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**See What's on the Schedule for Tuesday's Educational Sessions at the WPMAEXPO**

**TUESDAY, February 17**

8 a.m. - 12 p.m. .... EDUCATIONAL SESSIONS



**• WESTERN STATES LEGISLATIVE UPDATE**

- by *Todd Shaw, WPMA 2nd Vice President*



**• FEDERAL LEGISLATIVE UPDATE**

- by *Rob Underwood, EMA President*



**• AI WITH CUSTOMER SERVICE:**

**Countertop Intelligence**

- by *Nick Lynch, Pythia Scorecard*



**• FRAUD IS NOT JUST A CLAIM, IT'S A CRIME!**

- by *Dean Rhoades, Federated Insurance*



**• AI TOOLS IN ACTION:**

**Leveraging in Your Daily Workflow**

- by *Patrick Godfrey, Slick Rock Security*



**2026 Scholarship Applications are Now Open!**

We encourage eligible students to apply for these amazing awards, including:

- **Four \$10,000 scholarships to students of Marketer Member companies.**
- **One \$6,000 scholarship to a student from an Associate Member company.**

For eligibility and to apply online click the link below:

[www.wpma.com/scholarship](http://www.wpma.com/scholarship)

**Application deadline March 20.**

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The following information provided by:  
**EMA-Energy Marketers of America**



### **Inside the Beltway Update**

This week's most significant legislative activity was House passage of the National Defense Authorization Act (NDAA) for Fiscal Year 2026. The NDAA, which is expected to pass the Senate next week, will be the final major legislative package that Congress will advance in 2025. However, discussions on critical legislation that must be addressed in early 2026 – such as healthcare reform and government funding – have dominated headlines across the Capitol.

On Wednesday the FIRE Act ([H.R.6387](#)) was forwarded to full Committee with a vote of 13-10 out of House Committee on Energy and Commerce Subcommittee on Environment. The FIRE Act introduced by Rep. Gabe Evans (R-CO) would amend the Clean Air Act to require revisions to regulations governing the review and handling of air quality monitoring data influenced by exceptional events or actions to mitigate wildfire risk. Specifically, this bill would prevent the EPA from counting emissions emitted from natural disasters (wildfires). Right now, the state of Colorado and some other states are being penalized for fires outside of their control. For example, these wildfire emissions are forcing the Denver area into non-attainment status and thereby mandating reformulated gasoline that costs more to produce compared to conventional gasoline.

Sen. Marsha Blackburn (R-TN) has introduced the *Consumer Relief and Opportunities for Producers Act* (CROP Act) ([S. 3297](#)). This bill would temporarily reinstate the \$1 per gallon '40A' Biodiesel Blenders' Tax Credit for six months through May 31, 2026. Taxpayers would be able to choose between claiming the Biodiesel Tax Credit or the '45Z' Clean Fuel Production Credit. It has been three years since the legislation was first enacted, and the industry continues to await proposed regulations from Treasury implementing the '45Z' biofuel production credit. This delay has created complexity, revisions, and uncertainty. Industry quickly applauded Senator Blackburn's efforts stating that renewing the Biodiesel Blenders' Tax Credit would help bring down the price of diesel in many markets throughout the country.

### **EMA Files Objections to Proposed Swipe Fee Settlement**

Yesterday, EMA filed its [objections](#) to a newly proposed settlement of a swipe fee case brought by a merchant class that accepted Visa or Mastercard credit cards between December 18, 2020 and the present. A federal court in New York rejected an earlier version of the settlement, and EMA views the new one now before the court as equally bad for merchants.

The thrust of EMA's objections is that the latest version of the settlement provides only a temporary and unworkable solution to the problems caused by excessive interchange fees, while permanently restricting merchants' legal rights. The fee reduction of a tenth of a percent is negligible, and the 1.25% cap on interchange fees is only temporary and can easily be manipulated by the card companies that raise the network and other fees they collect. Visa and Mastercard would also retain centralized control over interchange fees and restrictive acceptance rules.

While the settlement would allow merchants to decline rewards cards, the card companies could add rewards to all their cards (even small and insignificant ones), which would make the right to decline rewards cards meaningless. And in return for these so-called "benefits," merchants would have to give up all their rights to sue Visa and Mastercard.

EMA also believes that even a bad settlement would be touted by Visa and Mastercard as a major achievement that they could use to kill the Credit Card Competition Act (CCCA) now pending in Congress. EMA has worked hard to support the CCCA as representing a real reform of the system and a significant step forward for its retailer-members.

### **EMA Secures Win as PHMSA Halts Proposed Hazmat Registration Increases**

PHMSA has officially withdrawn its proposal to raise annual hazardous materials registration fees—a significant win for energy marketers and a direct result of EMA's sustained advocacy.

