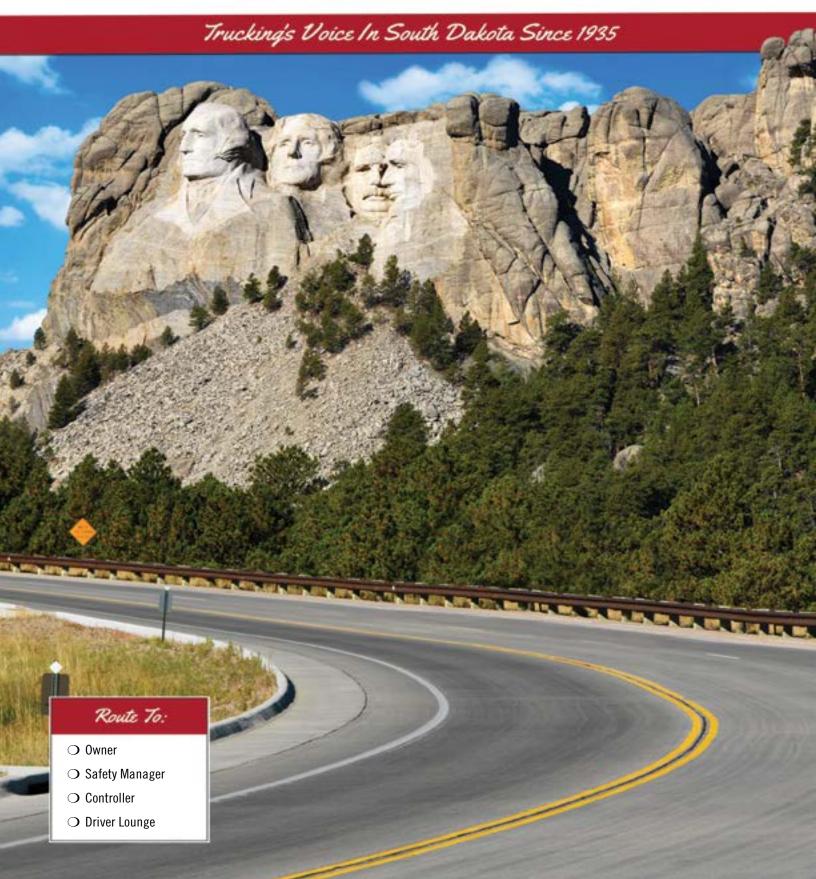
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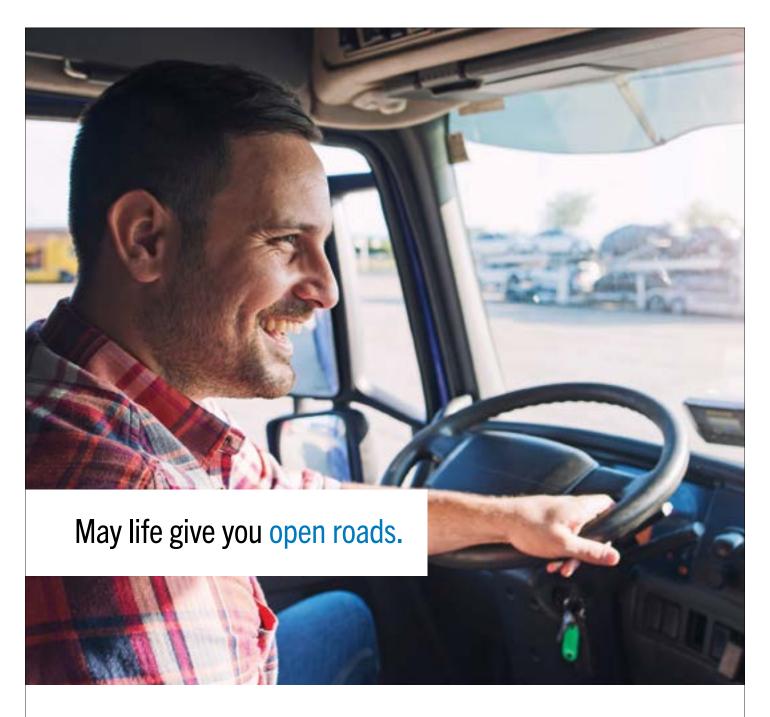


