

Welcome to the Mid-America Truck Show

*The staff of Marvin Johnson & Associates is here to serve
you and all your truck insurance needs.*



SPECIAL EDITION:
Mid-America Truck Show

800-457-5255 • 812-372-0841 • Fax 812-372-2687 • www.mjai.com

Specializing in Trucking Insurance

2008 Seminar Training Dates Safety-Loss Prevention Department

April 2-3 Mid-West Truckers, "DOT Compliance Seminars" Chicago area (fee charged by Mid-West Truckers)

April 16 Yellow Van Tour – Effective Drug & Alcohol Testing & Regulation Update 9:00 a.m. to 4:00 p.m., Columbus, IN Holiday Inn Conference Center (clients only, no charge)

April 17 Indiana Motor Truck Association, "DOT Compliance Seminar" 9:00 a.m. to 4:00 p.m., Indianapolis, IN (fee charged by IMTA)

May 7 Yellow Van Tour – Effective Drug & Alcohol Testing & Regulation Update 9:00 a.m. to 4:00 p.m., Plymouth, IN Swan Lake Resort (clients only, no charge)

June 4 Yellow Van Tour – Effective Drug & Alcohol Testing & Regulation Update 9:00 a.m. to 4:00 p.m., Ft. Wayne, IN (clients only, no charge) Ft. Wayne Marriott

July 16 Yellow Van Tour – Effective Drug & Alcohol Testing & Regulation Update 9:00 a.m. to 4:00 p.m., Findley, OH Country Inn & Suites, 903 Interstate Drive (clients only, no charge)

August 6 Yellow Van Tour – Effective Drug & Alcohol Testing & Regulation Update 9:00 a.m. to 4:00 p.m., Wadsworth, OH The Galaxy Restaurant (clients only, no charge)

August 13 Yellow Van Tour – Effective Drug & Alcohol Testing & Regulation Update 9:00 a.m. to 4:00 p.m., Wilmington, OH Holiday Inn, Roberts Center (clients only, no charge)

October Ohio Trucking Association, "DOT Compliance Seminars" - Tentative dates of 10-7, 10-8, 10-28 and 10-29 (fee charged by OTA)

November Mid-West Truckers, "DOT Compliance Seminars" Tentative dates 11-4, 11-5, 11-11, 11-12 (fee charged by Mid-West Truckers)

Is Your Collection Site in Compliance?



*If your drug/alcohol testing collection site isn't in compliance...
... don't think it is just their problem.*

Remember, you are responsible for the administration of your drug/alcohol testing program, even if you hire someone else to administer it for you. So, if the collection site isn't in compliance, neither are you.

In a recent undercover investigation by the General Accounting Office, agents were very successful in using bogus driver's licenses for

identification and adulterating the specimens. During the investigation it was very evident that the vast majority of collection sites were failing to properly secure the facility.

Drug/alcohol testing compliance is one of the topics of this year's Yellow Van Tours. Be sure to sign up for the free day of information on this and other topics of interest at a site near you.

Tentative DOT 2008 Rulemaking Agenda

Description	Expectations
Electronic On-Board Recorders	Final Rule September 2008
Incorporating the Medical Certification Process into the CDL	Final Rule April 2008
Medical Examiners Registry	Proposed Rule February 2008
Intermodal Equipment, identifies who is responsible for inspection and maintenance program	Final Rule April 2008
Revise CDL Knowledge and Skills Testing standards. Addresses issues related to a driver's state of domicile	Proposed Rule February 2008
9-15 Passenger Vans - eliminate the 75 mi. radius exemption	Final Rule March 2008
Railroad Grade Crossing Safety	Proposed Rule September 2008
Safety Fitness Determinations based on Inspections, Violations and Crash History rather than the standard Compliance Review	Proposed Rule May 2008
Raising the standard for New Entrant Audits	Final Rule March 2008



Annual *Safe & Warm* Campaign

Once again Marvin Johnson & Associates (MJAI) wants to create a little extra incentive for your drivers to get through the upcoming winter months accident free.

We'll be giving away 4 gift certificates from Pilot Travel Centers worth \$250 each. The winners of the gift certificates will be announced April 21, 2008 at the MJAI office in Columbus, IN. The winners will be able to use the gift certificates to purchase items at any Pilot Travel Center. The drivers do not need to be present to win.

