## THE OFFICIAL PUBLICATION OF THE SOUTH DAKOTA TRUCKING ASSOCIATION THE OFFICIAL PUBLICATION OF THE SOUTH DAKOTA TRUCKING ASSOCIATION AUGUST 2023

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## MESSAGE FROM THE Chairman

Good day, ladies and gentlemen. As I write this, we are making plans for the upcoming convention on September 13th-15th in Sioux Falls. I hope to see everybody there.

Christine has finally gotten our social media accounts up and running. It has been a long struggle since we did not have the passwords, so we had to shut them down and restart them. Now you can find us on Facebook, Twitter, Instagram, and even TikTok and see what is going on in the organization as well as what other members are posting.

We are starting to hear a lot about the underride proposals again. The NHT-SA's own numbers do not support the mandate. Their numbers show there would be a \$900 million to \$1.2 billion cost to the trucking industry, with the benefit of saving 17 lives and 69 serious injuries. I don't know if you have seen the new story of a motorist driving over 100 miles per hour and rearending a trailer. The rear underride did not stop him, and he went under to the rear axle. Thankfully, he did survive. I guess it's true that you can't fix stupid.

We lost a large member this past week. I'm sure you have all heard about Yellow closing its doors, leaving a large workforce looking for work. To my understanding, there are around 150 people just in Sioux Falls. I would like to think this will be the only company to fall, but I don't think it will be.

School will be starting soon, so we will all need to be on the lookout for kids and school buses as we are out on the road.

Safe travels.

**Bob Willey** 

**Bob Willey Trucking** 

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#### **SDTA STAFF**

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Comptroller pam@southdakotatrucking.com

#### Michelle Wells

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#### **Patty Hinz**

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## MESSAGE FROM THE **President**

#### Christine's Corner

As we end the summer, I wanted to take this time to 'reintroduce' you to your SDTA team. We have experienced so many changes in my two years here. We have so much work to do to modernize our Association and streamline many processes. I am confident we have the right team in place and am excited to reintroduce you all to them.

I am your fearless leader, hired as your President in September 2021. I was born and raised in Rapid City, did a small stint in Pierre, and settled down in Sioux Falls. I have three super active teen boys: Anthony (18) and a Jackrabbit, Braylon (15), and Charlie (12). My parents are still in Rapid City, and many of you have gotten to meet them at events. Each of them is a little piece of me—outspoken like my mom and sometimes awry like my father. I am a former member of the South Dakota House of Representatives and an at-large member of the Sioux Falls City Council. Throughout my elected tenure in state and local governments, I distinguished myself as a problem solver who seeks innovative solutions and brings together diverse interests to accomplish the greater good. You can catch me outside at the lake, attempting to golf, sipping a good Bourbon, and always ready to play a joke on someone. Thank you for putting your trust in me.



Michelle Wells was born and raised in Sioux Falls, South Dakota. She is married to her junior high school sweetheart. She loves spending time with her two daughters and her five grandchildren.

She started with SDADA and SDTA in February of 1991, as the Receptionist. She was promoted to Executive Assistant nearly 20 years ago. Her title has recently changed to

Member Manager.

She has fostered relationships through both Associations and has become one of the main contacts for our members.



Patty Hinz was raised on a dairy farm near Hancock, MN. In 1992, She graduated from the Commercial Art program at Alexandria Technical College. She moved to Sioux Falls soon after and started working at Creative Printing. While working there, she met her husband, Al, and moved to Luverne, MN. They have two children, Emma (20), a junior at SDSU, and Sam (15), who will begin his sophomore year at LHS this fall.

Patty started with the SD Auto Dealers and SD Trucking Associations in July 2008 as the Office Assistant/Graphic Designer. She has over 30 years of cus-

Continued on Page 23.



#### **AUGUST 2023 DRIVER OF THE MONTH**



Nanette "Nan" Harguth, Cliff Viessman, Inc., Gary, SD, was selected as the August 2023 Driver of the Month by the South Dakota Safety Management Council.

