

# SBTC BLOWS THE WHISTLE ON FMCSA'S FAILURE TO STOP UCR BOARD'S UNETHICAL PRACTICES



**TODAY, THE SBTC TAKES THE UCR BOARD'S UNETHICAL PRACTICES BEFORE EVERY MEMBER OF CONGRESS...**

Earlier this week, the SBTC won its FEDERAL LAW SUIT on Summary Judgment against the [UCR Board of Directors](#). A Federal Judge found the Board had indeed **VIOLATED** the Federal *Sunshine Act* (open meetings law) over the course of a decade, as we had alleged. An **injunction** is now in place against the Board requiring them to be transparent and tell the public in advance what specific

matters they intend to deal with during their Board meetings rather than continue to obscure their true agenda from the public and operate their subcommittee meetings behind closed doors.

We have now concluded that truckers and carriers are being **SET UP** by the Board to be ticketed as an apparent **unethical state revenue enhancement scheme**. That is, the Board has knowingly and willfully placed an obstacle in front of truckers and carriers, blocking tens of thousands from registering for 2019 UCR. Last week, the Board acknowledged the problem during a Board meeting but took no action to provide relief to the industry. Instead, they set the recommended enforcement date to put the squeeze on truckers and carriers.

On April 1st, if not before, **ENFORCEMENT** will begin nationwide. In some states, failure to pay UCR can result in \$1,100 fines. Some states impose fines per day.

last month, the SBTC tried to convince FMCSA to preempt the Board's policy of requiring carriers enter the last four digits of their tax id number as a condition for online payment and direct the Board to return to unfettered access so that motor carriers can comply, and the states can maximize their collection of funds used for motor carrier safety enforcement. FMCSA declined and deferred the matter to the Board.

We do not understand why they are making it more difficult for the motor carrier industry to pay and comply other than create opportunities for the states to issue summonses for non-compliance. This is not in the legitimate interest of the Board, the 41 participating states, the industry or the motoring public. Simply stated, the current obstacle to paying UCR fees is not in the public's safety interest as the money raised goes to support motor carrier safety programs. The FMCSA should have addressed this problem and intervened to eliminate this unnecessary obstacle in all fairness to the industry.

We believe this obstacle violates the spirit of FEDERAL LAW (the UCR Act), in which Congress directed:

*(c)Unreasonable Burden.—For purposes of this section, it shall be considered an unreasonable burden upon interstate commerce for any State or any political subdivision of a State, or any political authority of two or more States—*

*(1)to enact, impose, or enforce any requirement or standards with respect to, or levy any fee or charge on, any motor carrier or motor private carrier providing transportation or service subject to jurisdiction under subchapter I of chapter 135 (in this section referred to as an “interstate motor carrier” and an “interstate motor private carrier”, respectively) in connection with—*

*(A)the registration with the State of the interstate operations of the motor carrier or motor private carrier;*

Today, EVERY MEMBER OF CONGRESS will therefore be HAND DELIVERED our previous [complaints to FMCSA](#) in the hopes Congress will now intervene and address this situation.

You can read those complaints here:

[SBTC Calls for Congressional Hearings into UCR Plan Mismanagement:](#)

<https://conta.cc/2GdcNvB>

The SBTC is working to stop the #WarOnTruckers

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