The proposal would have increased yearly HAZMAT registration costs for cargo tank operators. While PHMSA argued the increases were needed to meet higher statutory funding targets for the Hazardous Materials Emergency Preparedness grant program, EMA consistently emphasized the disproportionate impact on fuel marketers already facing elevated operating costs and regulatory pressure.

"EMA's comments, outreach, and coordinated engagement with federal officials played a key role in demonstrating that the proposed fee hikes were unnecessary, burdensome, and poorly timed for an industry critical to energy supply and emergency response," said EMA President Rob Underwood. With PHMSA's withdrawal of the rule, current registration fees remain in place—preserving cost stability for fuel distributors and cargo tank operators nationwide.

### **FMCSA Plans to Tighten ELD Process**

The Federal Motor Carrier Safety Administration (FMCSA) plans to tighten its approval process for electronic logging devices (ELDs). The agency intends to replace the current manufacturer self-certification model with a more rigorous, agency-driven review to ensure only fully compliant devices remain on the federal ELD list.

FMCSA's goal is to improve the accuracy of hours-of-service (HOS) data and prevent recurring disruptions caused by faulty or revoked devices reentering the market. The new system will introduce heightened technical verification, enhanced fraud detection, and a tiered approval structure.

Carriers that continue using an ELD after it is flagged or removed could face allegations of violating FMCSA regulations under 49 CFR Section 395.22. Thus, fuel distributors should pay close attention to these changes. Proactive monitoring of device status and maintaining documentation of good-faith reliance on FMCSA's approved list will help avoid unexpected route disruptions, protect against liability, and ensure continuity in time-sensitive fuel transport. Regular monitoring of FMCSA's approved and revoked lists will be essential for HOS compliance.

FMCSA has not yet announced when the new vetting system will take effect, but the shift toward tighter oversight is already underway.

Learn more [here](#).

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### **Weekend Reads**

[Fuel demand increasing in Midwest states | Landline.Media](#)

[No Hurricanes Strike USA For 1st Time in a Decade | Rigzone](#)

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### **Federated Insurance: It's Your Life**

#### **Why is Succession Planning Important for Family Businesses?**

Family-owned businesses are a vital part of the American economy. These businesses employ nearly 46% of the U.S. workforce, totaling over 59 million employees.<sup>1</sup> Despite their economic impact and deep community roots, many family businesses face a silent threat: lack of succession planning.



[Succession planning](#) is a critical yet often overlooked element of long-term business sustainability. Recent studies reveal the following:

- Nearly two-thirds of family businesses don't have a documented succession plan.<sup>2</sup>
- Only 30% survive into the second generation, 12% into the third, and just 3% make it to the fourth.<sup>3</sup>
- Around 70% of small businesses listed for sale never find a buyer, often leading to closure.<sup>4</sup>

The cost of doing nothing is steep — not just financially, but emotionally and culturally. Without a clear plan, transitions can lead to:

- Internal family conflict.
- Loss of [legacy](#) and community trust.
- Business disruption or failure.

Succession planning isn't only about naming a successor. It's about preserving the values, relationships, and stability that make family businesses unique. Whether through preparing the next generation, exploring employee ownership, or planning for a sale, there are options to ensure a smooth transition to the next generation.

For additional information or to discuss this in further detail, please contact your [Federated](#) regional representative or EMA's National Account Executive [Jack West](#) at 262.719.7750 for any additional information or risk management questions.

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**EMA JOURNAL** - The Official Publication of the Energy Marketers of America

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# REGISTRATION OPEN

Click on the event below to register



WPMAEXPO [Registration](#)

## PLEASE NOTE UPCOMING DATES FOR EVENTS

February 17-19, 2026 WPMAEXPO - MGM Grand - Las Vegas, NV

April 23-24, 2026 ECAN (Nevada) Big Dogs, Red Rock Resort, Las Vegas, NV

June 2-3, 2026 MPMCSA (Montana) Convention, Fairmont Resort, Fairmont, MT

June 15-17, 2026 WOMA (Washington) Convention, Suncadia Resort, Cle Elum, WA

July 12-14, 2026 OFA (Oregon) Conference, Sunriver Resort, Sunriver, OR

Aug 5-7, 2026 IPM&CSA (Idaho) Convention, Coeur d'Alene Resort, Coeur d'Alene, ID

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## 2026 WPMAEXPO KEYNOTE SPEAKER

### TIM TEBOW

Tim Tebow knows what it takes to lead with purpose under pressure. From championship locker rooms to the boardroom, he challenges leaders and teams to rethink success—not by what they achieve, but by the impact they create.

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**Petro Pete:** I just opened a flower shop. Business is blooming.

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