



MOVERS NEWS

The Leading Voice of the Moving and Storage Industry Since 1937

Albany, NY – August – October 2022

Dear members,

It's hard to believe August is here already, and we are deep into 2022's peak moving season. And, while it's been almost 3 years since we've been able to hold an in-person conference, I'm very excited to say that we will be meeting face to face this September, at the Equinox Golf Resort & Spa, in Manchester Center, VT. Hopefully you've received word about the meeting and are making plans to join us. You can find program details and registration info in this issue of *Movers News*, along with updates from the ATA, IAM and NYS. I hope this issue of Movers News finds you safe, happy and healthy, and remind you that we are here to help.

As a reminder, The DOT is no longer accepting paper applications. For those with existing NYS Operating Authority, a notarized Carrier System Access Request Form must be submitted to access existing accounts ([Carrier Certification System Access Request Form](#)). You can access the website via <https://www.dot.ny.gov/index>

You can find a digital copy of "The Movers Guide to Transporting Household Goods in New York State" which is given to every new applicant of household goods authority, and contains important industry information and guidance. You can also access this guide here

<https://www.dot.ny.gov/divisions/operating/osss/repository/The%20Movers%20Guide%20to%20Transporting%20Household%20Goods%20in%20NYS.pdf>

As always, please don't hesitate to share any of your personal moving stories, or best practices and recommendations.

Stay safe, everyone!!

Bill Whalen,

Check Out Our Website at

<https://www.newyorkstatemovers.com>

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The Latest News from New York State

NY's **COVID-19 fall action plan**. Alongside statewide and national public health experts, this week Gov. Hochul shared [our plans](#) to get students back to school safely this fall and address any COVID-19 spikes. The state has over 20 million at-home tests that are ready to be deployed. They're prepared to reactivate State-run vaccine and testing sites if needed, and therapeutics are now widely available for those in need of care.

New York plans to allow third-party CDL road testers

New York Gov. Kathy Hochul announced a plan she said "will help address a critical shortage of truck and bus drivers by significantly expanding the availability of road tests for Commercial Driver License applicants."

The initiative would allow qualified third parties to offer CDL road tests, which would create more testing locations statewide and expand capacity at the existing state-run sites, reducing the time it takes to get qualified CDL drivers on the road.

The DMV will establish a monitoring system to ensure that qualified CDL trainers safely administer the road tests in compliance with state and federal regulations. The DMV will use the feedback gathered during the public hearing to evaluate and develop an implementation plan.

New Member Welcome

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- **Automatically file the correct monthly fuel surcharge application, a benefit exclusive to the NYMTB**

All members of the Bureau will automatically receive monthly notification of the proper fuel surcharge

- **Maintain an active website**

We have an active website that lists you as a member of NYMTB, your tariff charges, applicable rules and regulations tariff and the current fuel surcharge. Only members of NYMTB have access to this site

The New York Movers Tariff Bureau is a non - profit organization with a Board of Directors made up exclusively of movers from all areas of New York State

For information on how to join, please contact:

Bill Whalen, General Manager

Phone 518-477-5389

Email info@nymoverstariffbureau.com



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News from the ATA

- Following the advocacy of movers, **FMCSA requested input on its definition of “brokers”**; a full copy of ATA MSC’s submitted comments are [available here](#).
- On June 30, the **U.S. Supreme Court declined to review the California Trucking Association’s legal challenge to California’s Assembly Bill 5 – or AB5 – the independent contractor statute**. The ATA has released a blog post: “AB5: What we know about CA's independent contractor statute,” [linked here](#).
- As a result of ATA MSC’s request, **FMCSA released a notice delaying enforcement until of new HHG rules until October 31, 2022**. ATA MSC is working to schedule an education session with FMCSA on the new rule. Read the ATA MSC post regarding the regulations and the enforcement delay [linked here](#).
- **FMCSA issued a “Notice of Intent” for a rulemaking on CMV speed limiters**. FMCSA’s notice did not include a specific proposal for the public to comment on. ATA’s comments are [linked here](#).
- **Rep. Garamendi's Base Access legislation has been included in the House’s FY 2023 National Defense Authorization Act (NDAA)**, a positive sign moving forward. The Senate is expected to take up the annual NDAA later this year.



Hotel Information: ConferenceDirect is the official housing bureau for the ATA Management Conference & Exhibition (MCE). Only those registered for the meeting will receive a hotel booking link in their registration confirmation email. **The deadline to complete your hotel reservation at all the official hotels and receive the MCE discounted rate is Friday, September 23, 2022.**

Save on Registration: Become a member of American Trucking Associations (ATA) and receive the member discount on your event registration. ATA is the largest and most comprehensive national trade association for the trucking industry. [Learn more](#) and [become a member](#).

