

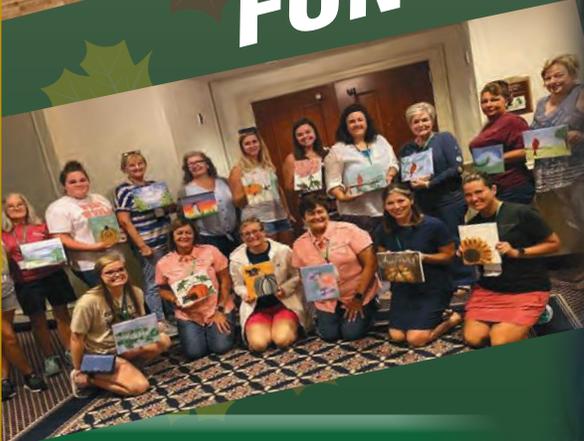
VIRGINIA LOGGERS ASSOCIATION NEWS & UPDATES



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Family Gathering Was Highest Best Attendance Ever, Over 250!

FALL 2022 ISSUE



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Recruitment supports the heart & soul of our future!
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CALENDAR OF EVENTS

October 7-9, 2022

Paul Bunyan Show, Lore City, Ohio

November 11, 2022

Legal Workshop & Safety Training, Keystone Truck & Tractor Museum, Colonial Heights

VLA's 2023 Annual Meeting

August 17 - 20, 2023 at the Hotel Roanoke.

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FROM THE PRESIDENT'S DESK



FRANK MYERS
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VIRGINIA LOGGERS
ASSOCIATION

First of all, I want to thank everyone that attended our annual meeting in Williamsburg. It was our largest ever and I also think one of our best. This meeting reminded me of the one we had in Lexington before we outgrew the venue. Seems like to me, Bobby Goodson was our keynote speaker, Donnie Reaves cut his beard and hair for Log-A-Load and Carmen arranged a pig-pickin' for dinner, which was prepared outside in the backyard of the Holiday Inn Express. There was so much fellowship and conversation at that meeting. I remember having a conversation with Ricky Deacon on Saturday

afternoon that I cherish to this day. He was a very special person who was always willing to help. I saw a lot of that same kind of conversation at this meeting, as everyone tries to figure a way to navigate a path for their businesses through the current economic conditions.

I would also like to thank our sponsors. As we have said many times, we could not have meetings like this without you, and I want all of you to know how humbled the VLA is by your support. We tried to give you the best "bang for your buck" and I think we succeeded by having everything in one room. Also, because of your support, we were able to provide dinner Friday night, which made the weekend so much simpler for everyone.

I would also like to congratulate our speakers. Everyone did an excellent job conveying their message. We all know how bad our side of this economy is with fuel costs and inflation, but Ron had asked our speakers to be optimistic for the future and I thought they were.

My final thank you is to Ron Jenkins. As most of you know, Ron does not have a paid staff like other associations have. He and his "volunteer team" do this for the same reason we all do... They believe in the cause. I get just as many comments for the craft and kids classes as anything. The VLA is proud to have a family atmosphere at all our meetings because we know we are truly family businesses. How Ron is able to plan a meeting of this magnitude is truly remarkable. Again, thank you Ron for what you do for the Virginia Loggers Association.

When you put a group of hardworking, like-minded people in a room together good things happen. I hope each of you enjoyed this meeting as much as I did and I can't wait to see all of you in Roanoke next year.

Log safe,

Frank



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LET'S GET TO WORK.

Presidents Award

By Ron Jenkins & Frank Myers

On Saturday August 13, VLA President Frank Myers announced his recipient for the VLA President's award. Each year the president of VLA selects a logger they believe to have gone above and beyond any normal expectation for a member.

The logger selected for the President's Award must be a good business owner, an active supporter of VLA, and engaged in industry advocacy. VLA is fortunate to have many people who exceed every category and could easily be great choices.

This makes the President's job that much harder. Picking someone among so many great candidates is done with a lot of serious thought. You may be the next chosen for the honorable recognition, so please stay tuned in for the next annual meeting August 17-20, 2023 at the Hotel Roanoke.

In 2022, owner of Virginia Custom Thinning & Chipping was selected to be recognized for his active role in VLA and the industry. C. K. Greene was surprised when the President delivered his message and finally announced his name. Mr. Greene later told me that he was sure it was another business owner and he almost fell out when his name was called instead. Great job Mr. Myers keeping the suspense going until his name was announced. C K receiving VLA's 2022 President's Award with Travis Myers and Frank Myers, President.

The award is a unique one of a kind made specifically to fit with the recipient's talents and lifestyle.



C K is a highly productive mechanized logger operating from his home base in Brunswick County and noted for his efficiency, immaculate fleets, and great safety record.

The following are direct quotes from the presentation Mr. Myers made Saturday evening about Mr. Greene.

"Every year, picking this award gets harder. We have so many members that will go above and beyond when it comes to this association. I have yet to ask anybody for help doing something for the VLA who has turned me down. It makes Ron's and my job so much easier when you have support that you can count on.

This year's winner, like in years past, has a long history with the VLA. When past VLA President Ronnie Wright and I met with the Mayor of Emporia trying to get our trucks through the city, the mayor told us to come to the City Council meeting the next month, and she would get us on the agenda. We lined up several industry people to come and speak that night. Bernard Rose of Kapstone at that time, did a great job of describing how the City of Roanoke Rapids worked with the paper mill on thru trucks and truck traffic. We had enlisted several area business owners to speak to the city council members prior to the meeting.

But the one that still sticks out to me was the presentation of C. K. Greene. C. K. had broken down all his costs and went down every business in town and how much money he had spent with each one. It really changed how we were perceived that night. We even agreed to help the police chief with enforcement. C. K. even called several loggers and truckers in the area until everyone finally knew the rules.

C. K. was also a big part of the relationship we developed with former Governor Terry McAuliffe. When he was campaigning, we took him on a tour to the woods, and the relationship we started that day helped us achieve a bill allowing 90,000-pound hauling weight on non-interstate highways. C. K. attended the signing ceremony in Richmond in 2015.

The list of his work with the VLA could go on and on because he was just as instrumental in our work with Delegate Roslyn Tyler.

I would be remiss if I also did not at least mention his efforts with our membership committee. If my memory serves me correct, he missed a meeting, and we made him chairperson - forever! But he has done a great job in recruiting new members to VLA for years.

C. K. Has always done things his way and is a strong supporter of this industry. He always has a favorite saying or two, such as hustle, hustle, or dollar, dollar whenever you ask him what he has been doing. Here lately, it has been more about his house at the beach, and I do not own a papermill or powerplant.

So, in honor of his accomplishments and love for the beach, Ron and Nannette had a special award made for you with this certificate.

The President's award certificate reads as follows.

This certificate is presented to C. K. Greene in appreciation for outstanding service to the Virginia Loggers Association and Virginia's forest products industry. This award is a unique combination of logging and the beach. This unique award combines a civil war axe head recovered from the Battle of Sailor's Creek, a piece of chain from the same area but of unknown age, with seashells and sand from the Atlantic Ocean where CK's spirit often dwells. The driftwood was weathered in Virginia and contains lights and natural secret spot for a safe key or combination.

