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SSDA-AT Active in Washington

By Roy Littlefield

SSDA-AT has been involved with a variety of federal issues thus far in 2019 in Washington. Last month, SSDA-AT attended an FBETC Coalition Meeting with the focus of repealing the Estate Tax. Rep. Jason Smith (R-Mo.), a seventh-generation Missouri family farm owner who serves on the House Ways and Means Committee and the Budget Committee, along with Rep. Sanford Bishop (D-Ga.), earlier this year introduced the Death Tax Repeal Act (H.R. 218). Rep. Smith addressed SSDA-AT and the coalition at the meeting. Smith noted that getting additional support for estate tax repeal legislation, especially from Democratic members, would take time. "A lot of great things don't happen immediately. We can get there, slow and steady," he said optimistically. SSDA-AT and the 50-plus members of the Family Business Estate Tax Coalition in February sent a letter to Smith, Bishop and Sen. John Thune (R-S.D.), who introduced the Death Tax Repeal Act of 2019 (S. 215) in the Senate, thanking them for their efforts to eliminate the estate tax. SSDA-AT continues to work hard to repeal the estate tax on the federal level.

Recently, SSDA-AT attended the U.S. Small Business Administration, Office of Advocacy roundtable in Washington, D.C. at the SBA headquarters to discuss DOL's new Overtime Regulations under the Fair Labor Standards Act, which increases the minimum salary for the "white collar" overtime exemption from \$23,660 annually to \$35,308 annually. This means that workers making under \$35,308 annually would be eligible for overtime pay. The purpose of the roundtable will be to hear directly from small businesses about the impact of the proposed rule. This new proposal would update the salary threshold using current wage data, projected to January 1, 2020. The result would boost the standard salary level from \$455 to \$679 per week (equivalent to \$35,308 per year). SSDA-AT is continuing to monitor this issue and gather feedback from our members.

More recently, SSDA-AT attended an SBLC (Small Business Legislative Council) government affairs meeting and board meeting. At the meeting SSDA-AT spoke with, Charles Jeane, Assistant Chief Counsel at the SBA Office of Advocacy. The office of advocacy fights for small businesses on the regulatory sector. Other topics discussed at the meeting included the new overtime rules, estate tax legislation, retirement plan legislation, and an update on trade.

We can report that, President Donald Trump and Democratic congressional leaders agreed to work together on a \$2 trillion infrastructure package - but put off for later the difficult question of how to pay for it.

Senate Minority Leader Chuck Schumer said, "we agreed on a number." That number being \$2 trillion. "Originally, we had started a little lower. Even the president was eager to push it up to \$2 trillion, and that is a very good thing," Schumer said. Added Pelosi: "We did come to one agreement: that the agreement would be big and bold."

Asked whether Trump supports raising the gas tax, White House adviser Kellyanne Conway said before the meeting: "This president is the guy who lowers taxes."

So far this year, Alabama, Arkansas, Ohio and Virginia have enacted gas tax increases, although Virginia's only applies to a portion of the state. Some 30 states have done so since 2013.

SSDA-AT believes that an infrastructure bill is a jobs bill that cuts across party lines. SSDA-AT has opposed any proposed taxes in past infrastructure proposals that would be harmful to the tire industry.

SSDA-AT will continue to report and monitor on these developments and discussions.



What Kind Of Content Does My Auto Website Need To Include?

By: Nicole Matthews of Net Driven

Interested in learning more about Net Driven websites and modules? Check out the [Net Driven Products page](#) and [request a free demo today](#).

There are over 4.57 billion webpages in existence as of September 2017. That's a lot of information representing thousands of industries and interests. It also means there are scores of websites competing for clicks and conversions. How do you make your website stand out? What information or content should you include to attract visitors to your website and keep them interested in your products and services once they arrive? It's time to talk about content for the automotive service center and/or tire dealer.

Know Your Audience

The first step in choosing what content to include is figuring out your audience. Think about your customers and their needs. What are they looking for when they come to your business? What information can you include on your website to help your prospective customers enjoy a fast and convenient experience with your business?