Nan is a driver superstar for Viessman Trucking. She does a fantastic job fulfilling her own work, plus she regularly supports fellow drivers, the larger trucking industry and the community in general.

She is a frequent mentor to her fellow Viessman drivers, regularly going above and beyond to ensure new drivers learn the ropes. She recently collected donations to help support a fellow driver who was down on his luck.

Nan participates in the SDTA Truck Driving Championships, Sioux Falls Special Olympics Convoy and other community events, and she also recruits others to join in the fun! Additionally, Nan helps Champion Club members prepare for the National Truck Driving Championships.

She also petitioned Viessman Trucking to create a pink-striped truck for her, and now she encourages those touched by cancer as she drives down the road!

Nan has been recognized as a high-caliber driver since she started with Viessman's, as she received the Rookie of the Year Award in 2014. Nine years and nearly a million miles later, she's still a loyal, highly competent driver who generously shares her time and talents with the larger driving community!

Nan and her husband Vince reside in Murdoch, MN.

The South Dakota Trucking Association joins the Safety Management Council in congratulating Nan Harguth for being selected as the August 2023 Driver of the Month.

Sponsors of Driver of the Month Program:

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## **HONOR YOUR BEST DRIVERS!**



#### **Nominate them for Driver of the Month**

A nomination form & rules can be found on page 25 or online at www.southdakotatrucking.com under Membership Opportunities.



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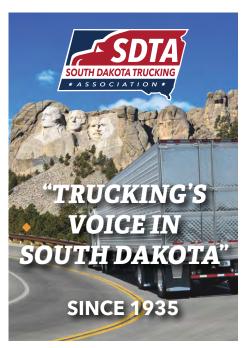
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# 

#### **SEPTEMBER 10 - 16, 2023**

**National Truck Driver Appreciation Week** 

#### **SEPTEMBER 13 - 15, 2023**

SDTA 88th Annual Convention Ramkota Hotel & Conference Center Sioux Falls, SD

#### **NOVEMBER 9, 2023**

SDTA Annual Pheasant Hunt 8:00 a.m. Meet at Hutch's Cafe Presho, SD

#### **NOVEMBER 10, 2023**

SDTA Fall Executive Committee Meeting 8:00 a.m. AmericInn Fort Pierre, SD

#### **NOVEMBER 10, 2023**

SDTA Fall Board of Directors Meeting 10:00 a.m. AmericInn Fort Pierre, SD

#### **DECEMBER 6, 2023**

West River Legislative Reception 5:30 p.m. - 7:00 p.m. Minervas, Lincoln Room Rapid City, SD

#### **DECEMBER 12, 2023**

**NextGen Reception** 4:30 p.m. East River Legislative Reception 5:30 p.m. - 7:00 p.m. Minervas Sioux Falls, SD

#### **FEBRUARY 12, 2024**

**Annual Legislative Reception** and Sundae Bar 6:00 p.m. Ramkota Hotel & Conference Center Pierre, SD

#### **FEBRUARY 13, 2024**

**SDTA Winter Executive Committee Meeting** 10:00 a.m. Ramkota Hotel & Conference Center Pierre, SD

#### **FEBRUARY 13, 2024**

SDTA Winter Board of Directors Meeting 12:30 p.m. Ramkota Hotel & Conference Center Pierre, SD

#### **Welcome to Our Newest Members**

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## RIVE THE FUTURE







## Golfers Enjoy A Beautiful Summer Day at the **SDTA's Annual Golf Event**

Every year, the SDTA golf outing provides a fantastic opportunity to network with old industry friends and make new ones.

This year the weather was perfect; our 132 golfers enjoyed a full day of fun on the course under sunny skies and a refreshing breeze. Tim Kotalik was enlisted to tee off the event with

an unexpected bang, an exploding golfball, instead of our usual shotgun start.