VIRGINIA LOGGERS ASSOCIATION



Award Designed & Crafted by Gene Brumett

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VIRGINIA LOGGERS AND SAWMILLERS ASSOCIATION

Family Gathering Was Highest Attendance

Volunteer of the Year



Nannette Jenkins was recognized by VLA President Frank Myers for constantly volunteering her time to help Ron and VLA be the very best trade association. She loves the people and ensures our registration help treats everyone with special greetings and the very best of service. Nannette also keeps up VLA Facebook page with updates on members and activities. Her husband

Ron is grateful for her help and love of VLA!

Supporter of the Year



Virginia Loggers Association realized that many people in supporting roles play a significant part in VLA's success. This year VLA chose Keith Biggs to receive its Supporter of 2022 because of his leadership in Forestry Mutual

Insurance and his close connections with so many members. Mr. Biggs had a great support staff to help him create this success and VLA is grateful.

VLA President Frank Myers offered some wonderful comments about Keith and the support of Forestry Mutual for many years. He presented Keith with a gift to help him with his outdoor living and recreation hobbies. Not only did Keith and Forestry Mutual support the VLA as a trade association, but they also brought great services to its members. Overtime many good relationships have developed into lifetime friendships. Frank and Keith are certainly great examples of a mutually respect and friendship.

Log a Load for Kids Volunteer of the Year



Award was given to Samantha Deffenbaugh. Samantha is a tireless volunteer helping Virginia LAL State Coordinator Nikki Robertson with many duties including the Richmond Logging/Sawmill EXPO and Gold Tournament.

Legal Workshop

Mike Donner teaching one of the legal classes at VLA's annual meeting legal workshop. This popular workshop is provided courtesy of Setliff Law team who do a fantastic job as General Counsel to VLA and guidance to VLA members.

Setliff Law brings legal expertise to VLA and its members helping us better run the trade association and helping businesses to meet the changing laws of the land.

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Colonial Williamsburg Provided a Real Reenactment Storyteller for our Youth

ANNUAL MEETING 2022

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Youth Workshop



Miss Belle Simpson and her team prepare the youth leaders to make Dream Catchers.

Miss Belle (as she is also fondly called) prepared in advance

to lead the youth workshop for VLA. She and team bought the materials and supplies that each student would need for success.

From the look below and what we heard from many young ones; Belle led a very successful workshop.

THANKS!



Auction Live & Silent Supporting Log A Load For Kids and VLA

Fred Turck of the Virginia Department of Forestry donated this authentic metal image of Smokey Bear. Fred collected Smokey memorabilia throughout his career with the VDOF.

This fine piece of art will be forever in the public domain. Scott Dane, Executive of the American Loggers Council was the successful bidder and Smokey will be proudly and prominently displayed in the ALC Washington, DC office.



Matt Poirot was honored for his service to the Virginia Department of Forestry and Virginia's Silvicultural Water Quality program. Matt ensured his team of Water Quality Specialists with VDOF provided the best educational guidance to help loggers and to collaborate to find solutions to best management practices to protect water quality during forest harvesting operations. We are very proud of the way Matt has helped Virginia loggers and the VLA. Matt retired July 30, 2022 after a long career with VDOF!

Adult Workshop



By all accounts VLA's resident artist Rita Hyatt once again created an amazing opportunity for adult students to show their painting on canvas skills.

Attendance reached maximum and just look at the smiles on the ladies' faces. They certainly have

reason to be proud of the creations.

Rita provided all the materials to ensure a successful workshop for everyone. She brings her natural talents and love for art and painting to everyone each year at the VLA's annual meeting.

Rita Hyatt and her creative workshops are now a permanent fixture for VLA meetings.

We also suspect there are many in her class who lead a class sometime in the future.

They are just great!



These beautiful corn hole boards were masterfully created with a wonderful tribute to our military friends who keep our country free.

Buck and Cheryl Morris donated this incredible item for the VLA auction and proceeds were split between Log a Load for Kids and VLA.

VIRGINIA LOGGERS ANNUAL MEETING 2022

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SENATOR MARK WARNER MEETS WITH VIRGINIA FOREST PRODUCTS REPRESENTATIVES

By Ron Jenkins



Logging and wood mill owners met in Millboro, VA at the Speyside Cooperage Stave Mill to discuss the state of the forest products industry in VA. Speyside representatives graciously opened their doors to the gathering of business owners and their representatives providing the comfort of their facilities and even shutting down operations early for this

rare and important event. After listening to the issues facing the forest products industry, Senator Warner pledged to take an action step on interstate highway.

He asked VLA to furnish his staff with background on interstate highway safety and other study data which he could use with Secretary of Transportation Pete Buttigieg during a scheduled meeting the following week. VLA complied with the senator's request providing safety and economic data gathered during several University of Georgia studies.

Senator Warner suggested that Secretary Buttigieg would be asked to consider suggesting an executive order to President Biden declaring an emergency for our industry. The order would allow our industry to haul the maximum legal hauling weight on interstate highways as an emergency order during the challenging economic times and high fuel prices.

By the end of the next week following our meeting, Senator Warner's office called VLA to say he had relayed the message to the Secretary. Buttigieg was reported as stating he would consider our request.



Frank Myers, VLA President presided over the meeting keeping everyone focused on issues and efficiently using the one hour available with Senator Warner!

The following issues were covered by the group.

- Safety - Deteriorating highways and bridges need repair and/or replacement.
- Safety - Interstate highways hauling weight.
- Economic - Supply chain issues cause major interruptions
- Energy - Biomass should be key source for VA and American energy policy.
- Economic - Rapid rising fuel price adding major risks to businesses.
- Competitiveness - Worker shortage of skilled labor and commercial truck drivers.



VLA and VFPA representatives asked the hard questions and offered reasonable solutions to help Senator Warner understand how the federal government could actually help improve our industry.



Scott Dane Executive Director of the American Loggers Council also followed up with Secretary Buttigieg's office and offered support. Scott also brought this subject up with Senator Manchin of West Virginia while attending an event.

Scott Dane, ALC Executive Director with Senator Joe Manchin and wife Gayle from West Virginia.

Senator Manchin is moderate democrat who frequently votes with more conservative leaning initiatives.

Scott took the opportunity to discuss our industry and especially the interstate highway initiatives and PATHH program with him

These meeting opportunities represent a few more contacts and possibly a few steps forward, but the real work on change is in front of us. Each of us must contact our representative and "bend" their ear about our issues and the results we seek to achieve.

VLA asks for your support! Keep us posted as you make any contacts with your representatives. If you need help to make your contacts, please reach out and tell us. We will find ways to help you make a successful contact with your federal and state officials.