Below is an overview of the products Net Driven offers. The available products, known as website modules, were selected and designed based on industry research and requests from Net Driven clients about the type of content their customers want to see.

Tire Catalog

Scenario: Prospective customer is looking for new tires because it's time to replace the entire set or a flat tire.

Need: To find a nearby tire store that has tires that fit the vehicle. The potential customer may be looking for a specific tire brand and model

and need to know if the tire store carries it.

If you're a tire dealer, then a tire catalog is an excellent addition to your website if not a mandatory one. The Net Driven tire catalog is an interactive module that's easy to use with multiple ways to search your inventory and the optional ability to request a quote. Potential customers are given all the tools they need to search through hundreds of tires quickly, creating a more convenient experience with your business.

Net Driven offers a retail tire catalog and commercial tire catalog at this time. Both are available with a Net Driven website or as standalone purchases for use on any website.
Auto Service Catalog

Scenario: Potential customer is looking for an automotive service shop that provides a specific service.

Need: To find an automotive service center that provides the necessary service.

When prospective customers look for an automotive service center online, they have one immediate goal: to find a local shop that provides the service(s) they need. In order to rank for an auto service, you need to include content about it on your website. An automotive service catalog is a sensible solution that provides potential customers with the information they need.

The Net Driven Automotive Service Catalog provides the optional ability to schedule an appointment online, creating a convenient experience that allows customers to interact with your business after closing hours.

Maintenance Look Up

Scenario: Potential customer needs to know if it's time for factory scheduled maintenance

Need: To see maintenance information relevant to the vehicle make and model driven

For the automotive service center, the Mainte-

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NET DRIVEN

Continued from page 2

nance Look Up module is a great way to attract business and satisfy customer curiosity. When visitors arrive on your website to schedule a repair or learn more about a product, they can also check out when they're due for maintenance.

Thanks to this module, your customers don't need to go to the garage and grab the owner's manual to find out when factory maintenance is due. While they're on your website, they'll get information specific to their vehicle make and model with the optional ability to schedule the appropriate maintenance service with you online.

Diagnostic Center

Scenario: Potential customer is experiencing an automotive problem but isn't sure of the cause
Need: To find out what's wrong with the car as soon as possible

When the "check engine" light turns on or a motorist experiences a sudden car problem, the logical first question is "what's wrong?" If the driver doesn't have a clue, then there's a chance they'll hold off on service for fear of a high expense. The Online Diagnostic Center answers "what's wrong" by guiding the potential customer through a series of questions about what the vehicle is doing. Based on the answers provided, the module returns likely problem causes and associated repair services.

This module can alleviate fears and give your service center valuable information so the problem becomes quicker to fix. You may earn some rapport with the customer for being the source of their information.

Virtual Showroom

Scenario: Potential customer needs a new or pre-owned vehicle

Need: To find a local dealer with a good selection of vehicles

For the new and used car dealer, a virtual showroom is an almost essential part of the website. Your customers want to know what types of vehicles you have for sale. Giving them the ability to browse online and see real photos of your inventory keeps them engaged. It also helps weed out anyone who wouldn't have been interested in the vehicles you sell, so your sales team focuses on better leads. The Net Driven Virtual Showroom displays important information about your inventory and lets potential customers browse through photos online.

Contact Information: Last but not least, don't forget your contact information. At a minimum, you need to tell your potential customers about your address (or service area) and hours of operation. Visitors to your website don't want to guess if you're open or call to find out this information. Having your name, address, and phone number (NAP) listed on your website also helps online directories list your contact information right.

Wait - Should I Include Prices on my Website?

Potential customers are interested in pricing, but that doesn't always mean it's the best idea to include prices on your website. If you're not always the lowest price in town, this gives your competitors a chance to underprice you and advertise it on their own websites. A good compromise is to set up online quoting, where a customer can automatically get an email showing the price in return for providing you with an email address.

This satisfies the customer and makes any competitor have to work to see what your prices are for every product or service.

To recap, you need to provide content valuable to your audience. Think about your customers and why they come to you. Advertise the products and services you provide, so your customers know you offer them. People want to know who you are, what your offer, and when you're open.

