



BI-STATE NEWS

NEWSLETTER FOR THE ASSOCIATION OF BI-STATE MOTOR CARRIERS

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Gas Tax Increase: What You Need to Know

On October 7, 2016, the New Jersey Legislature voted to raise the Petroleum Products Gross Receipts Tax (PPGRT) to 12.85% of the wholesale price. The measure was signed into law by Governor Chris Christie on October 14, and will take effect on November 1, 2016. This translates to a 23-cent increase on motor fuel, based on the wholesale price recorded on July 1, 2016.

There will be NO INCREASE on diesel fuel until January 1, 2017.

According to information provided by the bill's sponsors, the increase on diesel fuel will be phased in gradually, with only 70% of the increase (about an 8.995% tax rate) imposed on diesel as of January 1, 2017. On that date, the price of diesel fuel will rise by approximately 16 cents a gallon.



On July 1, 2017, the full 23-cent increase will be implemented for diesel fuel, along with a 4-cents per gallon diesel surcharge, for a total increase of 27 cents per gallon.

The amount of the gas tax will be adjusted quarterly, based upon the total revenues collected. The revenue amount must remain constant (\$1.15 billion annually) so the gas tax percentage will vary up or down, depending on whether we have a surplus or deficit.

The 4 cent per gallon diesel surcharge is fixed and will not fluctuate.

BREAKING NEWS: Controversy erupts over Ballot Question #2 — see page 3

Legislators Push To Repeal Gas Tax

Although the increase in New Jersey's gas tax was ultimately passed by both Houses of the Legislature, and will take effect on November 1st, not everyone is on board with the change. Just after the bills were signed by Governor Christie, Senator Michael Doherty and Senator Kip Bateman announced that they would be filing legislation to repeal the gas tax increase. As of this writing, an online petition supporting the repeal of the gas tax received nearly 17,000 signatures from residents across the State. You can find the petition here: <http://www.senatenj.com/gastaxrepeal/>

“While the Governor and the Democrat-led Legislature didn’t listen to the tens of thousands of New Jerseyans who spoke out against raising the gas tax, I listened and understand their concerns,” said Bateman. “The overtaxed people of New Jersey have demanded that we find another way to fund our transportation needs without taking more out of their pockets. This repeal effort is recognition that there are fiscally responsible alternatives to the gas tax.”

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Turn Time Reports: How You Can Help



Allied Member Spotlight

Marquis Agency: Safety Compliance & Reducing Liability Risks

[Marquis Agency's Transportation Practice division](#) hosted its 9th Annual Motor Carrier Seminar last week in Newark, NJ. The focus of this year's event: Understanding Compliance, Safety and Accountability in the Trucking Industry. Guest speakers were John Cheruka, President of Commercial Vehicle Safety & Accident Specialists (CVSAS), Transportation Litigation attorney Douglas Marcello, Founding Partner of Marcello & Kivisto, LLC, and David Yessen, Transportation Specialist at the US Department of Transportation/Federal Motor Carrier Safety Administration Office of Enforcement & Compliance.

Check your CSA-SMS scores frequently—at least once a month, preferably twice a month.



Statistics show that 10% of Drivers cause 90% of the problems, so be sure to address frequent violations, which indicate a pattern of dangerous or high-risk behavior.

Don't cut corners: make sure your drivers perform pre-trip inspections every single time, and be sure to road test all applicants before hiring them as a driver. Background checks can only tell you so much—there's no substitute for first-hand observation.

—John Cheruka, CVSAS

Marquis is a business unit of one of the top 100 Insurance Brokers in the nation, and their [Transportation Practice](#) provides specialized insurance brokerage and risk management programs to the transportation industry.

Always look at your inspection reports as soon as they come in—don't wait. If there's a problem or a discrepancy, it's best to address it as soon as possible.



Make sure your drivers know who their Intermodal Equipment Provider is when they're on the road. If the inspector can't determine the IEP during the inspection, it will default to the motor carrier, and any violations found will be credited to your company—a difficult thing to correct.

—David Yessen, Transportation Specialist
US DOT-FMCSA Office of Enforcement & Compliance

The seminar, which was offered free of charge, offered a wide range of in-depth information on safety, compliance, vehicle violations, the importance of employment practices in liability defense, the effect of maintenance issues on legal liability, the current status of CSA reporting and the latest on the 2017 ELD Mandate requirements. [[CLICK HERE](#) to access the presentation slides from this event.]

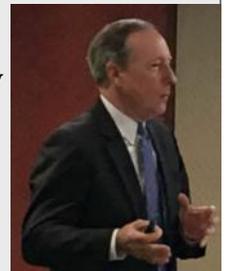
Marquis' 9th Annual Safety Seminar, featuring (left to right): FMCSA's David Yessen, Transportation Litigation Attorney Douglas Marcello, and CVSAS President John Cheruka



Even simple CSA issues (turn signal violations, broken brake lights) can be used against you in the event of a lawsuit. Don't ignore them.