Thank you to all of the golfers and our incredible sponsors for helping us make this event a success once again! We appreciate your ongoing support and participation.



























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Thanks for sticking by us through this exciting new phase. We couldn't do it without you.

## Congratulations to

## OUR 2023-2024 SCHOLARSHIP RECIPIENTS!



#### Natalia Bednarczyk

Hi, I'm Natalia Bednarczyk. I was born and raised in Watertown, SD. Growing up, I participated in taekwondo, track, and soccer. I graduated from Watertown in 2022 and now I'm going to college in Vermillion, SD and majoring in medical biology. After undergrad I would like to go to medical school and become a physician or surgeon. When I'm not at school chasing my dreams, I'm back in Watertown. During the summer, I work at the Village of Harmony Hill HomeCare Services, and travel to soccer tournaments to officiate and referee soccer games. When I'm not working, I enjoy spending quality time with my family and friends, going out fishing with my little brother, traveling to Europe, exploring new places and cultures, trying new foods, and learning new things.



#### **Davis Boon**

My name is Davis Boon. I am a 2023 graduate of Sioux Falls Christian High School. Throughout my 4 years of high school, I participated in cross country, and played percussion in marching band, jazz band, and concert band. I also had the honor to be selected to participate in SD All State Band for 3 years. Outside of school, I volunteer on a Praise Team at church, I am a member of Pursuit, which is Groove Inc's award winning competitive drumline that competes throughout the midwest, and I work part time at HyVee. I enjoy traveling, camping with my family, frisbee golf, and spending time with friends. This fall I will be attending South Dakota State University, majoring in Percussion Performance. I also intend to join the SD Army National Guard Band. I would like to thank the South Dakota Trucking Association for this opportunity and this generous gift that will help cover the cost of my education.



#### **Colby Deuth**

My name is Colby Deuth, son of Sean and Chantel Deuth from Dawson, MN. I graduated from Dawson-Boyd High School in 2020. I participated in Cross Country, basketball and baseball as well as knowledge bowl, robotics, musicals and one act during my high school career. During my free time I like to hang out with friends or spend some time in the gym. I am currently a junior at the University of Minnesota in Duluth. My high school sports involvement led me to the decision of pursuing a degree in Exercise Science. Upon completion of the Exercise Science program, I am looking to further my education in either athletic training or occupational therapy. I am looking forward to helping people gain mobility and train for a healthy lifestyle.



#### **Emma Hinz**

My name is Emma Hinz, and I grew up in Luverne, Minnesota. I graduated from Luverne High School in May of 2021. I am currently a junior at South Dakota State University, majoring in Animal Science/Pre-Veterinary Medicine. I plan to apply to veterinary schools in the fall of 2024. My long-term goal is to work at a mixed-animal veterinarian clinic in a rural community. For the past four years, I have worked part-time at the Luverne Pizza Ranch. In my spare time, I enjoy reading, listening to music, and spending time with my family and friends. I'd like to thank the members of the South Dakota Trucking Association for this generous gift. I am so grateful to be receiving this scholarship. You have helped ease my financial burden, which will allow me to focus on my education. I hope one day I will be able to help students achieve their goals just as you have helped me.



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#### **Laura Johnson**

My name is Laura Johnson. I was born and raised in Milbank, South Dakota. I have been a member of Milbank Area Lions Swim Team for 11 years and Core Kinetics Dance Team for 14 years. In elementary and middle school, I also participated in basketball, volleyball and soccer. Some of the awards I have received in Swim Team are Most Improved, Coaches Award and Commitment Award. I was also involved in Milbank High School Future Farmers of America for three years and received Honorable Mention in the Small Business Development Center Big Idea Competition. During middle school and high school, I volunteered at Milbank Kiwanis Club functions, Grant County Soccer Association fields, American Lutheran Church, an assisted living center and swim meets. I have had perfect attendance at school since second grade. During high school I have worked 30 or more hours per week at Berens Market, City of Clear Lake swimming pool and Valley Queen Cheese Factory. After I graduate from high school, I plan to further my education at Northern State University in Aberdeen, South Dakota by majoring in Elementary Education. I hope to teach and help children in northeast South Dakota.