APRIL 2021

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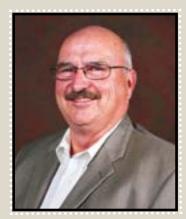
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STEPHEN WILLERS



CHAIRMAN'S MESSAGE

Driving alone in a semi sure gives me countless hours to think about numerous issues. I think of easy safety measures that every young person should know when following or passing semis. I realize, and am grateful that our Association's Road Captains visit schools to teach safety to students around semis, and here is my input. My apologies to the Road Captain. I hope I'm not treading on your territory too much, but safety suggestions for our loved ones should be repeated.

I have explained to my kids about safety around trucks. I tell them to be especially careful around trucks with a long connecting rod between the trailer and the pup trailer. Many times, the young people see the truck passing them in heavy traffic on a four-lane or interstate and they want to pull out into the passing lane to pass also, but right outside their driver window is that long rod, signaling that if they pull out, they will collide with the pup trailer. Please alert your loved ones to ALWAYS look for the connecting rod before pulling into the passing lane after a truck.

There was a time when parents told their kids to be safe on long trips by following a semi-truck for miles and miles. It is dangerous to do so, especially if they follow the semi too closely. If the car driver can't see the semi's side view mirrors, that means that the semi driver can't see the vehicle following. And at the rate of speed some kids are driving these days, especially distracted, it only takes a second or two to crash into the semi-trailer. The vehicle and its driver will be the losers of those types of collisions. Strongly urge your loved ones to give semis plenty of space.

And don't get me started about four-wheelers that remain in the passing lane much longer than necessary. I really dislike seeing a vehicle hover beside my trailer for an extended length of time. A tire blow-out or wheel flying off doesn't happen often, but often enough that the vehicle should pass the semi as quickly and safely as possible. Alert your loved ones to this item as well.

On another subject, your Executive Committee and Board members devote long volunteer hours to supporting, promoting, and preserving your livelihood. Each one is available to answer your questions or to receive/deliver your positive ideas to the Association. Each one is listed in your monthly issue of the Trucking News. Don't hesitate to take advantage of their help.

I encourage you to take a few days off to join your fellow truckers for the Spring/Summer Board meeting and Cliff Tjaden fishing tournament in Chamberlain in May. It may seem difficult to be away from your business, but I assure you, it is time very well-spent. You will return to your work refreshed, renewed, maybe a little tanned, but with more business connections, a few good stories, and a few freshly caught fish. Join us on May 6th at 1:00 for the Board meeting at Chamberlain's Americann. The real fun begins at the Fishing Calcutta held that evening after a hosted dinner, and continues with the Fishing Event 7:30 to 3:30 the next day, May 7th. Everyone is absolutely invited to attend. See you there!

Jerald W. Ollewich

Jerry Ollerich, SDTA Chairman Jerry Ollerich Trucking, Owner

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PRESIDENT'S MESSAGE



We had a weather teaser last weekend with temperatures in the 80s, but since then it has been back to reality with temperatures in the 40s and 50s with intermittent rain. I just hope we have reached the turn and there will not be any more snowfall.

The summer meeting of the SDTA Board of Directors is scheduled for Thursday, May 6th immediately preceding the annual Cliff Tjaden Fishing Event. As a reminder, I offer that every member of the SDTA is allowed and encouraged to attend meetings of the Board of Directors. Please review the "Dates to Remember" printed in this edition

of the Trucking News. We have an action packed couple of months ahead. Please participate in any way you can!

