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BIDEN ADMINISTRATION INITIATES PLAN TO RELIEVE NATIONWIDE CDL DRIVER SHORTAGE

The Biden administration on Thursday announced a comprehensive plan to address the nationwide shortage of qualified CDL drivers. The Action Plan to Strengthen America's Trucking Workforce takes several steps to speed up the CDL licensing process and recruit new drivers into the profession. The plan is part of a wider effort by the administration to ease supply chain backlogs that prevent goods from getting to market in a timely manner.

EMA has been collaborating closely with the DOT on ways to recruit new CDL drivers through an expanded EB3 Visa program, industry specific training modules for different sectors of the industry and endorsement exemptions for drivers operating bobtails. EMA will continue to advocate for these and other driver recruitment methods as the agencies meet with industry stakeholders. The administration's driver plan includes the following federal agency initiatives:

Within the Next 30 days:

- FMCSA will make \$30 million available for state licensing agencies to help expedite the CDL licensing process which has slowed significantly by COVID-19 workplace and social distancing restrictions.
- In addition to the funding, the FMCSA will send a tool kit to all 50 states detailing specific actions they can take to expedite licensing, streamline CDL licensing procedures and reduce testing delays.
- FMCSA will also begin tracking delays to identify states having problems with issuing CDLs and working with those states to make needed improvements.
- FMCSA will begin an in-depth study of driver compensation, including the unpaid time drivers spend waiting during loading and unloading activities.

Within The Next 60 Days:

- The DOT will launch a national apprenticeship program for drivers aged 18-21 to provide paid, on-the-job training to become new CDL drivers.
- The Department of Labor and Veterans Affairs Administration will expand outreach to support veteran recruitment into the trucking profession along with strategies to recruit new entrants in underserved communities including women.

Within the Next 90 Days:

- The administration will bring together state partners, labor, training providers, truckers, the trucking industry, and other stakeholders to advance these efforts and develop new ones to address the CDL driver shortage.

CAPITOL HILL UPDATE

President Biden and Senate Majority Leader Chuck Schumer (D-NY) acknowledged this week that the Senate does not have the votes to approve the House-passed \$1.75 trillion Build Back Better Act (BBB) before Christmas. Disagreements over various provisions continue. Senator Joe Manchin (D-WV) believes that many of the programs cost far more than the White House has argued. Senator Manchin is also seeking changes to the proposed electric vehicle (EV) tax credit – Sen. Manchin wants the income threshold to be lowered and wants to strike the provision that grants union-built EVs more favorable tax treatment. Other Senators have concerns with various tax provisions, including the State and Local Tax (SALT) deduction.

In other news, Senators Amy Klobuchar (D-MN) and Chuck Grassley (R-IA) introduced bipartisan Midwest lawmaker legislation to prohibit the EPA from reducing the minimum applicable volume of biofuels into transportation fuel once the RVO levels are finalized for any given year. This comes after the EPA last week proposed to retroactively reduce 2020 and 2021 RVO levels due to lower demand for transportation fuels during the COVID-19 pandemic. Other cosponsors include Senators Tammy Duckworth (D-IL) and Joni Ernst (R-IA), and a House companion bill was introduced by Representatives Angie Craig (D-MN), Ron Kind (D-WI), Rodney Davis (R-IL), and Ashley Hinson (R-IA).

EMA has for many years called for lower annual corn ethanol blending volumes that would allow marketers to determine for themselves whether to sell E15 rather than be required to do so through a de facto mandate. EMA sent multiple letters

to the EPA and the National Economic Council this year requesting urgent action to reduce the corn ethanol mandate to address the current E15 crisis. Click [here](#) and [here](#) to read EMA's letters.

Meanwhile, the Biden Administration released a [fact sheet](#) on the Biden-Harris Electric Vehicle Charging Action Plan. First, the White House announced the formation of a Joint Office of Energy and Transportation overseen by the Department of Energy (DOE) and the Department of Transportation (DOT), as outlined in the Infrastructure Investment and Jobs Act (IIJA). Next, the DOT and DOE will be establishing a new Advisory Committee on Electric Vehicles with plans to appoint members by the end of the first quarter of 2022. Additionally, DOT released a Request for Information (RFI) titled Development of Guidance for Electric Vehicle Charging Infrastructure Deployment. The RFI seeks input from stakeholders on implementation of the \$2.5 billion competitive grant program for alternative fuel charging infrastructure and \$5 billion for state formula grants for electric vehicle (EV) charging infrastructure included in the IIJA.

Comments will be accepted until January 28, 2022. On December 9, EMA sent a memo to the Motor Fuels Committee and Alternative Fuel Task Force discussing comments that EMA could submit.

FEDERAL HIGHWAY ADMINISTRATION PROHIBITS FEE PAID EV CHARGERS AT REST AREAS

The Federal Highway Administration (FHWA) issued guidance this week clarifying that fee paid EV charging stations cannot be located within the interstate right of way (ROW), including rest areas. This is good news for energy marketers who have long fought against commercialization of rest areas. Commercialized rest areas siphon customers away from local gas stations and other businesses typically located at interstate entrance and exit ramps.

