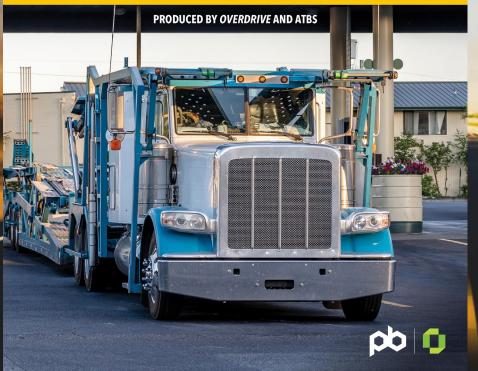
OVERDRIVE'S

PARTNERS 1NBUSINESS

A BUSINESS MANUAL FOR OWNER-OPERATORS



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CHAPTER 3



ost owner-operators leased to larger carriers are paid on a per-mile basis or a percentage of revenue per load. The permile basis is most prevalent among larger fleets, percentage at smaller.

Pay per mile tends to dominate discussions about pay because it is easier to measure, and pay per mile often is wrongly used as the deciding factor in leasing to a carrier.

While pay per mile can be a vital factor, it's not a cure for every ill. Nor does it mean a big settlement check is coming your way. Why? Because pay per mile always must be considered in balance with gross revenue. Gross revenue is the total amount paid to you by a carrier. It can include flat mileage pay, mileage pay that varies by length of haul, percentage of revenue pay, loading/unloading pay, detention pay, stop in transit pay, fuel surcharge, toll or scale reimbursement, etc.

In the following example, Carrier 1 pays \$1.50 per mile and pays the owner-operator a fuel surcharge and for unloading. Carrier 2 pays 70% of the revenue of the load, but no other expenses. Which carrier would you work for?

COMPARING DIFFERENT METHODS OF PAYMENT

Load from Stillwater, Oklahoma, to Jacksonville, Florida – 1,120 miles

Carrier No. 1 pays by the mile:

Mileage pay = 1,120 miles (\hat{a}) \$1.50 per mile = \$1,680 Unloading pay = \$45 Fuel surcharge of 33 cents per mile = \$370 Gross revenue to driver = \$2,095 Gross pay to driver = \$2,095 divided by 1,120 miles = \$1.87 per mile

▶ Carrier No. 2 pays percent of revenue: \$2,800 gross revenue to carrier on load Percent of revenue pay = \$2,800 x 70% = \$1,960 Gross pay to driver = \$1,960 divided by 1,120 miles = \$1.75 per mile

It might appear before doing the calculation that you are better off driving for the company that pays a percent of revenue. However, after figuring your percent of revenue pay, you make more than \$100 less, or 12 cents less per mile.

This example doesn't mean mileage pay always is better. Rather, it illustrates how pay can differ among carriers.

Too often, operators overlook the importance of gross revenue. Some will change carriers for an extra 1 cent per mile, sacrificing \$10,000 of annual gross revenue by making the change. By focusing on just one element of revenue, you can miss the big picture.

Pay per mile, unless your carrier offers bonus mileage pay for shorter hauls or other variations, usually is consistent from month to month and year to year. Gross revenue is far less consistent, and any changes can have a disastrous effect on your fortunes as an owner-operator. Variables affecting gross revenue include weather, national and local economies, seasonal factors such as

fresh produce hauling, changes to aspects of your company such as its sales and marketing personnel and customer base, communications, lanes of operation, competition, regulations and average length of haul.

While you have no control over many of these, there are some ways you can help manage your gross revenue:

DETERMINE A REASONABLE NUMBER OF MILES YOU EXPECT TO RUN.

This requires careful consideration of factors such as your age, experience, motivation, financial goals, health, personal and family needs, and the condition of your tractor or trailer, and may include estimates of average length of haul. Once you have established a reasonable number of miles to run each week, month and year, you have goals to work toward.

MEASURE YOUR RESULTS

FREQUENTLY. Does your performance match your capacity? Does it match your goal? If it doesn't, find out why and how to correct it.

MANAGE YOUR TIME. You are your own boss and in control of how you use your time. The time you spend driving and delivering loads determines how much you get paid. (See Chapter 4.)

ESTABLISH A RELATIONSHIP AND IMPROVE COMMUNICATION WITH YOUR FLEET MANAGER/DISPATCHER.

Trust is essential to success and is achieved through on-time pickup and delivery as well as good communication.

MISCONCEPTIONS ABOUT REVENUE

Be aware of common revenue myths. Failure to do so can handicap your business.

MYTH 1 – Concentrate only on increasing revenue because costs will take care of themselves. After reaching your break-even point, only a fraction pay strictly for fuel when the fuel tax is not considered.

PUMP PRICE MINUS TAXES = REAL

COST. The key to finding the cheapest fuel is to know the current fuel tax rates, both federal and state, and any state surcharges. Subtract taxes to find the raw fuel cost in each state, then buy where fuel is cheapest. The strategy means that you buy without regard for whether you are paying more at the pump – or in taxes.