#### **Allyson Stinson**

Hi, I'm Allyson. I'm going to be majoring in Environmental Biology through the UD Sinclair Academy. My love for nature is what sparked my interest in this career path. I love plants, animals, and being outdoors, which got me into agriculture in high school. I also love tennis and played a lot of sports. I just really like being involved. I hope to make a difference and one of my main goals is to make the world a cleaner and safer place and teach people how they can do so. A few ways I have built towards this goal is through community service, involving myself in groups, activism, and talking about environmental issues whenever given the chance. I am overall a passionate person and love what I do!



#### **Mackenzie Watkins**

My name is Mackenzie Watkins and I am from Renner, South Dakota. I graduated from Dell Rapids High School in May of 2020. I am going into my senior year of college this fall at the University of Nebraska Medical Center - Lincoln, pursuing a degree in nursing. Following graduation, I plan to work as a traveling ICU nurse. After a few years of travel nursing around the country, my goal is to return to school to become certified as a nurse anesthetist and specialize in labor and delivery. I am extremely grateful to be a recipient of this scholarship, and look forward to where my career will take me.







ack in the late 50's and early 60's, my dad, Merrill Anderson, owned and operated Hub Motors in Sioux Falls. Then, in the mid-60's, he and a partner, Marv Hall, purchased the American Motors franchise. Anderson Hall Motors. I worked at the dealership through my high school and college years, where



I learned how a dealership operates. My father later sold out to Marv and went into the housing business. It was on March 14, 1977, when I was going to Dakota Employment to pick up an interview appointment card. As I stood at the reception desk, the gal was on the phone with someone and then asked me - aren't you in accounting? to which I replied "Yes". Whomever she was talking to said send her over, I know of her. It happened to be Jerry

Wheeler, Executive Vice President of the SD Auto Dealers and the SD Motor Carriers Associations. He had bought several trucks from my dad and serviced them at our dealership. He hired me that afternoon. Talk about being in the right place at the right time!

I always valued the experience of having worked in a dealership. It is also where I met my husband of 38 years, Jon. He was from Oslo, Norway, and had come over to attend the General Motors Institute in Flint, Michigan. He then worked for GM in Norway before returning to the States. He was a district manager for American Motors when I met him. We made numerous trips to Norway and Sweden to visit family and friends.

The SD Motor Carriers later became the SD Trucking Association. They celebrated some legislative successes,



with the most important being the repeal of the trucking transportation tax in 2003. Around 2000, they suffered a huge loss of \$450,000 due to a self-funded health insurance program gone bad. Through its dedicated members and many fund-raisers, they were able to get out of the hole. Today, their net assets are over

\$717,000. Trucking members as well as auto dealers are some of the most giving individuals I know. They all give so much back to the communities in which they serve.

Back in 1977, the SD Auto Dealers net assets were at \$205,762. I am proud to say today that their net assets are over \$3,000,000. They also have had legislative achievements such as the repeal of the "damage disclosure laws" and strengthened franchise laws. Several dealers participated in an off-shore credit life company in the British Virgin Islands and later the Turks and Caicos, along with oversight from Central States of Omaha.

Along the way, we have endured some rough roads (speed bumps), which only made us stronger as an association. I am proud of all the accomplishments made by both of our associations. The saying "The days are long, but the years are short" is so true. Over 46 years later, it has been such an honor and a privilege to work with so many amazing people. Technological changes will continue, however, the memories will remain the same. I value your friendships and trust in me.

I have been blessed with two sons, a stepson, a stepdaughter, three daughters-in-law, and eleven grandchildren, to whom I shall direct my attention to in retirement. To all of my co-workers, members of both associations, I say "Thank you—it has been a good ride!!"



