

July 8, 2022

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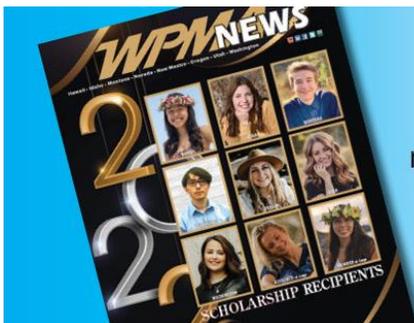


Ron Osborne
Osborne Trucking
1942-2022

Long-time WPMA Associate Member Ronald Gary Osborne passed away in a work-related accident on June 27, 2022. Ron was born on October 19, 1942, in Murray, Utah to Roland and Dorothy Osborne. He was raised on a dairy farm in Crescent, Utah, the second of 5 children.

For the full obituary go to:

<https://www.legacy.com/us/obituaries/deseretnews/name/ronald-osborne-obituary?id=35490989>



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EMA Energy Marketers of America



NATIONAL ROADSIDE COMMERCIAL MOTOR VEHICLE ENFORCEMENT BLITZ SCHEDULED FOR JULY 10-16, 2022

Energy marketers with transportation operations should be prepared for a nationwide roadside commercial motor vehicle (CMV) enforcement blitz scheduled to take place July 10 -16, 2022.

Operation Safe Driver Week is an annual event organized by the Commercial Vehicle Safety Alliance (CVSA), a group of state and local transportation enforcement personnel and the Federal Motor Carrier Safety Administration (FMCSA). The goal of Operation Safe Driver Week is to take unsafe CDL drivers and vehicles off the road, increase awareness of inspections and their function, educate drivers about vehicle maintenance and safe operation and gather general motor carrier compliance data. The joint effort will fan out more than 10,000 enforcement personnel at 1,500 sites nationwide to identify unsafe CDL drivers. During the week-long enforcement blitz, enforcement personnel will be focusing on unsafe driving violations including speeding, improper lane change, improper lane travel, following too closely, distracted driving (including cell phone use), driving under the influence, failure to wear a seat belt, failure to obey traffic signals and more. Identified unsafe drivers will be pulled over and issued a citation, warning or issued an out of service order for driver and/or vehicle.

According to the FMCSA, the average out of service order costs a CMV carrier approximately \$861, excluding fines and penalties. A recent [FMCSA CMV crash study](#) found that driver behavior is the cause of 94 percent of all CMV crashes. A total of 4014 people died in CMV crashes in 2020. Fifteen percent of these deaths were truck occupants, 68 percent were occupants of cars and sixteen percent were pedestrians, bicyclists or motorcyclists. The FMCSA is concerned that despite ongoing enforcement efforts, CMV related accidents and deaths continue to rise.

A similar CVSA enforcement blitz in April and focusing on CMV brakes resulted in 8750 inspections nationwide with 1228 out of service orders issued. Energy marketers should alert CDL drivers to the increased level of enforcement during the upcoming Operation Safe Driver Week.

LEGISLATIVE UPDATE

This week, the White House criticized “companies running gas stations” for not bringing down the costs of gas. White House Press Secretary Karine Jean-Pierre said that retailers and others in the fuel supply chain need to keep pace with falling oil prices. EMA President Rob Underwood was [quoted](#) in the Washington Examiner disputing this claim, saying: “We’re not making any money off of selling gasoline. The store sales — that’s how they can stay in business... In a time of rising prices, it’s so competitive, and sometimes they’re selling gasoline at a loss just to keep people inside the store.” Underwood also emphasized that the retail fuel market is one of the most competitive in the country.

On Capitol Hill, attention has turned to a last-ditch effort for Democrats to resurrect a partisan reconciliation package. Throughout June, Senator Joe Manchin (D-WV) and Senate Majority Leader Chuck Schumer (D-NY) worked to negotiate a deal on a slimmed-down Build Back Better (BBB) bill. On July 6, these discussions turned into something real as Leader Schumer submitted text for a drug-pricing reform provision to the Senate parliamentarian. Now, Sens. Schumer and Manchin are holding closed-door negotiations to talk through other elements for inclusion in a reconciliation package. Sen. Manchin is exploring “a pathway forward to shore up domestic energy production and reduce emissions, lower health care costs for seniors and working families, and ensure everyone is paying their fair share of taxes.” Details on the agreement are not available but we understand Senator Manchin and Leader Schumer are still negotiating climate and energy provisions, plus tax reform. Another reported area of agreement could be a tax on pass-through income for high earners that would go towards Medicare solvency.

In previous remarks, Senator Manchin made clear that he opposes direct payments to clean energy developers, preferring tax credits instead. Senator Manchin and other Democrats also confirmed that a proposed tax credit bonus for EV vehicles produced with union labor has been scrapped. EMA and other industry leaders fought against this provision during the original BBB discussions last Fall. Within the \$300 billion price tag for energy provisions, Senator Manchin is also interested in including carbon capture and hydrogen tax credits, a methane reduction provision, increasing taxes on corporations and the wealthy, including limited drug-pricing reform, and perhaps extending certain Obamacare health care credits. Most progressive House Democrats have indicated they would vote for any package Manchin supports.

Nonetheless, Congressional Democrats must address two legislative challenges before the midterm elections. The first is a shrinking calendar to reach a deal. Any reconciliation agreement must come to fruition before September 30 under Congressional budgetary rules, while limited session days remain as lawmakers will be away from DC for nearly the entire month of August.