In mid May, your ATA State Vice President, Rick Hoogendoorn and I will be attending the ATA's Mid-Year Management Meeting in San Antonio, TX. This meeting serves as the semi annual board of directors meeting for the American Trucking Associations. This event also provides a great opportunity to spend time with truckers from across the country and share issues of mutual concern. This is a very important meeting for our State Vice President to attend; it is where ATA Policies are discussed, changed and formulated. If there is a particular issue that you would like Rick or me to carry to the meeting, please call one of us and share your thoughts about the matter. I know the list of federal issues is long, we genuinely appreciate your input.

Unfortunately, the SDTA Truck Driving Championships were cancelled again this year mainly due to cancellation of the national competition. COVID just seems to continue to interfere with what we refer to as "normal life".

Stay safe and stay healthy!

Myron L. Rau, President

Pam Kolseth
Comptroller
pam@sdautodealer.com

Michelle Wells

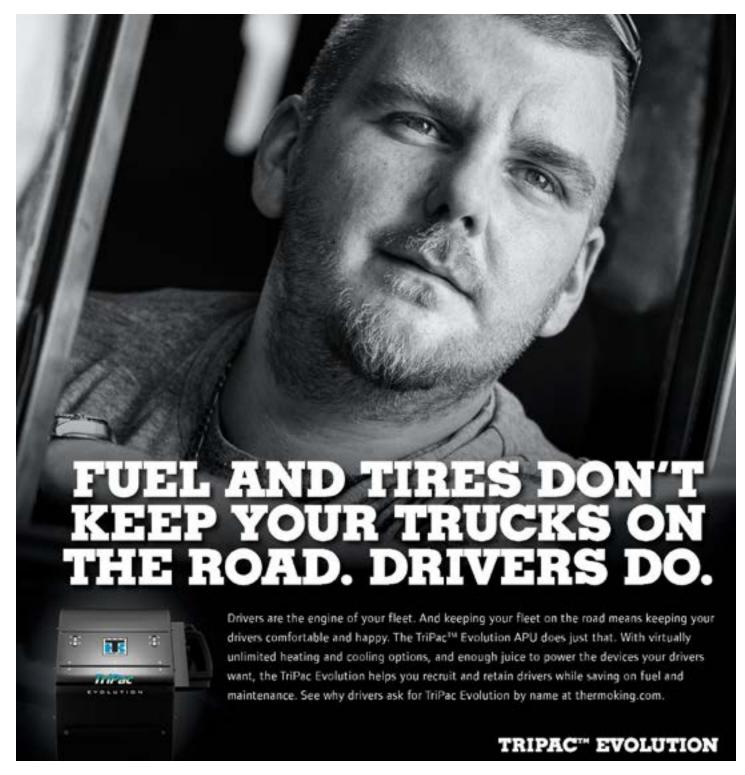
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Congratulations to John Snowe, K&J Trucking, Inc., Sioux Falls, SD.

He was selected as the April 2021 Driver of the Month by the South Dakota Safety Management Council.

John has been a professional truck driver for over 13 years,

11 of which were logged for K&J Trucking, Inc.

He has nearly 1.5 million accident-free miles!

John was named the Driver of the Month once before in 2018. He is a driver trainer for K&J Trucking, Inc. He joined as a company driver, but recently became an owner-operator. He is safety conscious and has a lot of patience.

John resides in Yankton, SD.

The South Dakota Trucking Association joins the Safety Management Council in congratulating John Snowe for being selected as the April 2021 Driver of the Month.

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What Does The SDTA Safety Management Council Do?

On the third Tuesday of every month, the SDTA Safety Management Council meets at the SD Trucking Association office. This is a group of professional men and women who collectively discuss safety issues affecting the trucking industry.

