



**THE INTERMODAL ASSOCIATION OF NORTH AMERICA
INTERMODAL SAFETY COMMITTEE MEETING**

**Sunday, September 12, 2021
11:30 a.m. to 12:30 p.m. PDT
Hyatt Regency, Long Beach, CA**

Call to Order

The meeting was called to order at 11:32 a.m. by Committee Chair Herbert Mayo of TrueNorth Companies. IANA General Counsel Marc Blubaugh provided the anti-trust guidelines, after which a quorum was confirmed.

Approval of the May 21, 2021 minutes

Alan Tyson, C&K Trucking LLC, asked for a motion to approve the minutes of May 21. The motion was made by Ted Prince, Tiger Cool Express LLC and seconded by Eric-Jan Bronwasser, Milestone Equipment Holdings. The minutes were approved by vote.

Working Group Reports

Safety Analytic and Data Working Group

Collin McNamara, TrueNorth Companies, said the group's main goal of organizing, gathering, scrubbing and making safety data readily available, starting in support of the Terminal Traffic Safety group. The Data group is going to start reaching out to individuals for information relating to incidents such as slipping, tripping, and falling at railheads, terminals, ports, and container yards. Mr. McNamara said the group wants to get actionable resources to IANA members. Mr. Mayo said the more data obtained the better, and Mr. Tyson asked members who knew of someone who wanted to participate, to reach out to committee leadership.

Terminal Traffic Safety Working Group

Vernon Prevatt, CSX, said he and Gerry Bisailon, REMPRES LLCX under IANA auspices in 2013 began gathering data regarding mishaps or accidents, incidents on intermodal terminals, and developed a template for the collection of accident data that could be used to help understand the types of calamities that occur on intermodal facilities,



ports, and other intermodal locations. He emphasized that company identities are protected, and that the group could collect data on a quarterly or semi-annual basis, to improve analysis and reduce accidents and the loss of man-hours associated with those mishaps. He credited CSX partner TTX for sharing some of the things it has done at their facilities to make sure that the flow of traffic is away from equipment operations and called those ideas an opportunity for the industry to develop an infographic-type format for distribution. The current group plan is bi-weekly calls for data collection aided by IANA's iMeet collaboration tool. He urged members to participate and asked for ideas on how to present a complex safety situation using a picture.

In response to Mr. Bisailon's question about his vision for making the data and information available to members, Mr. Prevatt said he envisions a booklet in PDF form on the IANA website with, for example, a section on fixed object collisions, vehicle crane path collisions, and graphics that explain things that have been done to eliminate, reduce or stop that type of mishap. Ideally, the Safety Committee could review it on a biennial or annual basis, to make sure it's still relevant to best recommended practices.

Nicholas Hawkins, Union Pacific, asked if any type of factor-based models have been applied to the data. Prevatt said that was within the realm of possibility, and asked Mr. Hawkins to look into it based on his experience. Trends can be difficult to pick out from a spreadsheet, he said, but building a model to analyze, assess and develop recommendations makes the data more meaningful.

Mr. Mayo called for a motion on adopting the charter for a Terminal Traffic Safety Task Force. Mr. Bisailon made the motion, and Mr. Bronwasser seconded. The Task Force was approved by vote.

Safety Update from Scopelitis Transportation Consulting

Steve Keppler, Scopelitis Transportation Consulting, appeared via video. He discussed Meera Joshi, appointed by President Joseph Biden as Deputy Administrator of the Federal Motor Carrier Safety Administration (FMCSA). Keppler said she really gets to understand issues and was thoughtful about how she makes decisions. He said the FMCSA has a number of rulemakings in its queue, including the integration of automated driving systems, human driver credentialing issues, hours of service, medical qualifications, drug and alcohol testing, and distracted driving. The agency has a program for partnerships between a couple of associations and other stakeholders to provide training and education materials to accelerate adoption of



ADAS (Advanced Driver Assistance Systems) in the market. Keppler said the agency is also looking at crash analysis research and electronically controlled braking systems.

