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**MAKING YOUR MILES COUNT**

**Robert D. Scheper**



## **Making Your Miles Count: Deregulation-NAFTA-Trump**

In the center of my second book "Choosing A Trucking Company" I compare the difference between carrier contracts charted in 1996 to those in 2012. 1996 represents the middle or height of the deregulation period which started in 1992 and finalized on January 1, 2000. Prior to the 1990's, getting your running rights and starting a for-hire carrier was not as easy as it is today.

The research showed a widening of income for independent operators from the higher paying carriers to lower ones. In other words, in 1996, there was a monthly cash flow spread of \$2,671 between the top carrier contract and the low carrier contract. In 2012 the top carrier contract paid \$5,670 per month more than the low carrier contract. During this 16 year period, carrier contracts got both richer and poorer, the differential spread rose by over 210%.

The affect deregulation had on independent operators was dramatic. Some operators got a healthy raise while others fell into poverty. This is the direct result of deregulation. It opens opportunities to segregate the industry into higher and lower margin clients and specialties (demands). The higher level demands on the operators caused rates to increase whereas the low level positions (niches) paid less than what they were previously being paid (or seriously underperformed against inflation). Studies also showed that freight rates actually had a net cost decline of 35% after deregulation, a healthy bonus for consumers and the national economy.

### **DEREGULATION CAN BE A SERIOUS BONUS FOR INDEPENDENT OPERATORS.**

NAFTA was originally signed in October 1992 and expanded the free flow of products to and from Mexico, USA and Canada. More and more freight began flowing over North American's roads. Canada's dependence on the US market for our goods increased as borders opened. The primary factor in import/export volumes was (and probably always will be) the currency exchange rates. If we have a high Canadian dollar our shipments to the US will drop but our imports will rise. If our dollar is in the toilet the US lines up to buy our low cost products but we can't afford the US's. Its simple supply and demand, free market economics. Canada is and will always be intimately linked to the US economy.

### **SO WHAT ABOUT DONALD TRUMP?**

Mr. Trump has taken aim at NAFTA along with nearly everything else within his media grasp. He has also denounced the regulations that President Obama has instituted over his two terms. If Mr. Trump becomes President and follows through with his policy agenda, Canada is in for a wild ride... but maybe not for the reasons we may hear.

President Obama's two term administration has increased regulation to historical levels, tightening controls on a vast number of industries and markets. If those regulations are released quickly the US will experience a deregulation inspired economic boom, similar in principle to the 1980's Ronald Regan boom. It would be a Tsunami of efficiency and cash

flow in both supply and demand. However, with every boom there comes the possibility of unintended consequences such as inflation and higher interest rates (which sooner or later must come out of their artificially low containments).

So, how will renegotiating NAFTA affect Canadian trucking? In the end, more than likely, Canadian trucking will not change much. The net affect Canada has on the US economy is minimal. Mexico is Donald's real target.

If you've read Mr. Trumps books you will know he is a man of action, not just talk. He will focus on leveraging specific actions that will create the highest effect. In NAFTA he will focus on Mexico first and Canada second (if at all). Mr. Trump is setting the stage to negotiate, shaking the ground to get the best deal possible.

It will definitely be a wild and exciting ride;

a deregulation boom coupled with a trade renegotiation. There will be those who thrive, survive and die; with both winners and losers... if he wins.

### **About the Author:**

Robert D. Scheper is a leading Accountant and Consultant to the Lease/Owner operator industry in Canada. His first book in the Making Your Miles Count series "taxes, taxes, taxes" was released in 2007. His firm exclusively serves Lease/Owner Operators across Canada. His second book "Choosing a Trucking company" is the most in-depth analysis of the operator industry available today. He has a Master degree (MBA) in financial management and has been serving the industry since he and his wife came off the road in 1993. His dedication, commitment and strong opinions can be read and heard in many articles and seminars. You can find him at [www.makingyourmilescount.com](http://www.makingyourmilescount.com) or 1-877-987-9787.

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I started my trucking career in 1992 and now have over 24 years of accident free driving. I have been driving with Ayr Motor since 2005 and I plan on working for Ayr Motor for the rest of my trucking career. It's the best trucking company I have ever worked for; they have extremely well maintained equipment and no shortage of miles. I have had only one layover in eleven years of service and the open door policy with the owner and management is very welcoming. Being paid weekly and the medical and pension plan are definitely an added bonus.

—Ron Howell, Truck #815



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## *How did that happen?*

Although I usually enjoy what I am doing, now that I have slowed down, it always amazes me how things have a way of piling up and causing stress. At least it seems they have for me and I don't know why. I tell folks I am semi retired and that it's a blast. Although there is a great deal of truth to the statement, right now I'm feeling a little overwhelmed. This coming week is the culmination of three projects that, independently, I would enjoy immensely. The problem is that the due date for each has fallen in the same week and there, unfortunately, goes most of the enjoyment.