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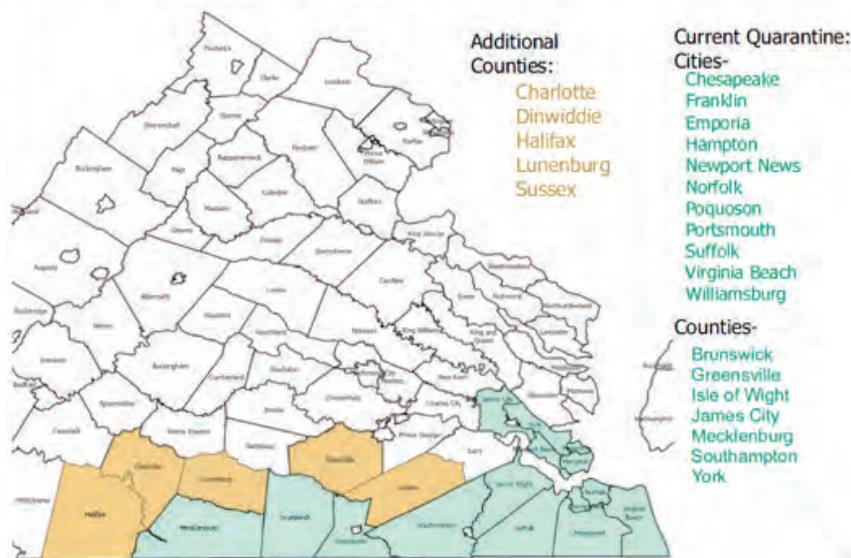
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The imported fire ant is an introduced species that is notorious for its aggressive behavior, ferocious sting, and the damage it causes to several agricultural commodities. It is found in loose, un-compacted soil in places like cutovers, edges of wooded areas, logging roads, and parking areas for trucks and equipment. Soil picked up by skidders, truck landing gear, and earth-moving equipment can harbor and move imported fire ants. The Virginia Department of Agriculture and Consumer Services (VDACS) established an imported fire ant quarantine in Virginia, which will likely expand in December 2022 (see map).

Under provisions of the quarantine, regulated articles are prohibited from moving out of the quarantined area unless they are certified as free of imported fire ant. Regulated articles include any life stage of the imported fire ant and anything that could move soil containing imported fire ants, including logs and pulpwood with soil attached. If logs and pulpwood are moved out of the quarantine area, they must first be certified as free of imported fire ants.

Imported Fire Ant Quarantine



How loggers can comply:

- Logs, vehicles, and logging equipment should be inspected for loose soil.
- Blow or sweep off loose soil before leaving the regulated area.

What is required before leaving the regulated area?

- Call VDACS requesting an inspection prior to shipping the regulated article. This may take time and is best for businesses that only have a few loads per year.

OR

- Enter into a compliance agreement with VDACS agreeing to self-inspection and loose soil removal from logs and any truck or vehicle leaving the quarantine area. This is best for businesses that ship regularly.

Use the following checklist for self-inspection before moving logs and equipment out of the quarantine:

https://www.pubs.ext.vt.edu/content/dam/pubs_ext_vt_edu/ENTO/ento-492/ENTO-492.pdf

For additional information regarding the Virginia Imported Fire Ant Quarantine or provisions of a VDACS imported fire ant compliance agreement, please contact Tina MacIntyre at tina.Macintyre@vdacs.virginia.gov or (804) 786-3515.

Lori Chamberlin is the Forest Health Program Manager with the Virginia Department of Forestry. She received a BS in Biology and Environmental Science from the University of Virginia and then a MS in Entomology from the University of Kentucky. While at Kentucky, Lori worked in the forest entomology lab and researched host resistance and biological control of the hemlock woolly adelgid. She has been with VDOF since 2014.



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ENVIVA SEEKS AIR PERMIT APPROVAL FOR AHOSKIE, NC PELLET MILL

By Ron Jenkins

VLA joined other supporters August 16 at Roanoke-Chowan Community College to speak in support of the Enviva's air permit application for its Ahoskie plant.

Enviva Pellets, LLC applied to the NC Department of Environmental Quality's Division of Air Quality (DAQ) for a Title V air permit renewal and association modifications to increase production at its wood pellet manufacturing plant at 142 NC Route 561 East, Ahoskie, NC, in Herford County.

The proposed modifications include a request to install air pollution control devices, increase facility production from 481,000 oven dried tons to 630,000 oven dried tons per year, and increase the percentage of softwood to a maximum of 100%. To increase the production, the facility will be adding truck tippers, hoppers, green hammermills, dry hammermills, pellet mills, and one pellet cooler system. To reduce volatile organic compound (VOC) and hazardous air pollutant (HAP) emissions, the facility proposes to install a regenerative thermal oxidizer and a regenerative catalytic/thermal oxidizer.

According to DAQ after all proposed modifications have been completed, the facility will be classified as a PSD minor source for all criteria pollutants, HAP minor source for any single HAP, and HAP minor source for all combined HAPs.



Mayor Weyling White, North Carolina Representative Howard Hunter, Enviva Chris Brown

The room seemed filled with many from local and far away. According to Enviva Chris Brown, some groups came as far away as 200 miles. Local people spoke in support of Enviva as did many others. VLA also signs and spoke with some who did not support the permit.

VLA believes Enviva will do everything possible to reduce pollutants while adding so much value to the community of people being served. Local people have a chance to earn a good living in a cleaner greener economy.

Local elected representatives came out to support Enviva's efforts too. Chris Brown was spotted in a photo opportunity with Mayor White and NC Representative Howard Hunter.

SHARP LOGGER TRAINING

Russell County, VA

By Ron Jenkins

Like all the SHARP Logger classes, the one held on August 19 in Russell County was one of the best. Ray Sullivan, owner of S & T Construction and Richard Taylor, Columbia Forest Products supported the training with a fantastic lunch in the beautiful setting of the Russell County Fairgrounds.



Legislative Director Tyler Lester speaks with Richard Taylor and Columbia Associates during Lunch



Legislative Director Tyler Lester speaks with Richard Taylor and Columbia Associates during Lunch

One very wonderful aspect of attending this SHARP Logger class was the activism displayed by the organizers. Ray Sullivan took the opportunity to invite Virginia Senator Todd Pillion to learn more about the forest products industry and to meet some of the industry. Senator Pillion could not

make the meeting, but Legislative Director Tyler Lester attended the SHARP Logger gathering to meet industry leaders and learn more about the industry.

This was the first time we have attended a SHARP Logger class also attended by an elected representative. What a great idea after thinking about the opportunity it presents to shed more positive light on our industry and network about our work.

We believe this is a great way to bring attention to our SHARP Logger training and bring in those we count on in the General Assembly.

SHARP Logger classes give VLA the opportunity to speak thanks to Virginia Tech. We usually take 5 to 10 minutes to talk about VLA accomplishments and benefits of membership. During our trip to Russell County, we were fortunate to have Freddie Newberry owner of Lightnin' Express LLC to join the VLA.



Freddie Newberry Newest Member



POWHATAN COUNTY BOARD OF SUPERVISORS CONSIDERING TAX EXEMPTION REQUEST

Logger David Palmore followed up with VLA's initial request to Powhatan County for tax exemption from off – road logging equipment to his county representative Karin Carmack. Supervisor Carmack responded and asked the board to place our request on their agenda at its meeting on July 25 which gave VLA and David the opportunity to speak on the reasons and benefits.

