

**NATSO AND WPMA TAP INTO THE POWER OF PARTNERSHIP FOR 2015 CONVENTIONS**

WPMA and NATSO are joining in 2015 to bring you an additional attendee opportunity—TWO conventions for the price of ONE! WPMA Marketer Member attendees who register for the WPMA Convention may attend THE NATSO Show FREE OF CHARGE!

For their 2015 annual tradeshows, NATSO, the national association representing truckstops and travel plazas, and the Western Petroleum Marketers Association (WPMA) are co-mingling their events to offer attendees and exhibitors more unparalleled business and networking opportunities. By seizing the opportunity to share educational resources and access to their annual shows in February in Las Vegas, the two groups will provide their attendees with even more innovative solutions and greater access to their peers, industry suppliers, key travel plaza owners and operators.

NATSO Members and WPMA Marketer Members who register for one trade show automatically will be registered to attend the neighboring show at no additional cost. Reciprocal registration is honored for NATSO travel plaza members and WPMA marketer members only. Each show will feature its own exhibit hall, as well as unique educational programming for attendees.

The NATSO Show will be held at the Wynn Las Vegas, Feb. 16-19, 2015, and offers innovative experts focused on ahead-of-the-curve trends, a knowledge-filled human library built for a customized learning experience, and exhibitors that showcase tomorrow's hottest products and services specifically designed to meet the unique needs of travel plaza and truckstop leaders.

WPMA's National Convention & Convenience Store Expo will be held at the Mirage Convention Center Feb. 17-19, 2015. The Expo offers two-and-a-half days of industry-expert speakers, seminars and networking events, and access to more than 90,000 square feet of tradeshow space with exhibitors displaying and selling the latest in technology, services, c-store innovations, and truck and trailer displays to meet the needs of the petroleum industry.

NATSO truckstop and travel plaza operators can register for the two events at [www.natsoshow.org](http://www.natsoshow.org). WPMA Marketer Members can register at <http://www.wpma.com/national-convention>. Reciprocal registration is honored for NATSO travel plaza members and WPMA marketer members only. Exhibit partners must be registered for each event separately to participate.

\*\*Contact Jamie Wood at WPMA for additional questions: [jamiew@wpma.com](mailto:jamiew@wpma.com)

**PLEASE SUPPORT THE SCHOLARSHIP FOUNDATION SILENT AUCTION!**

In May 2015, the WPMA Scholarship Foundation will award \$32,000 in scholarships to graduating high school seniors. The Foundation receives a large portion of its working capital through income from the annual Scholarship Silent Auction held at the WPMA convention in February. Please support the Scholarship Foundation by donating an item to the 2015 Scholarship Silent Auction.

Past Silent Auction donations have included tickets to sporting events, vacation packages, decorator items, electronics, sports equipment, logo clothing, jewelry, tools, accessories, etc. If you would like to donate an item, please fill out the Silent Auction Donation Form available under the Scholarship tab on the WPMA website: <http://www.wpma.com/pdf/scholarship/SA15-DonationFrm062414w.pdf> or e-mail Kathy Michaelis at [kathym@wpma.com](mailto:kathym@wpma.com). The value of items donated to the auction is tax-deductible.

**DOE FORECASTING DECLINE IN 2015 GASOLINE CONSUMPTION**

DOE's Energy Information Agency is now forecasting about a 30,000-barrels a day decline in gasoline consumption in 2015. This further supports maintaining the corn-based ethanol mandate at 13 billion gallons to ease the negative consequences of the blendwall. In 2013, the U.S. consumed approximately 134.5 billion gallons of gasoline which was six percent less than the record high of 142.35 billion gallons set in 2007.

## **SUBCOMMITTEE CREATED TO EXAMINE ADMINISTRATION'S ENERGY POLICIES**

Incoming Chairman Jason Chaffetz (R-UT) has decided to change the Oversight and Government Reform Committee's subcommittee focus areas and to create a new subcommittee that will review the energy and environmental policies of the EPA, DOE, Interior, and the Department of Agriculture.

Rep. Cynthia Lummis (R-WY) will chair the new panel, which is expected to examine regulations that go around the congressional process, with a particular focus on the EPA.

## **THE EUROPEAN UNION AGGRESSIVELY LIMITS SWIPE FEES**

This week the 28-nation European Union reached an initial agreement that fees charged to merchants for accepting consumer card payments will be limited to 0.2 percent for debit and 0.3 percent for credit. In addition, member states may set a lower maximum or a fixed five cent cap. The agreement will not apply to one bank only cards such as Diners and American Express or for cards used only for business expenses. Once the final endorsement of the agreement is made the new fee caps will apply six months after final adoption.

