

RAMCA NEWSLETTER

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NEGOTIATIONS WITH SCC CONTINUE ON ABANDONED LINE ISSUE

RAMCA, along our sister associations that make up the Virginia Utility and Heavy Contractors Council (VUHCC), continue to meet and confer among our own members, staff at the State Corporation Commission (SCC), and representatives of the major utilities in an effort to resolve the actions that need to be taken and the time frame that must be adhered to regarding such actions, when an excavator uncovers what he or she believes to be an abandoned utility line.

The existing statutes and regulations are silent with regard to how long an excavator must wait for utility clarification when a possible abandoned line is uncovered during an excavation. Some excavators treat this occurrence as an unmarked line and call in a three-hour ticket but often times the locaters have marked all known lines, but the visual evidence suggests that – for example - there are two Dominion Power lines exposed, but only one has been marked. In this circumstance, the responsible excavator would require more information before excavation begins. Currently, there is no time requirement imposed on the utilities regarding when they must respond and provide the necessary information, and therein lies the problem.

RAMCA Vice President Buddy Hummel (Henkels &McCoy) is chairman of RAMCA’s Miss Utility Committee and also serves on the powerful SCC Advisory Committee as a contractor member. Mr. Hummel and the RAMCA staff have attended numerous meetings on this subject and will continue to do so until some improvement to the current situation is arrived at and agreed to by the various stakeholders. Agreement has already been reached with regard to additional requirements needed from contractors when indicating the specific location of a proposed excavation for the purposes of calling in a valid Miss Utility Ticket. RAMCA will advise the membership on any new requirements, and the effective date of any changes, as soon as resolution occurs on the remaining issues associated with abandoned lines.

RAMCA
JACK BARGAMIN MEMORIAL GOLF SPONSORS
SEPTEMBER 15TH, 2011

RAMCA wishes to extend appreciation to:

Grand Prize Sponsor:

Branscome Richmond

Beverage Cart Sponsor:

James River Equipment Virginia, LLC

Raffle Sponsors:

American Infrastructure—VA, Inc.

Ferguson Waterworks

Superior Excavating & Construction

Hole Sponsors:

Carter Machinery Co., Inc.

Ferguson Waterworks

Hanson Pipe & Precast, Inc.

International Truck Sales of Richmond

Luck Stone

Martin Marietta Aggregates

Neff Rental

Virginia Truck Center of Richmond

Vulcan Materials

RAMCA GOLFERS ALWAYS ENJOY PLAYING MATTAPONI

There are not many certainties in life, but for RAMCA it's a pretty safe bet that a large group of members are going to come out to one of the area's most pristine and challenging golf courses, Mattaponi Springs, to take advantage of RAMCA's second golf event of the year, the Jack Bargamin Memorial Golf Outing, which was held on September 15th.

Congrats to the following winning teams and players!!

1st Flight – Neff Rentals

2nd Flight – Slurry Pavers

3rd Flight - James River Equipment

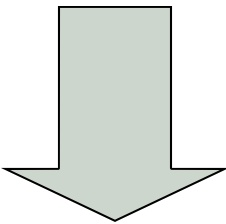
Closest to the Pin – Billy Chenault / Brian Conrad

Longest Drive – Tommy Krome

Longest Putt – Richard Hoeflaak

RAMCA would like to recognize all of our hole sponsors, beverage cart sponsors, raffle contributors, and all of the players who helped to ensure the success of this event. (Please see previous page for a list of our sponsors.) RAMCA wants to particularly recognize our Beverage Cart Sponsor – James River Equipment – and our Grand Prize Sponsor – Branscome Richmond . A special thanks to Mike Harcum at Carter Machinery for managing all of the signage required at an event of this size. RAMCA is currently in negotiations with Mattaponi Springs for next year's golf event.

DATES TO REMEMBER



- Nov. 17th** Annual Meeting—Richmond Hilton
- Jan. 11th** General Assembly Convenes
- Mar. 15th** General Membership Meeting / Legislative Recap

WELCOME NEW MEMBER

RAMCA is pleased to welcome the newest member firm to the RAMCA family:

Neff Rentals

Ben Handzel and Patrick Kanipe / RAMCA Representatives.