House Speaker Nancy Pelosi Stresses Federal Funding in Infrastructure Plan



The speaker reinforced her caucus' interest in advancing the comprehensive measure mostly with funding that would stem from the federal level. About 20% would stem from nonfederal contributions, she explained.

Pelosi's team of transportation authorizers in the chamber and top Senate Democrats plan to meet with Trump in about three weeks to hear from the president on a funding blueprint for the legislation.

"We'll wait to hear what the president has to say," Pelosi (D-Calif.) said.

While most Democrats support relying on federal dollars for infrastructure, neither Trump nor Republican leaders in the Senate have proposed a funding approach for a bill this year. Last year, the White House's 10-year, \$1.5 trillion private sector-centric infrastructure proposal failed to advance in the Republican-led Congress.

Pennsylvania Legislation Looks to Help Fracking Industry

A top Pennsylvania state lawmaker is rolling out a new package of deals designed to help the natural gas fracking industry.

Republican Speaker of the House Mike Turzai unveiled The Energize Pennsylvania initiative. The measure contains eight bills that would add tax incentives, and make it easier for the fracking industry to find land and get permits. Lawmakers in support of the package say it will create thousands of good-paying jobs across the state while providing affordable energy.

"If we can have good public policies, we can generate a \$60-billion increase in Pennsylvania's GDP, support the addition of 100,000 jobs." Officials say the package adds no new fees or taxes.

Governor Tom Wolf, a Democrat, has a different plan when it comes to the natural gas industry.

He's calling for a severance tax on natural gas production as part of his Restore PA initiative.

EPA Approves State of Texas' Plan to Reduce Ozone-Creating Emissions for Greater Houston Area



The U.S. Environmental Protection Agency (EPA) approved changes to the State of Texas' clean-air plan for improving storage tank regulations and demonstrating reasonably available control technology for emissions that contribute to the formation of ozone.

These changes will help the Houston-Galveston-Brazoria area move toward better air quality and attainment of the 2008 ozone standard.

“The state of Texas has shown its commitment to reducing ozone in the greater Houston area,” said Acting Regional Administrator David Gray. “Improving air quality will benefit communities and families while the region continues to thrive economically.”

In 2016, EPA reclassified the Houston-Galveston-Brazoria (HGB) area from a Marginal to a Moderate nonattainment classification for the 2008 ozone standard. With this action, EPA approves the state of Texas' modification of regulations on emissions of vola-

tile organic compounds, or VOCs, from storage tanks. EPA determined these improved regulations work with the state's existing VOC and nitrogen oxide (NOx) regulations to meet Clean Air Act requirements for reasonably available control technology and improve air quality. VOCs and NOx react in the presence of sunlight to form ground-level ozone pollution that contributes to harmful air quality.

Background:

Excess ozone in the air we breathe can harm our health. People most at risk from breathing air containing harmful levels of ozone include people with asthma, children, older adults, and people who are active outdoors, especially outdoor workers. Breathing harmful levels of ozone can trigger a variety of health problems including chest pain, coughing, throat irritation, and airway inflammation. It also can reduce lung function and harm lung tissue. Harmful levels of ozone can worsen bronchitis, emphysema, and asthma, leading to increased medical care. EPA's national and regional rules to reduce emissions of pollutants that form ground-level ozone will help state and local governments meet the national ambient air quality standards.

For more about EPA's work in Texas:
<https://www.epa.gov/tx>

Connect with EPA Region 6:

On Facebook:
<https://www.facebook.com/eparegion6>

On Twitter: <https://twitter.com/EPAregion6>

Activities in EPA Region 6:
<http://www.epa.gov/aboutepa/region6.htm>

Dems say Trump agrees to \$2 Trillion Infrastructure Tab



President Donald Trump and Democratic congressional leaders agreed to work together on a \$2 trillion infrastructure package — but put off for later the difficult question of how to pay for it.

Senate Minority Leader Chuck Schumer said there was “good will in the meeting” — a marked departure from the last meeting between Trump, Schumer and House Speaker Nancy Pelosi, which ended with Trump walking out in a huff.