As a result, Powhatan County placed tax exemption for us on their September 26 Board of Supervisors meeting. VLA recited comments from an elected representative in Madison County who came to his own conclusion that exempting personal property taxes on off-road equipment would be a wise investment for County government. Small family-owned logging businesses are the beneficiaries of removing these taxes. In many cases, the results make significant impact on businesses and bring to new life into their operations. VLA working together with members of the association and county government is making a big difference. We have contacted every county about the tax relief, and many have agreed to amend their local tax ordinance allowing exemption of taxes on off-road logging equipment. Working collaboratively is highly recommended to improve our chances of success. VLA is dedicated to all members of our trade association and ready to help you with your county administration. Just ask!

David Palmore of Ellis M Palmore Lumber Co. worked diligently with Powhatan County Board of Supervisors to persuade them that removing taxes on off-road logging equipment was an investment for the county, our forest resources, and future generations.

Powhatan County BOS unanimously approved an amendment to their ordinance and added off-road logging equipment to the list of exempted items from personal property taxation.

Owners David and Robert Palmore were very pleased with the board's favorable vote.



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FOREST OPERATIONS UPDATES



Scott Barrett, PhD,
Extension Specialist,
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*Coordinator for the VA
SHARP Logger Program*

VA Tech Department of
Forest Resources &
Environmental
Conservation

NEWS AND
UPDATES FROM
VIRGINIA TECH
FOREST
OPERATIONS
EXTENSION

It was great to see so many of you at the annual meeting in Williamsburg. For those that were there for the presentations you may have heard me talk about our plans for a joint research project between Virginia Tech and the VA Loggers Association. This project will focus on identifying challenges associated with logging businesses and how those challenges can impact the sustainability of the logging industry. I am looking forward to working on this project and eventually sharing the results with you. I'll be working closely with the VLA board, and we will be reaching out for help along the way and will keep you updated on progress as we move along.

If you were at the annual meeting, you probably also saw that the Virginia Department of Forestry was giving away warning flags to go on the end of log trailers. This is because there was a change in Virginia law which will go into effect next year. The new flagging law will require larger (18-inch) flags for any load which extends more than four feet beyond the rear of the vehicle. The new law allows for the flags to be either red or fluorescent orange. The flags should mark the extremities of the load. However, if the projecting load is two feet wide or less, then you will only need a single flag marking the rear of the load. Just as before, between sunset and sunrise, overhanging loads still must have a red light displayed at the end of the load. The full details of the law can be found in the code of Virginia under § 46.2-1121.

Loggers should also be aware that there are recent changes in the quarantine areas for spotted lanternfly. In July of 2022 the existing spotted lanternfly quarantine was expanded to include a larger portion of Virginia as this invasive insect spreads south from northern Virginia where it has been established for several years. The counties added to the quarantine in 2022 include Albemarle, Augusta, Carroll, Page, Prince William, Rockingham, Rockbridge, Shenandoah, and Wythe. Anyone who plans to move regulated items, including logs, out of the quarantine area will need to have a compliance agreement with the VA Department of Agriculture and Consumer Services (VDACS) and will have to inspect the materials prior to moving them out of the quarantine area. The full details related to this quarantine can be found at <https://www.vdacs.virginia.gov/plant-industry-services-spotted-lanternfly.shtml>.

Also, as a reminder you can check out our complete list of upcoming SHARP Logger classes online at www.SHARPllogger.vt.edu. In addition to our core classes and the required update classes, we are also working on some continuing education classes this fall including a log grading workshop on September 16th in West Point, a chainsaw safety and felling class on September 29th in Brunswick County, and a legal issues class in Colonial Heights on November 11th. More classes will be posted online as they are scheduled. As always if you have suggestions for where you would like us to offer classes, just let us know.

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LOG TRUCK CRASH RATES & MAINTENANCE PRACTICES: HOW DOES THE SOUTH COMPARE?



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Every logging business owner that I know has a story to tell about the challenges associated with transporting timber from harvest sites to mills. Driver shortages, rising insurance premiums, and fuel prices are raising the cost and limiting the capacity of timber transportation in Virginia and across the South. I truly admire the logging business owners that are making it work despite these challenges.

In the midst of these challenges, it can be tempting to focus on the day-to-day of making ends meet. I hope that you are taking time to focus on the safety of your fleet. This note compares crash rates and maintenance practices among southern log truck fleets to log truck fleets in other US regions. This data comes from a study that I conducted with the Forest Resources Association (FRA) last year and is based on publicly available data from the Federal Motor Carrier Safety Administration (FMCSA).

Crash Rates

Crash rates among southern logging business fleets were 50% higher than log trucks in the Northeast and 176% higher than in the Lake States (Fig. 1). Southern contract haulers' crash rates were 45% higher than southern logging business fleets and 272% higher than log trucks in the West. This disparity explains why southern log truck fleets have been experiencing escalating truck insurance premiums whereas this has been less of a problem in other regions. These crash rates are based on the number of miles driven by log trucks in each region, meaning the much higher harvest volume in the South is already accounted for.

Log Truck Condition & Age

Unlike crash rates, log truck condition was similar in the South and the other regions (Fig. 2). Unfortunately, log truck condition was often poor in every region. Approximately 30% of roadside inspections detected out-of-service violations. FMCSA reports that the national average vehicle out-of-service rate is approximately 21%, so log trucks are out-of-service at a rate that is almost 50% higher than other heavy trucks. An out-of-service violation means that the truck has a safety violation that must be repaired before the truck can be driven further.

Looking beyond the most severe infractions (i.e., out-of-service), violations were found on 58% of southern logging business fleet inspections. Log trucks in the Northeast, Lake States, and West all had at least one violation in more than half of roadside inspections. The top six violation categories were lights, brakes, tires, periodic inspection missing, reflective sheeting, and load securement. In the critical categories of brakes, tires, and load securement, southern log trucks were in similar or better condition than log trucks in other regions (Fig. 3). Certainly, operating conditions explain some of the issues with lights and reflective sheeting. Vibrations associated with woods roads can cause lights that were working at the beginning of a workday to fail without notice. Likewise, the mud and pine sap found on logging roads and decks can damage reflective sheeting. On the other hand, high violation rates for tires and brakes may indicate a lack of attention to maintenance on the part of some (obviously not all) log truck fleets.

Southern logging business fleets were actually newer, on average, than contract hauler fleets and log truck fleets in other regions (Fig. 4). This demonstrates the significant investment that logging business owners have made in their fleets over the years.

Conclusions

Southern log trucks are involved in crashes at a much higher rate than log trucks in other regions. This research could not determine fault in these crashes. More often than not, a crash involving a log truck and a passenger vehicle is the fault of the driver of the passenger vehicle. Nonetheless, until crash rates are reduced, log truck insurance premiums will remain elevated.

High rates of maintenance violations suggest there are opportunities to improve the condition of log trucks operating in every US region. While a perfectly maintained log truck can still be involved in a crash, the odds of a crash increase when a truck has maintenance violations, especially those associated with tires and brakes.

Southern log trucks were in similar or better condition than log trucks in other regions. Clearly, the age and condition of log trucks in the South did not explain elevated crash rates. My theory is that many of the roads driven by southern log trucks are more dangerous than those driven by log trucks in other regions. Population growth in many southern "mill towns" has left many roads with traffic levels that exceed their design capacity. Fatal crash rates for all vehicle types are also higher in the South. On the other hand, log truck fleets in other regions face more weather-related safety challenges than southern log trucks (e.g., snow, ice, steep grades).