Sam Kolseth



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## **SDTA'S 88TH ANNUAL CONVENTION**

#### **SEPTEMBER 13-15, 2023 • BEST WESTERN RAMKOTA HOTEL**

3200 W. MAPLE ST. • SIOUX FALLS, SD • (605) 336-0650

#### **TENTATIVE AGENDA**

	WEDNESDAY, SEPTEMBER 13, 2023	FRI	DAY, SEPTEMBER 15, 2023 CONTINUED	
8:00 AM 3:00 PM	Open for Booth Setup - Setup prior to 4:00 PM Registration Desk Opens	9:45 AM	Business Session 2: Rotating Open Forum Sessions  1. The Benefits of Tire Alignment For Your Fleet, Mike Beckett, MD Alignment	
4:00 PM	Vendor Appreciation Social & Game Night: Indoor Lawn Games (Oversized Jenga, Connect Four, Lawn Darts & more)		2. Get Back to Running Your Business and Let Limestone Inc. Bookkeeping Handle Your Books	
6:00 PM	Dinner		3. Digital Tire Monitoring - How Could That Affect Your Bottom Line	
	THURSDAY, SEPTEMBER 14, 2023		4. Engine Forum: Preparing for Electrification	
8:00 AM	Registration & Check-in at the Brandon Golf Course Shotgun start at 9:00 Transportation on own (2100 E Aspen Blvd, Brandon, SD)		<ol> <li>FMCSA Update: Cindy Gerber, Highway Safety Specialist - State Programs &amp; Willie Moravec, Safety Investigator</li> </ol>	
1:00 PM	Axe Throwing at Axes and Ales Transportation on your own		6. Update: One Year Into New Computer System with Motor Carrier Services, SD Dept. of Revenue	
4:00 PM	(3016 W 57th St, Sioux Falls, SD)  Registration Desk Opens	12:00 PM	Awards Luncheon <ul><li>Fleet Safety Awards</li><li>SDHP Annual Safety Award Presentation</li></ul>	
4:30 PM 6:00 PM	Social & Visit Displays  Dinner, Football & Fun:	1:30 PM	Business Session 3: Updates from SD Highway Patrol & SD Motor Carrier Enforcement	
0.00 T W	<ul> <li>Award Golf Prizes</li> <li>Vikings vs. Eagles on the big-screen</li> <li>Cornhole Tournament</li> </ul>	2:30 PM	Driver of the Year Interviews	
		3:00 PM	Heavy Duty Truck Dealer Meeting	
	FRIDAY, SEPTEMBER 15, 2023	5:00 PM	Capitol Club Reception - By Invitation Only	
7:45 AM	Registration Desk Opens	5:00 PM	Social & Visit Displays	
8:00 AM 9:00 AM	<ul> <li>Breakfast</li> <li>Formal Opening 88th Annual Convention</li> <li>Welcome</li> <li>SDTA and SDTA Services Inc. Annual Meetings</li> <li>Business Session 1: MVR/CSA Monitoring, Driver</li> </ul>	6:30 PM	<ul> <li>Chairman's Banquet</li> <li>Pride of the Show</li> <li>Safety Director of the Year</li> <li>Chairman's Award</li> <li>Driver of the Year Presentation</li> </ul>	
	Training & Telematic Alerts All-In-One Presented by Samba Safety	8:00 PM	Driver of the Year Reception	



#### SDTA'S 88TH ANNUAL CONVENTION September 13, 14 & 15, 2023

**HEADQUARTERS**:

Best Western Ramkota Hotel 3200 W. Maple St., Sioux Falls, SD 57107 (605) 336-0650

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Display Times: Wednesday 4:00 - 6:00 pm / Thursday 4:30 - 6:0	00 pm / Friday	5:00 - 6:30 n	om	TOTAL EXHI	BITOR FEES	<b>S</b> : \$	

