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Volume 11, Issue 2

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UNDERSTANDING
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SIGHTS AND SCENES
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INSIDE ISSUE 11.2



COVER STORY

Question & Answer with
 Expediter Services Vice
 President, Jeff Tacker

ExpediteNow took the opportunity to sit down with Expediter Services Vice President Jeff Tacker to discuss how they are revolutionizing your path to becoming an Owner Operator.

FEATURE

From the ExpediterOnline.com
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Reading the Fine Print-
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Expedite Now is written for professional owner operators and drivers working in the expedited trucking industry.

Our editorial policy encompasses informing drivers, fleet managers and carriers of the news and information about the expedited trucking community.

News and feature articles are compiled to keep owner operators and drivers apprised of industry trends and events, and other issues which impact those who move this industry.

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Lawrence McCord, Publisher, ExpediteNow



ExpediteNow Q&A

Jeff Tacker, VP Expediter Services, LLC



The
EGG
 Expediter Group Gathering
 April 4-5
 Southaven,
 Mississippi

Q. What does EGG stand for?

A. It is an acronym for Expediter Group Gathering.

Q. What is the purpose of the EGG?

A. The purpose of the EGG is for people to get to know us and for us to get to know them. We believe that once a person understands what we really do they will want to take advantage of the opportunities we offer. We are wanting to form a personal business relationship by inviting people into our community: Enter our Circle of Success and Utilize our Community of Support.

One of the things this specific EGG will do is highlight opportunities to select, purchase and obtain financing on a straight truck or tractor. We will also be actively recruiting contract drivers: experienced teams that need a unit to operate or new entrants that would like to try this industry.

Q. Who is the event open to?

A. This event is open to all current and prospective Expeditors: anyone and everyone who is serious about team

contract driving, buying a truck, or financing a truck. However since this will be a private, intimate setting there will be limited space available. So you need to register soon to ensure a spot.

Q. It sounds like truck financing will be the main benefit of this event. What qualifications does a driver need to get financed?

A. While truck financing is a big opportunity that we are sponsoring at this event, it is not the only benefit. There will be multiple truck dealers on-site promoting truck sales. We will also be recruiting contract drivers. But to answer your question about qualifications to financing: we want everyone to know that our credit analysis is different. We weight verified work history and productivity as much if not greater than credit history and credit scores. We are making a collateral-based loan but what we are really doing is buying into people (who they are).

Q. This is a unique event. In fact I have never heard of this being done in

our industry before. Where did your inspiration for this event come from?

A. Paul and Jason Williams, along with myself, were brainstorming about ways to get people acquainted with us and our offerings. We were looking for ways to get quality time with people; you know, really get to know each other. During one of those sessions, the idea of having breakfast with a small group the morning after one of Lawrence McCord's EO Universities came up. We all liked the idea and started planning the event. We needed a name to set it apart from other meetings. Late one night while working on the agenda, which included breakfast, the name hatched. We will have eggs. Scramble that idea with the group of people we were targeting and you get THE EGG: EXPEDITER GROUP GATHERING!

Q. Can you explain the approval process for us?

A. Since we are buying into each person, the process will vary with specific circumstances. Our process for financing is unique because even though it can help a broad range of people, it is still a customized personal program. If you are serious, just give us a call and let us get the process started. The EGG could be your gateway or springboard to success.

Q. How quickly can a driver find out if they have been approved?

A. Some may know prior to arrival at the EGG but our plans are to make approvals during the event.

Q. It sounds like the EGG is promoting great programs with financing being a key component. How successful has Expediter Services' financing program been?

A. We are seeing 8-10 additional entrants into our program monthly. This consists of drivers becoming first time owners, existing owners who are upgrading, and fleet owners who are growing. January started off very strong, exceeding our expectations which portends a great 2014. We are very excited about helping 150-200 new owners achieve their goals of ExpediteNow.com

ownership in 2014. This is true growth for the individuals who utilize our program as well as for the whole Expediting industry and our partner carriers are realizing the benefits.