To be eligible to win, your drivers must:

- Sign and return to you their pledge committing to Winter Driving Safety.
- Be a current client or be employed by or leased to a current MJAI client on April 21, 2008.
- Be accident free from November 1, 2007 through March 31, 2008.

When you receive a pledge sheet back from a driver, add his/her name to the "Safe and Warm"

Winter Driving safety campaign sign up sheet. At the end of the campaign forward the sign up sheet to Michelle Fouch by mail or fax to 812-372-2687.

If you would prefer to keep your driver names and addresses on an Excel spreadsheet, contact Michelle at mfouch@mjai.com or 812-372-0841 and she can send you a spreadsheet which you can return to her when the campaign is over. The names of the drivers on the sign up sheets will be placed in a random drawing pool, from which the winners will be picked on April 21, 2008.

Throughout the winter we will be stressing the avoidance of accident situations created by poor speed and space management. Rear-end accidents, historically, double during the winter months. Average rear-end claims settlements have been running well over \$50,000 per occurrence.

Marvin Johnson & Associates Safety and Loss Prevention Department has additional information and videos to borrow on Winter Driving Safety. If you need more information for a driver meeting, call Michelle Fouch at 800-457-5255.

Websites of Interest

Specific documentation requirements for **land, sea and air travel** may be found at www.cbp.gov/xp/cgov/travel/vacation/ready_set_go/

Information on obtaining a **US Passport** can be obtained at www.travel.state.gov or call 1-800-487-2778.

All motor carriers are assigned PIN by the FMCSA to allow them to do online transactions within many FMCSA systems. This number can be found on the FMCSA letter mailed to each carrier as a reminder of FMCSA's requirement to file a biennial update of carrier registration information (Form MCS-150). If you are not able to locate your PIN, you can request it through the following link:

http://mcmis.volpe.dot.gov/mcs150t/Pkg_PUBLIC_MCS150.prc_public_dot_pin_request.

Once you complete the PIN registration process, a notification letter with your PIN will be generated and mailed to the address that was submitted on your most recent MCS-150.

The **Office of Drug & Alcohol Policy & Compliance** now has an "Employer Page" designed to be a one-stop shopping resource page for employers subject to DOT/USCG drug and alcohol testing regulations.

The Employer Page can be found at <http://www.dot.gov/ost/dapc>

New Marvin Johnson Driver Advantage Program

Our team at Marvin Johnson & Associates, Inc. has been working hard to find a health insurance plan that meets the needs of your company and others in the trucking industry. This is why we have partnered with Pro Truckers Resource to offer you a low cost indemnity plan with a drug card that is designed specifically for trucking companies.

How can the Driver Advantage Plan help you?

No Medical Underwriting Required:

Indemnity means: protection from loss. In this case the insurance company is protected from loss because they pay a limited dollar amount or a limited number of office visits per member. This allows the insurance carrier to determine their maximum liability, therefore, no medical questionnaires are needed.

Cost Savings:

Due to the limited liability of the insurance carrier, rates are kept at a minimum. The carrier knows the maximum liability for the group and is able to offer affordable rates.

Participation Issues No Longer a Worry:

In the trucking industry many companies struggle to keep drivers enrolled in their health plan due to high rate increases. The Driver Advantage Plan is a great way for employers to offer affordable rates to drivers and has been a proven method in increasing participation.

Coverage for Drivers during Waiting Period:

Because of high driver turnover many employers are paying for claims incurred by drivers who are no longer employed with the company. The Driver Advantage Program is a great way to offer drivers immediate coverage while implementing a 6 to 12 month waiting period on the current major medical plan. Adding the 6 to 12 month waiting period will decrease chances of new drivers joining your team because they are in need of major medical benefits and you the employer buying unnecessary claims.

Please note:

The claims incurred by drivers while enrolled in the Driver Advantage Program DO NOT count towards your paid claims on your major medical policy.

Plans are flexible and can easily be adjusted to the benefits or the cost that you need. Please call Cecilia Hiatt at (800)457-5255 to see how Marvin Johnson & Associates, Inc. can help you today.

Thoughts on Recruiting

A study sponsored by FMCSA entitled "Effective Commercial Truck and Bus Management Techniques" came up with some interesting conclusions when looking at driver past performance to predict future performance.

Drivers with frequent job changes (three or more different carriers per year for two years or more) were more than twice as likely to be involved in an accident as the at-fault driver.

If a driver has recently had an at-fault accident - he or she is more likely to be at-fault in a second accident.