Regardless of the causes of the high crash rates, I encourage log truck owners to focus on what they control and implement practices that have been demonstrated effective. Installing dash cameras, driver coaching, establishing a culture of safety, and operating well-maintained trucks at legal weights

have been effective at reducing crash rates among many log truck fleets.

Fig. 1. Log truck crashes per 100 million vehicle miles traveled (VMT).

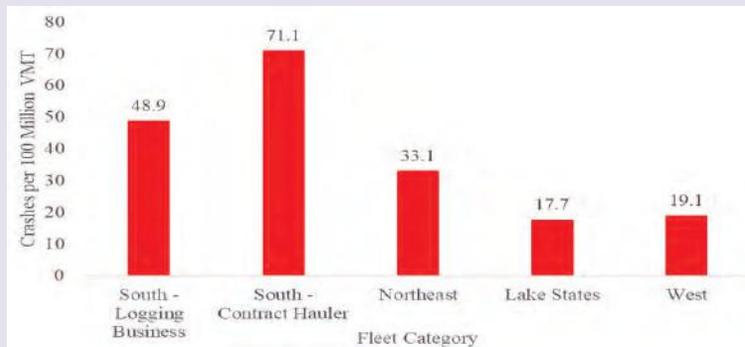


Fig. 2. Vehicle out-of-service rates for log trucks.

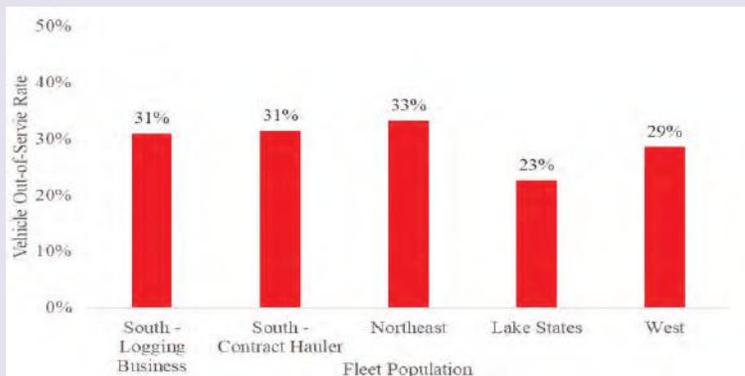


Fig. 3. Tire, brake, and load securement violation rates for log trucks by region.

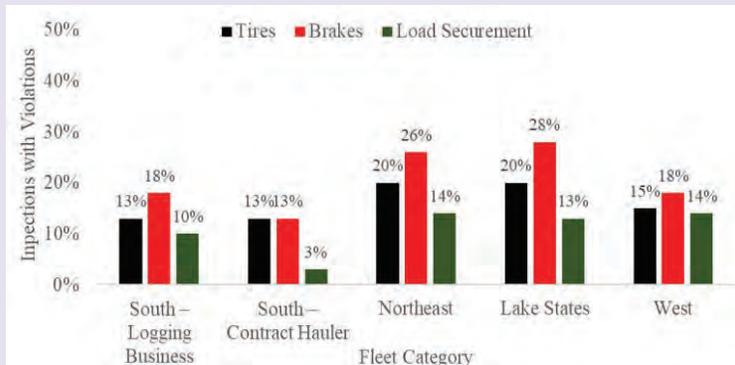
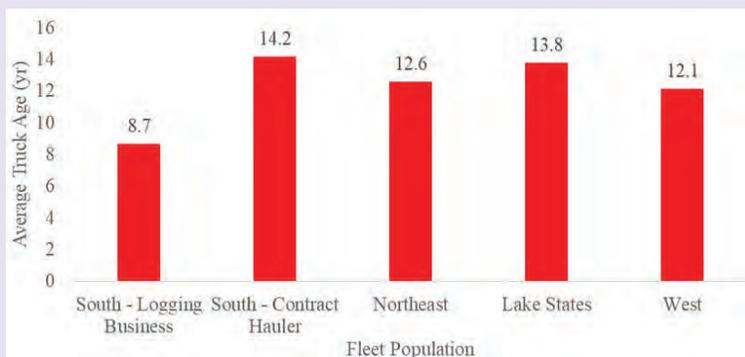


Fig. 4. Average log truck age by region.



Sources
 Weekley, C. and J. Conrad. 2021. Do maintenance practices explain southern log truck crash rates? Forest Resources Association Technical Release 21-R-34. Washington, DC. 2 p. Joe Conrad, Associate Professor of Forest Operations Harley Langdale Jr. Center for Forest Business Warnell School of Forestry & Natural Resources University of Georgia, Athens, GA
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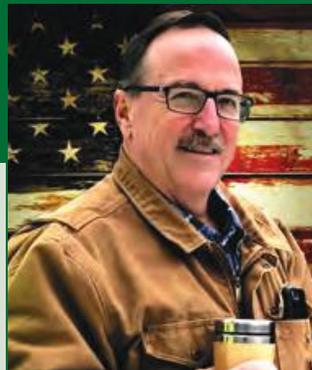
In 1994, loggers from across the country met in St. Louis, Missouri to discuss forming the American Loggers Council, hoping to provide a national voice for the logging sector of the forest products industry. The meeting was precipitated by the American Forests and Paper Association rolling out the Sustainable Forestry Initiative. A program which was initiated without any input from the logging sector, with disregard for the fact that the burden of implementation and compliance was going to lay primarily upon the loggers.

Spearheaded by Earl St. John, and thirty-three other logging leaders from across the country, the meeting was convened, and over the course of a few days the framework of the American Loggers Council was developed.

That was a gutsy move, especially considering that loggers were expected to be seen and not heard within the industry. Though loggers had previously been silent and fragmented, these leaders stood up and said, "We are going to be heard. We are not going to be dismissed and ignored. We are going to be represented!"

As we've recently celebrated Independence Day, it is good to recall that the founders of the American Loggers Council, like the founders of the United States, similarly risked personal ramifications, but still, "pledged to each other our lives, our fortunes, and our honor." In retrospect the risk was worthwhile, as with our nation, so it has been for our organization. The battle belongs to the brave.

Today, the American Logging Council is unquestionably the NATIONAL VOICE OF THE AMERICAN LOGGERS, representing over 30 state and regional associations, nearly 100 Individual Logger Members (ILM), and all major primary industry vendors. You, as a stakeholder in the timber industry, are represented from coast to coast, north to south, from the landing to the halls of Congress.



Scott Dane

Executive Director

American Loggers Council



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VLA LOOKING BACK WHERE WE CAME FROM

Jim Garner & Matt Poirot

This is a time to celebrate the 20th anniversary of VLA!

Really? As wisely pointed out in President Frank's recent newsletter, these are challenging days far beyond your daily routines. The last three years have not been nice – the pandemic and the changes it has caused; the supply chain looks like a train wreck; the social unrest and absolute failure of government makes us wonder – What next? What will our children and grandchildren face? What's there to celebrate?