Reconciliation bill efforts will dominate the remainder of July. It is possible more concrete details will be released next week, at which point Democratic leaders will await a ruling by the Senate Parliamentarian as to what provisions are allowed under the Senate’s arcane budgetary rules (also known as a “Byrd Bath”). Early this week, Leader Schumer told Senate Democrats that a vote on the new package could occur this month.

FHWA PROPOSES TO FUND NEW STATE AND LOCAL GHG REDUCTION PROGRAMS FOR HIGHWAY VEHICLES

The Federal Highway Administration (FHWA) announced a [notice of proposed rulemaking](#) this week to address the climate impact of greenhouse gas emissions from the nation’s transportation system. The proposed rule would require state transportation departments and metropolitan planning organizations to measure and report carbon dioxide emissions of vehicles traveling on their respective sections of the federal highway system and to set declining yearly emissions targets. States will have access to \$27 billion in funding from the Infrastructure Investment and Jobs Act to build institutional capacity for greenhouse gas measurement and to implement projects that will help them hit their emissions reductions goals. State transportation departments will report emissions through the same mechanism that they do for safety, roadway conditions and other metrics required by the FHWA. The proposed rule builds on the work that 24 states and the District of Columbia are already doing under state law GHG target-setting requirements.

The Bipartisan Infrastructure Law contains funding through various programs aimed at reducing greenhouse gas emissions for mobile sources including:

- Carbon Reduction Program - provides \$6.4 billion in funding to state and local governments to develop strategies to reduce greenhouse gas emissions from on road highway sources.
- National Electric Vehicle Infrastructure (NEVI) Formula Program - provides \$5 billion to states to build out a national electric vehicle charging network.
- Discretionary Grant Program for Charging and Fueling Infrastructure - provides \$2.5 billion in funding to state and local governments to deploy electric vehicle charging and hydrogen, propane, and natural gas fueling infrastructure along designated alternative fuel corridors and in communities.

- Congestion Relief Program - provides \$250 million in funding to advance innovative, multimodal solutions to reduce congestion and related economic and environmental costs in congested metropolitan areas of the U.S.
- Reduction of Truck Emissions at Port Facilities Program - provides \$400 million in competitive funding to reduce truck idling and emissions at ports, including through the advancement of port electrification.
- Low or Now Emission Vehicle Program – provides \$5 billion for the nation’s transit systems to track and reduce GHG emissions from busses, trains and other public transportation relying on fossil fuels.

According to the FHWA, the rule is not based on any specific authorization from Congress to regulate GHG emission from mobile sources in this manner. Instead, FHWA is basing its authority to regulate GHG on a Congressional mandate in the 2015 highway bill directing the agency to make the nation’s highway system “environmentally sustainable”. This opens up the proposed rule to scrutiny under a recent U.S. Supreme Court decision that denied the EPA authorization to regulate stationary sources HGH emissions because Congress did not specifically grant the agency the authority to do so. EMA will file comments opposing the implementation of the proposed rulemaking.

WEEKEND READS:

[FDA Suspends Ban on JUUL Products](#)

[Oil industry group: White House ‘intern’ who posted high gas prices tweet should take economics class](#)

[Gorsuch wanted climate ruling to hobble Congress](#) (Subscription Required)

[Supreme Court Strips Federal Government of Crucial Tool to Control Pollution](#) (Subscription Required)

[High U.S. gasoline prices weigh on demand as consumers start to feel the pinch, says analyst](#)

RISK MANAGEMENT ACADEMY FOR ALL INDUSTRIES OFFERED BY FEDERATED INSURANCE ON AUGUST 2-4, 2022

Federated Insurance is offering complimentary risk management training for all industries on August 2-4, 2022. Through this valuable session, you will discover methods you can use immediately to help protect profits by reducing risk at your business.

Companies that are the most successful at controlling losses and protecting profits have integrated risk management into their overall company culture. Many have designated a key person as their risk manager. This person is supported by your company’s top management and is both responsible and accountable for identifying loss exposures and implementing risk management solutions.

This seminar’s objective is to help your risk manager learn the exposures specific to your industry, connect with peers from across the country and apply these best practices within your business.

You can learn more by viewing a brief [video](#) about the Risk Management Academy. To [reserve your spot](#) in the upcoming session or for more information, please contact drm@fedins.com or call 800.533.0472 Extension 455.5958. Federated is a Partner in EMA’s Board of Directors Council.

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[Learn more.](#)

For additional disaster preparedness resources, log into [mySHIELD®](#) or call Federated’s Risk Management Resource Center at 1-888-333-4949. Please always feel free to contact your [Federated](#) regional representative or EMA’s National Account Executive [Jon Medo](#) at 800.533.0472 for any additional information or risk management questions.

MARK YOUR CALENDARS FOR UPCOMING EVENTS

July 17-19, 2022 – Oregon (OFA) Annual Convention – Sunriver Resort – Sunriver, OR

August 3-5, 2022 – Idaho (IPM&CSA) Convention – Coeur d'Alene Resort – Coeur d'Alene, ID

August 22-24, 2022 – New Mexico (NMPMA) Convention – Sandia Resort & Casino – Albuquerque, NM

September 14-16, 2022 – Utah (UPMRA) Convention – Sheraton Park City Hotel – Park City, UT

February 21-23, 2023 – WPMA Convention & Expo – Mirage Hotel– Las Vegas, NV

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Petro Pete: "My wife told me to stop impersonating a flamingo. I had to put my foot down."

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