Neff wasted no time making their presence known by attending their first RAMCA event, the Jack Bargamin Annual Golf Outing, and claiming the first place prize! Please welcome representatives of Neff Rentals when you see them at future RAMCA meetings.

Patrick and Ben are pictured below attending the Oct. 20th RAMCA Meeting at the Richmond Hilton where they were presented with information regarding overweight / oversized trucks.



RAMCA Officers*President*

Johnny Glazebrook
Branscome Richmond

Vice President

Buddy Hummel
Henkels & McCoy

Secretary/Treasurer

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Immediate Past President

James H. Martin, Jr.
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Contractors, Inc.

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Monty Gatewood
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Richard E. Smith
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Associates

Steve Rhyne
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Billy Chenault
Luck Stone Corporation

At Large Directors

Lee White
Draper Aden Associates

Dave Moore
Slurry Pavers, Inc.

Staff

Executive Director
Mark I. Singer

Office Manager
Tina Pollard

In Memoriam

The RAMCA family was deeply saddened to learn of the recent passing of Sandee Cosby, wife of RAMCA member Dave Cosby (Sovereign Paving). Anyone who knew Sandy was quickly aware of her intelligence, beauty, and spirit. A former tax specialist for the IRS, there was no doubt that Sandee was smart and tough when she needed to be. She demonstrated that toughness by fighting hard during a seventeen-year battle with aggressive cancer. For almost all of that time she remained a vibrant active wife, mother, friend and community activist. Dave was by her side for a life time, including the many difficult years of treatments, operations, and care. It is hard not to recognize the level of commitment these two individuals shared with each other for over 40 years. Even Sandee's doctors were amazed at her resilience and stamina in dealing with the most difficult of health issues over so many years.

Class, Courage and Dignity leave strong impressions. Sandee Cosby will live on in the memories of all who knew her. Our deepest condolences to Dave, the children, and Sandee's extended family.



ANNUAL REMINDER: VIRGINIA AND FEDERAL LABOR LAW NOTICES

Each year RAMCA tries to remind our members of the state and federal requirements regarding labor law notices that must be posted in a prominent location in your place of business where your workers will see this information. Please be sure you have this information displayed as required and that the information is the current version of required poster.

Virginia Notices Include:

- ⇒ VA Unemployment Insurance Benefits
 - ⇒ VA Human Rights
 - ⇒ VA Workers' Compensation
- ⇒ VA OSHA Job Safety and Health Protection
 - ⇒ VA Earned Income Tax Credit

Federal Notices Include:

- ⇒ NSRA Employee Rights Notice (Effective 11/2011)
- ⇒ Equal Employment Opportunity is the Law Notice
(New Gina Regulations Effective 01/2011)
 - ⇒ IRS Notice 797 (Revised 01/2011)
- ⇒ Federal Minimum Wage (Released 07/24/2001)
- ⇒ USERRA Rights and Benefits Notice (Revised 11/08)
- ⇒ Family and Medical Leave Act—for employers of 50 or more employees
(Released 12/08)
- ⇒ IRS Notice of Withholding / Earned Income Tax Credit
(Revised 01/2011)
 - ⇒ Employee Polygraph Protection Notice
 - ⇒ U.S.C.I.S. Discrimination Notice
 - ⇒ Employee "Right to Know" Notice
 - ⇒ Payday Notice

NEW EXCAVATOR MANUAL AND MARKING STANDARDS BOOKLET

In this age of electronic messages, email newsletters and online communications there are not many hard-copy booklets that your employees need to keep in their trucks. But if you are an excavator you definitely need to have the latest edition of the *Professional Excavator's Manual* and the updated version of the state's *Marking Standards*.

The manual contains the state law regarding the responsibilities of an excavator under the *Virginia Underground Damage Prevention Act*, useful telephone numbers, and important information regarding such things as "clear evidence of a utility line", "utility separation", and "trenchless excavation". The *Marking Standards* booklet is basically the State Corporation Commission's best practices regarding underground damage prevention, and contains the latest information on color codes used in marking underground lines and locator response codes.

Both publications can be found online at www.scc.virginia.gov/urs and then clicking *Damage Prevention* and *View Publications*. Hard copies can be obtained by contacting Mr. Frank Hudik at the Commission at (804) 371-9980.