Drug testing is a major area of emphasis right now, he said, with the Drug and Alcohol Clearing House launched in 2020. Since it was launched, 80,000 drivers tested positive, and not many of them have returned to driving. There are a number of related regulatory activities, such as driver licensing agency downgrades, CDLs not allowed as transfers or renewals if a driver is prohibited in the clearing house. Consent issues are also looking to allow limited queries potentially for pre-employment tests as part of part of the process; the Department of Health and Human Services has approved the allowance of oral fluids for testing and is awaiting final approval by Department of Transportation Secretary Pete Buttigieg. Electronic signatures allowed by FMCSA is moving through the approval process across all the agencies in the department. On driver health, there's a final rule under possible revision allowing drivers with monocular vision to operate, and also limit waivers.

On the driver side Keppler said there is an entry level driver training regulation that is going to be implemented in February 2022. He called it a sea change to ensure all drivers are trained to operate commercial motor vehicles and has been in the works for a number of years. Keppler noted a proposed program to train younger drivers, because of the driver shortage issue, and a provision in the federal spending reauthorization bill to allow an apprenticeship program for drivers modeled after previous legislative pushes for drivers between the ages of 18 and 20 to operate in interstate commerce on a limited basis.

On the vehicle side, Keppler there are regulatory activities to add a rear impact guard to the vehicle inspection list. There are labeling certification requirements in the reauthorization bill, with additional requirements regarding studies and changing the standards for rear and potential side underride guards. Also, the American Trucking Association recently requested an exemption for brake instructor qualification and inspector qualification.

Elsewhere, Keppler said a lawsuit challenging the Hours of Service rules changes in 2020 is now in the U.S. Court of Appeals for the D.C. Circuit. FMCSA is also looking at split-sleeper issues and also a split-duty day pilot program. There is a provision in the reauthorization bill to look at sleep apnea, but whether or not the agency decides to move forward on it without any Congressional direction historically is a question. Other medical issues include sleep management, length of medical certification, the seizure standard, and the North American fatigue management study program that has been ongoing for a few years. There is some thinking, said Keppler, that agency's Compliance, Safety, Accountability (CSA) enforcement program won't necessarily be



moving towards a National Academy of Sciences model but will undergo some tweaking of its methodology, such as peer grouping severity weights and geographical disparities. He said the FMCSA's Crash Preventability Determination Program has been a success, and there is ongoing research to make it even better. He urged carriers to take advantage of that process.

Kepler said there is a lot of interest in driver pay issues. The agency is looking primarily at recruitment and retention, but also driver compensation issues, hiring practices, and pay strategies. He said a recent Safety Advisory Committee meeting had a presentation about pay as it relates to the Fair Labor Standards Act, which brings the Department of Labor into the conversation.

A Truck Leasing Task Force provision in the reauthorization bill could impact the independent contractor model, Kepler said, and there is a lot of interest in California's AB5 bill as well as the ProAct bill that's moving through Congress. He noted that the California Trucking Association petitioned the Supreme Court for a review of AB5, which likely would take four to six months, and another year after that as an injunction stays in place. So, AB5 is not being enforced at the moment. ProAct has passed the House but it's uncertain in the Senate whether or not it's going to make its way to review. Kepler said there is some thinking that the National Labor Relations Board may take action at a policy level to address this.

Kepler said the FMCSA years ago did a study on large truck crashes across the country and that the agency is in the planning stages of redoing that study, adding new data elements and expanding the sample size to about 2000 crashes. The study would add data sets and make more data public, to help the safety community be more targeted in how it's using that data. Also being looked at is the connection between CDL convictions and disqualifications. As for the infrastructure bill, Kepler said there is a lot in it the trucking industry will like from a safety perspective, but how the final version emerges in the Senate remains to be seen.

