



Will You Miss Out on Federal Tax Credits?

Participants in the U.S. Legal Services webinar “How Truckers Can Increase Earnings” earlier this week learned that certain tax credits – as much as \$16,000 – may be available for their 2023 tax filings. The webinar was focused on why carriers – even single-truck operators – should form LLCs and obtain EIN numbers to protect their personal assets in the event of litigation.



The tax credit was an unexpected tidbit of information members may wish to explore. We know many members log in and listen to our recorded webinars after the fact and we encourage you not to miss this one, especially with tax season fast approaching.

You'll find the webinar recording on YouTube (<https://youtu.be/da70TJIL8I>). More information on everything available to ICSA members through our partnership with U.S. Legal is available at their website. www.uslegalservices.net/companies/ICSA

\$14 Billion (with a “B”) the Amount Trucking Spends on Safety



A new survey conducted by American Trucking Associations (ATA) revealed that the U.S. trucking industry spent \$14 billion on safety-related technology and safety training last year. That's more than a 40% increase since ATA's last such survey in 2015. ATA's Safety Spend Survey asked fleets about investments into onboard safety technologies; training; incentives; safety-related maintenance; and compliance costs. Fleets surveyed ranged from a few trucks in size, to more than 10,000 trucks, accounting for nearly 170,000 drivers and 160,000 trucks.

One of the primary reasons ICSA exists is to provide its members discounts on safety technology usually only available to large fleets. ICSA's mission mirrors that of ATA: improving safety on our nation's highways. ATA president and CEO Chris Spear said it best: “This report clearly demonstrates that safety isn't just a slogan for our industry, it is our mission. While others talk about their commitment to safety, the trucking industry is doing the work and investing in life-saving technology and training every day.”

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California Mandates ELDs for Intrastate Hauling

In the December Regulatory Roundup sent last week, ICSA reminded you of the December 31, 2023 deadline to enroll your truck(s) in the California Air Resources Board's (CARB's) new Clean Truck Check (CTC) program.

We provided you with links to the ICSA CTC webinar and white paper explaining the new program. The requirement applies to all trucks over 14,000 GVWR operating in the State regardless of where they are based. We can't stress enough the importance of registering your trucks if you have any intention of operating in California after January 1, 2024.

Now, here comes California with yet another trucking regulation taking effect January 1, 2024, when the California Highway Patrol and related commercial enforcement agencies will require that you have ELDs if you are hauling freight in intrastate commerce. If you or your drivers are still using paper logs, these will no longer be accepted for intrastate California operations.

California defines intrastate commerce as drivers and vehicles that operate strictly within the State's borders. These are loads that do not cross state lines or international borders to Canada or Mexico. Further, intrastate carriers may not transport cargo originating in another state or country or destined for another state or country. You'll find more information on the CHP website.

<https://www.chp.ca.gov/programs-services/programs/commercial-vehicle-section/intrastate-elds>



Stay Safe Come What May

Prepare for the Unexpected

No one plans to have an emergency – that’s what makes it an emergency. However, professional truck drivers can and should be prepared for emergencies. With the onset of winter, the possibility of getting stuck in inclement weather means all drivers should take steps to be ready, whether they hit bad weather, have an accident or experience a mechanical issue. Whatever the reason, getting stranded in extreme weather can quickly become a matter of life and death.

Veteran drivers know they must be ready before they hit the road. To the extent possible, they keep their fuel tanks at least half full so their trucks don’t run out of fuel if they get stranded.

Beyond that, ICSA recommends preparing a kit with useful items that can help you be more comfortable and can even help you survive. You can buy a premade kit from Amazon or other vendors or can prepare one yourself. Whether you buy it or make it, make sure it has what you need. What should the kit include? That is individual for everyone but consider the following:

- ◆ Necessary medication for a couple of days
- ◆ Drinking water– at least one gallon
- ◆ Extra eyeglasses/contacts, as needed
- ◆ Nonperishable food. Consider calorie dense foods like nuts, protein bars, and dried fruit
- ◆ Hand/feet warmers
- ◆ Safety vest
- ◆ Ice cleats you can strap to your shoes or boots
- ◆ First aid kit
- ◆ Gloves
- ◆ Paper maps
- ◆ Cash and/or a credit card
- ◆ Portable phone charger
- ◆ Flashlight
- ◆ Toilet paper
- ◆ Basic tool kit
- ◆ Fire extinguisher
- ◆ Jumper cables
- ◆ Whistle/air horn to alert others to your presence
- ◆ Solar-powered radio
- ◆ Ice-scraper
- ◆ Emergency warning triangles

Make sure that your kit is easily accessible in the cab of the truck and that you replace items as necessary - for example, if food or medicine expires or flashlight batteries need to be replaced.

Consider a possible scenario – you jackknife your truck on a slippery road and end up in a ditch on the side of the road. Because the weather is getting bad, emergency assistance is not able to reach you until the next day. Will you be comfortable while you wait? Will

you be safe while you wait? Will you be alive when help arrives? The answers depend on the preparations you make ahead of time.