OVERWEIGHT / OVERSIZED TRUCK STUDY MAKES RECOMMENDATIONS

As reported in previous correspondence to the RAMCA membership, the 2011 General Assembly passed House Bill 2022 which directs DMV, in consultation with the Commonwealth's Commissioner of Highways (Transportation) and the Executive Director of the Virginia Port Authority, to develop a comprehensive, tiered schedule of fees for overweight and oversized trucks. The legislation specifically requires that consideration be given to the Virginia Department of Transportation's research on the cost impact of damage to Virginia's highways from overweight vehicles, the administrative feasibility of such fee structure, and the impact of such fee structure on the Commonwealth's economic competitiveness. Findings from this study will be presented to the Joint Commission on Transportation Accountability by December 15, 2011 and then to the full session of the 2012 General Assembly for consideration and possible passage into law.

(Cont'd page 8)

OVERWEIGHT / OVERSIZED TRUCK STUDY MAKES RECOMMENDATIONS

(Cont'd from page 7)

DMV has now concluded a long series of meetings on this subject as required by the legislation and RAMCA (representing our statewide industry group, the Virginia Utility and Heavy Contractors Council (VUHCC), along with a large group of other industry stakeholders, has been very involved in these discussions. As with most studies of this magnitude, there are both good and bad things associated with the final recommendations.

The good things are that adoption of the study's recommendations will hopefully put an end to the annual onslaught of legislation introduced at the Virginia General Assembly urging fee increases for overweight trucks. In addition, the study makes a number of structural and administrative changes that should assist RAMCA members in terms of time and efficiency when dealing with permits and local governments.

The bad things are that the proposed new structure represents fee increases that range from very small to significant. Much of that has to do with the fact that many of the existing fees have not been increased, or even adjusted for inflation, for decades. But nonetheless the proposal does propose larger fees for many permits. (RAMCA members who attended the October 20th RAMCA Dinner Meeting heard an in-depth presentation on this subject by a senior staffer at DMV.)

RAMCA and the VUHCC have tentatively signed off on the overall package, along with many of the other major infrastructure associations in Virginia. But our support is conditional on insuring that:

Any additional fees suggested by the General Assembly will be rejected;

The funds generated will be used for highway maintenance purposes;

The political powers, including the Governor, concur with the final report.

There are lots of miles to go, including passage of legislation by the 2012 session of the Virginia General Assembly, before the study report becomes a reality. RAMCA will be closely involved in this process in an effort to ensure that agreements currently in place are not used as a springboard for more stringent regulation or even larger fees.

A summary of the proposed changes can be found on pages 9 and 10 of this newsletter.

OVERWEIGHT / OVERSIZED TRUCK STUDY MAKES RECOMMENDATIONS

(Cont'd from page 8)

Permit Equity Study

What is House Bill 2022?

A study to develop a uniform system of permitting for overweight and oversize vehicles and a comprehensive, tiered schedule of fees for overweight vehicles.

Study Participants

DMV, VDOT, Virginia Port Authority, Virginia State Police, Virginia Economic Development Partnership, and more than 100 stakeholders from state and local governments and the private sector.

Study Components

Hauling permits issued to superload vehicles
Hauling permits issued to vehicles hauling coal, gravel, sand or crushed stone
All other hauling permits
Overload permits
Permits issued by localities

Proposed Fees (back)

Although the proposed fees do not fully recover the cost of damage to pavements and structures caused by the movement of overweight vehicles, they do represent a significant contribution from industry to help pay for the maintenance and repair of the Commonwealth's transportation infrastructure. The fees also establish a more equitable distribution of costs, both among different types of overweight vehicles and between carriers operating overweight vehicles and other motorists using Virginia's roadways. The fees have been proposed at a level where they are not expected to impair the Commonwealth's economic competitiveness.

Recommended Legislative Efficiencies

- Authorize multi-trip hauling permits for vehicles used exclusively to haul farm animal feed, subject to the \$130 annual fee recommended for other exempt vehicles.
- Eliminate 2012 sunset date for permits to vehicles carrying gravel, sand, and crushed stone.
- Allow transfers of multi trip permits, whether for an overweight or an oversize vehicle, provided (a) that no more than two transfers are authorized in any 12-month period for each permit, and (b) that the vehicle to which the permit is transferred is subject to all the limitations (on weight, size, route, etc.) set forth in the permit as originally issued.
- Measure coal truck beds for exterior rather than interior dimensions.
- Require every locality that issues overweight permits to enter into a memorandum of understanding with DMV stipulating the requirements the locality would need to satisfy prior to issuing permits, and authorizing DMV to issue certain permits on the locality's behalf.

