of a proposed agency action and/or specifically concern the discussion of information, the premature disclosure of which would likely negatively impact the agency's participation in an ongoing civil action or proceeding. Therefore, by approving this action, the Board is invoking Exemptions (9)(B) and (10) to close this portion of the meeting (5 U.S.C. § 552b(c)(9)(B) and (10)).

A copy of the vote on the closure of this portion of this meeting was made publicly available on the Unified Carrier Registration Plan website within one day of the vote taken herein (https://plan.ucr.gov).

VIII. Discussion and Possible UCR Board Action Concerning the federal Trademark Cancellation Proceeding initiated by the Small Business in Transportation Coalition, Inc. ("SBTC") before the Trademark Trial and Appeal Board ("TTAB") – UCR Legal Counsel
UCR Legal Counsel discussed the federal Trademark Cancellation Proceeding initiated by the SBTC before the TTAB. UCR Legal Counsel discussed the legal and financial options available to the UCR in responding to the letter received on September 5, 2024, from legal counsel to the SBTC proposing settlement terms for the TTAB proceeding.

PORTIONS OPEN TO THE PUBLIC

IX. UCR Legal Counsel announced action taken by the UCR Board.
A MOTION was made and SECONDED that the UCR Plan Board reject the settlement offer of September 5, 2024, from the BlankRome law firm in connection with the federal Trademark Cancellation Proceeding initiated by the SBTC and to authorize the Bradley Law Firm to respond and continue to defend that federal trademark registration in that proceeding. The MOTION carried unanimously.

X. Other Business – UCR Board Chair
The UCR Board Chair called for any other business, old or new, from the floor.

XI. Adjournment – UCR Board Chair
The UCR Board Chair adjourned the meeting.