IFTA also considers state surcharges, which complicates the fuel-buying strategy. Indiana, Kentucky and Virginia have per-gallon surcharges; Connecticut, Kentucky, New Mexico, New York and Oregon have permile surcharges. While some owner-operators buy only enough fuel to get through surcharge states, this practice can backfire, depending on the actual cost of the fuel in each state.

Generally speaking, if you run fairly regular

routes you'll tend to pay about the same overall total amount of taxes quarter to quarter, given the fees are based on the miles you run and the states in which you run them. If your IFTA mpg (the number of miles you ran in the quarter divided by the number of gallons you purchased in the same time period) is 7 mpg, the average tax per mile may calculate to somewhere between 5 and 8 cents per mile, depending on the states you drive in. The bulk, if not all, required fuel taxes are paid at the pump or other point of purchase.

It's possible to accumulate not only a debt but a credit, depending on just what states you purchase fuel in versus where you actually drive the bulk of your miles. Also, the higher your IFTA mpg, the lower your tax per mile, but the IFTA mpg will will likely be different from what you are tracking in your truck day to day, given its quarterly calculation is based on actual purchases and miles driven over that specific time period.

Other fuel-buying costs depend on how your fuel taxes are managed. Many leased owner-

> operators depend on a carrier to collect and distribute fuel taxes. If you're leased and your carrier handles your fuel taxes for you, simply look for the cheapest pump prices. Some carriers charge a fee for this, and some pay simply by averaging the mileage of their entire fleet. If your carrier does that, and you average a better per-gallon average than the fleet, you could be paying more tax than you actually

Whatever the case, a good

lease will itemize all charges, including fuel taxes and how they are assessed. If your settlements do not reflect what is stated in your lease, you should ask for clarification and, if necessary, look for an alternate method of paying your tax.

You must get your own IFTA account to do your own fuel tax reporting, whether you do it yourself or through a third party. You do not have to have your own operating authority to get an IFTA account, but independent owner-operators must have such an account in their base plate state and be responsible for quarterly reporting.



ust as a truck with improperly geared rears will incur extra costs for its owner, so, too, will a truck with the wrong tires. Many more factors than size account for having the right tire for a specific truck in a specific application.

A tire dealer can make recommendations based on vehicle usage and tire characteristics such as price, fuel economy, durability, traction, miles to removal, retreadability and tread depth and pattern.

All play a role in proper spec'ing, and smart spec'ing can save money in two ways: reducing tire cost per mile and fuel cost per mile. Attributes that reduce one cost can have the opposite effect on the other cost, so tread carefully. That's easier said than done at a time when specialization abounds.

No image defined the owner-operator experience

of 2022 quite like this one, showing rarely seen

per-gallon fuel costs and and gaudy totals.





MOST INTENSE ENFORCEMENT* California 14 Maryland 13 New Mexico 8 \$ 2 North Carolina 8 \$ 1 Washington 8 \$ 1 Delaware 6 \$ 5 Indiana 6 \$ 7 New York 6 \$ 3 Texas 6 \$ 1 Kentucky 5 \$ 3

*Arrows indicate how many places the state's truck enforcement unit moved up or down the rankings in 2021.

The number by each state represents its number of inspections per lane-mile, based on the state's total miles of federal-aid highways. After falling 24% in 2021 due to COVID-19, inspections inched back toward pre-pandemic levels in 2021. States showing the highest inspection rates are still good bets for experiencing some enforcement.

60 days of purchase, your base state will require proof of payment, usually a copy of Internal Revenue Service Form 2290 (heavy vehicle use tax return) and a canceled check.

Your truck must be registered in every state through which you travel. Years ago, you had to register separately in each state, but in 1991 Congress created the International Registration Plan, a streamlined nationwide system for truck registration.

Under IRP, you fill out a form and pay your base state. Similar to the way the International Fuel Tax Agreement apportions fuel taxes (see Chapter 5), a percentage of your fee goes to each state you travel through based on the number of miles you run in that state. When you register, you

need to estimate how many miles you will travel in the coming year, state by state. Fees vary by each state.

North Dakota 1

Wyoming 2

Wisconsin 2

Virginia 2

Oregon 2

Idaho 2

Massachusetts 2

West Virginia 3

South Dakota 3

Vermont 3

SAFETY REGULATIONS

Most trucking safety laws are found in the Federal Motor Carrier Safety Regulations. Owner-operators must keep a copy of the regulations in their trucks. Many truck stops sell inexpensive paperback copies of them, and they're also available online and in digital form via fmcsa.dot.gov.

The parts that most affect owner-operators include:

 Part 390. General overview: violations and penalties.

- Part 391. Driver qualifications: responsibilities, annual review, records, road tests.
- Part 392. Driving commercial motor vehicles: safe loading and fueling practices, safety at railroad crossings, seatbelt use, emergency signals, emergency equipment use, passengers, illness and fatigue, drug and alcohol use.
- Part 393. Parts and accessories: proper lights and reflectors, wiring, batteries, brakes, windows, fuel systems, coupling devices, towing methods, tires, sleeper berths, mirrors, defrosters, speedometers, exhaust systems, floors, rearimpact guards, frames, cabs, suspensions, steering systems.
- Part 395. Hours of service: maximum driving time and on-duty time, record of duty status, electronic logging devices, out-of-service declarations.
- Part 396. Inspection, repair and maintenance, including recordkeeping requirements.
- Part 397. Transporting hazardous materials, state and local laws, driver presence and surveillance, parking, fires, smoking, fueling, tires and routing.