This all started during the TCA annual convention. At that event, I spoke with a panel of folks whose objective was to inform a room of carriers how to correctly hire entry-level drivers, train and keep them. In addition, we are all members of PTDI (Professional Truck Drivers Institute) and our secondary goal was to bring some light to this outstanding institution. PTDI certifies driver-training courses within schools; they don't certify schools. They do mandate a minimum curriculum as well as the hours each element of training should take so the individual can become proficient with each skill. PTDI is known in North America to be the "Gold Standard" when it comes to driver training. I have been in various leadership roles at PTDI for almost 15 years and am very proud

of what they do and how they do it for our industry.

After the panel discussion at convention, a couple of companies approached me; the first being a large insurance brokerage firm based in Indiana. They asked if I would travel to their facility and talk to their work force on the topic of entry-level drivers. So, I prepared all my slides and back up documents this week and off I go this Sunday to give a couple hour recitation on entry-level drivers and retention first thing Monday morning. I know this stuff - it's not hard for me, but you still need to formalize a presentation, have it flow properly and make sure you check off all the boxes the client is expecting in the time they have allotted me.

During convention, I was also approached by a software company based out of Ontario to see if I had any interest in preparing an educational piece for their company. They want three different presentations and they want the presentations to be done three times a day, over three days to their entire workforce of around sixty folks. They want to do twenty per session so as not to shut the company down while we present. They would like a general overview of the industry on day one. On day two, they would like us to explain different documentation that is involved in the industry and how it flows.

Finally, on day three, there will be a SWOT test on the industry along with discussion pertaining to major concerns of the trucking industry. Luckily I have a partner on this one, someone I have worked with in the past and know to be a very capable transportation consultant. We were told the company is planning on recording the presentations and they will merge the audio with our power point presentations for future employee orientations. More pressure. But this is all good! I know this stuff, but it's a lot of preparation work. Each session is two hours long and that's a lot of material. And, guess what? They need it done on the Tuesday, Wednesday, and Thursday of the same week that I'm going to be in Indiana on the Monday.

Just as I'm sitting down and wondering how I'm going to pull this off my phone rings and it's Chris Henry, my partner at TCAinGauge who is telling me that he needs my help. He has to be in Nebraska for a TCA Benchmarking meeting on the same day as BCTA (British Columbia Trucking Association) has asked for a presentation to be done at Truxpo for their Board in Abbotsford on the Friday of the same week as all the rest of this stuff.

I think my head is going to come off. Eleven presentations in one week! Oh ya, forgot to mention one thing about the Indiana gig. I have to leave for it right after lunch on Mothers Day and that's not going over real big. From my home in London to my destination is approximately a seven-hour drive. The fine folks in Indiana asked me to stay and enjoy a golf tournament but no can do. I have to head back to Ontario so I can be in TO the next morning to start my presentation to the software company. I have

be there until five pm on Thursday when I will head to the airport, take the 7:45 to Calgary, where I have 50 minutes to hit my next gate, in order to get to Abbotsford BC. I will get there around eleven pm and be up Friday morning and ready myself to speak to the Board of Directors of the BC Trucking Association about benchmarking and the trucking industry. But enough of my whining, it is what it is. I'll get by and with any luck will be able to give everyone I talk to something beneficial to think and act upon.

When I reflect on what Canadians are going through in Fort McMurray and the absolute destruction of people's entire existence, my insignificant BS seems to be not such a chore. I have contributed to the Red Cross and I encourage others to help however possible. Times like these make us thankful for those around us whom we love. I take great pride in being Canadian and never more than now, especially when I read about the selfless folks all around that province who are trying everything they can think of to bring aid and assistance to those in need. I feel helpless and I know many of you do too right now. As I write this article (in early May) I think that all we can do is pray for rain. That being said, we need to continue to pull together in situations such as these. We show what we Canadians are made of; we show our resolve; we persevere; we heal; and we move on, Proud to be Canadians.

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**LOUISE PHILBIN**

**5th Wheel Training Institute**



## ***Effective driver-instructors are not born that way***

Who is qualified to teach someone to drive a truck? Most companies or well meaning individuals assume that any good truck driver can easily teach a new driver. It is assumed that the better the driver; the better the instructor. Anyone who has been involved in trades training knows immediately that this is the biggest mistake made when planning training. Experience has taught us that you can't expect a person to just intuitively know how to teach or to be born with the knowledge. It has to be learned.