Old Business

Mr. Mayo asked members to fill out an online safety briefing available on IANA's website, a five-question template designed to collect information on incidents and how to prevent them. He said the purpose is for members to share information and learn from it.

Bill Traub, CSX, brought up the, primarily shipper, issue of grossly overloaded or misplaced containers that create a significant safety issue over the road and in rail terminals. He said the railroad had a recent incident at one of its terminals when a



container weighing 100,000 pounds caused a side loader to tip over.

Mr. Prevatt said that the only practical solution is to have a system that requires the weight data to be preserved prior to ingate to an intermodal facility for transport by rail. He said there is a lot of complexities associated with that in a system that is already overloaded and undermanned. It is an issue that needs to be put on a priority list, he said, an opportunity to talk to intermodal partners and IANA leadership about what forums are available to start developing a platform for instituting change on weight certification for containers coming into intermodal facilities.

Mr. Bisailon said that container weight is one of the intermodal industry's biggest safety issues. Most likely – to protect assets, infrastructure and people – telematics will become on increasing presence, whether on chassis or cranes, not to certify weight but to indicate whether a box weighs 50,000 pounds or 100,000 pounds. He expects then to see actions taken to stop the container movement and corrective actions such as partial offloading of the load. While some carriers require recertification of weight, Mr. Bisailon said, the question becomes how to administrate and improve the process. He thought it would wind up coming down to weighing in the terminal, to protect intermodal companies.

Mr. Lhotak asked if the overweight incidents involved falsified bills of lading. Mr. Bisailon replied that a bill of lading can misrepresent weight despite systems with automated recordings in terms of creating the bills of ladings. If that varies from the packing slips there is supposed to be a manual effort to correct the weighting, but he said sometimes that happens and sometimes it doesn't. He cited other instances

where the weight of a box from a certified crane wasn't close to the weight listed on the bill of lading. He thinks there is probably some percentage of intentional misreporting but added that it is a system processing issue, with automated records being created through a generic algorithm that doesn't represent the actual factory output. Mr. Traub also cited the bill of lading in the CSX incident that if not intentional, was incorrect. Mr. Mayo said the issue would be taken to the Operations Committee for further discussion. As an insurance specialist, he said that weight is an issue made worse when containers are not properly blocked or secured. A sharp turn on the interstate, he said, and equipment ends up all over the highway.

Doug Moat, RoadOne IntermodaLogistics, said that his company's biggest problem is a 20-foot container that is loaded like a 35-foot container, and a 30 that is closer to a 50 when they are fully loaded. The containers don't make it through the first turn on the road, because of an imbalance. Intermodal companies, he said, have no right to open the container and cannot tell how it's loaded; it is on the drivers to make a decision.



Moat said that is the largest problem, how to fix what they cannot see. It's not just about the public, he said, it's the driver going out and getting hurt, a load coming out of the back of a container, and serious issues beyond. Mr. Bronwasser noted that the International Maritime Organization may also have a working group on the subject.

Mr. Lhotak said that intermodal companies have capacity restraints that are only as good as the information provided on a bill of lading. He said that with driver and chassis issues to expect more falsified bills of lading, and shippers adding an extra pallet because for every 10 loads they can get a free load. He said it was up to intermodal companies to provide educational information on the issues to shippers, now.

Housekeeping

Hal Pollard thanked attendees, and introduced new IANA staff Beth Pernerewski, manager of education and committees, and Brian Lagana, director of membership.

Mr. Mayo asked for a motion to adjourn. Mr. Tyson made a motion that was seconded by Mr. Prevatt. The meeting was adjourned at 12:36 p.m.