COMPANY NAME:				
CHOICES FOR TI	HURSDAY, SEPTEMBER 14, 2023:			
Thursday, September 14, 2023. A continuous course. Registration runs from 8:00 a.m. Lunch will be provided. Participants will	d a golf outing at the Brandon Golf Course, on nental breakfast will be available on the golf - 8:45 am. with a shotgun start at 9:00 a.m. be split up unless specified. \$150* per golfer I. *unless not attending convention, then \$200			
NAME	NAME			
NAME	NAME			
TOTAL GOLF REGISTRATION FEE: \$				
	GOLF HOLE(S) AT \$200 PER HOLE a first come first serve basis. Sponsorships received after ere. TOTAL GOLF HOLE SPONSORSHIP: \$			
OUR COMPANY WANTS TO SIT AT A GO	OLF HOLE AS AN EXHIBITOR FOR A SPONSORSHIP OF \$275			
	OR			
2) AXE THROWING - SDTA has schedu September 14, 2023, from 1-3 pm. The located at 3016 W 57th St, Sioux Falls. The schedule of				
NAME	NAME			
NAME	NAME			
тота	AL AXE THROWING REGISTRATION FEE: \$			
TOTAL REGISTRATION FEES: \$	TOTAL SPONSORSHIP FEES: \$			
TOTAL BOOTH FEES: \$	TOTAL GOLF REGISTRATION FEES: \$			
TOTAL GOLF HOLE SPONSORSHIP: \$ TOTAL AXE THROWING FEES:_				
	TOTAL DUE: \$			
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	·			
	Expiration Date/ CVV:			

Christine's Corner continued from Page 5.

tomer service and graphic design experience. Patty enjoys the variety that working for SDADA and SDTA offers. Her title recently changed to Office Manager/Graphic Designer.

In her spare time, she enjoy spending time with her family, going for walks with her dog, Daisy, traveling, and attending her son's sporting events.



**Trevor Johnson** joined our team this past June. He was born and raised in Rapid City, SD, where he graduated from Stevens High School. After high school, he spent the first half of his college career in Laramie, Wyoming, attending the University of Wyoming. He transferred during COVID to Black Hills State University,

where he graduated in December 2022 with a B.S. in Business Administration and Management. Outside of school or work, Trevor loves extreme sports. He skis, snowboards, surfs, skateboards, BMXs, mountain bikes, and, most importantly, scooters. He has scootered professionally for over a year now for Madd Gear, a scooter company. He also enjoys traveling and exploring; his most memorable trip was when he went to Guatemala to climb volcanoes. He also enjoys caving and was on a team dedicated to discovering new passages in Rushmore Cave. In 2022, he interned with the American Trucking Association in Washington, D.C., where he was introduced to the trucking industry and association work. While at ATA, he met Christine while she was visiting for the South Dakota Call on Washington, and that connection led to this position at SDTA. Trevor enjoys this position because he's able to let his creativity fly and all his project ideas are welcomed. He is excited to show you all the projects he has been working on for SDTA.

We have relaunched our Pit Stop Print Shop for all your forms and printing needs. Keep us in mind if you need any specialty or print products.

Lastly, our convention is right around the corner. It's not too late to sign up or sponsor. We hope to have a great collaborative convention for you. As always, do not hesitate to reach out to our team.

Onward,

Christine M. Vinatieri-Erickson

## **SDTA Participates in Ag Appreciation Day at** the Sioux Empire Fair







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#### **DRIVER OF THE MONTH NOMINATION FORM & RULES**