Yet this is exactly what we do with our driver-instructors. We take drivers from the workplace that are not teachers, and ask them to teach others to drive. Would we ask a professionally trained teacher to drive a truck without lots of instruction? Of course not. Then why do we expect professional truck drivers to become teachers overnight? Teaching has as much learning and practice to it as any trade. In fact, it can easily be considered a trade in itself. It must be learned, practiced, supervised by mentors and continually improved.

As an Ontario Certified Teacher, I spent years learning my craft of which a whole year was devoted to teacher training. There I learned all the knowledge related to education and spent many months practice teaching. When I completed my education, I was qualified and

competent to teach. As I became the co-founder of 5th Wheel Training Institute, I easily took on the challenge of developing curriculum, the learning and teaching materials and structuring the educational goals of the school. I understood that I couldn't teach someone to drive a truck but I was confident that I could teach truck drivers how to teach. To help me better understand how to do so, I decided to learn how to drive a truck. I wanted to really understand what the learner experienced. I discovered more about learning than I did about driving a truck. I received quite an education.

I knew that I have always been a very quick learner but I was not what you would call a "hands-on" learner. I knew that driving a truck was going to be a very new skill for me. Because learning had always been so easy for me I was shocked at how difficult it was for me to learn how to drive a truck. The light bulb went on... I realized that I had forgotten how difficult it was to learn a skill for the very first time.

This training became my epiphany... I experienced how difficult it is to learn a new skill for the very first time. I also realized that like me, our instructors had also forgotten how difficult it was to learn to drive a truck. The best instructors, who were "natural" truck

drivers, were even more at a disadvantage because everything came so easily for them. I now understand clearly the essential key to becoming an effective instructor; one had to somehow experience the challenges, the ups and downs, and the successes that come with learning a new skill. This lesson has never left me. It's what inspires me in my work.

I decided to create a course where our instructors would also experience this awakening. It took me a while to figure out a plan. I had to teach them how to do something they didn't know how to do. So, I decided to use knitting as a means to achieving my objectives. I know it seems a little odd but I also knew that very few of them would know how to knit. It was a perfect medium. I prepared my lessons and included a comparison chart where I would use teaching methods to learn knitting and then draw a parallel with the skills needed for truck driving.

The first thing I did was to simply start knitting. Now that I had demonstrated, I asked them to also knit. Obviously, no one could even start. Then I asked the question: "I showed you how to knit and yet you can't do it... why?" How many times do they demonstrate a skill such as shifting or backing and then are surprised when a student can't perform the skill? The comment I often hear from our instructors is "I don't know what's wrong... I showed him." As the process continues, the instructor experiences the frustrations and the successes of learning to knit. Some get so frustrated that they throw away their knitting project. Some start to get it and they share their knowledge with their peers. But what they all experience is the realization that the best way to learn a new skill is to break it down into small simple steps.

As the instructor learns the importance of even the smallest of steps, he now knows that the technique of simply holding the knitting needles and the yarn correctly correlates to the first basic lesson in the truck... the importance of adjusting the seat. It has to be correctly positioned to ensure the feet can control the pedals, the mirrors are adjusted and the hands are in a comfortable position to work the gear shift. Only when this first step is mastered, can the student then go to the next step. They now completely get the fact that when you teach; you build on the previous step. If a student is not getting it, you have to go back to basics and identify where there is a gap in the learning and start teaching from there. In my experience, the instructors get their greatest "Ah ha!" moment when they really experience what a student is feeling.

To get started, any new driver-instructor needs some of the basics of teaching, classroom management, practice teaching and adult education principles before being asked to train another driver. Solid mentoring and frequent feedback will help them stay on the right track. Like a student-driver, the driver-instructor also wants to be successful and needs encouragement and training to achieve it. It's up to us to make sure it happens.

