

**Meeting Summary
TBWG Policy Subcommittee
June 9, 2006, Bellingham, WA**

Hugh Conroy reviewed the agenda.

8:30 – 9:00	<p>1. Update on FMCSA Canadian Issues research contract: Background—excerpt from Sept. ‘05 statement-of-work: [As part of this work] “FMCSA intends to collect, evaluate and analyze information and data on the various significant issues that would impede or restrict FMCSA from pursuing or achieving the development of uniform North American standards, policies and programs relating to the operation of commercial motor vehicles, and the reciprocal recognition of each other’s standards, policies, and programs. FMCSA intends to conduct a regulatory and policy analysis to determine their impact on Canadian motor carriers and drivers and to determine their consistency with official US agreements with Canada.”</p>
9:00 – 9:40	<p>2. Policy Assessment –</p> <p>a. A general overview and discussion: - Method, current coverage, opportunity for ongoing development</p> <p>i. Using the website to compile and present policy-related mechanisms from regions as well as national-level mechanisms.</p> <p>ii. BC-WA cross-border ITS maintenance arrangement; a work in progress.</p>
9:40 – 10:00	<p>3. Highlights of member-identified current and emerging cross-border research initiatives by various institutions.</p> <p>a. Formation of a research directory on the TBWG website.</p>
10:00 - 10:15	<p>4. Wrap up, next steps, etc.</p>

FMCSA project

Hugh introduced the FMCSA project (excerpt of scope-of-work above). This agenda item was of interest to the policy group because the type of policy assessment being done is analogous to objectives and approach of the TBWG policy-oriented work.

Ted Mackay had heard of this project via the Commercial Vehicle Safety Alliance (CVSA). Benoit Cayouette had heard a presentation by the chosen consultant, SAIC, at a meeting of the Canadian Council of Motor Transport Administrators (CCMTA).

Walter Steeves mentioned that EBTC has completed work on a guide for truckers to access information, on the internet, related to the rules and regulations for commercial vehicles crossing the border (http://www.ebtc.info/files/truckers_web_guide.pdf)

Benoit Cayouette suggested that the TBWG Policy Group might want to suggest standards

Follow-up action: Check with FMCSA and/or SAIC to see to what extent development of standards is part of the current project scope.

Follow-up action: Check with CCMTA and AAMVA to see what mechanisms they are using for (communication?) various aspects of commercial vehicle regulations: weights and measures, NAFTA trade rules, etc.

Discussion covered the idea that, upon becoming more familiar with the categories of regulations being assessed under the FMCSA effort (and possibly other similar efforts), that the TBWG policy group might want to suggest priority-areas for work on improved synchronization of cross-border commercial regulations.

Rob Tardiff noted that information from the border commercial vehicle intercept survey could provide additional basis for prioritizing actions (i.e. based on preponderance of commodities, truck configurations, routes, etc.)

Follow-up action: Benoit will look for a copy of the SAIC presentation he saw at CCMTA meeting to share with the policy committee.

Benoit noted that, currently, each province manages compliance with its own carriers. CCMTA is interested in promoting the use of a single network.

Committee discussion also covered the possibility that treatment of empty-trucks at the border could be made more efficient as a result of better regulatory coordination.

Policy assessment: ITS hardware maintenance

Hugh Conroy reviewed the current draft policy assessment regarding the ability of Washington State and British Columbia to maintain ITS hardware, even in the instances in which that hardware (cables, loop detectors, etc) crosses over the border some distance.

Hugh reviewed some initial observations of laws that would seem to support the needed worker access given a pre-existing interagency agreement between the state and province.

Pedro Erviti noted that any such agreement between a state and province would need to be sanctioned by the U.S. State Department (and presumably Foreign Affairs Canada). This is to ensure that there is no conflict with reserved federal prerogatives.

It was noted that continuing work on this issue should be pursued in coordination with Susi Derrah's work on the New Brunswick-Maine projects. (pdf of this presentation sent with this draft summary).

Pedro Erviti volunteered to take any draft-agreement that regional agencies want to propose and have it looked at by the U.S. State Department for accordance with existing parameters.

Wayne Sauer encouraged that action on this issue should be broadened to cover cross-border maintenance agreements in general. Wayne added a question about the extent to which such accommodations would be a function of regional circumstances. Benoit noted that the ME-NB waiver for labor was based on distance (*from/of the bridge?*).

Other policy-related items

Gordon Rogers gave a quick update on emerging initiatives of the Whatcom Transportation Authority (Whatcom County Washington's public transit agency) towards implementing a cross-border bus transit service. IMTC has facilitated early meetings on the overall approach, involving the Greater Vancouver Transportation Authority (TransLink) and US CBP and CBSA. Research and development of the proposal continue.

Follow up items

Jonathan Sabeau suggested renaming the policy assessment of cross-border ITS maintenance to something that would more generally cover the cross-border labor and worker-access issues that are the common denominator of the examples discussed by TBWG members. There was quick agreement on this suggestion.

Benoit suggested that the matrix presented by Susi Derrah be developed as an end-product—a check sheet that cross-border projects can use.

Follow-up action: Hugh will check with Susi about building a check list from the existing table.

Follow-up action: Isabelle Trepanier mentioned that she would look into the act specific to bridges. This might present a way to approach some of the issues discussed above.

Pedro Erviti suggested that the committee might explore the legislation surrounding these issues. Discussion followed on ways this might be evaluated and given consideration.

For the next TBWG: Follow-up action: it was decided that the policy group would present 1) a finished assessment of cross-border maintenance/worker-access arrangements and 2) an assessment of what TBWG's input might be with regard to FMCSA's project on uniform U.S.-Canada regulation of commercial vehicle operation.