	Date	:	Jacket Size:				
Name of Driver:			Age:				
Marital Status:	Spouse's Name:						
Residence Address (in full):							
Children & Ages:							
Name of Carrier:							
Home Terminal Address (in full):							
Phone Number:	Ema	l:					
'ears Employed by Present Employer: Total Years of Experience:							
Type of Equipment Operated: 🔲 Truck 🛛 Tr	Type of Equipment Operated: Truck Tractor-Semitrailer Doubles Other						
Type of Driving: Over the Road City	] Other						
Total Mileage:	Mile	age with Present Employer:					
# of Accidents:Chargeable	Dates:						
Non-Chargeable	Dates:						
Has your driver ever been selected as a Driver  — Yes — No If yes, when?:			-				
Participation in truck driving championships o	r other transportation	n related activities:					
Basis of Nomination:							
· · · · · · · · · · · · · · · · · · ·							
With this entry, company agrees to send their of Convention, where the driver will participate in a honors. Interview times will be scheduled Friday	personal interview. D	ivers not being interviewed will not	akota Trucking Association Annual be eligible for the Driver of the Year				
With this entry, the company agrees to submit Driver of the Year Entry Form for National Competition if your driver is selected as the South Dakota Driver of the Year.							
Submitted by:		Title:					

#### **RULES:**

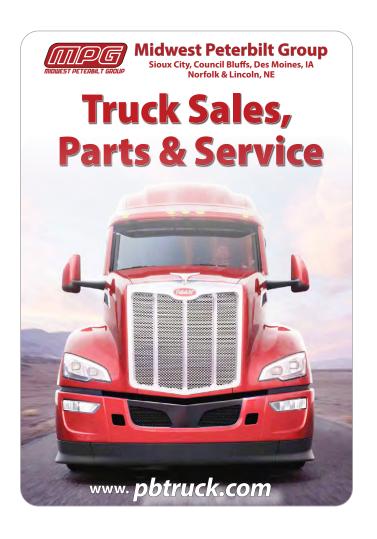
Driver may be nominated for Driver of the Month for any outstanding act of heroism, a contribution to highway safety, an extraordinary act of courtesy, an exceptional deed or act of service to mankind within the community reflecting positively on the motor carrier industry, or for a long period of safe 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.
- The nominated driver must have been an employee of 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 SD (in keeping with the Federal Motor Carrier Safety Regulations definition of his/her 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 clippings, 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.
- Drivers nominated and not selected as Driver of the Month will be held over and used in the following month's selection.
- Entries must be in the SDTA office no later than the 10th of each month for that current month's contest.
- Nominations may be made by any party, but must be approved by the employer or a representative 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 photo of the winning driver.







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## Volunteers to Build Ramp, Help Spearfish **Boy (4) with Neurological Challenges**



Jack Welfl, a 4-year boy from Spearfish, will be gifted a ramp by Operation Ramp it Up [operationrampitup.com] on Wednesday, August 9. Volunteers for the non-profit will meet at the residence of Kade and Elizabeth Welfl, Jack's dad and mom, to build the aluminum ramp on-site.

Operation Ramp it Up Founder Greg Schneider, a UPS driver and winner of UPS's highest volunteer honor the Jim Casey Community Service Award, will be joined by other UPS volunteers in the build that will take between three and four hours.

Operation Ramp It Up is focused on providing much needed freedom, independence and accessibility for people with mobility issues. The Welfl family build is particularly special because not only does it positively contribute to Jack's mobility, it concludes a long held goal of Operation Ramp it Up: to help someone through a ramp build in all 50 states!







Senator Randy Deibert (R-31), Representative Mary Fitzgerald (R-31) and Representative Scott Odenbach (R-31), SDTA Member Chris Lutick from UPS joined UPS's Chief Corporate Affairs and Sustainability Officer Laura Lane to complete and celebrate this exceptional build.



**MORE INFO:** Operation Ramp It Up is an initiative that was launched in 2014 in Cincinnati by Greg Schneider, a 40year driver at UPS, along with The UPS Foundation and the VFW Foundation. The mission was originally implemented to give mobility back to disabled veterans and/ or their spouses, by installing wheelchair ramps to help them access their homes with ease. Now any family with a need for a ramp who has exhausted all other resources can be considered.

Essentially an aluminum kit, ramps can be taken apart and reused, providing a sustainability aspect to this initiative. Ramps no longer needed can be taken down and installed to assist another individual.