In 2010, the Federal Motor Carrier Safety Administration began implementing its Compliance, Safety, Accountability program. It features a safety scoring system for motor carriers, including independent owner-operators, based on roadside inspection observations and crash data.

The FAST Act highway bill, passed in December 2015, required FMCSA to remove CSA scores and its Behavioral Analysis and Safety Improvement Categories from public view until reforms are made to the system. However, scores remain available for viewing by law enforcement and motor carriers themselves. The general public, insurers and shipper/broker customers still can access raw inspection and violation data for any carrier going back two years. After the scores were pulled from public view, about a third

of Overdrive readers still reported a third party (such as a broker, shipper or insurance company) requested visibility into their now-private scores as a condition of doing business – some of those entities subscribe to private companies' services that compute carriers' scores as if nothing changed at all about their public availability. In essence, the cat is long out of the bag on safety scoring.

Your carrier's scores are affected directly by all your on-road infractions noted by an inspector or safety officer. FMCSA has deployed a similar system that tracks individual driver performance internally the same way it is ranking motor carriers. The agency had intentions in the past to take this system public to rank individual drivers. This system is available in part to carriers checking your business' history for pre-lease screening.

You can minimize the impact of CSA by being certain your truck is in compliance with all equipment regulations and by following these steps:

• Do everything practical to avoid inspection violations. That starts with thorough pre-trip and post-trip inspections and attention to needed maintenance, and extends to minimizing inspections themselves. Some carriers have instituted cash awards to operators for inspections with no violations, which help a carrier's CSA rankings, so this could pay extra dividends. Use PrePass or other weigh-station bypass systems to stay out of the inspection stations as much as possible. Wash your truck regularly, dress neatly and otherwise avoid doing anything that might draw the attention of patrol officers.

Highway patrolmen note that up to 90% of every carrier's problems arise from speeding. Slowing down will help your carrier's or your own ranking, because if you speed and are caught, don't have a solid, longer-term relationship. Just one or two instances of not getting paid could bring on a cascade of financial troubles.

According to Truckstop, one of the industry's two largest load boards, nonpayment complaints have risen considerably in recent years. Always vet an unfamiliar broker's credit with readily available services – you can find several via Overdrive's "Broker Reforms" series at OverdriveOnline.com/tag/broker-reforms.

Among those offering credit checking services are reputable factoring companies. The broker checks are often available through factors' mobile apps and/or online portals. If a factoring company won't factor a broker's load, they're worried about getting paid themselves. If they're

WHAT ARE YOUR RIGHTS WHEN A Broker Doesn't Pay?



In this video, part of Overdrive's Trucking Law series, Paul Taylor, attorney and managing partner of Truckers Justice Center, has produced a handy guide to track down responsible parties and, potentially, payment.

BEWARE OF DOUBLE BROKERS

The problem of double brokering has seemingly exploded in recent years, and owner-operators are the ones left unpaid at the end of the day as a result. Double brokering can show up in many forms, and it can be difficult to detect as a carrier.

Perhaps the most widespread scheme is that of duly authorized motor carriers and brokers clearly working together to essentially misrepresent themselves into a load that comes from a very real broker or shipper and eventually makes its way to a very real carrier, but at a rate that's reduced from the original load agreement. This sort of double brokering relies on the ease of entry into the business and the low-manpower issues authorities have often cited over the last decade when asked why, for instance, the misrepresentation section of the broker regs (49 CFR 3717) wasn't being enforced with any real might, given the wide extent of this problem.

Some in the enforcement/legal community describe it with an analogy to the hub and spokes of a wheel, with untold numbers of carrier authorities set up as spokes and all connected to a brokerage authority at the hub to whom these carriers pass loads negotiated on intermet boards to broker out to real carriers at reduced rates. The entire operation then pockets the difference, the load gets moved, and everybody gets paid,

including the organized, illegally operating double brokers. Other schemes could involve a provider or pretend provider of dispatch services calling an independent's insurance agent asking for the owner's certificate of insurance (COI). Those certificates can be one among many potential vectors for business identity thieves who might then fairly easily do one of many things to eventually ruin your credit rating — and credibility as a carrier.

Investigatory resources can be brought to bear in dealings where fraudulent intent is suspected, whether involving identity theft, a "hit it and move on" scam or a double-brokering scam. If you find yourself in the middle of one of these types of case, use the DOT's Office of Inspector General's whistleblower hotline to report them. Find details via Old-DOT-gov/hotline. There, note phone and email contacts (800-424-9071 and hotline@oig.dot. gov), as well as an online form for detailing the complaint.

The Federal Motor Carrier Safety Administration also hosts a reporting avenue direct to the agency, its National Consumer Complaint Database. In 2022, the agency signaled that it would be adding a freight broker-specific category to that system for trucking professionals to lodge complaints.