Q. What criteria do you use to determine whether or not a driver can be approved?

A. The driving approvals are done by one of our partner carriers. Each applicant must be qualified to operate at a carrier. Each carrier has their specific requirements and safety review. They are different for a straight truck and a tractor.

If a person chooses to finance, Expediter Management Services and Expediter Equipment Finance gathers the necessary information needed to determine what options each applicant has to choose from. We have programs and options for most everyone. As stated earlier, we buy into people. Their work history and productivity carry a significant weight in our analysis. We have bank rate loans to offer that cover the entire credit spectrum.

Q. Thank you so much for your time, Jeff. Is there anything else you would like the readers to know about the EGG?

A. We look forward to getting to meet and know each person that will be attending our April 4-5, 2014 EGG in Southaven MS (Memphis TN metro). This will be time well spent for all serious current or prospective contractors wanting to drive, purchase, or finance. We will have guest speakers that are actually utilizing our services. They, along with our leadership team, will be available to answer any questions.

We are also planning on having a couple other EGGs this year. One in conjunction with the Expedite Expo in July at Wilmington OH and one sometime in the fall that will be in the Memphis TN area. Remember the EGG stands for Expediter Group Gathering. The event title may not be changing but the agenda may. So if you want to drive, purchase, or finance a truck please register for the April 4-5 EGG. **EN**

Contact Expediter Services at 888-565-6403

Sights and Scenes on the Road



From the forum at: **EXPEDITERS
ONLINE**.com

Expeditors deliver time-sensitive freight all across North America every single day of the year, but once that load is delivered, many drivers take advantage of seeing the sites. We asked these drivers from the ExpeditorsOnline.com Forum what sites and scenes they've seen recently.

WANDERINGFOOL

Hometown: South Lyon, MI

I took a load to Pueblo, CO and crossed over to Cortez for my load out. Yeah, it's a yawn for 99% of the people here was I was pumped and really enjoyed the trip. Eager to go back.

ZORRY

Hometown: Lowell, IN

Cincinnati OH of all places. Went to Jungle Jims, a nice place to spend a few

hours. There was a large music festival on the North side of the river. We crossed a bridge over the river lined with women's panties to honor a female cancer victim. There was a sausage festival on the South side of the river. Also a big entertainment center (food, bars, bowling, etc.) Lots of street performers doing their thing. Did the high speed go-carts, played miniature golf, found a great Peruvian restaurant, and drove down to truckstop to shower. Actually seemed to be a pretty happening place.

CONTINUED ON PAGE 14

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FUEL MILEAGE

CONTINUED FROM PAGE 8

MOOT

Hometown: Minneapolis, MN

Watford City, ND. I had been through there a few years ago coming out of Montana, just another small town. In July I delivered to a construction site. I was amazed to see the town had more than doubled in area. New buildings downtown and the south end was all new retail, motels and apartments. The new Casey's gas and convenience store had 8 fuel islands and at 4:00am pickup trucks were lined up waiting for gas, coffee and food, truly a boomtown.

LAYOUTSHOOTER

Hometown: Monroe, MI

Had a great weekend with my wife's family in Louisiana, visiting, got some fishing in too.

TEAMCAFFEE

Hometown: Silex, MO

Marked off my bucket list seeing the Spruce Goose at the Evergreen Aviation & Space Museum in Oregon. Plenty of truck parking. The best airplane museum we have been to that has tour guides that know the history of the planes and the time line of aviation. Seeing the Spruce Goose in person was as awesome as I thought it would be.

REDYTRK

Hometown: Fort Wayne, IN

Rossville GA to see my new Great Grand baby Amelia. What a doll!

TENNTRUCKER

Hometown: Dresden, TN

Corpus Christi, TX. Toured the WWII Aircraft Carrier "USS LEXINGTON. It was great.

DAFFYDUCK528

Hometown: Baton Rouge, LA

Buffalo, NY. Truck broke down and we got a 4-day weekend to explore. Niagara Falls is quite large and impressive.

GOLFOURNUT

Hometown: Baltimore, MD

NYC just last month, delivered to AMEX right next door to the new World Trade Center.