Schumer said the two sides agreed that infrastructure investments create jobs and make the United States more competitive economically with the rest of the world.

Most importantly, Schumer said, “we agreed on a number.”

“Originally, we had started a little lower. Even the president was eager to push it up to \$2 trillion, and that is a very good thing,” Schumer said.

Added Pelosi: “We did come to one agreement: that the agreement would be big and bold.”

Pelosi and congressional Democrats had asked for the meeting with Trump to discuss launching an ambitious building pro-

gram that’s a top priority for the party and has been a rare area of potential bipartisan accord with Republicans. Trump, too, has long promised a big infrastructure plan.

The dozen Democratic lawmakers in the meeting with the president called it a constructive start. They said Trump agreed that infrastructure investments should go beyond roads and bridges and include broadband, water systems, and enhancements to the electrical grid.

Democrats also put the onus on Trump to come up with a funding source, and said they would meet again in three weeks, when the president will present his ideas. The nation’s top business groups and labor unions support increasing the federal gasoline tax, currently 18.3 cents a gallon. It was last raised in 1993.

Asked whether Trump supports raising the gas tax, White House adviser Kellyanne Conway said before the meeting: “This president is the guy who lowers taxes.”

Trump, Transportation Secretary Elaine Chao, adviser Ivanka Trump and a half-dozen other administration officials met with the 12 Democrats in the Cabinet Room.

Infrastructure is seen as the one issue with the best chance for the two sides to work together this Congress — and even that isn’t given good odds for a fruitful ending.

The meeting played out against the backdrop of high tensions over escalating Democratic investigations following the release of special counsel Robert Mueller’s report into Russian meddling. Lawmakers and the

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Dems say Trump agrees to \$2 Trillion Infrastructure Tab

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Republican president also have on eye on the 2020 elections, meaning every provision of an infrastructure package — including how to pay for it — will be made with that in mind.

More than one “infrastructure week” already has come and gone over the past two years with nothing to show for it. Still, advocates for an infrastructure package boost see a narrow window for action.

“I think a deal can be had if everybody is willing to put their battle axes away for a period,” said former Republican Rep. Bill Shuster of Pennsylvania, who served as chairman of the House’s transportation committee for six years.

A compromise could offer political benefits to both sides. Trump’s re-election prospects are tied to a strong economy that would get another boost from new road and bridge projects. House Democrats have passed an array of bills that have gone nowhere in the GOP-controlled Senate.

Pelosi has dozens of new Democratic House members who won in competitive districts, said Shuster, and “they need to be able to go home next year and say they’ve accomplished something.”

But the two sides also have some competing priorities that will complicate matters. The president and Republican leaders want to speed up the permitting process for building energy and transportation projects and that’s not on most Democratic lawmakers’ to-do lists. Democrats are looking for ways to pay for greater infrastructure spending without adding to the national debt, and that could mean higher fuel taxes.

Committees in both chambers of Congress have started to lay the groundwork for an infrastructure bill through hearings, with Democratic lawmakers hoping to have legislation ready for consideration by June or July.

The House Transportation and Infrastructure Committee will give every House lawmaker a chance to share their infrastructure priorities.

Then, the committee’s chairman, Rep. Peter DeFazio, D-Ore., will lead a delegation to visit a dilapidated, century-old tunnel that connects New Jersey and New York. Experts say a new tunnel is essential to ensuring reliable rail travel throughout the Northeast, but the price tag will be steep.

The infrastructure issue has aligned the nation’s top business groups and unions, a rarity in Washington. The U.S. Chamber of Commerce has proposed increasing the federal fuel tax 5 cents a year for five years, then allowing it to increase with inflation.

Ed Mortimer, a vice president at the U.S. Chamber of Commerce, said the group would have the back of lawmakers who face criticism back home for supporting a higher federal gas tax.

“We’re going to support any elected official willing to have a serious discussion and vote to raise revenue for infrastructure,” Mortimer said.

So far this year, Alabama, Arkansas, Ohio and Virginia have enacted gas tax increases, although Virginia’s only applies to a portion of the state. Some 30 states have done so since 2013.