SMALL FLEET EXPANSION

The long-term goal of many independent owner-operators with their own authority is to expand beyond one truck. Often, the prime focus is to raise capital to invest in additional trucks, but someveterans have discovered that such an approach could be faulty in that it puts the equipment before the most important part of the equation – the driver.

In good economic times, expansion is a commonly explored option for naturally entrepreneurial owner-operators.

Only one in four Overdrive readers report never having considered it. Of the three in four who considered that leap, fewer than half of them remain a small fleet today.

Among the basic challenges of growth are increased liability insurance costs, new dispatch and freight management responsibilities, increased opportunity for inspections and the associated fallout when things go wrong and more.

For an owner-operator well-equipped to manage himself, his drivers and his equipment, though, there is opportunity for greater income.

A traditional edge that small fleets have over large ones is that the culture is more family-like. Drivers are known by name, not a number, as it's often put. That's no doubt true in many small fleets, but the best extend the personal touch much further.

In 2019 polling of *Overdrive* readers, the largest share of respondents (62%) reported belief that the driver was the most important part of the expansion equation.

Three principal areas of focus can help an owner-operator expand into a multi-truck business:

Pay. The average income for company drivers is between \$50,000 and \$70,000, depending on whose statistics you check. By finding a solid customer base and having good relationships with brokers, you can keep rates higher than average. Offering safety bonuses and other performance-based pay boosts can help attract drivers to your operation – and keep them there. Percentage compensation for employee drivers and leased owner-operators is common in new small fleets.

Incentives such as vacation and holiday pay also can help keep drivers around. Guaranteed minimums for compensation to backstop miles or percentage pay are becoming more common. Adding benefits such as health, vision, dental and chiropractic insurance will also help you compete with larger fleets who offer similar packages.

Equipment. The opportunity to operate top-shelf equipment encourages longevity with your company. Give drivers with tenured seniority the first choice when it comes time to buy new equipment.

Home time. It's a common small-fleet practice to hire out of the area in which the company is headquartered. Many operate on an out-and-back model that gets drivers home for the weekend, if not even more frequently. A system like this also can help you get equipment back in one place for routine maintenance. Drivers' needs should take precedence over equipment decisions.

Insurance considerations before expansion. When planning for growth, the impact to your trucking insurance is perhaps the easiest hurdle to prepare for. There are fundamentals that make it fairly simple to estimate the increase in your insurance premiums when considering the impact of adding a truck, trailer and driver to the policy.

All things being equal (same truck and trailer type, year and value; same or similar driver age and MVR), you can expect the insurance premium to double when you increase from a one-truck operation to a two-truck operation. The biggest variable in estimating the premium increase, though, is going to be the driver.

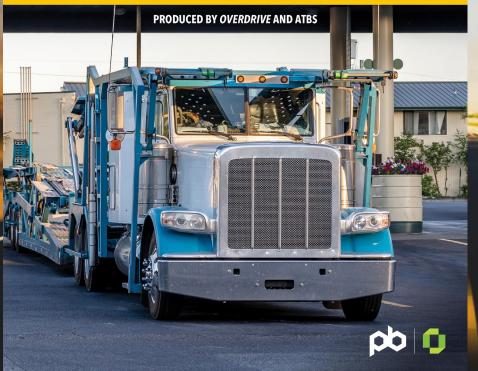
More often than not, company drivers looking for a new job tend to have more infractions on their MVR than owner-operators will typically have. Generally speaking, owner-operators make a conscientious effort to be more diligent to protect their MVR. If you don't, it will have a bigger negative impact on insurance premium costs, as well as risking the existence of the business itself.

Use an MVR service to check any driver you consider as a hire well prior to purchasing the equipment. That will help avoid the potential hazard of making the biggest mistake of all - hiring a driver who isn't acceptable to the insurance company, or hiring a driver who causes insurance costs to increase to the point of being unaffordable.

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Mike Hosted ATBS VP mhosted@ATBS.com Independent Contractor Benchmarking (ICB)