## **KEYSTONE CONSIDERATION FRONT AND CENTER NEXT YEAR**

Incoming Senate Majority Leader Mitch McConnell (R-KY) said the first order of business in the Senate next year will be legislation that would give Congress the authority to approve the Keystone XL pipeline. McConnell said he will allow an open amendment process which will allow any Senator to offer amendments to the underlying legislation on the Senate floor. Outgoing Majority Leader Harry Reid (D-NV) continuously blocked both Democrat and Republican amendments to the Keystone legislation which ultimately prevented the legislation from moving forward.

PMAA fully supports the immediate approval of the Keystone XL pipeline. Some political insiders believe that because the Obama Administration did not issue an official veto threat to a Keystone approval bill this Fall has fueled speculation that Obama may want to use the pipeline in negotiations with the incoming Republican Congress next year. Keystone XL pipeline supporters will be close to the necessary 67 votes to override a Presidential veto when the GOP takes control next year, plus nine pro-Keystone XL Democrats.

## **SENATE PASSES TAX EXTENDERS PACKAGE**

### **President to Sign Bill Into Law**

On Tuesday evening, the Senate approved a one-year tax extenders package (applies to calendar year 2014 only) that would revive over 50 expired tax incentives by a vote of 76 – 16. The House passed an identical bill earlier this month by an overwhelming vote of 378 – 46. The extender's package includes the one-dollar-per gallon biodiesel blender's tax credit, a 30 percent investment tax credit for alternative fuel pumps, bonus depreciation, and Section 179 expensing. The Senate adjourned for the year after passing tax extenders. President Obama will sign the legislation into law soon.

PMAA will issue a detailed report on how to claim the biodiesel blender's tax credit once IRS guidance is available.

## **PRESIDENT SIGNS 2015 SPENDING BILL**

This week, the President signed into law a \$1.1 trillion spending package which will fund the government through September 30, 2015. The House had approved the measure last week before leaving town and the Senate approved it late Saturday night. The omnibus spending bill provides \$8.14 billion for the EPA. The Commodity Futures Trading Commission (CFTC) received a funding boost of \$35 million bringing its budget to \$250 million and the Department of Energy (DOE) received \$10.2 billion. The Leaking Underground Storage Tank Trust Fund received approximately \$92 million, the Northeast Home Heating Oil Reserve received \$7.6 million and the Low Income Home Energy Assistance Program (LIHEAP), \$3.39 billion.

Several policy riders were added to the 2015 Omnibus package including an amendment by Senator Susan Collins (R-ME) to suspend for one year the hours-of-service (HOS) restart changes that became effective last year. The proposal would require the Federal Motor Carrier Safety Administration (FMCSA) to justify in a report to Congress how the changes enhance public safety. Originally, the HOS regulations allowed drivers to use the 34-hour restart without restrictions. However, the FMCSA adopted regulatory changes limiting use of the 34-hour restart to just once per week and requiring the restart to include two overnight rest periods between 1:00 AM and 5:00 AM. As a result of the FMCSA changes, depending on the time of day their final shift ends, drivers are now required to take more than 34 hours off duty before they can return to work. The change greatly reduces the flexibility petroleum marketers need to schedule drivers efficiently and PMAA fully supported the policy rider's inclusion.

Another policy rider included in the omnibus package was limited language preventing EPA and the U.S. Army Corps of Engineers (COE) from expanding its jurisdiction over "Waters of the United States." Many petroleum marketers with bulk storage will be adversely affected by the revised definition. At the most fundamental level, the proposal as written represents an unjustified expansion of Clean Water Act jurisdiction far beyond the limits of federal regulation explicitly established by Congress and affirmed by the courts. The proposal would, for the first time, give federal agencies direct authority over land use decisions that Congress has intentionally preserved to the States. It would intrude so far into

traditional State and local land use authority that it is difficult to imagine that Congress intended this outcome. PMAA supported the language in the omnibus spending package.

Finally, one policy rider was included that would gut a critical Dodd-Frank reform provision to prevent the big Wall Street banks from being allowed to use insured deposits to gamble in the commodity futures markets. Under the Dodd-Frank reform law, the big banks must segregate their swaps desks so that taxpayers won't be left on the hook if their bets go south. PMAA opposed its inclusion; however, House and Senate negotiators cut a deal to increase funding for the CFTC in return for the policy rider's inclusion.

### **FMCSA ELIMINATES REQUIREMENT FOR A WRITTEN POST-TRIP AND PRE-TRIP VEHICLE INSPECTION REPORTS WHERE NO DEFECT IS FOUND**

The U.S. Department of Transportation's Federal Motor Carrier Safety Administration (FMCSA) published a new rule that eliminates the need for drivers to submit written daily pre-trip and post-trip motor vehicle inspection reports when no defect or deficiency in vehicle or equipment is found. The old federal regulations under 49 CFR 396.11 required CDL drivers to file and submit written pre-trip and post-trip vehicle inspection reports that motor carriers were required to keep on file. The new FMCSA rule eliminates the need for a written report except where a defect or deficiency is found in the vehicle or equipment. The new rule is effective December 18, 2014, for interstate petroleum marketers.