Maybe, just maybe, it is a time to pause and take time to look at where we came from. Sometime the further we look back, the better we can make decision for our future. So, where did VLA come from?

In the mid-80's Jim Mooney and I had become close friends. We tried to have lunch once a month and talk about what's going on in our part of world. He would talk about the logging business and I about the growing interest in the Chesapeake Bay problems. Jim had a vision and wondered how the logging companies could come together to address issues that affected them. I had decided DOF needed to focus on large scale watershed and headwater improvement. To shorten the story – Jim began to approach loggers with the idea of some type of association and DOF put together a Water Quality Task Force (WQTF) of industry, landowners and loggers.

The WQTF met regularly with a limited agenda other than updates on happenings of interest to the group. It was an open forum and debate was welcomed. Needless to say, the discussions were lively and occasionally loud but NEVER ONCE did they become personal which spoke highly of the group. Everyone recognized that things were about to change that would have significant impact on their business and how they would operate. We were in for a paradigm change.

The task force promoted changes on the ground. DOF dusted off an old Best Management Practice manual (written by Charlie Witter, DOF, 1957) as a guide to improve certain practices for better water protections. A large effort was made to encourage the loggers to alter some practices, attend education meetings and visit demonstration sites. There were some changes but slow and isolated and some resistance. But, things were not changing as we had hoped.

The decline of the Chesapeake Bay was gathering attention and the three states and EPA developed a plan, signed by the Governors, to establish programs designed to mitigate pollution and sedimentation going into the Bay. Based on existing data, developers and agriculture were the focal points (farmers had targets on their backs). For the most parts the Soil & Water Districts were to lead the effort. Maryland quickly placed forestry operations under that agency. Bob Schaeffer (VA Tech) studied the impact on loggers under that system. Without going into detail, the impact on how logging businesses in Maryland is almost overwhelming. In Virginia, under the Soil & Water programs of water protection, forestry operations (including logging) are exempt from such regulations. Needless to say, this caught to attention of those working on water quality issues. That exemption suddenly became a target.

As the interest in the Bay continued, a small group called Forest Watch began an effort to change things in the far other end of the state. They used the printed news to exposed bad spots of logging and were getting the message to decision makers – local and state. They were a small but effective group supported and lead by attorney Gerald Gray in Grundy, Buchanan County. DOF visited with him twice to understand what they wanted different. They had no desire to stop harvesting needed timber but wanted someone to regulate how it was done to better protect the land and water. That was not the first time the term regulation was heard. Mr. Gray ask that members of Forest Watch attend the WQTF meetings. He knew they could. It was held in DOF office and was called by the State Forester, so it was, by law, open to the public. These folks never disrupted or spoke, but sat quietly taking notes. The task force members didn't like it and had limited comments at the earlier meetings but eventually opened up and maintained the focus of what needed to be addressed.

In 1988, the Board of Forestry endorsed the DOF's plan and focus on watershed and water quality. Soon, the DOF hired a specialist trained and educated in forest hydrology. This was the first and only forest hydrologist in any state forestry agency east of the Mississippi. Sam Austin was a fast learner of the issues and agency. He recognized the need for good technical science that would backup on-the-ground decisions. With the help of the task force, DOF began inspection of active logging and at close out. While this gave a good indication of how the operators where reacting to more careful practices, the inspections were subjective. These decisions were open to different interpretation, depending on the inspector's point of view. Without objective backup it would be

difficult to support change. According to Sam, the data had to be real! DOF and field staff moved to the science. This included water quality monitoring stations; remote sensing; computer modeling; forest hydrology; and the after effects of timber harvest.

There was also an audit of past operations. It would: (a) randomly select tracts, one year after harvest; (b) proportional scattered in all areas across the state; (c) on the ground inspection by a mixed team of experienced people; (d) use scientific protocol to collect specific, measurable data and (e) team agreement on subjective observations. This would be openly reported to the WQTF annually. This information today supports the various certification programs like SFI, FSC and Tree Farm and is routinely used to showcase the exceptional work that the forest operators are doing to those regulators in Washington, DC that would like nothing better than control everything.

In spite of the documented improvements, the training sessions, demonstrations and heighten logger involvement there were still lots of “the program is just volunteer BMPs” and “prove the program works”. The fact that forestry had the exemption clause was still a burning issue. There continued to be pressure for “more enforceable oversight” on timber harvesting.

The task force began to focus (with vigor!) how to stop any regulations and who might be the regulators. Looking at other states and how things were shaping up, the group agreed that whatever happened they preferred DOF have the oversight. The next question was could or how to avoid one-size-fits-all regulations.

Each state agency is assigned an assistant Attorney General for legal matters. Fortunately, DOF’s assistant, Rodger Chaffe, had been with the agency for years and had a good understanding what they do and how they operate. He was very pragmatic, experienced, and enjoyed exploring solutions. He also was well versed on how state regulations were formed and how they work. DOF met with him to explain the issues and asked was there a better way. He later met with the members of the task force to explain a way to have certain requirements and also allow some flexibility of the State Forester in oversight. His way was through civil enforcement and required no regulations, but when put before the legislators, it would require certain elements to be part of the law. For on-the-ground field decisions, a lot was left to guidance of the State Forester. Importantly, the law was clear that no assessed penalty could be used for administration of the agency. DOF developed a separate account which would only be used for education, training and research focused on water quality improvement.

After many lively meetings of the task force and back and forth with the attorney, he worked with the legislative staff to draft a bill. In 1993, the General Assembly passed the Silvicultural Activities Affecting Water Quality Act (Code of Virginia §10.1-1181.1 through 10.1-1181.7).

The effort and involvement of the Water Quality Task Force cannot be overstated. The serious and open discussions with ideas kept the focus on solutions – not always likeable but necessary. The membership covered the forestry community and the dedication to task was outstanding. During this time,

quiet meetings were taking place with Jim Mooney’s idea of developing an organization for and made up of working logging companies. The idea and interest found good footing. This was a defining moment for Virginia forestry and for a group so often taken for granted. In the development process several key decision were made: the board of directors would be elected and available ONLY to active logging members and the wise decision to keep member dues reasonable and flexible to the size of the business. Supporters and associates were welcome but only loggers would make organization decisions. They selected Jim as the first executive director. Officially, on December 27, 2002, the Virginia Loggers Association became an integral part of Virginia’s forestry community.

The leadership and activity of Virginia loggers did not go unnoticed. Others wanted to know more details. We don’t know exactly how many loggers received request for information but, DOF was invited to Kentucky three times, twice before their legislative committees. With a bit of tweaking, KY passed a similar law; one trip to West VA who copied the law almost verbatim; two visits to Tennessee who passed a similar approach and one trip to Arkansas for a forest summit. While other states didn’t follow suit, there was the development of a south wide protocol for an audit system similar to Virginia. Now the 13 southern State Foresters are tracking the same data and are able to show improvements and recognition of good logging operations.

So, all of that’s nice, but what’s to celebrate?