U.S. energy consumption, production, and exports reach record highs in 2018

The United States produced a record amount of energy from various sources in 2018, reaching 96 quadrillion British thermal units (quads), an 8% increase from 2017.

This increase in production outpaced the 4% increase in U.S. energy consumption, which also reached a record high of 101 quads. At the same time, U.S. energy exports increased 18% to a record high of 21 quads in 2018, reducing net energy imports into the United States to a 54-year low of 4 quads, or less than 4% of U.S. energy consumption.

In 2018, crude oil and natural gas accounted for 57% of all U.S. energy production, with crude oil production seeing an increase of 17% and natural gas an increase of 12% from 2017.

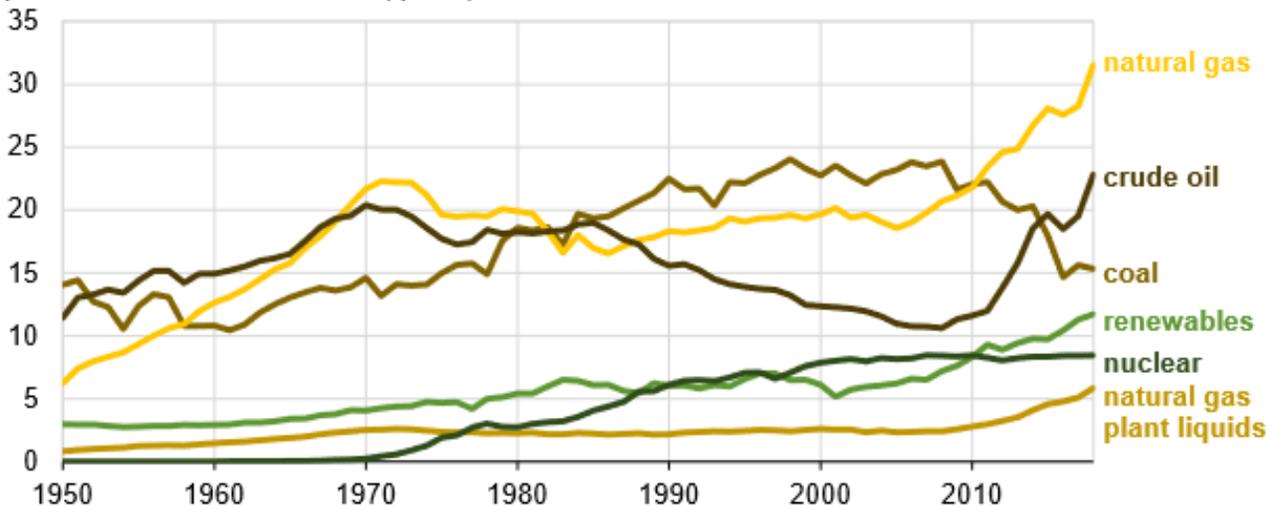
Natural gas plant liquids production also increased by 14%. Energy production from renewable energy increased 4% from 2017, mostly because of growth in solar (22%), wind (8%), and biomass energy (2%). Nuclear electric power production remained virtually unchanged in 2018.

Coal was the only energy production source to decrease in 2018, falling 2% from 2017 levels.

Total U.S. consumption of energy also increased from 2017 levels but at a slower pace than production. Compared with other fuels, petroleum had the largest gap between growth in production and growth in consumption in 2018.

The 17% increase in crude oil production outpaced a modest 2% increase in total domestic petroleum consumption, resulting in a 73% increase in exports of crude oil and a

U.S. primary energy production by source (1950-2018)
quadrillion British thermal units (quads)



U.S. energy consumption, production, and exports reach record highs in 2018

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6% increase in exports of petroleum products in 2018 compared with 2017.

Exports of crude oil and petroleum products made up 68% of all U.S. energy exports in 2018, accounting for most of the increase in total U.S. energy exports from 2017.

Petroleum product exports reached a record-high 10.2 quads, or 5.6 million barrels per day.

Crude oil exports nearly doubled and reached a record-high 4.2 quads (2 million barrels per day), surpassing both coal and natural gas on an energy equivalent basis to become the second-highest U.S. energy export.