PMAA submitted comments on the proposed rule that supported the changes the FMCSA adopted.

#### **COMPLIANCE:**

**Interstate Carriers** - The rule applies to interstate petroleum marketers and became effective December 18, 2014.

**Intrastate Carriers** – The FMCSA regulations do not directly require **intrastate** petroleum marketers to keep written pre-trip and post-trip vehicle inspection reports. However, in order to receive certain federal highway funds, states must adopt FMCSA regulations and apply them to **intrastate** only carriers. States are given three years to adopt FMCSA regulations for **intrastate** carriers. Some states adopt changes to FMCSA regulations automatically, while others require changes to go through state regulatory and/or legislative process. **Intrastate** marketers should contact their state motor carrier office to determine the status of the DVIR rule in their state.

**Pre-Trip and Post Trip Inspections Still Required** – Drivers must still conduct daily pre-trip and post-trip vehicle inspections. However, the reports are no longer required to be in writing **unless** the driver finds a defect or deficiency with the vehicle or its equipment. If the driver finds a defect or deficiency, a written report must be kept on file at the operator's principal place of business.

**Duty to Inspect, Maintain and Repair Vehicles Remains Unchanged** - Petroleum marketers who transport fuel are still required to have systematic inspection, repair, and maintenance programs (including preventative maintenance) and maintain records to prove measures are being taken to reduce the risk of mechanical problems with vehicles and equipment. In addition, marketers are still required to review driver vehicle inspections that list defects or deficiencies and take appropriate action before the vehicle is dispatched again. The FMCSA is not making any changes to requirements for periodic or annual inspections, duty to maintain and documentation for the individuals who perform periodic inspections and individuals responsible for performing brake-related inspection, repair, and maintenance tasks.

**Effective Date** – Beginning December 18, 2014, CDL drivers are no longer required to submit daily written pre-trip and post-trip vehicle inspection reports where no defect or safety problem with the vehicle or equipment is found.

**IMPORTANT!** Drivers must still conduct daily written pre-trip and post-trip vehicle inspections. The difference is they are no longer required to be in writing and on file unless a defect is found.

**IMPORTANT!** Petroleum marketers must still keep on file pre-trip and post-trip vehicle inspection reports on any vehicle where a defect is found.

**IMPORTANT!** Petroleum marketers who wish to voluntarily continue keeping daily written pre-trip and post-trip vehicle inspection reports may do so.

### **MARK YOUR CALENDARS FOR UPCOMING EVENTS**

**February 17 – 19, 2015** - WPMA Convention & Expo – Mirage Hotel, Las Vegas, Nevada

**May 14 – 15, 2015** - Nevada (NPM&CSA) BIG DOGS 4 – JW Marriott Las Vegas Resort & Spa, Nevada

**June 2 – 4, 2015** - Montana (MPMCSA) Convention – Northern Hotel, Billings, Montana

**June 22 – 25, 2015** - Washington (WOMA) Convention – Suncadia Resort, Cle Elum, Washington

**August 5 – 7, 2015** - Idaho (IPM&CSA) Convention - Sun Valley Lodge - Sun Valley, Idaho

**August 17-19, 2015** – New Mexico (NMPMA) - Marriott Pyramid North – Albuquerque, New Mexico

**September 15-17, 2015** - Utah (UPMRA) Convention - Park City Marriott - Park City, Utah

**August 3 – 5, 2016** - Idaho (IPM&CSA) Convention - Coeur d'Alene Resort - Coeur d'Alene, Idaho

## 2015 WPMA CONVENTION & CONVENIENCE STORE EXPO – LAS VEGAS, NEVADA

Don't Miss **Frank Caliendo**, comedian/actor/impressionist as Wednesday Keynote during the WPMA Convention. Mark your calendars for February 17-19, 2015. Make plans now to attend the 2015 WPMA Convention and Convenience Store Expo. It will be held once again at the Mirage in Las Vegas, Nevada.

**Win - US Open Package - June 18 – 21, 2015** – The US Open Golf Tournament will be held at Chambers Bay Golf Course in University Place, Washington. Package includes gallery tickets for four to the Saturday, June 20 and Sunday, June 21 tournament days, three nights' lodging, and \$2,000 spending cash. Contact your state executive director for the Scholarship Raffle Tickets.

## **Thank You 2015 WPMA National TOP SPONSORS** As of December 12, 2014

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Register Now: <https://associations.mynpp.com/myNPP/memberSavings.xhtml?guid=RB3WUOFG>

### WPMA MEMBER SERVICES



**Petro Pete: "When you stop believing in Santa Claus is when you start getting clothes for Christmas."**

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