Celebrate the logger leadership from the Task Force, the VLA and supporters are recognized for their wisdom and willingness to “take the road less traveled” as they enter the next century. Celebrate Jim Mooney – his vision and the group of loggers who founded and brought to life VLA ; Gerald Gray who did not want to ban harvesting just how it’s done; Roger Chaffee for writing legislation all could live with and the legislators who supported the effort; Sam Austin for the system that withstood science review that showed the positive result; your “brother” loggers who are supporting each other and attending critical meetings, talking to decision makers and working hard to “do it right”; DOF trying to make logical decisions and avoid being obstructive to your operations. Celebrate the sponsors and supporters who recognize the importance of your daily work. Celebrate Ron & Nannette Jenkins and the board of directors for bringing the Association to a whole new level and celebrate your family who support you for who you are, where you are and what you do.

It is a time of many questions – a time of few answers

It is a time to just “be still and know that I am God”

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Higher education programs in Forest Products in the United States have gone through a lot of changes over the last 75 years in order to remain relevant. For example, when the Sustainable Biomaterials program at Virginia Tech started in the 1950s it was focused on fasteners for wood construction for military applications. Later on, the program evolved into the design and testing of wood pallets, wood composites, construction, manufacturing, marketing, packaging, and circular economy. These changes have been critical to keeping the programs relevant and closer to real issues impacting the industry.

These 4-year University programs' main focus is on producing new experts at bachelor, master, and doctoral level. Most of the new experts find jobs in various fields such as quality control, production control, supply chain management, wood composites, middle management, and marketing and sales. A few graduates with doctoral degrees end up working in academic programs, government organizations, or large corporations with research and development capabilities.

It is clear that without the right people our industry cannot move forward. Companies ranging from logging operations to primary and secondary value-added processing need to have a solid plan to hire, onboard, and provide growth opportunities to their employees. Managers in this industry need to understand that investing in human resources is key for the future of the organization. For that matter, it is critical to connect and develop relationships with Forest Products programs. The map in Figure 1 shows where the major higher education programs in Forest Products are located in the USA and Canada.



Figure 1. Location of Forest Products-related programs in the United States and Canada. Visit <https://cfpb.vt.edu/education/wood-science-programs/> to get more details.

Industries interested in hiring new talent from these programs have different options to access students and new experts in these programs, including internships, scholarships, gifts, industry tours, and visits to campus. Supporting these programs is important and highly beneficial for your company. Not just because of the access to new experts but also to access research and professional development opportunities.

Your next big leader could come from any of these Forest Products programs. Keep that in mind.

If you have questions or need assistance, please contact Henry Quesada at quesada@purdue.edu

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FOREVER YOUNG

We've heard for years that the average age of loggers is going up nationwide. The older crowd just keeps working later into life, and fewer members of the younger generation step up to take their place when they do retire. A recent Timber Harvesting survey of loggers showed that 71% of loggers are over 50, and 46% of loggers are over 60. And it's not just the owners; the same survey showed that more than half of logging employees are past middle age. Moreover, of those who responded to the survey, more than a third indicated they plan to retire in the next five years (because of the age factor), and obviously in recent months economic factors have convinced some to retire earlier than they wanted, opting to cut their losses while they still can.

Real empirical data is hard to come by, but it does appear that anecdotal observations of an aging logger work force are backed up by the numbers, although I have seen some fine examples in recent months of younger men taking on the challenge and going into the logging business.

That said, I have been noticing a trend, and not just among loggers: people these days, a lot of us at least, seem to be staying younger longer than previous generations use to. You may have heard that 50 is the new 40, 40 is the new 30, and so on. Well, for at least some of us, that seems to be the case.

I can cite a few examples. You look at pictures of people in the past, old movie stars and regular folks alike: they often looked older than they were. You'd guess 50 or 60 and come to find out they're 30 or 40; you guess 40 and they were 20. People aged faster; I guess life was harder on them. Take Carol O'Connor (Archie Bunker): he was about 44 when *All in the Family* started. I'm 44 now; I don't look like that! I also don't look like Tom Cruise, who recently starred in the *Top Gun* sequel, 36 years after the original, and has another *Mission Impossible* movie on the way next year, his seventh film in that series in 27 years. He's 60. 60! Let that sink in. Perhaps the real impossible mission for him is to show his age.

Consider the *Golden Girls*; the show was by definition about older woman (in their "golden years"), and they sure looked like how I remember older ladies looking back then. But they weren't that old then by today's standards. Rue McClanahan was 51 when the series premiered in 1985; Jennifer Lopez was 51 when she did her scantily clad Superbowl Halftime Show performance in 2020. There was a big difference between her and Rue at the same age. A *Golden Girls* reboot made today might star Jennifer Aniston (53), Halle Berry (56), Elizabeth Hurley (57), Demi Moore (59), all of them now roughly in the age range as the original *Golden* quarter nearly 40 years ago but looking a lot younger than Betty White and her pals did then.

Of course it isn't just about looks, which might be at least partially attributable to hair dye, makeup, a good workout routine, possibly a healthier diet and probably at least a little plastic surgery. More important than looks, it's about vitality. I can cite more examples. Tom Brady is 45—a year older than me—and still going strong in the NFL. Coach Nick Saban at the University of Alabama will be 71 this Halloween and he is still as active as ever (by contrast, the previous greatest college football

coach of all time at Alabama, Bear Bryant, was only 69 when he died in 1983, and was in very rough shape near the end). Willie Nelson is 89 and still performing, still touring. Last fall my sister and I took our mom to see the Rolling Stones in concert for her birthday; the members of that legendary band were between 78 and 80 (one had recently died) but the ones on stage still performed with all the energy and vigor they'd had 60 years earlier when they formed the group. It was incredible they can still move, sing, play like that at their age. Seems nothing stops that generation! Nothing even seems to slow them down much. They don't waste away; they work and play till they drop dead.

Closer to home, I can tell you about one of my favorite people, my dear Aunt Marjorie, my dad's older sister. She passed away this January very soon after a stroke; if she'd lived just three more months she'd have been 94 this year. Let me tell you, right up until that stroke, she was mentally and physically as active and sharp as anyone I knew. Up until just a few years ago she still shoveled manure out of the horses' stalls in our family barn, until a doctor made her give that up. She still lived alone (outliving a sibling, her husband, and one of her children) and took care of herself completely independently (and maintained an immaculately clean and tastefully decorated modern home). She still drove herself everywhere in a late model car, was still active in her church, her family, her community. She still traveled; recently, just a few months before her death, she flew alone (with a special needs granddaughter) to Texas to visit family, and to Washington, DC to walk all over site-seeing. She was even active on social media with her smart phone. For her age meant nothing and she lived her life the way she wanted till the very end.

Her little brother, my dad, didn't take as good care of himself, with poor diet and heavy smoking for most of his adult life. So he's survived multiple heart attacks and strokes. Doctors thought he'd be dead decades ago. As I write this, he'll be 80 next week, and is still going—perhaps not going strong exactly, not as strong as his older sister did, but going just the same. He grew up on a farm, served in the Army, worked in equipment with Timberjack and then in his own business, Abbott Logging Co., for decades. After he "woke up dead," as he puts it, from a massive heart attack in 2009, he quit smoking cold turkey. Since then, they say he's been operating on 15% of his heart and lung capacity. He's not supposed to be able to do much of anything. And yet, somehow...he does. He's always working on a tractor, a truck or a chain saw, repaving the driveway, mowing the yard or finding some other way to accomplish his goals.