Exports of natural gas and biomass energy (e.g., ethanol) also reached new records in 2018, and coal exports reached its highest level since 2013.

In 2018, U.S. energy imports decreased 2% compared with 2017, which, along with record-high energy exports, brought combined net U.S. energy imports to their lowest levels since 1964.

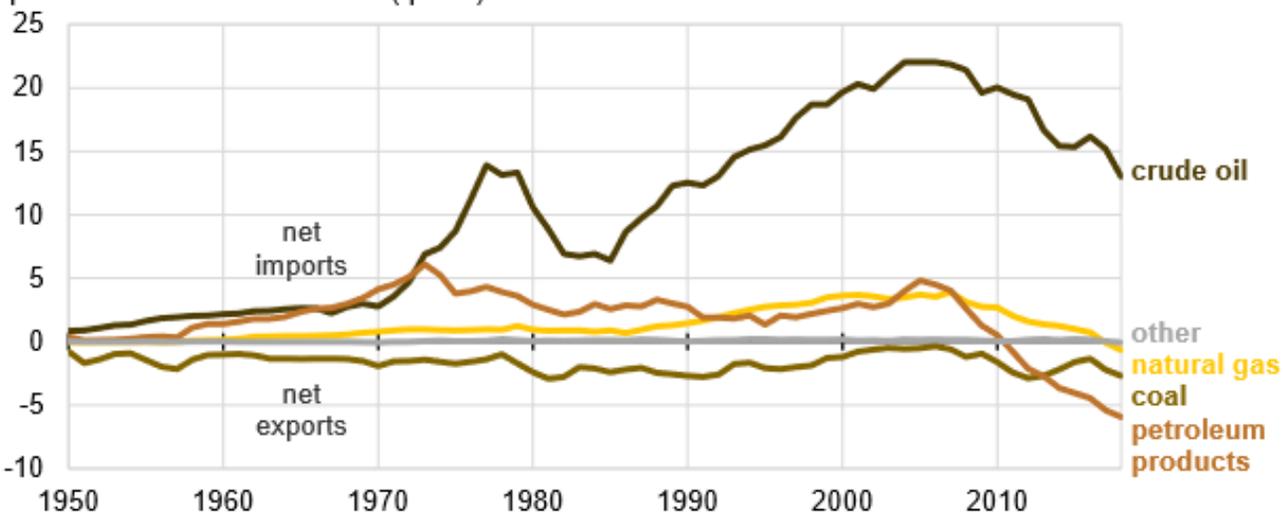
In 2018, the United States was a net exporter of coal, coal coke, petroleum products, natural gas, and biomass energy.

The United States remained a net importer of crude oil, which has been true for every year since 1944.

However, in 2018, net imports of crude oil reached its lowest level since 1991.



U.S. primary energy net trade by source (1950-2018)
quadrillion British thermal units (quads)



US Says it will Complete Keystone Environmental Review

U.S. government attorneys say the Trump administration plans to finish a new environmental review of the Keystone XL oil pipeline from Canada even if a federal appeals court throws out a lawsuit that blocked the project.

President Donald Trump issued a new permit for the \$8 billion pipeline last month.

In court filings, government attorneys said it is “undisputed” that Trump’s permit is not subject to two major environmental laws — the National Environmental Policy Act and Endangered Species Act.

Nevertheless, the attorneys say the State Department will complete an environmental study ordered by a federal judge in Montana in November.

The long-delayed line would carry up to 830,000 barrels (35 million gallons) of crude daily from Canada to Nebraska.



SAVE THE DATE!!

SSDA-AT TO HOST ANNUAL MEETING IN LAS VEGAS

SSDA-AT will host its annual meeting in Las Vegas in conjunction with the SEMA show on Friday, November 8, 2019.

The SEMA show runs from Tuesday, November 5th to Friday, November 8th.

The SSDA-AT meeting will take place in the Las Vegas Convention Center Room S116 beginning at 9 am on November 8th.

More details and an agenda to follow!