We meet at 11:30 a.m. for a complimentary lunch prior to the start of each meeting. For those who are unable to get to Sioux Falls for the meeting, we have the option to join in via Zoom. Although you won't be able to enjoy the complimentary lunch, you will definitely get a lot of safety-related information by joining in on the meetings. Below is the registration form for all who are interested.

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The trucking industry has come a long way in the past couple of decades in telling its story of essentiality. Our image has never been better. But, we cannot stop sharing about the frontline work the industry does each and every day. We have to maintain our efforts to promote this great industry and to help more Americans understand that nothing moves without trucking. Why?

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TRUCKING



FOR IMMEDIATE RELEASE March 24, 2021 Sean McNally (703) 838-1995

ATA ANNOUNCES FORMATION OF LAW ENFORCEMENT ADVISORY BOARD

Panel will focus on strengthening trucking's relationship with law enforcement organizations

Arlington, Virginia — Today, the American Trucking Associations announced the formation of its Law Enforcement Advisory Board—a new panel that will advise the ATA Federation on ways to grow and strengthen relationships between the trucking industry and law enforcement organizations across the country. The board is comprised of ATA members who have previous experience in federal, state, and local law enforcement, as well as current and retired law enforcement officials who have contributed positively to the partnership between both groups.

"No two groups have a stronger and more consistent presence on our nation's highways than law enforcement officers and American truckers," said ATA President and CEO Chris Spear. "Therein lies a strategic opportunity for greater collaboration, increased communication, and new bonds. The incredible depth and breadth of experience represented on this board will be an invaluable asset for our industry, the law enforcement community, and the safety of the motoring public alike."

The 22 members of the Law Enforcement Advisory Board will convene bimonthly to identify areas of opportunity and provide recommendations on priority issues. During its inaugural meeting, held virtually last week, the board identified primary issues it will focus on in the coming weeks and months, including combatting human trafficking; increasing truck parking capacity and ensuring driver safety at rest stops; commercial motor vehicle safety and security; and enhancing access to training for drivers and company safety personnel.

The 22 Advisory Board Members are:

Chris Harris, ABF Freight System

Derek Barrs, HNTB Corporation
Joe Allen Boyd, professional driver, Walmart Inc.
Rick Cates, Marsh USA Inc.
Tim Cardwell, National High Intensity Drug Trafficking Area (HIDTA) Assistance Center
Butch Day, Yellow Corporation
Jeff DeVere, DeVere Public Affairs and Consulting
Floyd Dixon, FedEx Freight
Fred Fakkema, Zonar Systems, Inc.
Jeff Ferber, ABF Freight System
Kent Grisham, Nebraska Trucking Association

Parker Harrison, Old Dominion Freight Line
Jim Kochenderfer, Werner Enterprises
Mike Martin, Old Dominion Freight Line
John McKown, professional driver, UPS Freight
Ray Miller, McAnally Wilkins Insurance
Dana Moore, Texas Trucking Association
Myron Rau, South Dakota Trucking Association
John Spiros, Roehl Transport
Jeffrey Tippit, City of La Porte Police Department
Christopher Vinson, Midlothian Police Department

Donnie Ware, ABF Freight System

Washington State Patrol

The LEAB members have current or previous affiliation with the following 27 law enforcement entities:

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Clay County, West Virginia Sheriff's Department
DeSoto, Texas Police Department
Federal Bureau of Investigation
Florida Highway Patrol
Fort Smith, Arkansas Police Department
Fremont, Nebraska Police Department
Gassaway, West Virginia Police Department
Howard County, Maryland Police Department

Jackson, Tennessee Police Department
Madison County, Florida Sheriff's Department
McKinney Texas Police Department

McKinney, Texas Police Department Midland, Texas Police Department Midlothian, Texas Police Department
National High Intensity Drug Trafficking Area (HIDTA) Assistance Center
North Carolina Highway Patrol
Ocean City, Maryland Police Department
Pennsylvania Game Commission
U.S. Air Force Security Police
U.S. Secret Service
U.S. Navy Military Police
Rowlett, Texas Police Department
Sarpy County, Nebraska Sheriff's Office
South Dakota Highway Patrol
Texas Department of Public Safety



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Domino effects of Suez Canal blockage could last for months

Rush of cargo could swamp European ports once jammed ship is freed.