**Louise Philbin**

Co-founder and Education Director  
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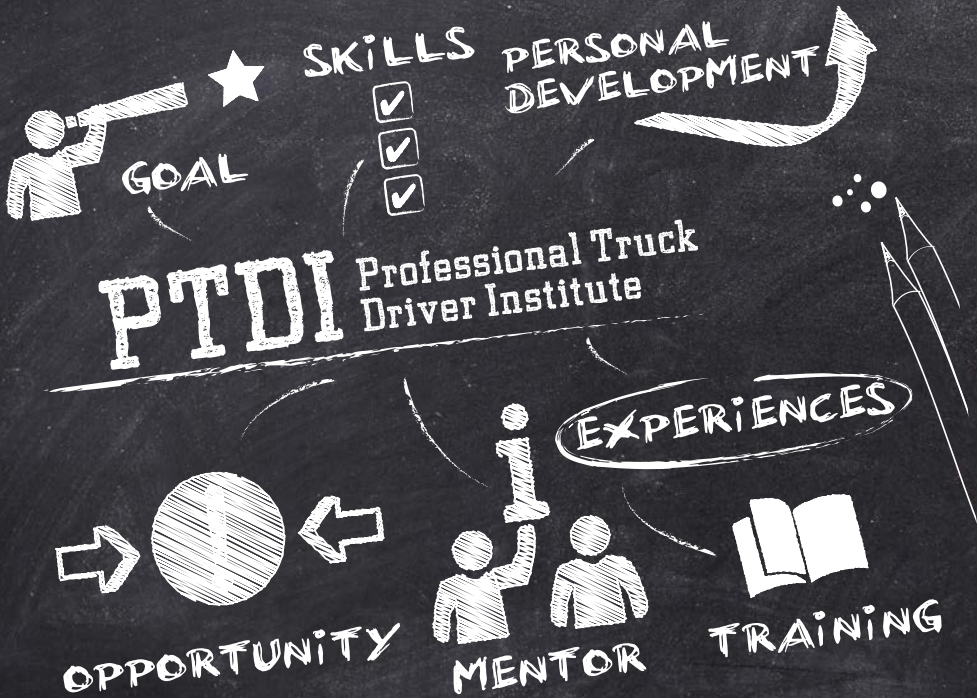
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## When to do Post-Accident Drug Testing

So, your trucking company is very good at moving freight. You have experience in dispatching drivers and your customer satisfaction is high. You do a great job at the things that you do every day! But today isn't a usual day. For the first time in months, one of your trucks is involved in a crash. To make it worse, your truck was in the States. Somewhere south of the 49th parallel your driver is in a crash. The police have been called and are now on site. You have immediately informed your insurance company of the situation and they tell you that an adjuster is on the way. These are the immediate steps to take but are you missing any? How about post-accident drug testing?

Often when I'm working with my clients and I see they had a crash in the USA, I ask about drug testing. My first question is usually, did you perform a drug test? Sometimes they did and sometimes they didn't. What concerns me the most though is, when I ask "why" they did or didn't do a drug test, the carrier often doesn't know the answer. Whether you did or you didn't do a drug test, if you didn't follow the law and follow the regulations, the results can be disastrous.

So when do you have to perform a drug and alcohol test as a result of the collision? Regulation [382.303 of the FMCSR's](#) outlines the post-accident drug testing procedures, including the "When". So let's quickly review the regulations:

**Post-Accident:** If you are involved in a fatal collision you must test your driver/operator. It doesn't matter if it was your driver's fault or not. As a matter of fact, "fault" is never mentioned in the regulation for drug testing, post-accident. So in a fatal accident you must test:

- If your driver receives a moving citation and (this is very important) someone receives medical attention away from the scene of the crash, you then must do a drug and alcohol test.
- If your driver receives a moving citation and any of the vehicles involved in the crash are towed away; you must do a post-accident test. I am including a chart to help you decide if you need to perform the Post Accident Test.



Type of accident involved	Citation issued to the CMV driver	Test must be performed by employer
i. Human fatality	NO	YES
ii. Bodily injury with immediate medical treatment away from the scene	NO	NO
iii. Disabling damage to any motor vehicle requiring tow away	NO	NO

How much time do you have to get the test done? Regulations state that you must perform the test "as soon as practical". They go on to say that you should perform the test within two hours. If for some reason you are not able to perform the test within the two hours, you must then make notes as to why you didn't do it within 2 hours and get the test performed within 8 hours. If for legitimate reasons the test could not have been performed within the 8 hour limit, you now cease attempts to perform the alcohol portion of the test and only test for drugs within 32 hours of the collision. So there you have it. You perform the test as soon as practical, within 2 hours, if not done within 8 hours, if not completed; you test for only drugs within 32 hours.

Carriers often ask me two questions at this point. What if I failed to do the necessary test? What if I just test everyone after the collision?

First, if you failed to do the necessary test, this of course would look very bad in court. You can only imagine what the prosecuting attorney would make of a failure to follow

and comply with the regulations. The settlement for the injured party would just escalate.

So to answer the second question why don't you just test everyone after a crash? What if this driver tested positive and you had no legal right to perform the test? Now what do you do? You have likely invaded this driver's privacy. It would be difficult to terminate a driver with a positive test when you did not have the right to ask the driver to go for the test. This would make things very complicated. On the other hand, how can you let a driver operate a vehicle that is insured and operates under your authority, when you know the driver tested positive for drugs? See what happens when you don't follow the regulations! Life gets very complicated.

It would be much easier if you follow the regulations during the time frames posted above. I hope that your company never has to use the "Post-accident testing" but if you do, please be sure to follow the regulations.

Be safe.

### Chris Harris

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