To order a trade show pass:

[CLICK HERE](#)

To explore hotel options:

[CLICK HERE](#)

And to RSVP officially to the event, contact:

Roy Littlefield IV at rlittlefield2@tireindustry.org or call 301-467-1995.

We look forward to having you at the event!



**SERVICE STATION
DEALERS OF
AMERICA AND ALLIED
TRADES (SSDA)**

Exxon OKs \$2B Baytown chemical expansion project



Irving, Texas-based Exxon Mobil Corp. (NYSE: XOM), which has a major presence in

Houston, has decided to move forward with a \$2 billion project in Baytown.

Exxon will expand its Baytown chemical plant, creating about 2,000 jobs during construction, according to a May 2 press release. The expansion is expected to start up in 2022.

Once online, the expansion is expected to create at least 25 permanent positions paying at least \$62,970 per year, according to documents filed last summer with the Texas comptroller.

The expansion will add a new Vistamaxx performance polymer unit, which will produce “products that offer higher levels of elasticity, softness and flexibility,” per the May 2 release. It will have a capacity of 400,000 tons of Vistamaxx polymers per year, which will “contribute to a reduction in materials used and increased performance in everyday products,” per the release.

Exxon also will be able to enter the linear alpha olefins market, producing about 350,000 tons per year. “Linear alpha olefins are used in numerous applications, including high-performing engine and industrial oils, waxes and building blocks for surfactants, polyethylene plastic for packaging, and other specialty chemicals,” per the release.

According to Exxon’s release, the 100-year-old Baytown complex is the largest integrated petro-

chemical complex in the U.S. It spans about 3,400 acres along the Houston Ship Channel and includes a refinery, chemical plant, olefins plant, plastics plant and global technology center. Last year, Exxon completed a new 1.5 million-ton-per-year ethane cracker at its Baytown complex after four years of construction.

“Our Baytown chemical expansion will put us in a solid position to maximize the value of increased Permian Basin production and will deliver higher-demand, higher-value products produced at our Gulf Coast refining and chemical facilities,” Exxon Chairman and CEO Darren Woods said in the release. “Global demand for chemicals is expected to be greater than energy demand growth and GDP growth over the next 20 years.”

The newly announced expansion project is in addition to Exxon’s Growing the Gulf initiative, which the company announced in 2017. The \$20 billion, 10-year initiative will build and expand 11 manufacturing facilities, according to previous press releases. Investments began in 2013 and are expected to continue at least through 2022.

The recently completed ethane cracker plus other projects in Mont Belvieu, Beaumont and other areas along the coast are all part of the Growing the Gulf initiative. In Beaumont, Exxon recently made a final investment decision to move forward with a major expansion of its refinery.

Another project associated with the initiative is Exxon’s joint venture with Saudi Basic Industries Corp., known as SABIC, for a proposed \$10 billion, 1,400-acre petrochemical complex in San Patricio County, Texas. The plans include an ethane steam cracker that could produce 1.8 million tons of ethylene each year.

Marathon Oil Profit Beats on Higher Production, Lower Costs

Marathon Oil Corp beat analysts' estimates for first-quarter profit on Wednesday, boosted by higher production and lower costs at its U.S. shale assets in the Bakken and Northern Delaware regions.

Total oil production averaged 203,000 net barrels per day (bpd) in the first quarter, up 6 percent from a year ago, with U.S. crude production jumping 11 percent, adjusted for divestitures.

On the back of rising production from its assets and a rebound in oil prices, Marathon expects second-quarter total oil production of 200,000 to 220,000 net bpd, with U.S. oil production of 180,000 to 190,000 net bpd.

U.S. unit production costs fell 12 percent to \$5.21 per barrel of oil equivalent (boe) due to ongoing cost reductions across the

U.S. resource basins, particularly in the Northern Delaware, Marathon said.

The company has been looking to divest its North Sea assets and focus on the rising shale oil production in the United States.

The oil and gas producer's net adjusted income rose to \$256 million, or 31 cents per share, in the quarter ended March 31 from \$154 million, or 18 cents per share, in the year-ago quarter.

Excluding items, earnings were 11 cents per share, beating the average analyst estimate of 7 cents, according to IBES data from Refinitiv.