As a grounded containership blocks cargo traffic through the Suez Canal for a third straight day, the ripple effects of the incident could disrupt trade networks for weeks or even months, choking ports that are already struggling with freight delays, container shortages, and pandemic surges.

Evergreen Marine, the Taiwanese container line that operates the Ever Given vessel which ran hard aground during a sandstorm this week, said Thursday that it had dispatched maritime professional rescue teams from the Netherlands and Japan to help the ship's captain and the Suez Canal Authority budge the giant ship loose and refloat it.

But some reports now say that officials may have to unload

containers from the vessel to lighten its weight and dislodge it from the Egyptian sands, an operation that could take weeks to complete and would worsen existing freight delays across European ports, supply chain visibility company Project44 said.

In fact, several containerships waiting for passage through the vital shortcut have already voted with their feet, laying new routes to sail clear around the southern tip of Africa to make their way between Europe and Asia, a move that would add nearly two weeks to each ship's voyage, according to published reports.

Neither option allows ships to deliver their cargo on time, creating a scenario that could create a domino effect, since many of the stalled ships are mega-vessels navigating the Asia-Euro route, making multiple stops in European ports, project44 said. And with even more cargo waiting at Chinese ports for vessels to transport it to those European markets, the same delays are equally problematic in the Euro-Asia direction.

"Once the log-jam is broken, major ports in Rotterdam, Antwerp, and Hamburg will be swamped," Project44 CEO Jett McCandless said in a release. "That congestion will have rolling effects further down the supply chain for months to come, exacerbating an already problematic situation at major European ports. With inventories dropping as a result, unfortunately that means the costs will be passed on to the consumer."

Since marine carriers sail complex routes through multiple ports, any further delay in clearing the wedged Evergreen ship could create "a severe knock-on effect," agreed Nikolaus Sievers, vice president of global customer success at Slync.io, a logistics software provider for global shippers, logistics service providers (LSPs), and carriers.

"In that scenario, there aren't enough hours in the day for logistics operators to make up for lost time servicing shippers who are all fighting for the same limited resources and capacity," Sievers said in a release. "It's highly likely that shippers moving cargo from East Asia to Europe are right now sending frantic emails to their LSPs and carriers to confirm whether or not their cargo is affected, leaving those service providers to sort through piles of messy data and communications and take action based on what might or might not be delayed."

As delay and confusion spread, the impacts will be felt by both businesses and consumers, said Tony Pelli, practice director for security and resilience at BSI Group, a London-based business consulting firm.

"Approximately 3.3 million tons, or about \$400 million worth of cargo, passes through the canal per hour and this will have far reaching impacts," Pelli said in a statement. "Companies in Europe that are reliant upon raw materials coming through the canal, such as the auto industry, are likely to be affected as the blockage continues. This could have ripple effects for consumers, especially in Europe, but it would likely take a couple of weeks to begin to feel them."

Reprinted from https://www.dcvelocity.com/articles/50040-domino-effects-of-suez-canal-blockage-could-last-for-months



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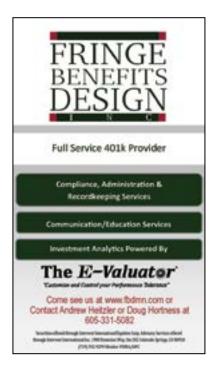
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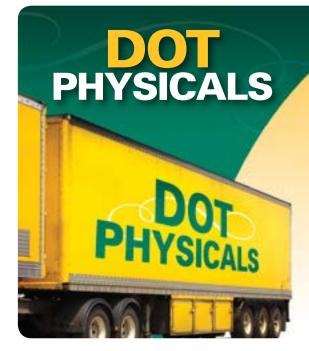
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The Audacity of "Nope"

by Douglas B. Marcello, Marcello and Kivista, LLC

Do not take a post-accident written or recorded statement from your driver. "My simple, declarative statement in a recent safety and risk presentation ignited a lengthy debate regarding the wisdom of the advice.