Specifically, the FHWA guidance clarifies that fee paid EV charging stations do not fit into any of the limited commercial activities allowed at rest areas. Those activities include lottery machines, travel information, commercial advertising, tourism promotion and tickets for state historical or tourism related event. However, according to the same guidance, fee paid EV charging stations may be placed at rest areas on interstate segments where federal-aid highway funds or other funds administered under Title 23 have never been used, which are typically older toll roads. The guidance also clarified that fee paid EV charging stations may be located at Park and Ride lots adjacent to highway entrance and exit ramps.

PROTECTING AGAINST MALICIOUS CYBER ACTIVITY BEFORE THE HOLIDAYS

The White House sent a [letter](#) addressed to Corporate Executives and Business Leaders about the need to protect against malicious cyber activity before the holidays. Historically, companies have seen breaches around national holidays because criminals know that security operations centers are often short-staffed, delaying the discovery of intrusions.

Here are some best practices that can be implemented immediately.

- Updated Patching. Criminals count on victims failing to patch their systems and usually take advantage of long known and fixable vulnerabilities.
- Know your Network: Enable logs; pay attention; investigate quickly. Intrusions can be stopped before the impact.
- Change Passwords and Mandate Multi-Factor Authentication (MFA). Ask your IT staff how long it has been since employees changed their passwords.
- Manage Schedules. Review staffing plans for your IT and security teams to ensure you have sufficient holiday coverage. Similarly, identify those IT and security employees who are on 24/7 call in the event of a cybersecurity incident or ransomware attack.
- Employee Awareness. Conduct spear phishing and other exercises to raise employee awareness of common attacks. Reinforce the imperative to report computers or phones exhibiting any unusual behavior.
- Exercise Makes an Organization Healthy. Exercise your incident response plan now, so that if the worst happens you can respond quickly to minimize the impact.
- Backup your Data. Confirm that you are backing up key data. Ask your IT staff to test the backup system and verify that that these backups are offline and COMPLETELY out of the reach of criminals.

Please encourage your IT and Security leadership to review the entire White House letter and visit the FBI website where they will find technical information and other useful resources.

LIFE CYCLE CARBON EMISSIONS OF ELECTRIC AND COMBUSTION VEHICLES

The Fuels Institute has recently completed an analysis of the life cycle carbon emissions for electric and combustion vehicles. The "Life Cycle Analysis Comparison – Electric and Internal Combustion Engine Vehicles," report, due to be released in January 2022, looks at the carbon emissions from each phase in the life cycle of battery electric vehicles (BEVs), internal combustion engine vehicles (ICEVs) and hybrid electric vehicles (HEV) to help identify opportunities to effectively reduce carbon emissions from the transportation sector. The report looks at emissions at each stage of a vehicle's life cycle allowing a critical look at the carbon intense phases in a vehicle's life and focus on mitigating carbon emissions at these phases to improve the emissions profile of the entire transportation sector. The report analyzes the

carbon emissions associated with material sourcing, manufacturing, well to tank (that includes electricity generation and petroleum refining and distribution), and vehicle operation (transporting passengers) and concludes that there are opportunities to reduce carbon emissions for all three vehicle types at various stages in their life cycle.

Another concept that comes out of this analysis is the importance of reducing the carbon intensity of the liquid fuels that power combustion engines. Even under extremely aggressive BEV sales projections, it will be decades before BEVs replace all ICEV sales, so it is important to look at all vehicle types to achieve carbon emission reductions. Overall, the report indicates that BEVs make a lot of sense in low carbon grid scenarios (electricity generated by high percentage of renewables), but a combination of ICEV and HEV with lower carbon intense fuel options might make more sense in other markets.

A copy of the report will be available for download from the Fuels Institute website once the report is available. [Click here](#) for the quick analysis.



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A promotional banner for a scholarship. On the left, a woman in a winter hat holds a sign that says "My wish list: A WPMA Scholarship!". The main text reads "SCHOLARSHIP \$4,000 OPPORTUNITY!". To the right is a classical column icon and the text "WPMA SCHOLARSHIP FOUNDATION". On the far right, a green box contains the text "CLICK HERE for a WPMA SCHOLARSHIP Application FORM".

MARK YOUR CALENDARS FOR UPCOMING EVENTS

- February 22-24, 2022 – WPMA Convention & Expo – Mirage Hotel– Las Vegas, NV
- April 25, 2022 – Hawaii (HPMA) Golf Tournament – Ko Olina Golf Club – Kapolei, HI
- May 5-6, 2022 – Nevada (NPM&CSA) Big Dogs – Las Vegas, NV
- June 7-8, 2022 – Montana (MPMCSA) Convention – Fairmont Hot Springs Resort – Fairmont, MT
- June 20-22, 2022 – Washington (WIED) Convention – Suncadia Resort – Cle Elum, WA
- June 23, 2022 - Utah (UPMRA) Summer Golf Classic - Stonebridge GC - West Valley City, UT
- 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

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Petro Pete: *"It used to be only death & taxes. Now, of course, there's shipping and handling too."*

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