A Guide To Independent Contractor Success

2022Q4 – Year-End Analysis

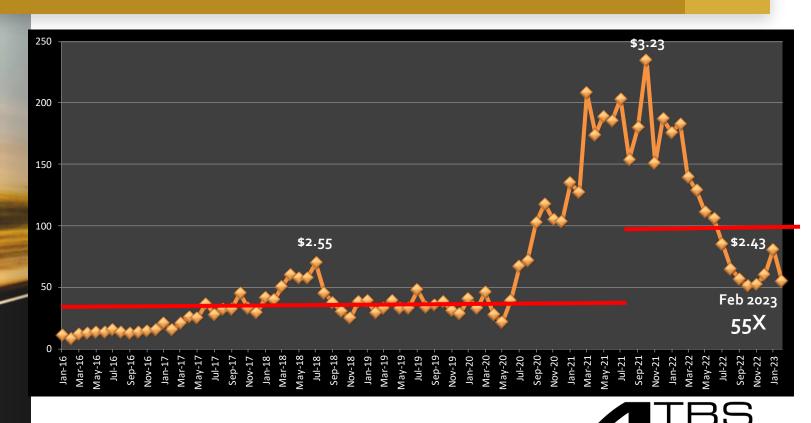
Mike Hosted and Gary Buchs



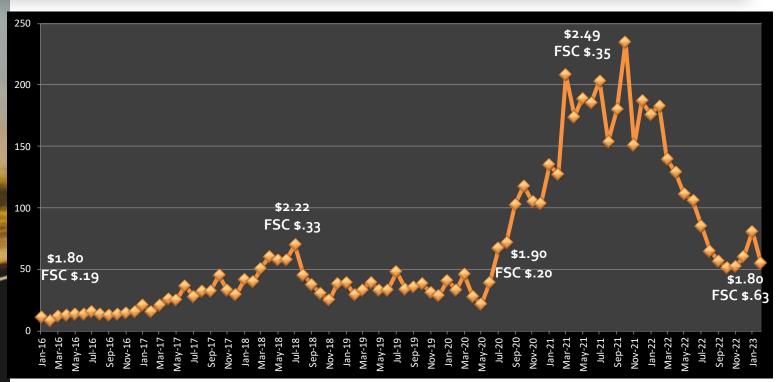
What is the economic environment in trucking?



Truckstop.com Broker Load vs Truck Index



Truckstop.com Broker Load vs Truck Index – Net Fuel



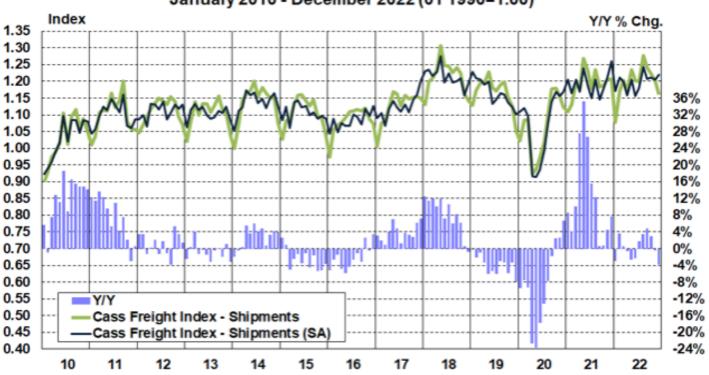
Spot Rate X Fuel Surcharge (FSC) based on \$1.25 base for fuel



CASS Freight Index - Shipments

Cass Freight Index® - Shipments

January 2010 - December 2022 (01'1990=1.00)

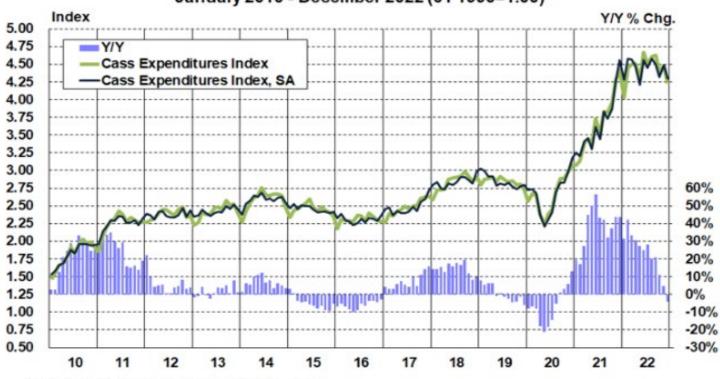


Source: Cass Information Systems, Inc., ACT Research Co. © 2023

CASS Freight Index - Shipments

Cass Freight Index® - Expenditures

January 2010 - December 2022 (01'1990=1.00)



Source: Cass Information Systems, Inc., ACT Research Co. © 2023

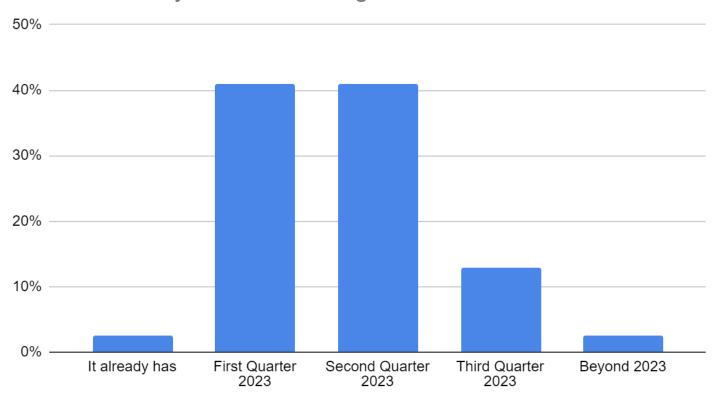
What are fleets saying now?