The safety and risk attendees were surprised at the notion. For most, the driver's post-accident statement is a standard, accepted practice. "F{ow else can we learn the facts of the accident, address driver behavior, and document the file?"they asked.

I appreciate their reservation. I understand their concerns. I agree that change must be preceded with thoughtful consideration of the alternative. My perspective, however, is from the field of litigation. My job is to defend trucking companies and their insurers in suits arising from accidents.

From that perspective, I have seen the abuse of these statements by those who see any unfortunate accident, no matter of the magnitude or the result, as an exploitable opportunity to prey upon the carrier. I have seen the mis-characterization of any written documentation of the driver by those who view your units as 18-wheel ATM's.

In the end, the utility of any statement should be weighed against the cost or potential cost in litigation- The following are some considerations from my perspective in defending truckers and trucking companies in lawsuits.

Statements Help The Plaintiff

A statement from our driver great benefits those who sue us. It rivals the police report as their most useful documentary evidence. It tips the playing field in their favor.

Think of the great benefit we would have if we could get a statement from the plaintiff to lock him into his version of the accident. Rarely, if ever, are we able to do so. His attorney recludes contact and prevents this from occurring.

So why serve up our driver's version on a platter by taking his statement post accident? This statement, generally discoverable, is then used against us in depositions or at trial to parse conflicts with other versions of the driver or facts of the case.

Should you have any doubt as to the value plaintiff attorneys place on our self-generated statements, you should see their reactions in those cases in which we do not provide a report- incredulity bordering on skepticism. The driver statement is among the first things plaintiff attorneys request, and they often cannot hide their disappointment when they discover we've broken this age-old tradition of doing their work for them.

Without our post-accident statement, the plaintiff attorney is faced with having to get the facts by discovery. In other words, he has to work for it just like we do.

Limitations in the Recollection of the Event

An accident is multi- elemental. It is the convergence of time and distance, speed and force. Every time our driver is asked about the accident, he is invariably asked to relate a finite quantity to each of these particular components of the accident based upon his instantaneous assessment in the fractional seconds of the event.

"How fast...?" "How far...?" "How much time...?" We seek to elicit specific facts supposedly gleaned by a driver in the instant of the occurrence as he is trying to perceive and react to the unfolding events. We ask him to remember particular facts of a time when his focus was on reacting within a fraction of a second to the unfolding events.

This is the reason that most police departments refrain from taking a statement from an officer immediately after his use of force.'The ability to recall the specifics of an instantaneous occurrence is limited at best.

Why, then, should we place our drivers in the position of being forever committed to such finite facts immediately after the accident?

Potential Conflict with Other Statements

The driver's recollection will vary each time it is retrieved. This is not dishonest, but a reality of human nature. Any post-accident statement creates the potential for conflict with other statements-to the police, in deposition, or even at trial. Why create such conflict in the absence of overwhelming benefit?

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We are sad to announce that we did not meet our minimum requirement of 25 driver participants for the 2021 SD Truck Driving Championships.

Because of this, we reluctantly announce that the 2021 South Dakota Truck Driving Championships have been cancelled.

The Audacity of "Nope" continued...

Requiring the driver to commit his recollection to a statement or written report immediately after the accident creates yet one more opportunity for conflict.

Potential Conflict with Other Evidence

As noted above, we demand the driver recount and quantify the specifics of the accident from what he could glean in the fog of the accident. A post-accident statement etches these quantities in stone.