AKGUY907

We delivered a load near Burlington, VT in the fall and were fortunate to visit my uncle over the weekend who has a farm. One of the most beautiful places I have ever seen and I grew up in Alaska. The fall colors there were spectacular and I experienced Maine lobster for the first time. I may ask to get routed there next fall. **EN**



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**INSURANCE
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by Shelly Benisch, C.I.C.

Insurance Verifications Tightening Up

TEANA, The Expediting Association of North America, is issuing a “Best Practices Verification of Insurance” recommendation for Motor Carriers.

The action is designed to counter the growing number of Motor Carriers allowing their “Leased On” Owner Operators to maintain incorrect insurance for Expediting.

When an Owner Operator promises to provide their own insurance and that policy turns out to be wrong when a claim occurs, the Motor Carrier is still responsible to pay for the loss for both Liability and Cargo. The entire Expediting Circle of Shared Freight is then jeopardized as legal battles ensue.

Look for updated Motor Carrier/ Owner Operator contracts with tighter language, due diligence requisites and firmer monitoring of insurance coverage.

These proposals should help to limit the Exposure to Risk for Owner Operators as well. **EN**

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Reading the Fine Print - Understanding Your Lease

by Sandy Long, Staff Writer



Navigating a lease contract for the new owner operator can be like tap dancing in a minefield and can ultimately make or break a new business. Realizing this, the FMCSA has addressed leases in the regulations to protect both parties. Knowing the terminology is first.

Here are the important definitions. The person who owns the truck can be either the 'owner' or the 'lessor'. The company the person is leasing on with is either the 'authorized carrier' or the 'lessee'. If something is added to an existing lease, it is an 'addendum' and must be signed by both parties, lessor and lessee, to be in effect. An 'escrow account' is monies held by the lessee to cover expenses, taxes, claims and sometimes maintenance, or anything else agreed upon by both parties. 'Detention' is the time a trailer or equipment is held past the agreed-upon loading/unloading time.

The strength or weakness of a lease is

in the detail. It is always best, if an owner has an attorney who is experienced in transportation issues, to have said attorney check over the lease before signing. The other options are to have the Owner Operator Independent Driver Association (OOIDA) go over it if the owner is a member, or have a very successful, long-time owner operator friend check it over before signing. If none of those will work, then make sure you yourself read every word and understand what everything means to you, and do not sign the lease until you know what it means and you agree with everything in it.

CONTINUED ON PAGE 32
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A lease has some specific requirements under the regulations. It may not be signed by anyone other than the owner, company or their authorized representatives. For instance, if the owner has a driver assigned to the truck, that driver may, with proper authorization, sign a lease. However, without it, the driver may not re-lease the equipment at his/her will to a new company.

The 'duration' of the lease must be set out; it must have beginning and ending dates and times. Receipts for the equipment must be given at both the start and end of a lease. §376.11

The 'Exclusive Possession and Responsibilities' section lays out whether the lessee has the right to sublease the equipment while it is under lease to them.

The 'Compensation to be Specified' section is the money maker. "The amount to be paid by the authorized carrier for equipment and driver's services shall be clearly stated on the face of the lease or in an addendum which is attached to the lease. Such lease or addendum shall be delivered to the lessor prior to the commencement of any trip in the service of the authorized carrier. An authorized representative of the lessor may accept these documents. The amount to be paid may be expressed as a percentage of gross revenue, a flat rate per mile, a variable rate depending on the direction traveled or the type of commodity transported, or by any other method of compensation mutually agreed upon by the parties to the lease. The compensation stated on the lease or in the attached addendum may apply to

equipment and driver's services either separately or as a combined amount."

'Items Specified in Lease' lists everything that you pay for and the lessee pays for such as fuel, taxes, tolls, lumper fees, violations etc. Jerry from OOIDA's compliance department says that this section adversely affects many owner operators concerning base plates. This regulation states "If the authorized carrier is authorized to receive a refund or a credit for base plates purchased by the lessor from, and issued in the name of, the authorized carrier, or if the base plates are authorized to be sold by the authorized carrier to another lessor the authorized carrier shall refund to the initial lessor on whose behalf the base plate was first obtained a prorated share of the amount received."