The company's shares were up 1.3 percent in extended trading.



Lawmakers Mull Funding Options for \$2 Trillion Infrastructure Deal

More than a week after President Donald Trump and congressional Democrats elevated a \$2 trillion infrastructure package for lawmakers' legislative agenda, stakeholders are speaking up about their funding preferences in advance of a planned meeting between the White House and transportation policymakers to discuss how to pay for the initiative.



Rep. Peter DeFazio (D-Ore.), chairman of the House Transportation and Infrastructure committee, continues to champion a funding approach for surface transportation programs that would combine new user fees with other options.

He is among the few voices openly endorsing raising the Clinton-era fuel taxes and relying on what he calls "real" federal funds. The federal 24.4 cents-per-gallon diesel tax and 18.4 cents-per-gallon gas tax rates were set in 1993.

"We've got to come to an agreement on how we pay for the package," DeFazio said May 8. "I would hope that we can come together and agree on a funding package that is significant."

Missouri Rep. Sam Graves, DeFazio's Republican partner on the House transportation committee, is consistent with his call to transition to a fee-based system for miles traveled. "We need to keep the focus on infrastructure," Graves told Transport Topics. "How we fund it is the elephant in the room and I am hopeful legislators will bring thoughtful ideas to the table."



Sen. John Barrasso (R-Wyo.), head of the Senate transportation panel, has pushed back on funding proposals anchored primarily on public-private partnerships, and has joined other top Republicans in sup-

porting ongoing efforts to streamline the regulatory permitting process for big-ticket infrastructure projects.

House Speaker Nancy Pelosi (D-Calif.) recently indicated her caucus will await Trump's lead on the funding question.

"The country needs this," Pelosi told The Washington Post on May 8. "We'll want to hear what [Trump] wants to do." Meanwhile, stakeholders are urging Congress to advance an infrastructure pack-

Lawmakers Mull Funding Options for \$2 Trillion Infrastructure Deal

Continued from page 14

age this year, and are sounding the alarm on the uncertainty created by dwindling funds from the Highway Trust Fund, which is used to pay for infrastructure improvements. Analysts estimate it will approach insolvency in about two years.

“The fuel tax is the one funding tool in the toolbox that pays for itself by users. It is the most effective, efficient and yes, conservative, way of generating the amount of money we need to do the job,” said American Trucking Associations President Chris Spear.

Citing federal inaction, more than two-thirds of the states have approved increasing their fuel taxes in recent years.



Kentucky Court of Appeals Rules Employers Must be Represented by Licensed Attorneys in Unemployment Hearings



The Kentucky Court of Appeals has held the longstanding Kentucky law allowing a non-lawyer to represent a business entity at an administrative unemployment hearing is unconstitutional. For decades, Kentucky law has permitted employers who contest former employees' claims for unemployment benefits to designate a human resources officer, a managerial employee, a third-party company, or another non-lawyer to represent their interests in administrative unemployment hearings.

The court ruled the law is an unconstitutional effort by the legislative branch to exercise the judicial branch's exclusive authority to regulate the practice of law. Under the court's decision, any employer organized as a legal entity (such as a corporation or limited liability company) must now be represented by a licensed attorney in any unemployment hearings. A non-lawyer attempting to represent a company could be accused of the unauthorized practice of law. Kentucky employers will have to make a choice between incurring the expense of hiring a lawyer to contest unemployment claims or declining to contest claims.

Terminating an Employee for Talking to the Press



The National Labor Relations Board (NLRB) has held that a policy prohibiting employees from speaking to the media at any time violates the National Labor Relations Act (NLRA). The NLRB explained: "Employees have a statutory right to speak publicly about their complaints or concerns with their terms and conditions of employment, including to the press, without employer authorization."

In other words, employees have a right under the NLRA generally to discuss their employment – including with the press. Based on the finding that the policy was unlawful, the NLRB also found that the company violated the NLRA when it terminated two employees pursuant to the policy for speaking to the media about a workplace issue. A more narrowly tailored policy would have passed muster, but the broad media prohibition in this case crossed the line.



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