Why? Much, if not all of this evidence is ascertainable by mechanical and scientific means. The ECM download and accident reconstruction can provide precise numbers or at least ranges of each of these quantities.

These mechanically and scientifically determined times, speeds, and distances will trump any instantaneous subjective quantifications of the driver. Thus, any conflict empowers those who question the truthfulness of our driver, no matter how well meaning and honest the quantities he provided.

Limited Litigation Value

Our driver's statement is of little, if any value to us in litigation. The only possible use is to "refresh his recollection" if he has absolutely no recall. Not a mis-recollection - absolutely no recall. How do you think that looks to the jury?

The driver is totally blank on vital fact in the case and needs a piece of paper from his attorney to recall.

Sure, there are explanations. It is natural to be nervous on the stand. The statement is his recollection from shorty after the accident. However, in a medium dependent on jury perception as to who is telling the truth and has the most reliable recollection of the facts, your case is in trouble if your driver needs a statement to remember key facts.

So, let's balance the limited use of a post-accident report to revive a recollection against the overwhelming downside. (A misrecollection by the driver that conflicts with his own statement is subject to cross-examination by evidence we created, and only results in undermining his credibility.

"Now, Mr. Driver, in the statement you gave your own safety director shorty after the accident, you said. . .." Maybe it is the fact that I can hear this in my sleep that leads me to urge the end to taking these statements.

Potential Incrimination of Our Driver

Think about it. You take a statement from the driver who makes an admission that can be used by the police to bring criminal charges.

For example, in a rear-end accident resulting in serious injury or death, an admission by the driver of an activity that distracted his attention could result in criminal charges, including homicide by vehicle. Your subpoenaed statement could be Exhibit A in the criminal trial.

And, the impact of subpoenaed statements is not limited to the driver. His conviction or guilty plea could result in automatic negligence of your company. It could provide a spring board for punitive damages.

Conclusions

These are the primary reasons, based upon my litigation perspective, that I counsel against taking written or oral post-accident statements or written reports from our drivers. The value of doing so is far outweighed by the potential damage.



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- Spring/Summer Board of Directors Meeting and the Cliff Tjaden Fishing Event at the Americann, Chamberlain. The Executive Committee will meet at 10:00 a.m. on Thursday, May 6, 2021 followed by a full board meeting starting at 1:00 p.m. on the same day. The fishing Calcutta will be held after a hosted dinner. The Cliff Tjaden Fishing Event is scheduled for 7:30 a.m. to 3:30 p.m. on Friday, May 7, 2021.
- South Dakota Truck Driving Championships, Southeast Technical Institute, Sioux Falls, SD starting at 7:00 a.m. on Saturday, May 15, 2021. *CANCELLED*
- Wheel Jam, State Fairgrounds, Huron, SD June 3 through June 6, 2021.
- 15th Annual West River Poker Run June 26, 2021 Start at Dale's Tire at 9:00 a.m..
- West River SDTA and Logging Industry Golf Event June 27, 2021 Tomahawk Golf Course starting at 9:00 a.m..
- East River Golf Event 9:00 a.m. shotgun start on Thursday, July 22, 2021 at the Brandon Golf Course.
- National Truck Driving Championships Minneapolis Convention Center, Minneapolis, MN on August 11 through 14, 2021. *CANCELLED*
- Annual Convention Ramkota Hotel, Sioux Falls on September 8 10, 2021.
- Annual guided pheasant hunt is on Thursday, November 11, 2021 leave the hotel in Pierre at 9:00 a.m.
- SDTA Fall Board of Directors Meeting Executive Committee will meet at 8:00 a.m. with the full board to convene at 10:00 a.m. all at RedRossa, Pierre, SD on Friday, November 12, 2021.
- West River Legislative Reception 5:30 to 7:00 p.m. at Minerva's in Rapid City Monday, November 22, 2021.
- East River Legislative Reception (NextGen Group meeting at 4:30) Minerva's in Sioux Falls Thursday, December 9, 2021, from 5:30 to 7:00 p.m.
- Winter Executive Committee Meeting 10:00 a.m. on Monday, February 14, 2022 at the Ramkota Hotel & Conference Center, Pierre. Followed by the Winter Board of Directors Meeting at 12:30 p.m. The Winter Reception with Legislators will follow at 6:00 p.m. All events of the day are scheduled at the Ramkota Hotel & Conference Center, Pierre.