"Many times the company stalls on paying the prorated base plate refund. An owner operator needs to make sure that the time period the prorated amount to be paid in should be specified in the lease, such as within 30 days," Jerry said.

'Payment Period' should be self-explanatory but it has set parameters. "The lease shall specify that payment to the lessor shall be made within 15 days after submission of the necessary delivery documents and other paperwork concerning a trip in the service of the authorized carrier. The paperwork required before the lessor can receive payment is limited to log books required by the Department of Transportation and those documents necessary for the authorized carrier to secure payment from

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UNDERSTANDING YOUR LEASE

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the shipper.” This section also covers how the signage, if any, or identification equipment should be taken care of when the lease is terminated.

The ‘Charge Back Items’ section requires that anything paid for by the lessee and is deducted from the lessor’s compensation be documented both in the lease, and with receipts and price breakdowns to prove the validity of the charges. Furthermore, damage and claim deduction amounts have to be clearly stated within the lease. Documentation of the damages or claims must be made to the lessor before any money can be held out.

‘Products, equipment, or services from authorized carrier’ “The lease shall specify that the lessor is not required to purchase or rent any products, equipment, or services from the authorized carrier as a condition of entering into the lease arrangement. The lease shall specify the terms of any agreement in which the lessor is a party to an equipment purchase or rental contract which gives the authorized carrier the right to make deductions from the lessor’s compensation for purchase or rental payments.”

The ‘Insurance’ section covers the insurance requirements within the regulation 49 U.S.C. 13906. No matter who pays for what types of insurance, for instance bobtail insurance, the other party is required to have proof of the policy and policy information. If the lessee is to pay for any insurance by withholding it from the lessor’s compensation, then this has to be

clearly stated and agreed upon by the lessee.

Jerry states that ‘Escrow Accounts’ are the reason for most of the lease-related calls that OOIDA’s compliance department receives, “Most people do not understand escrow accounts.” He says.

(k) Escrow funds. If escrow funds are required, the lease shall specify: (1) The amount of any escrow fund or performance bond required to be paid by the lessor to the authorized carrier or to a third party. (2) The specific items to which the escrow fund can be applied. (3) That while the escrow fund is under the control of the authorized carrier, the authorized carrier shall provide an accounting to the lessor of any transactions involving such fund. The carrier shall perform this accounting in one of the following ways: (i) By clearly indicating in individual settlement sheets the amount and description of any deduction or addition made to the escrow fund; or (ii) By providing a separate accounting to the lessor of any transactions involving the escrow fund. This separate accounting shall be done on a monthly basis. (4) The right of the lessor to demand to have an accounting for transactions involving the escrow fund at any time. (5) That while the escrow fund is under the control of the carrier, the carrier shall pay interest on the escrow fund on at least a quarterly basis. For purposes of calculating the balance of the escrow fund on which interest must be paid,

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the carrier may deduct a sum equal to the average advance made to the individual lessor during the period of time for which interest is paid. The interest rate shall be established on the date the interest period begins and shall be at least equal to the average yield or equivalent coupon issue yield on 91-day, 13-week Treasury bills as established in the weekly auction by the Department of Treasury. (6) The conditions the lessor must fulfill in order to have the escrow fund returned. At the time of the return of the escrow fund, the authorized carrier may deduct monies for those obligations incurred by the lessor which have been previously specified in the lease, and shall provide a final

accounting to the lessor of all such final deductions made to the escrow fund. The lease shall further specify that in no event shall the escrow fund be returned later than 45 days from the date of termination.

'Copies of the Lease' must be kept in the truck and with the owner of the equipment if he or she is not the driver.

Remember to check out the regulations for yourself and have someone that you trust go over it with you before signing a lease for the first time. Among the legalese in a lease, there are mines hidden that can cause your business to blow up or at least sustain damage if you cannot identify them before signing. **EN**

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Team needed for Volvo VN780 leased to Express-1. 77" sleeper with all the amenities. Truck is well-maintained by owner. 65% on all revenue direct deposited weekly. No Canada or Mexico.
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Call Jason at 877-349-9303

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Call Jim at 800-241-0138

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Call Tony at 888-897-0892

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