Roll

First Name	Last Name	Organization Name	Invited	Attended
3PL				
Brandon	Folck	Hub Group	x	x
Theodore	Prince	Tiger Cool Express, LLC	x	x
Douglas	Turpening	XPO Logistics	x	x
Marine				
Sharifa	Batts	Ports America	x	x
Talmadge	Coker	South Carolina Ports Authority	x	x
Chris	Green	Virginia International Terminals, Inc.	x	
Jason	Hunt	Georgia Ports Authority	x	x
Hampton	Lee	South Carolina Ports Authority	x	x
Motor Carrier				
Gary	Cornelius	TCW, Inc.	x	
Nancie	De Salvo	Rose Transportation, Inc.	x	
Amy	Ferguson	Gulf Winds International, Inc.	x	
Nate	Graglia	Wallport Transit Xpress, Inc.	x	
Kevin	Lhotak	Reliable Transportation Specialists, Inc.	x	x
Sean	McKenna	Manchester Motor Freight, Inc.	x	x
Doug	Moat	RoadOne IntermodaLogistics	x	x



Carlos	Rodriguez	Dunavant Transportation Group, LLC	x	
William	Traub	CSX Intermodal Terminals	x	x
Alan	Tyson	C & K Trucking, LLC	x	x
Joshua	Vance	J.B. Hunt Transportation Services, Inc.	x	
Rail				
Jeffrey	Chapman	Union Pacific Railroad Company	x	
Nick	Hawkins	Union Pacific Railroad Company	x	x
John	Knight	Kansas City Southern	x	x
Santiago	Martinez	ciaO intermodal	x	
Vernon	Prevatt	CSX Transportation	x	x
Matthew	Wafer	Union Pacific Railroad Company	x	x
Christopher	Waters	Norfolk Southern Corporation	x	
Supplier				
Don	Alfarone	FlexiVan	x	
Eric	Anderson	Milestone Equipment Holdings	x	
Dave	Anthony	Northeast Freight Transfer	x	
Christian	Augustin	Yardeye	x	
John	Bario	TTX Company	x	
Dale	Bartley	P & B Intermodal Services, LLC	x	x
Gerry	Bisaillon	REMPREX, LLC	x	x
Eric-Jan	Bronwasser	Milestone Equipment Holdings	x	x
Robert	Castillo	P & B Intermodal Services, LLC	x	
Thomas	Coleman	Northeast Freight Transfer	x	
Ron	Cordova	Zonar Systems, Inc.	x	x
Matthew	Diehl	Autocar Truck	x	
Michael	Dougherty	TRAC Intermodal	x	x
Carl	Francis	Consolidated Chassis Management, LLC	x	x
Joey	Frederick	TOPLIFT North America	x	x
Trace	Haggard	TSG Companies	x	
Joe	Hite	CIE Manufacturing, Inc.	x	x
Douglas	Hoehn	Milestone Equipment Holdings	x	
Brian	Hofmann	CIE Manufacturing, Inc.	x	x
Clemens	Horacek	Kuenz America Inc.	x	x
Alison	Humphrey	TTX Company	x	
Jenny	Johnson	Intermodal Support Services, Inc.	x	x
Calvin	Lin	Ventra Technology Inc.	x	x
Mike	Lockwood	USI Insurance Services LLC	x	
Andrew	Malion	Spectra Products, Inc.	x	
Herbert	Mayo	True North Companies	x	x
Collin	McNamara	True North Companies	x	x
James	Michel	Oliver Wyman	x	x
David	Miller	The Marino Group	x	x
Cory	Norris	TTX Company	x	



Stacy	Ossenfort	Northeast Freight Transfer	x	
Chad	Peterson	DCLI	x	x
John	Picinic	P & B Intermodal Services, LLC	x	
Mike	Rolling	FlexiVan	x	
Shawn	Ruth	TTX Company	x	x
Davor	Stepanovic	Eveley International Corp.	x	
Martin	Summers	Consolidated Chassis Management, LLC	x	x
Paul	Tamburelli	Transportation Compliance and Safety Group	x	
Larry	Thompson	Consolidated Chassis Management, LLC	x	x
Cindy	Verrecchia	Transtar Insurance Brokers, Inc.	x	