- ICs need to change their mindset to offset their new norm
 - Watch Costs
 - Increase utilization slight
- Downward rate pressure continuing but signs of relief coming
- Freight cycles should normalize in 2023
- Political and regulatory issues remain persistent
- Excessive downtime continues to be a problem, high maintenance savings is a must



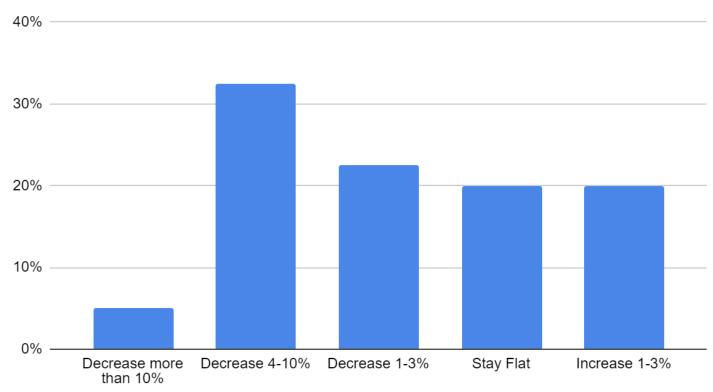
ATBS Partner Survey – Q1 2023





ATBS Partner Survey – Q1 2023







By Independent Contractor Segment

Independents, Dry, Reefer, Flatbed, & Average of All Segments



Methodology of Data

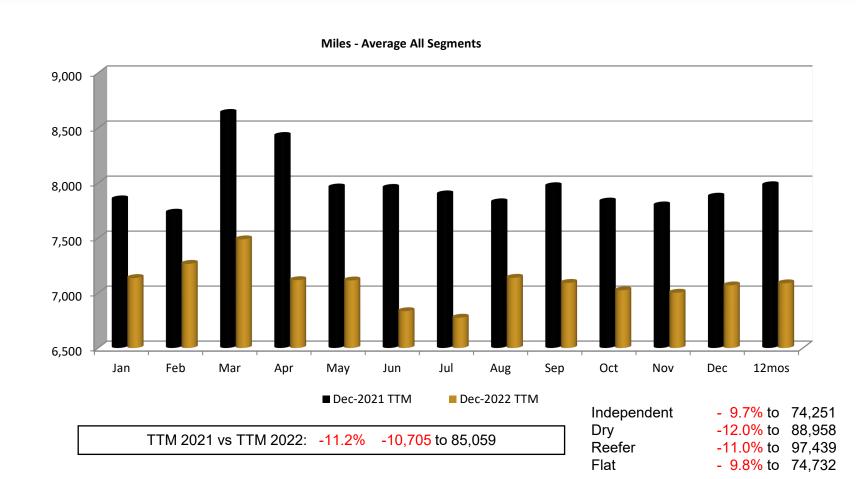
- Sample Size = thousands of owner-operators in each market segment
- Most recent 24 months including an average of each 12 month period (Trailing Twelve Months or TTM)
- Avg All Market Segments is a weighted average of the "segments" taking into account the percent of clients in each market segment
- Data Tables are available from ATBS



Revenue Analysis Miles, RPM, Gross Revenue

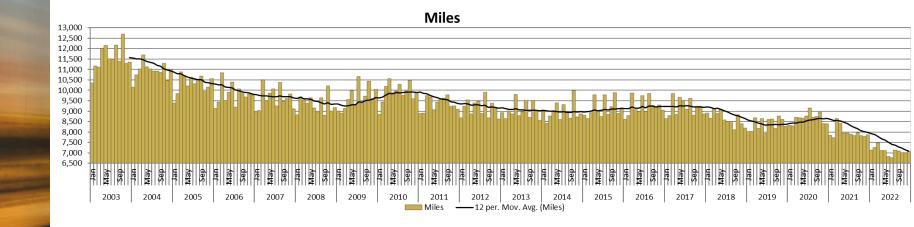
Miles – Avg All Market Segments





Miles 2003–2022 Average All Market Segments





5 Year Mileage Look

Quarter	Average Miles
Q2 2018	108,000
Q4 2018	104,000
Q2 2019	100,000
Q4 2019	101,000
Q2 2020	102,000
Q4 2020	103,000
Q2 2021	100,000
Q4 2021	95,000
Q2 2022	90,000
Q4 2022	85,000

