

NFIB claims victory as DOT ends effort to raise insurance minimums on trucks, buses.

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NFIB working to reverse Obama-era regulations.

NFIB CLAIMS VICTORY AS DOT ENDS EFFORT TO RAISE INSURANCE MINIMUMS ON TRUCKS AND BUSES



The U.S. Department of Transportation's Federal Motor Carrier Safety Administration (FMCSA) officially withdrew a rulemaking last month that could have led to increased insurance premiums for large trucks and buses. NFIB strongly opposed the idea and helped convince DOT to drop the rule.

DOT revealed in November 2014 that it was considering a rule to increase the minimum levels of financial responsibility for motor carriers, including liability coverage for bodily injury or property damage. Those industries affected would have been for-hire trucking and busing companies.

In a letter sent to FMCSA in February 2015, NFIB opposed any insurance increases for trucks and buses because these increases would only increase the cost of doing business in these industries, not make America's roadways any safer. NFIB also urged FMCSA not to pursue a proposed rule.

Currently, trucks must have insurance coverage ranging from \$300,000 - \$5 million, depending on the size of the truck and the materials they carry. Similarly, the requirement for buses ranges from \$1.5 million - \$5 million, depending on the number of people they carry.

Based on studies issued by FMCSA, it was clear that the agency was considering proposing a rule that would increase mandatory minimums by more than 500 percent for some categories of trucking. Some advocates pushed for minimums of more than \$4.4 million for the most common type of trucks – interstate general freight carriers – that currently are only required to have a \$750,000 minimum policy.

For the latest news on problem regulations, visit:
www.NFIB.com/problemregs

EPA, ARMY CORPS PROPOSE TO RESCIND WOTUS RULE, BUT FIGHT CONTINUES



The Environmental Protection Agency and the U.S. Army Corps of Engineers recently published a notice that the agencies would propose to rescind the economically damaging Waters of the United States (WOTUS) rule finalized in 2015.

While rescinding the 2015 rule would be a help to small businesses, NFIB remains troubled by the lack of certainty of the definition of WOTUS that will take its place.

If the rule is finalized as proposed, the definition of WOTUS would revert to the previous definition. While this version was not as broad as the 2015 rule, it is vague and open to interpretation from EPA and the Army Corps, so it does not offer much certainty to small business owners.

Adding further uncertainty, the agencies announced that they soon will propose an entirely new definition of WOTUS. NFIB hopes this new definition will create bright lines for compliance, but until it is revealed there is no guarantee of certainty.

NFIB will strongly advocate for a definition that helps small business owners stay in compliance while ensuring that the agencies stick within the bounds of the Clean Water Act. To keep up to date with the latest news on this issue, visit: www.NFIB.com/wotus

NFIB WORKING TO REVERSE OBAMA-ERA REGULATIONS

NFIB is working with the new Administration to reverse, or substantially improve, several rules finalized in the last few years of the Obama Administration that concerned small businesses. To keep up to date on the latest information, visit:

www.NFIB.com/advocacy/government-and-regulatory-reform

Greenhouse Gas Emissions: New and Existing Power Plants – EPA finalized rules in 2015 that impose on states harsh carbon limits for electricity production that will force them to close down coal-powered generators that now provide the vast bulk of America’s power. The new Administration has moved to substantially revise these rules to keep businesses competitive.

Overtime – The Department of Labor finalized a rule in 2016 that doubled the salary threshold below which salaried employees must be paid time-and-a-half overtime. The new Administration has indicated a willingness to review the rule, although it still believes

DOL has the authority to use a salary threshold as part of the definition of an overtime-exempt employee. NFIB does not believe DOL has that authority.

Persuader Rule – DOL’s Office of Labor-Management Standards (OLMS) issued a rule last year that would greatly inhibit the ability of small businesses to rely on labor experts. The new Administration has proposed rescinding this rule, and NFIB supported the action in a comment letter to the agency last month.

Menu Labeling Rule – The Food and Drug Administration issued a rule in 2014 requiring restaurants that are part of chains with 20 or more establishments to have calorie content information listed prominently on its menu. FDA recently extended the compliance date of that rule while it reconsiders the rule to make it less burdensome to comply with.