Traffic violations are a better predictor of future accidents than the driver's past accident history.

Weight Exemption for APU Doesn't Apply in All States

Regulations adopted February 2007 allowed states to adopt up to a 400-pound weight exemption for auxiliary power units (APU) if the vehicle operator is able to prove by written certification the weight of the APU, and by demonstration or certification that the idle reduction technology is fully functional at all times.

But, it is up to each state to decide whether it will adopt the exemption. As of the last time we looked, earlier this month, only Oregon, Kansas and Washington have actually implemented the exemption.

Reminder:

Report all claims immediately to your carrier. Late reported claims result in prolonged claims, increased settlement costs, increased insurance premiums and ultimately decreased insurability... *report them now!*

Group Disability Insurance for Truck Drivers

If you thought long term disability insurance for truck drivers was not an option, think again. Marvin Johnson offers a wide range of long term disability options for many different occupations, including truck drivers and trucking companies.

Disability insurance provides income replacement when insured employees experience a covered illness, injury or pregnancy. The coverage can help with financial obligations, such as mortgage or rent payments, that continue even when an employee can't work – expenses that health insurance won't cover.

The incidence of disability is greater than most people think. Consider these statistics:

- Disabilities affect one-fifth of American's (over 49 million people)
- Over 21 million Americans have a condition limiting basic physical activities, such as walking, climbing stairs, reaching, lifting or carrying.
- On average, about 2,329 disabling injuries occur every hour during the year.
- At age 35, a person has a 50 percent chance of being unable to work for more than three months due to a disability before age 65.

The risk of disability is clear and so is the need for disability insurance. For more information, call our office and ask for the benefits department.

Check Out OSHA's Website

www.osha.gov

If you aren't using OSHA's website www.osha.gov, you are missing a lot of good information. New this month is a "Best Practices Guide – Fundamentals of a Workplace First-Aid Program." The guide is advisory in nature, informational in content and is intended to assist employers in providing a safe and healthful workplace.

Other items of interest, particularly if you have drivers loading or unloading in hot weather, might be the *OSHA Products Available to Keep Workers Safe in Hot Weather*.

www.osha.gov



Employment Practices Liability & You

Employment Practice Liability cases are one of the fastest growing types of lawsuits in today's court system. No one is exempt and in fact the Trucking Industry can be particularly susceptible to these suits, especially in the area of "Wrongful Termination". Just think of the drivers that have come and gone, and the number who thought they were being unfairly treated, they are possible lawsuits.

Below are additional reasons why you need to consider this coverage if you don't have it:

- A private company (such as a trucking firm) is more likely to have an Employment practices claim than a General Liability or property claim.
- Almost 75% of all litigation against corporations involves employment disputes.
- 65% of employers who have fired an employee have been hit with a lawsuit.
- The average cost to defend an EPL claim is \$150,000 and the median award is \$218,000.
- 10% of all wrongful termination and discrimination claim awards are in excess of \$1 million.
- Common areas for EPL claims include, but are not limited too: Wrongful termination; Internet Liability; Discrimination, Sexual Harassment, Retaliation; Third Party

Liability (an area truckers are very susceptible if you have any Owner Operators)

Contact Michael R. Bonham, CIC or your agent at Marvin Johnson and ask us to review this coverage with you, we have some of the most complete coverage available at competitive costs.

A few simple questions and we can give you an indication of your costs; making getting a quote easy and protecting yourself from potentially hundreds of thousands of dollars in defense cost even easier.

No one is exempt... call today!

Your **1-STOP** resource for FREE services delivered to your door.



Some of the Safety Services provided by Marvin Johnson:

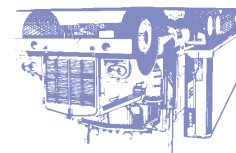
- Driver Training
- Pre-DOT Audits
- OSHA Compliance
- Experienced Loss Control Staff
- DOT Audit Preparation
- Video/Literature Library
- Safety Meetings
- Driver Qualification Files
- Regulation Updates
- On-Line Hours of Service Training
- On Site Employee Training

Visit our WEBSITE. www.mjai.com

Includes: Company Information, Personnel Biographies, Pictures, Upcoming Events, Newsletter

Specializing in Trucking Insurance

MARVIN JOHNSON DISPATCHER
Marvin Johnson & Associates, Inc.
P.O. Box 1849
Columbus, Indiana 47202



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