Exhibit at MCE: The MCE exhibit hall features companies from our industry's top manufacturers and suppliers showcasing their latest trucks, technology, consulting services and much more. Review the [exhibitor prospectus](#) and take advantage of this prime opportunity to highlight your company.

MCE Sponsorship: ATA offers a variety of promotional opportunities to enhance your show presence in San Diego. Review the full list of [MCE 2022 sponsorships](#) and [contact us](#) today to confirm your participation. Don't delay, opportunities are limited!

News from the IAM

Walkboard Wisdom

Alternative Capacity

By Emily Kozubowski

There is no lack of understanding within the household goods moving industry that the driver and labor shortage is taking an even harder toll on us. There are some additional contributing factors to our peak months beside household goods that add even more volatility to transportation industry, like produce harvest, frost laws, and national holidays that hit month after month. More details on these challenges can be found in this article from ATS Inc.

With the shortage of household good drivers, greater trends of household shipments moving in alternative capacity models like Crate & Freight and No Touch Trailers are occurring in 2022.

Based on data provided by of some TSPs on dHHG, it is estimated that three to five percent of peak tonnage moves via loose-loaded freight and 25-30 percent of peak tonnage moves via crates. Until there is a fix to short-notice labor availability, this will not be a viable quality solution.

[Read More](#)

What Every Mover Should Know to Prevent and Respond to an Active Shooter Incident

By Casey Myers

According to the FBI, the number of active shooter incidents increased by 96.8% between 2017 (31 incidents) and 2021 (61 incidents). They have also grown in severity, with 3 out of the 5 deadliest mass shootings in U.S. history occurring in the past decade.

Active shooter incidents carry various consequences and have lasting effects on people and the places they happen. Often, there are fatalities, serious injuries and prolonged trauma. As a business leader, it is essential that you understand active shooter incidents and how to protect your employees, customers and property.

[Read More](#)



The global moving industry's premier event is shaping up for a return to form this year after two years impacted by the COVID-19 pandemic. *And yes, there will be special events for the DAB group.* With four months until the event begins in November, almost 900 people have registered and the Expo Hall is almost completely sold out.

- [See Which of Your Partners / Clients Are Registered.](#) Enter Passcode **IAM22Atlanta**
- [See What Few Expo Opportunities Still Remain](#)
- [Reserve your booth or sponsorship ASAP!](#)

This is your chance to reconnect with your industry colleagues. [Register Today!](#)

From Harter Secrest & Emery

NYS Governmental & Legislative Update

By Amy Kellogg and Caiti Anderson

This has been an eventful year in New York as it relates to government and politics. Although the end of session was conducted largely in person, the atmosphere of the Capitol was noticeably changed from the pre-COVID years. The halls were quiet, but the pace of legislation passing through the chambers was breakneck. In the final weeks of session, both houses passed hundreds of bills on a wide variety of subjects, including the Adult Survivors Act to allow adult victims of sexual assault to sue their abusers and banning the sale of cosmetics tested on animals.

All told, the final numbers show that it was one of the busiest legislative sessions in decades. The pace at which legislation passed was on a level not seen since 1995, which was over 25 years ago. All told, the Assembly and Senate passed 1,007 bills. This compares to 892 bills passed in 2021, which was record breaking at the time. The majority of the bills that passed both houses are still awaiting review and signature by the Governor.

For the Association, we are tracking nearly 80 active bills that would impact Association members. Our top legislative priority for the year was **passing the illegal movers bill, S7127-A/A7994-A** (Senator Andrew Gounardes, Assemblymember Michael Cusick). **We are thrilled to announce that the bill has passed both houses.** This bill empowers the Attorney General to enforce Transportation Law § 191, which requires movers to hold a certificate of authority from the Department of Transportation. Under current law, if someone is found to be operating as a mover without valid authority, the Department can impose a penalty and, in some instances, try to suspend the mover's drivers' license. However, the penalties are such that a violation results in a minor fine that does not serve as a deterrent to others. This bill will allow the Attorney General to seek an injunction or otherwise restrain an illegal mover from operating. The bill would also allow the Attorney General to sue an illegal mover, and courts may impose a penalty of up to

\$1,000 per violation. This bill is intended to curb illegal moving in New York and give real teeth to the penalties for those engaging in illegal moving.

The bill has not yet been sent to the Governor, but we have been in contact with the Governor's office outlining the importance of the bill and the Association's strong support. We have urged her to sign the bill into law. If signed, the bill goes into effect 90 days later. We will keep you posted on any and all developments related to this bill.