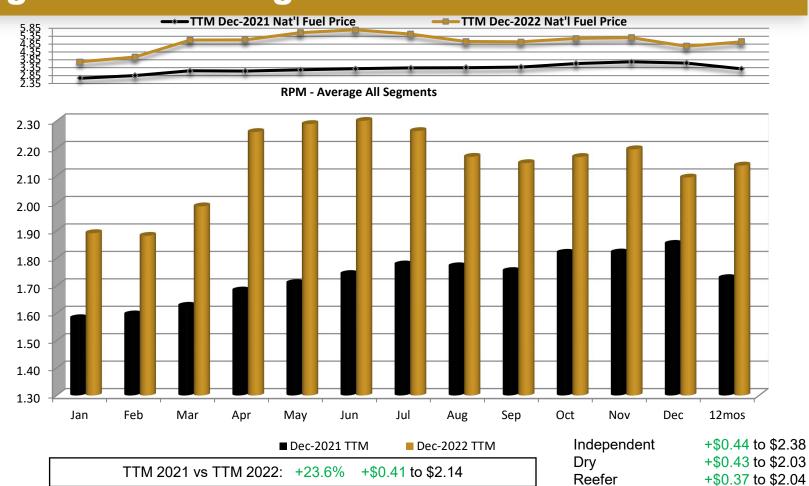


RPM – Avg All Market Segments



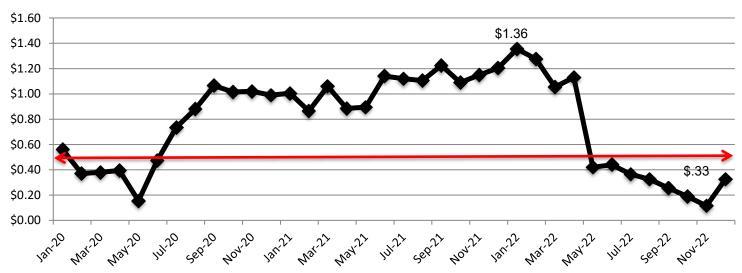
+\$0.27 to \$2.35

Flat



Spot market rates vs ATBS ICB fleet rates – Covid Era

Spot market rates vs ATBS ICB fleet rates



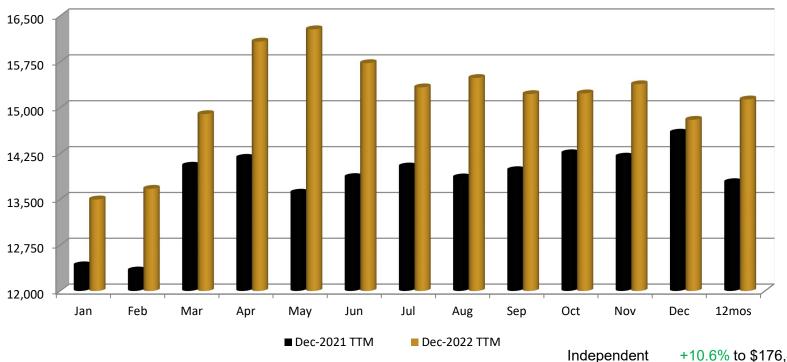
Indep Cost Increase	\$ Amount	Per Mile
License, Permit, IFTA, etc	\$3,000	0.03
Additional Insurance	\$12,500	0.11
Trailer	\$7,000	0.06
Book, Bill & Collect Loads	\$5,000	0.05
Operational Losses, ELD's (drop & Hook)	\$25,000	0.23
TOTAL	\$52,500	0.48



Gross Revenue – Average All Market Segments







TTM 2021 vs TTM 2022: +9.8% +\$16,229 to \$181,613

Independen Dry Reefer Flat +10.6% to \$176,455 +11.6% to \$180,501 +8.4% to \$199,195

t +2.0% to \$175,278

Cost Analysis Fixed, Variable, Total

Cost Analysis

Fixed Costs

- Truck Payment
- Trailer Payment
- License, Permits, FHUT, Tolls, Scales
- Phys Dam Insurance
- Bobtail Insurance
- OccAcc Insurance
- Health Insurance