In the event of an accident, the #1 thing a driver can do is "Stay quiet." Don't give a statement while you're in shock or upset, because the first statement you give to police is the one that will need to be defended the most in court.

—Doug Marcello, Marcello & Kivisto, LLC



To learn more about how Marquis Agency can help reduce the cost of risk and address challenges specific to your transportation business, contact Transportation Practice Leader Michael Edwards at 800.272.6771, Ext. 7460, medwards@marquisagency.com.

Bi-State Turn Time Reports: Your Participation Needed!

The Bi-State recently began refining its methods for evaluating turn times at the Port of NY & NJ, using a combination of our existing Online Evaluation Form, in conjunction with a Bi-State Geofencing System that utilizes GPS-based turn time data provided by our members and aggregated.

The Online Evaluation Form, first introduced in early 2015, is filled out by members on a monthly basis, via a password-protected link that is provided via email. Evaluation submissions are limited to one per member company [NOTE: if you do not currently receive the form, please contact dj@thebistate.com to be added to the distribution list.] We request that you fill out this form even if you are also participating in our GPS-based turn time system. We also ask that you use the Comments section to share additional feedback on the levels of service you received at each terminal. Your comments are very helpful in providing a fuller picture of what drivers are experiencing at the terminals during the month, and all submissions are kept anonymous.

If you currently utilize a Tracking System that allows you to generate monthly reports--or if you would like to find out more about the system we are using to calculate these turn times--contact LisaY@thebistate.com for information on how you can contribute your data to our aggregated system.

Legislative Update: TTF Ballot Question, Clean Truck Tariff



Lt. Governor Guadagno
appearing on Spadea's show

The political fallout from the recent vote to increase the Gas Tax continues to be felt in New Jersey. With less than two weeks to go before Election Day, a new point of contention has emerged surrounding Ballot Question #2, which calls for \$16 billion in funding to be earmarked for transportation projects. Former NJ Congressional Candidate and current Radio Host on 101.5 FM Bill Spadea [has been a vocal critic of the measure](#), claiming that the amount of bonding called for is irresponsible, and takes the authority for prioritizing transportation projects out of the hands of the legislature. His social media campaign, calling for NJ residents to #VOTENOONTWO, has gained momentum over the past several days, with support materializing from a surprising source.

On October 27, 2016, Lieutenant Governor Kim Guadagno appeared on Spadea's radio show and agreed with his assessment. "A vote for Question #2 is a vote for the gas tax," said Guadagno. A vocal opponent of the gas tax, Guadagno advised others who felt the same to vote No on Question 2 because it will force the legislature "to go back to the drawing board." ([CLICK HERE TO SEE A CLIP](#))

The move appeared to surprise even Governor Christie. His office [released a statement soon afterwards](#) reasserting his support for the Ballot Question, saying that the Lt. Governor's position "must be a misunderstanding." Criticism was also swift from Assembly Speaker Vincent Prieto, who called Guadagno's statements "troublesome."

Another proposal we are monitoring closely is **S2507/A4120**, which calls for a Clean Truck Tariff on containers at the Port of NY & NJ when picked up or dropped off by older model trucks. The Bi-State opposes these bills, and spent the past few weeks meeting with members of the legislature about the proposal, including the bills' sponsors, Senator Ray Lesniak and Assemblyman Nick Chiaravalloti. According to Senator Lesniak, this measure is still a work in progress, and is aimed at "getting a conversation started" about reducing emissions at the port.



The Bi-State has pledged to keep the dialogue going, and will ensure that our state representatives are made fully aware of our members' concerns about any measures that unfairly target the port trucking community, and/or make it more expensive to do business at the Port of NY & NJ.

Elizabeth Coalition to House the Homeless Hosts TLD Breakfast

Earlier this month, the Elizabeth Coalition to House the Homeless hosted their 5th Annual Transportation, Logistics & Distribution Recognition Breakfast in Elizabeth, NJ.

This year's Honoree was Terry Armstrong, Vice President of Leasing and Acquisitions of Elberon Development Group. The Keynote Speaker was Port Director Molly Campbell of the PANYNJ, with Special Guest Anne Strauss-Wieder, Director of the Freight Planning North Jersey Transportation Authority. Proceeds from the event will benefit Bernice's Place, an afterschool and summer program for homeless and near homeless children. The Association of Bi-State Motor Carriers was proud to attend and support the ECHH at this annual event. For more information about the ECHH, please visit theelizabethcoalition.org.



A Word of Thanks



Wishing our Bi-State President Jeff Bader a speedy recovery from his recent surgery. Thank you to all who reached out with words of support and encouragement!

Reminders

JOIN US FOR OUR NEXT

General Member Meeting
Tues. Nov. 15 @ 1000 hours

NYSA Training Ctr. Auditorium
1210 Corbin Street, Elizabeth, NJ

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DATES TO REMEMBER

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|---------|------------------------|
| Nov. 8 | Election Day |
| Nov. 11 | Veteran's Day |
| Nov. 15 | Monthly Member Meeting |
| Nov. 24 | Thanksgiving |