SmartDrive Camera Subscriptions

Payments Change January 2024

Late last week, members should have received a letter from Mohave Insurance which included an attached letter from ICSA. We also sent it out on our own earlier this week so that we could be certain all members are in the loop on important changes coming to ICSA January 1 for Platinum-level Members who are insured through ICSA’s Risk Purchase Group.

The letter outlined important billing changes being implemented in early 2024. First, the method by which Platinum-level members receive and pay for in-cab camera service will change. Members who purchased SmartDrive cameras through ICSA signed a contract to pay the ongoing monthly cost of the monitoring service charged by our vendor partner, Solera/SmartDrive. These members have been paying their monthly camera subscriptions as part of their monthly insurance premium.

Effective January 1, 2024, members’ camera subscriptions will be billed by ICSA separately each month to each member. The monthly amount to be invoiced is \$30 per month per active camera to cover the costs incurred by ICSA to provide the service to its members.

Secondly, the monthly ICSA invoice will also include a Telematics Surcharge to support key enhancements to the safety assistance our members receive from ICSA. Earlier this year, ICSA’s board of directors approved a program to require each member to provide access to data from the member’s ELD provider automatically.

This data will be used to match drivers to trucks for better ongoing safety monitoring and consulting as well as to enable ICSA and insurers or prospective insurers to provide improved insurance coverage and pricing options for members. You will soon be receiving information about how to provide ICSA with access to that data. Associated with this program, there will be an additional \$30 per power unit telematics service fee on the monthly invoice.

Search & Seizure of Commercial Vehicles

Know Your Rights

The current edition of The Guardian magazine, published by the Commercial Vehicle Safety Alliance (CVSA), includes a lengthy and complex article about commercial motor vehicle (CMV) searches and seizures, providing a general overview of a driver’s rights and an inspector’s authority to search a CMV.

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CVSA advises drivers to adhere to company policies and always follow an officer's directives roadside, stating that "the courtroom is the place for disagreement." In turn, officers/inspectors should follow agency policies and procedures in addition to state law or case law for their jurisdiction. ICSA agrees with these recommendations.

The article was written by Chris Turner, the former head of the Kansas Highway Patrol's commercial vehicle enforcement bureau. We think it's important ICSA members read the article and share it with their drivers and other employees. To make it a bit easier to read, ICSA has excerpted most of the article but has edited it to be easier to understand. We thank CVSA for publishing this information for ICSA and other safety organizations to provide members.

<https://www.safecarriers.org/media/t0imlirt/cmv-search-seizure.pdf>

Coaching Corner

Fighting Aggressive Driving and Road Rage

By Mike Hitchcock

ICSA Safety Consultant



Aggressive driving has become a topic of concern over the last few decades, and for good reason. I'm sure you have seen an increase out on the road as well. AAA found that road rage incidents increased nearly 7% each year within that period. As a professional driver, you need to be prepared for aggressive drivers and know ahead of time how YOU will respond.

In studies of anger and aggressive driving, counseling psychologists found that people who identified themselves as high-anger drivers differ from low-anger drivers in five key ways:

1. They engage in hostile, aggressive thinking. They're more likely to insult other drivers or express disbelief about the way others drive. Their thoughts also turn more often to revenge, which sometimes means physical harm.
2. They take more risks on the road. High-anger drivers are more likely to go 10 to 20 mph over the speed limit, rapidly switch lanes, tailgate, and enter an intersection even though the light has turned red.
3. High-anger drivers get angry faster and behave more aggressively. They're more likely to swear or name-call, to yell at other drivers, to honk in anger. And they're more likely to be angry not just behind the wheel, but throughout the day.

4. High-anger drivers had twice as many car accidents in driving simulations. They also report more near accidents and get more tickets for speeding.
5. Short-fused drivers experience more traits of anger, anxiety, and impulsiveness. Perhaps from work or home stress, high-anger drivers are more likely to get in the vehicle angry; they also tend to express their anger outward and act impulsively.

What should you do if you're an aggressive driver or if you're the target of an aggressive driver? The tips below will help you address aggressive driving and may even save your life! ICSA urges you to share this information with other drivers.

If you tend to be aggressive:

- Get plenty of rest. Fatigue can destroy your self-control. Visualize what your behavior would look like in public.
- Don't be in a rush. Give yourself ample time to get to your destination and understand where you are driving.
- Be a cautious and courteous driver. Relax and let other motorists pass you, comfortably merge, and take the right-of-way.
- Remember, all drivers make mistakes. Resist the urge to teach them a lesson. Don't make inappropriate hand or facial gestures.
- Lead by example. Drive the way you want other people to drive. This may mean having to swallow your pride and back away from aggression.

If you're the target of an aggressive driver:

- If you are being tailgated, change lanes and get out of the way.
- Safely take an unintended turn or highway exit to get away from someone who may be targeting you.
- Take the high road by giving an "I'm sorry" wave of your hand no matter if you are in the right or if you did make a mistake. Courtesy matters a great deal.
- Don't make matters worse by triggering a confrontation. Avoid eye contact and steer clear, giving angry drivers plenty of room.
- If the other driver is a danger to the public, note their license plate, vehicle make, and the details of your interaction and report this to the authorities as soon as you are clear of the immediate situation.
- If a driver continues to hassle you or you think you are being followed, drive on to the nearest police station or busy place to get help.