Additionally, the Legislature passed significant legislation impacting the business community in New York. Issues addressed include passage of a bill giving the Department of Labor more power to enforce the New York HERO Act. Under the bill, the Department of Labor will now be able to investigate, impose fines and find violations of the HERO Act. **Finally, the Warehouse Worker Protection Act passed, which will regulate warehouse worker productivity quotas used by companies such as Amazon.** The bill gained momentum and passed due to the recent stories related to high reports of injuries of Amazon warehouse workers in New York. We monitored this legislation carefully and had numerous meetings to ensure that the legislation would not impact Association members. In the end, **the bill was amended to make clear it only applied to warehouses that impose quotas on their warehouse workers.**

While the legislative session concluded on June 3, 2022, the Legislature briefly return for a special session right before July 4th. This special session, which was called by the Governor, was in response to the Supreme Court decisions to overturn *Roe v. Wade* and New York's longstanding concealed carry law. In response, the Legislature passed expanded gun control laws and the Equality Amendment. As a constitutional amendment, the Equality Amendment needs to be passed by the Legislature again next session, before it goes before voters in the November 2023 elections.

In the meantime, we are fully in campaign season. The primary for statewide office holders and those running for the New York State Assembly was held on Tuesday, June 28. These initial primary elections saw Governor Kathy Hochul, and her running mate Lieutenant Governor Antonio Delgado, easily win the Democratic nominations. On the Republican side, Congressman Lee Zeldin, and his running mate, Alison Esposito, secured their parties nominations for Governor and Lieutenant Governor. For the Assembly primary, the majority of Democratic incumbents who faced primary challenges beat those challenges. For the New York State Senate and Congressional races, the primary elections will be held on Tuesday, August 23.

The New York State general election will take place on Tuesday, November 8, 2022. While we don't yet know the final election results, we do know that there are many members of the Legislature who are retiring or seeking other office. As such, we know there will be many new members joining the Legislature for the 2023 session, and we know that the chair positions of many key committees will be changing for the next legislative session. We will be tracking all of these movements accordingly and working to meet and educate new members on the industry and your issues for the 2023 legislative session.

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Sincerely,

Michael P. Egan, Jr., CIC
Vice President

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New York State Movers & Warehousemen's Association

2022 Fall Conference September 26th through 28th The Equinox Golf Resort & Spa Manchester Center, VT



AGENDA

September 26th

NYSM&WA Golf Outing – 12:00 pm to 4:00 pm

NYSM&WA Welcome Reception – 6:00 pm to 8:00 pm

September 27th

Program of Speakers – 8:00 am to 12:00 pm

Lunch – 12:15 pm to 1:15 pm

Movers Throwing Axes! – 2:00 pm to 4:30 pm

President's Cocktail Reception – 6:00 pm to 7:00 pm

NYSM&WA Banquet Dinner – 7:00 pm to 9:00 pm

September 28th

NYSM&WA Board of Directors Meeting – 9:00 am to Noon

NYSM&WA 2022 Conference Registration Form

Program September 26, 2022

11:00 am to 4:00 pm: *NYSM&WA Golf Outing*

5:00 pm to 7:00 pm: *Welcome Cocktail Reception*

Program September 27, 2022

8:00 am to 8:15 am: *Opening Remarks/Welcome*
Glenn Coyne, President NYSM&WA & Brian Hasson,
Conference Chair

8:15 am to 8:45 am: *Association Presentation*
Bill Whalen, Executive Director NYSM&WA

8:45 am to 9:30 am: *Moving Against Inflation*
Charles White, President, IAM

9:30 am to 10:00 am: *NYS Department of Transportation Presents*
Mariko Holloman

10:30 am to 10:45 am: **Coffee Break**

10:45 am to 12:00 pm: *Panel Discussion with Industry Leaders*
AJ Schneider, President, The Wheaton Group; **Dick Scaffa**, Director of Sales & Agency, National Van Lines; **Ryan Bowley**, Executive Director, ATA's Moving & Storage Conference

12:15 pm to 1:15 pm: **Lunch**

2:00 pm to 4:30 pm: **Movers Throwing Axes!! Join your peers for a fun afternoon of axe throwing!!**

6:00 pm to 7:00 pm: **President's Cocktail Reception**

7:00 pm to 9:00 pm: **NYSMWA Banquet & Awards Dinner**

Program September 28, 2022

9:00 am to Noon :

NYS Movers & Warehousemen's Assn Board Meeting

To reserve a room at our group rate of \$299.00 per room, per night, please click [Equinox room booking link for NYS Movers group rate](#). You may also contact the Equinox Resort at 802-362-4700 and mention you are attending the NYSMWA event. **This special group rate will be held until Monday, August 29th.**

There is a **registration fee of \$200.00, per company, payable to NYSMWA**. This fee **includes admittance to all meetings and activities**. If you have any questions please contact Bill Whalen at 518-477-5389.