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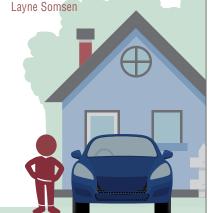


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DRIVER OF THE MONTH NOMINATION FORM & RULES

Date	Jacket Size
	Age
	Spouse Name
	full)
Home Terminal Addres	s (in full)
Phone Number	
Years Employed by Pre	sent Employer
	erated:
	Semitrailer Doubles Dother
Type of Driving:	
Over the Road	☐ City ☐ Other
Total Mileage	
	Employer
	hargeable Dates
	on-Chargeable Dates
	een selected as a driver of the month or year
in South Dakota or any	other state? 🗖 Yes 🗖 No
If yes, explain when ar	nd where
Participation in truck	driving championships or other transporta-
tion related activities:	
Basis of Nomination: _	
	ny agrees to send their driver, if selected as
· · · · · · · · · · · · · · · · · · ·	the South Dakota Trucking Association ere driver will participate in a PERSONAL
	of Driver of the Year will be made following
	s. Drivers not being interviewed will not be
	e Year honors. Interview times will be sched
uled Friday afternoon	_
	ny agrees to submit Driver of the Year Entry
Dakota's Driver of the	petition if your driver is selected as South Year
	Title
	ing information and send to the South siation. Attach extra sheet if more space is

Driver may be nominated for Driver of the Month for any outstanding act of heroism, a contribution to highway safety, an extraordinary act of courtesy, an exceptional deed or act of service to mankind within the community reflecting positively on the motor carrier industry, or for a long period of safe and courteous driving. An outstanding act shall be deemed to mean unusual or other than the normal every day courtesies afforded by truck drivers.

ELIGIBILITY:

- 1. The nominated driver must be an employee of a member in good standing of the South Dakota Trucking Association.
- 2. The nominated driver must have been employed by the present employer for at least two years and have a minimum of five years overall experience.
- 3. South Dakota domiciled* drivers are eligible for nomination for an outstanding act performed in any state.
- *The intent of the word "domiciled" shall be interpreted to mean: Any driver reporting to or regularly dispatched from a terminal within the State of South Dakota (in keeping with Federal Motor Carrier Safety Regulations definition of his home terminal) regardless of where the driver may dwell.
- 4. A driver may receive the Driver of the Month award only one time in any contest year. He/she may be renominated in any subsequent year.
- 5. Nominations for outstanding acts on the highway shall be accompanied by supporting evidence (letters, statements, news clipping, etc.). A clear, factual account is absolutely necessary. Vague generalizations will not be accepted.
- 6. A copy of recent driver motor vehicle record check must accompany the nomination.
- 7. Drivers nominated and not selected as Driver of the Month will be held over and used in the following month's selection. Nominees not selected in either of these two months may be re-nonimated for any future month's selection.
- 8. Entries must be in the office of the South Dakota Trucking Association no later than the 10th of each month for that current month's contest.
- 9. Nominations may be made by any party, but must be approved by the employer or a representtive of the employer.
- 10. The annual contest will run from September of the previous year through August of the current year.
- 11. Company agrees to submit a professional, head and shoulders, black and white photo of entry upon notification of winning. (3" X 5" preferred)

needed.





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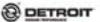


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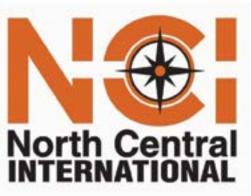


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