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PMAA OPPOSES SPEED LIMITERS PROPOSALS

During PMAA's Fall Conference last week, both the PMAA Motor Fuels Committee and the PMAA Heating Fuels Committee confirmed ongoing disapproval of the proposed speed limiters rule. Speed limiters, also called speed governors, are electronic controlled modules (ECM) that are capable of limiting the maximum speed in heavy duty trucks.

The Department of Transportation (DOT) September 7, 2016 proposal would establish safety standards requiring all newly manufactured U.S. trucks, buses, and multipurpose passenger vehicles with a gross vehicle weight rating more than 26,000 pounds to come equipped with speed limiting devices. The 118 page proposal discusses the benefits of setting the maximum speed at 60, 65, and 68 miles per hour, but the Agencies will consider other speeds based on public input.

The proposed rule would also require each new heavy duty truck vehicle to be equipped with means to read and record the vehicle's current speed setting and the two previous speed settings (including the time and date the settings were changed) through its On-Board Diagnostic connection. Motor carriers operating such vehicles in interstate commerce would be required to maintain the speed limiting devices for the service life of the vehicle.

The rule is important for PMAA members because it would apply to cargo tanks and transport trucks. The good news is that the speed limiter requirement is not retroactive and applies only to newly manufactured trucks.

PMAA will submit comments opposing the rulemaking prior to the November 7, 2016 deadline. There is no clear evidence that the use of speed limiters will improve safety. Data suggests that high speed related truck crashes are rare events and the reduction of speed may have negative effects on safety. PMAA is supporting efforts urging House members to oppose language that was included in the Senate Veterans Affairs Appropriation bill which would also mandate speed limiters on heavy-duty trucks. Such legislation is completely inappropriate given the active rulemaking on this very issue.

The final rule is not likely to take effect until well in to 2018.

GROUPS AND GOVERNORS SLAM OBAMA ADMINISTRATION OVER DAKOTA ACCESS ISSUE

This week, 20 of some of the most influential industry groups condemned the Obama Administration for halting work at a section of the Dakota Access Pipeline where there have been intense protests. Writing to Attorney General Loretta Lynch, Interior Secretary Sally Jewell and Army chief Eric Fanning, the organizations stated that when a project like this is halted, "the industries that manufacture and develop the infrastructure, the labor that builds it, and the American consumers that depend on it all suffer."

Additionally, the governors of South Dakota, North Dakota and Iowa demanded the Obama Administration and the Army Corps of Engineers to end the standoff at the pipeline where tribes and environmental groups have been protesting. In a letter sent on Tuesday, the governors stated "until formal changes are made to your regulatory process, it is critical to adhere to the current and established regulatory requirements in place today."

ENERGY BILL CONFERENCE COMMITTEE MOVING ALONG

The conference committee in charge of working out a deal on an energy bill, known as the "Energy Policy Modernization Act of 2016," apparently is making some headway. This week, the Senate Energy and Natural Resources Committee sent its initial energy bill conference proposal to the House for review. The House passed energy bill includes language that is not fuel neutral since it would expedite interstate natural gas pipeline approvals and does nothing to expedite oil pipelines. Specifically, the House bill would expand the federal land eligible for natural gas pipeline siting, including designation as National Energy Security Corridors, to include land in the National Park System.

Rather than deregulate the natural gas pipeline permitting process, Congress should require that regulators and gas companies increase system efficiency by requiring that the thousands of miles of existing natural gas pipelines that are aging or obsolete be repaired or replaced.

Although there are disagreements on many provisions, both bills include language relating to liquefied natural gas (LNG) exports. One provision would require the Department of Energy (DOE) to approve or deny the use and operation of a liquefied natural gas (LNG) exports facility no later than 45 days after an environmental review conducted by the Federal Energy Regulatory Commission (FERC). A second provision would require the DOE to gather and distribute data on the destinations of LNG exports. These two provisions are relatively bipartisan and likely to be approved in the final agreement that may be passed during the lame-duck session.

If a final bill is passed, it will be the first energy reform package to be approved since 2007.

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February 21-23, 2017 – WPMA Convention & Expo – Mirage Hotel– Las Vegas, Nevada

March 1, 2017 – Utah (UPMRA) Day on Capitol Hill – Salt Lake City, Utah

May 18-19, 2017– Nevada (NPM&CSA) Big Dogs Shootout – TBD, Nevada

June 6-8, 2017 – Montana (MPMCSA) Convention – Northern Hotel – Billings, Montana

June 19-22, 2017 – Washington (WOMA) Convention – Suncadia Resort – Cle Elum, Washington

June 22, 2017 – Utah (UPMRA) Summer Classic PAC Golf Outing – TBD, Utah

August 2-4, 2017 – Idaho (IPM&CSA) Convention – Sun Valley Resort – Sun Valley, Idaho

August 21-23, 2017 – New Mexico (NMPMA) Convention – Sandia Resort – Albuquerque, New Mexico

September 13-15, 2017 – Utah (UPMRA) Convention – Zermatt Resort – Midway, Utah

June 18-21, 2018 – Washington (WOMA) Convention – Suncadia Resort – Cle Elum, Washington

August 8-10, 2018 – Idaho (IPM&CSA) Convention – Coeur d'Alene Resort – Coeur d'Alene, Idaho

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