Here at Hatton-Brown Publishers, where I work on *Southern Loggin' Times* and *Timber Harvesting*, I often get to visit loggers who are still working every day well into their 70s and 80s, sometimes even their 90s. I can't tell you how many



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loggers have told me, "I plan to work till they throw dirt in my face." On the equipment side, there are many examples, like Ralph Metcalf, still involved at North Carolina's Cutting Systems Inc. And in our office, we have several people in that range on staff and still busy as bees. Our former co-publisher, DK Knight, who technically retired three years ago, still has his office and remains loosely involved; he's even writing a massive modern history of logging for SLT's 50th anniversary issue in October. His former partner, Dave Ramsey, now the sole owner of the company, is well into his 80s. He still comes to the office about every day, still comes to our trade shows. A classic car enthusiast and gear head, he's also a pilot, and he still flies. I see him at his shop sometimes at the local airport, working on his plane in his hangar, turning wrenches himself. Our real boss, Chief Operating Officer Dianne Sullivan, is nearly Dave's age; she started with Hatton-Brown at age 19 in 1964 (back when the Rolling Stones were just the new kids on the block). She's literally the first person there most every day and the last to leave, still running everything like clockwork. She still goes to many of the industry shows; until a few years ago she was a regular at the Richmond Expo (she has slowed down at least that much; she's decided the 11-hour drive from Montgomery to Richmond is more than she wants to do anymore). I asked her recently if she plans to make it an even 60 years before she retires. "Retire?" she laughed. "I'm not retiring ever. You'll all come in to find me dead at my desk one day." I believe her, and I know that's exactly how she wants it.

I guess my point is: 65, 75, even 80, they're just numbers. Reality gets us all eventually, but there's no reason you have to stop or even slow down until then unless you choose to. If you have something you love doing and you want to keep doing it, then keep doing it; if you're passionate about something, that very activity often keeps you not only alive but young, vibrant, healthy. So if you want to keep working, and you're able to keep working, don't let anyone tell you different. Log on!

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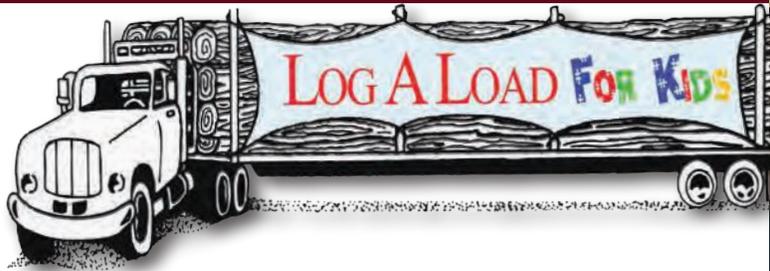
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Thank you to all our Loggers, Sawmills, Paper Mills, Tree Farmers, Foresters and everyone who helped us reach our goals!

Log a Load for Kids Volunteer of the Year Award was given to Samantha Deffenbaugh. Samantha is a tireless volunteer helping Virginia LAL State Coordinator Nikki Robertson with many duties including the Richmond Logging/Sawmill EXPO and Gold Tournament.



Members and friends of the Virginia Loggers Association raised \$10,000 for Log – A – Load for Kids. VLA is grateful for the kindest and most generous members and friends of VLA who made this donation a possibility. VLA is committed to helping our youth in need.

The mission of the Log a Load For Kids Foundation program is to raise funds to improve children's health through treatment, education and research at Children's Miracle Network (CMN) Hospitals and other local children's hospitals.

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SETLIFF'S LAW

SUPREME COURT'S REFUSAL TO HEAR CTA V. BONTA AB5 CASE WILL HAVE SWEEPING RAMIFICATIONS FOR CALIFORNIA TRUCKING INDUSTRY AND NATIONWIDE SUPPLY CHAIN CRISIS



Stephen Setliff

The United States Supreme Court's recent decision not to hear the California Trucking Association's request for review of the U.S. Court of Appeals for the 9th Circuit's decision in CTA v. Bonta—which upheld California's AB5 law governing the use of independent contractors—is going to have incredibly broad sweeping ramifications for the trucking industry as a whole, as well as further exacerbate the nation's already tenuous supply chain shortage. Not only will this decision affect trucking companies that have their operations based in California, but also any trucking company that intends to do business in the state of California. Enacted in 2019, AB5 creates a presumption that any worker who performs services for an employer is an employee for purposes of claims for wages, taxes, and benefits. The law lays out a three-part test that requires a worker to be considered an employee rather than an independent contractor unless the following conditions are met:

“(A) The person is free from the control and direction of the hiring entity in connection with the performance of the work, both under the contract for the performance of the work and in fact.

(B) The person performs work that is outside the usual course of the hiring entity's business.

(C) The person is customarily engaged in an independently established trade, occupation, or business of the same nature as that involved in the work performed.”

When enacted, AB5 exempted several categories of work from its scope—mostly professions requiring a professional licensure like real estate agents, lawyers, dentists, doctors, accountants, etc. However, the trucking industry was not so fortunate.

While trucking carriers will have to show their business operations satisfy all three parts of the test—commonly referred to as the “ABC” test—the B prong is the most problematic for the trucking industry, which allows a worker to be considered an independent contractor rather than an employee if they perform “work that is outside the usual course of the hiring entity's business.” Trucking companies, many of which hire independent contractors to move freight, will not be able to demonstrate that sort of work is outside the usual course of their business. Furthermore, AB5 does not differentiate among carriers, brokers, or shippers operating in California, nor does it exclude owner-operators from its scope. All entities must satisfy the “ABC” test. As Joe Rajkovicz from the



Western States Trucking Association explained to the online publication, HDT, “This rejection by the Supreme Court means any motor carrier leasing an owner-operator under federal leasing regulations in California is severely at risk — they cannot pass the A-B-C test. Relationships involving carriers and brokers contracting with single-truck operators that have incorporated and have their own operating authority will come under the microscope, too.” In response to the Supreme Court's decision to deny hearing the CTA v. Bonta case, the California Trucking Association released the following statement: “Gasoline has been poured on the fire that is our ongoing supply chain crisis. In addition to the direct impact on California's 70,000 owner-operators who have seven days to cease long-standing independent businesses, the impact of taking tens of thousands of truck drivers off the road will have devastating repercussions on an already fragile supply chain, increasing costs and worsening runaway inflation.

We are disappointed the Court does not recognize the irrevocable damage eliminating independent truckers will have on interstate commerce and communities across the state. The Legislature and Newsom Administration must immediately take action to avoid worsening the supply chain crisis and inflation.” What remains to be seen is whether similar legislation in other states will render operations more taxing for the hundreds of thousands independent contractors employed by trucking companies throughout the country. For now, it is clear the impacts of AB5 will be profound on the trucking industry in California, and any trucking company who does business in California. If you have any questions about the impacts of AB5 on your business or employment regulations in general, please contact Steve Setliff at ssetliff@setlifflaw.com.



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