Register using this form and fax or mail to NYSM&WA by August 16th. Please call to register after this date. Fax Form to Bill Whalen at 518-477-5418 or email to wwhalen@newyorkstatemovers.com

Company _____

People Attending _____

***Reserve a room at our group rate
until Monday, August 29th !!***

NYSM&WA 2022 Fall Conference

Exhibitor Form

The Equinox Golf Resort & Spa, Manchester Center, VT

To reserve your company's exhibit space, please complete this form and return it together with your check to NYSMWA, PO Box 4459, Halfmoon, NY 12065 **NO LATER THAN September 16, 2022.**

EXHIBITOR COMPANY

Company Name: _____

Address: _____

City: _____, State: _____, Zip: _____

Phone: _____, Fax: _____

Email: _____

Exhibitor Representative: _____

BOOTH FEE IS \$ 150.00 - This fee includes one 6' draped table, two chairs, admission to all meetings, seminars and cocktail parties for one company representative. **Room reservations for ALL ATTENDEES must be made separately with the Equinox Golf Resort & Spa.** Additional personnel must register with NYSM&WA. Please list additional attendees below:

1. _____, 2. _____
3. _____

TOTAL AMOUNT \$ _____

NOTE - Due to restrictions space is limited and will be available on a first come, first serve basis.

EXHIBITOR AGREEMENT

SET-UP/TAKE-DOWN SCHEDULE - Exhibitors may begin setting up their exhibits at 5:00 PM on Monday, September 26th. Set-up must be completed before 5:30 PM. All exhibitors may dismantle their exhibit after Tuesday's program of speakers.

BOOTH ASSIGNMENT AND USE - NYSMWA will assign all booth spaces on a "first come" basis upon receipt of full payment. Each exhibit booth will include a 6' draped table, two chairs. No materials are to be attached, in any manner, to the walls, floors, ceilings, columns, furniture or fixtures, unless authorized in writing by the Equinox Resort, Manchester Center, VT.

EXHIBIT LIABILITY, SECURITY AND INSURANCE - The Exhibitors property is shown at their own risk and hazard, and neither the Equinox Resort, Manchester Center, VT, its representatives nor NYSMWA shall assume responsibility thereof. The Exhibitor shall assume all responsibility for any losses incurred due to accident, fire, theft, flood, lightning, acts of God or any other incident beyond the control of the Hotel and the Association. All Exhibitors shall assume full liability of and shall hold the Hotel and NYSMWA harmless from any and all claims arising from any act or omission on the part of the Exhibitor, its employees or agents.

NYSM&WA 2022 Fall Conference Sponsorship Form

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EVENT SPONSORSHIPS SHOULD BE RECEIVED NO LATER THAN September 16, 2022

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Tuesday Morning Coffee Break & Program of Speakers

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Tuesday Afternoon Lunch

Joint Sponsorship \$ 2,000 Exclusive Sponsorship \$ 4,000

Tuesday Afternoon Axe Throwing Event

Joint Sponsorship \$ 1,000 Exclusive Sponsorship \$ 2,000

Tuesday Evening Reception & Banquet Dinner

Joint Sponsorship \$ 2,000 Exclusive Sponsorship \$ 4,000

Your Company Logo displayed on Custom Coasters or Cocktail Napkins!

Wednesday Morning Coffee Break & Board Meeting

Joint Sponsorship \$ 1,000 Exclusive Sponsorship \$ 2,000

Your Company Logo displayed on Custom Notepads for each participant!

Check Payment Information -

Mail Registration Form & check to New York State Movers & Warehousemen's Association, PO Box 4459, Halfmoon, NY 12065 no later than September 16, 2022, or contact NYSMWA at 518-477-5389 to pay by credit card.

Note: We will need additional notice for custom logo recognition!

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Helpful Links & Resources

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Centers For Disease Control & Prevention (CDC)

<https://www.cdc.gov/index.htm>

NYS Dept. of Health

<https://www.health.ny.gov/>

NYS Dept. of Labor

<https://www.labor.ny.gov/home/>

National Federation of Independent Business (NFIB)

<https://www.nfib.com/content/analysis/coronavirus/latest-on-coronavirus-from-nfib/>

US Chamber

<https://www.uschamber.com/co/start/strategy/small-business-resources-for-surviving-coronavirus>

US Small Business Administration (SBA)

<https://www.sba.gov/page/coronavirus-covid-19-small-business-guidance-loan-resources>

Coronavirus Information & Statistics

[Coronavirus.gov](https://www.covid19.gov)

Small business paycheck protection program

<https://home.treasury.gov/system/files/136/PPP%20--%20Overview.pdf>

Paycheck protection program (ppp) information sheet:

<https://home.treasury.gov/system/files/136/PPP%20Borrower%20Information%20Fact%20Sheet.pdf>

Assistance for small businesses

<https://home.treasury.gov/policy-issues/top-priorities/cares-act/assistance-for-small-businesses>

Small Business Owner's Guide to the CARES Act

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