Recommended Administrative Process Improvements

If the fee schedule and legislative efficiencies are enacted, the following administrative process improvements are proposed:

- Combine oversize permits for vehicles with 9-, 12-, and 14-foot widths.
- Include multiple axle groupings on a multi trip hauling permit.
- Issue multi-trip hauling permits that are valid for interstate travel only.
- Clarify that a vehicle may carry both an oversize and an overweight permit.
- Allow carriers to obtain 5% overload permits online for every type of vehicle, not just for vehicles registered under the International Registration Plan (IRP).
- Reformat VDOT's list of restricted structures issued to holders of overweight permits, and publish on the Internet.
- Improve communications about VDOT's process for issuing permits to unladen vehicles.
- Offer permits for localities via DMV's online platform.
- Develop "designated access route permits" for carriers who do not need a permit that covers all city or county roads, but only wish to travel on specific, commercially significant routes within a locality.

If the legislation passes, the changes will take effect January 2013. For more information, contact Wayne Davis, wayne.davis@dmv.virginia.gov or (804) 497-7121.

OVERWEIGHT / OVERSIZED TRUCK STUDY MAKES RECOMMENDATIONS

(Cont'd from page 9)

Multi-Trip Hauling Permits

	Current Fees	Recommended Fees		Total Fee
		Administrative charge and temporary registration (DMV)	Damage fees (VDOT) ¹	
Non-Exempt Vehicles				
Annual permit for vehicles weighing 115,000 lbs and less	\$140	\$140	\$380	\$560
Annual permit for vehicles over 115,000 lbs	\$140	\$140	\$420	\$560
Three-month permit (superload only)	\$110	\$110	\$10	\$220
Exempt Vehicles				
Annual permit to haul coal, or liquids produced from a gas or oil well, or water used for drilling and completion of a gas or oil well	\$0	\$0	\$0	\$0 ²
Annual permit to haul gravel, sand, or crushed stone	\$0	\$5	\$65	\$70
Annual permit for underground pipe cleaning, hydroexcavating, or water blasting equipment	\$140	\$10	\$120	\$130
Annual permit for tank wagons	\$405			
Annual permit for all other exempt vehicles	\$0			
Seasonal permit to haul seed cotton modules, or to haul Virginia-grown produce in Accomack and Northampton counties	\$0	\$5	\$40	\$45
Temporary permit for unladen haulers and loaders ³		Engineering cost	VDOT to continue collecting cost to cover engineering analysis	

1. For exempt vehicles, a portion of the revenue collected from permit fees would be allocated to local jurisdictions based on lane mileage.
2. The proposed fee reflects the revenue that the coal and gas severance taxes already generate for transportation infrastructure in areas where these vehicles operate.
3. These permits are issued by VDOT. The permitted equipment is used principally in the mining industry.

Single-Trip Hauling Permits

Vehicle Gross Weight	Current Fees		Recommended Additional Fees		Sample Total Fee (based on 180-mile trip)	
	Administrative charge (DMV)	Temporary registration (DMV)	Per mile fee for damage (VDOT)	Flat fee for damage (VDOT)	Current fees only	Current fees plus additional fees
115,000 lbs or less, non superload	\$20	\$0.10/mile	\$0.20/mile	\$0	\$38	\$74
115,000 lbs or less, super load	\$30	\$0.10/mile	\$0.20/mile	\$0	\$48	\$84
115,001 to 150,000 lbs	\$30	\$0.10/mile	\$0.20/mile	\$50	\$48	\$134
150,001 to 200,000 lbs	\$30	\$0.10/mile	\$0.20/mile	\$160	\$48	\$244
200,001 to 500,000 lbs	\$30	\$0.10/mile	\$0.20/mile	\$250	\$48	\$334
500,001 lbs or more	\$30	\$0.10/mile	\$0.20/mile	\$1,420	\$48	\$1,504

Overload Permits

Eliminate permits authorizing one percent, two percent, three percent, and four percent overloads and change fee for the five percent overload permit from \$200 to \$250.