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## 'Nuclear' Lawsuits Against Truckers Continue to Rise

US Chamber Research Group: Trucking Industry Is 'Under Siege by Litigation

Eric Miller | Senior Reporter | Transport Topics

A new study by the U.S. Chamber of Commerce Institute for Legal Reform found that trucking in America is "under siege by litigation."

"Verdicts in trucking accident cases accelerated in size starting in the 2000s but have skyrocketed over the last 10 years, despite a decreased rate of serious trucking crashes over that time frame," the study said. "Moreover, with the inflation of verdicts and settlements, the search for deep pockets is expanding and the circle of potential defendants is widening." A review of 154 trucking litigation verdicts and settlements from June 2020 to April 2023 revealed a statistical mean plaintiffs' award of \$27.5 million and a statistical median award of \$759,875 for settlements.

This rise occurred despite a declining rate of fatal crashes, researchers found.

"At the same time, between 2000 and 2020, the rate of fatal crashes involving a truck decreased from 2.23 to 1.47 per hundred million large truck miles traveled — a drop of 34.4%," the study concluded. "In other words, even though trucking is getting safer, verdicts are getting bigger. And that's a problem."

Nathan Morris, the senior vice president of legal reform advocacy at the institute, said in an interview that the most important takeaway of the study is that "litigation excesses have an impact that goes far beyond the courtroom. It's something every consumer in America feels when verdicts are unchecked and not tethered to actual liability."

On the plus side, Morris said policymakers in some states, such as Texas, have paid attention to the problem and have made some significant regulatory reforms.

In one concerning trend, however, the study found that some trucking fleets are reducing their insurance coverage as the cost of insurance goes up. Such a move can hurt a carrier financially in the long run, Morris warned.

"Though it may be tempting to discard the mean numbers and focus more on the median, trucking companies and insurers alike must be aware that those extraordinary, high-dollar verdicts and settlements persist despite an improved public perception of the industry, and therefore must be part of any risk analysis," the study concluded. "Although it took some time for jury trials to ramp up again after the peak of the pandemic, somewhat limiting the available data, the review suggests trucking's improved public perception has not translated to a more reasonable litigation environment. Numerous studies, including this paper's review of more recent trucking verdicts and settlements, demonstrate that awards are increasing at a rate that has far outpaced inflation."

The institute's research also explored the various factors driving the litigation trend, most of which are tactical litigation tools that drive up verdicts. These tactics include plaintiff attorneys' use of medical referral networks and inflated billing practices; so-called "reptile" courtroom tactics; a widening circle of defendants to reach deeper pockets; and an "ambiguous and exploitable" standard of care for trucking operations.

The Chamber's research also showed that the plaintiff bar has targeted the trucking industry as a source of inflated verdicts and settlements. It concluded that policymakers, judges and professional ethics regulators must continue to take action to achieve more balance and fairness in truck accident litigation

It noted that so-called "reptile tactics" involve attempts by plaintiff attorneys "to instill fear in jurors and make them think the only way they can keep their loved ones and the community safe is to award massive damages to the plaintiff. The pernicious effect of 'reptile' tactics is to divert the juror's attention from the legal elements of a claim," the study said.

The research also offered a number of potential solutions to the nuclear verdict problem, including:

- Requiring transparency in claiming medical damages. Researchers also said legislation should limit medical damages to reasonable and customary amounts actually paid instead of inflated amounts billed.
- Prohibiting the presentation of inflammatory arguments if a defendant trucking firm stipulates responsibility for a driver's negligence.
- Prohibit the practice of "anchoring," which would ensure noneconomic damages are supported by evidence and not arbitrarily chosen.
- Permit evidence of non-use of seat belts by plaintiffs in damages calculations.
- Policymakers and judges should defer to federal agencies in deciding whether contracting with a motor carrier is reasonable or whether a truck is properly equipped.

Reprinted from Transport Topics





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