



## Have You Seen That 584-Page “Map” Yet?

If you are reading this magazine, you are likely either directly or indirectly involved in the \$700 billion domestic freight industry. So you know that to be successful, every logistics organization must overcome hurdles that challenge profitability, on-time service and, most importantly, safety. One of these hurdles should not be a marketplace that tolerates carriers, brokers, or forwarders who cut corners and routinely violate safety regulations.

Originally known as H.R. 4348, the 584-page “Moving Ahead for Progress in the 21st Century Act” (simply known as MAP-21) was signed into law by President Obama on July 6, 2012. Before retiring in July, former Secretary of Transportation Ray LaHood said: “It builds on our aggressive safety efforts, including our fight against distracted driving and our push to improve transit and motor carrier safety.”

### October 1st is Almost Here. Are You Ready?

Of MAP-21’s 584 pages, several address highway safety, but page 423 in particular deserves your attention. There, you will find new rules that rightly place increased financial responsibility on freight brokers; one of these rules raises the “minimum” surety bond requirement to \$75,000 from just \$10,000. By October 1st, every freight broker’s approved surety bond or trust must be at least \$75,000 or they will not be properly registered and must cease operation.

### How Serious Is the Department of Transportation About This Issue?

Here is the text of subsections (c) and (d) on page 423 of the law regarding unauthorized brokering:

“(c) CIVIL PENALTIES AND PRIVATE CAUSE OF ACTION. – Any person who knowingly authorizes, consents to, or permits, directly or indirectly, either alone or in conjunction with any other person, a violation of subsection (a) is liable –

- (1) to the United States Government for a civil penalty in an amount not to exceed \$10,000 for each violation; and
- (2) to the injured party for all valid claims incurred without regard to amount.”

“(d) LIABLE PARTIES. – The liability for civil penalties and for claims under this section for unauthorized brokering shall apply, jointly and severally –

- (1) to any corporate entity or partnership involved; and
- (2) to the individual officers, directors, and principals of such entities.”

### Core values – Safety First (Peace of Mind)

UTXL is far from being the biggest broker, but we are bigger than most and there may be none safer. Our surety bond is the TIA’s \$250,000 “Performance Certified” bond and UTXL’s customers have the peace of mind of knowing that we are in full compliance with, or exceed all registration requirements. In our 17-year history, there has not been a single charge to any of our bonds or insurance policies. Even though the DOT does not require a federally licensed broker to have insurance, UTXL maintains cargo, general liability, auto liability, workers comp, E&O and umbrella policies in addition to the carrier’s primary coverages.

At UTXL, a contract carrier is only qualified after every step of our proprietary review process is accomplished by our skilled staff and reviewed and approved by an officer. And that is just the beginning. Every day, our TMS receives automated updates regarding the licensing, safety ratings, SMS BASIC scores, insurance limits and underwriter ratings of more than 2,500 contract carriers. These niche carriers operate over 100,000 trucks (van, reefer and specialized decks) coast-to-coast. That’s capacity.

### Not Just Shippers of Goods – Good Shippers, Too

During the last 25 years, I have managed small, medium and large asset-based and non-asset freight companies. In 1997, I co-founded UTXL, which is honored to arrange truckload services for dry freight and perishables shippers nationwide who value our unmatched safety, near-perfect service, great systems, amazing people, savings through efficiency and peace of mind too. We continue to serve several customers today who were our customers in 1997. UTXL is perhaps best known for resourceful surge capacity solutions and excellent 24 x 7 proactive communications that include systems from EDI to award-winning automated web tracking and alerts.

As logistics professionals, we are all more than just shippers of goods. We are also “good shippers” who care about the safety of each shipment, each driver, and the public on our nation’s highways – highways that all of our livelihoods depend on every day. My team and I can help you take the “cap” off of reliable truckload capacity in any length of haul. Please call or email me at info@UTXL.com, anytime. For other helpful resources, tools and links, please visit our website [www.UTXL.com](http://www.UTXL.com).