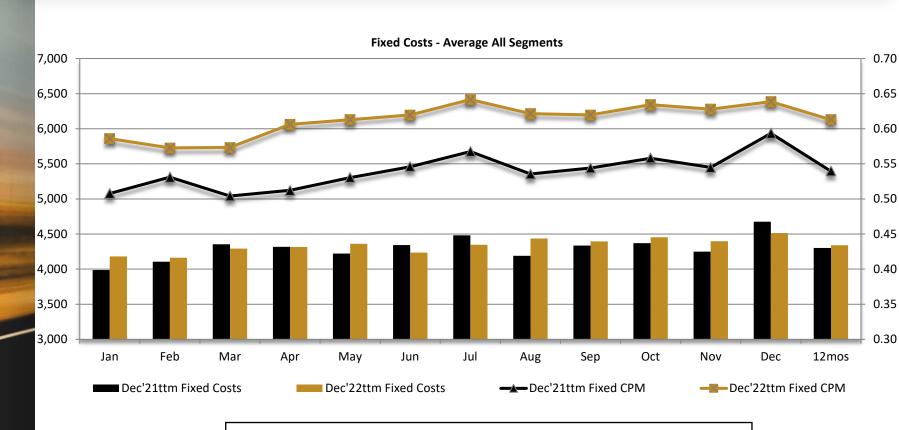
Variable Costs

- Fuel
- Maintenance
- Communication
- Hotels



Fixed Costs – Average All Market Segments

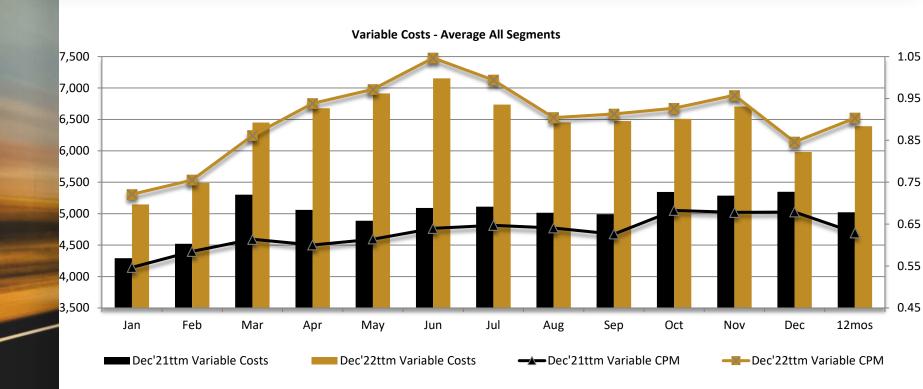




TTM 2021 vs TTM 2022: +0.9% up \$462 to \$52,093

Variable Costs – Average All Market Segments

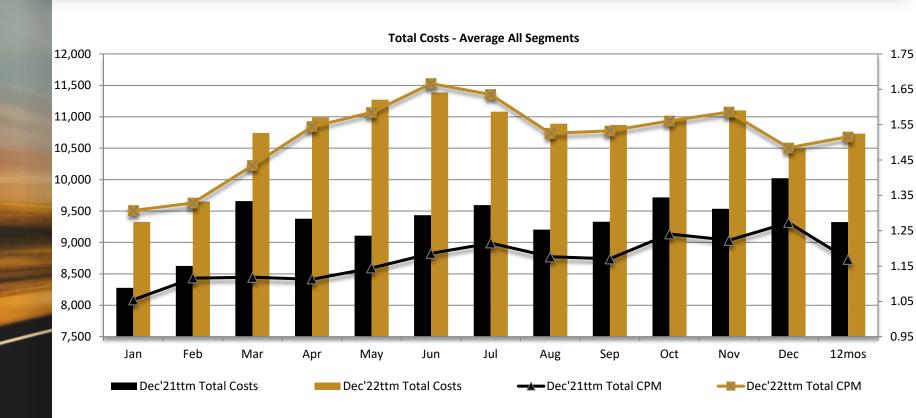




TTM 2021 vs TTM 2022: +27.3% up \$16,433 to \$76,688

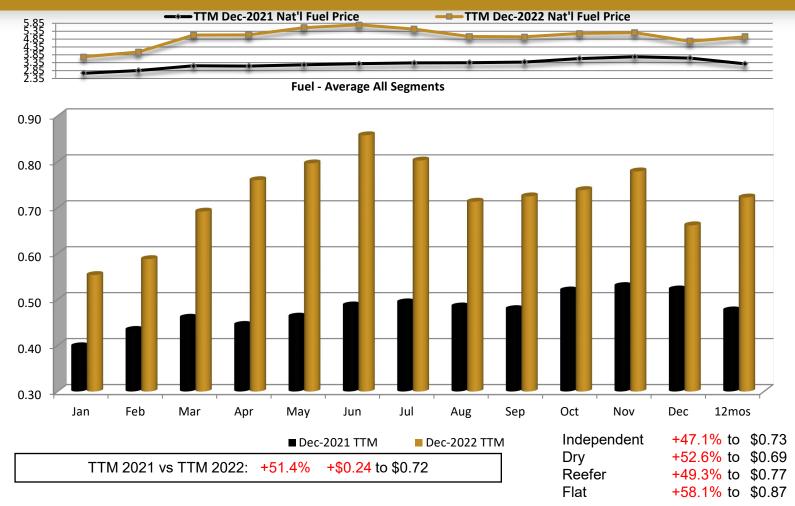
Total Costs – Average All Market Segments





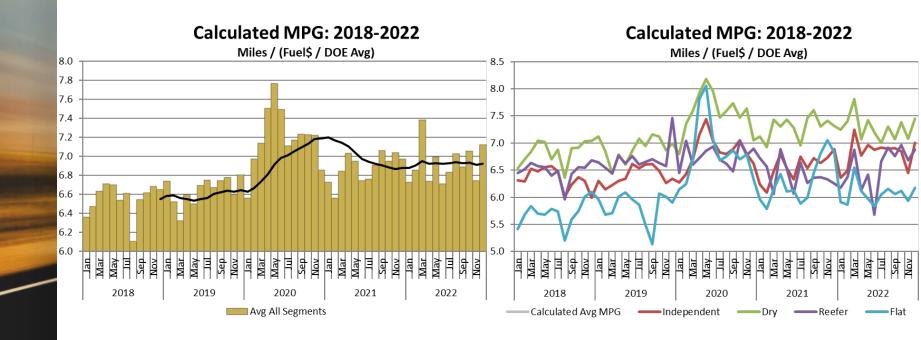
Fuel CPM – Avg All Market Segments





Estimated MPG

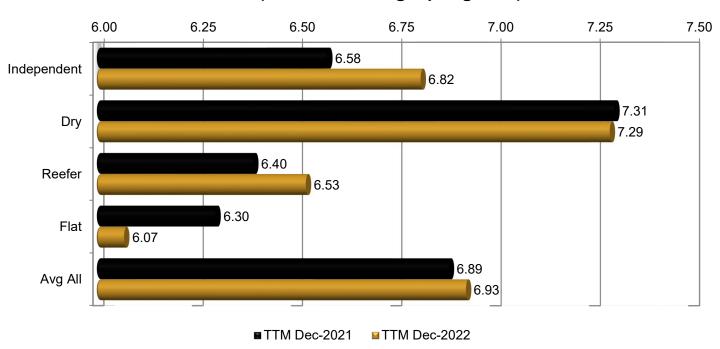




Estimated MPG

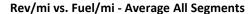


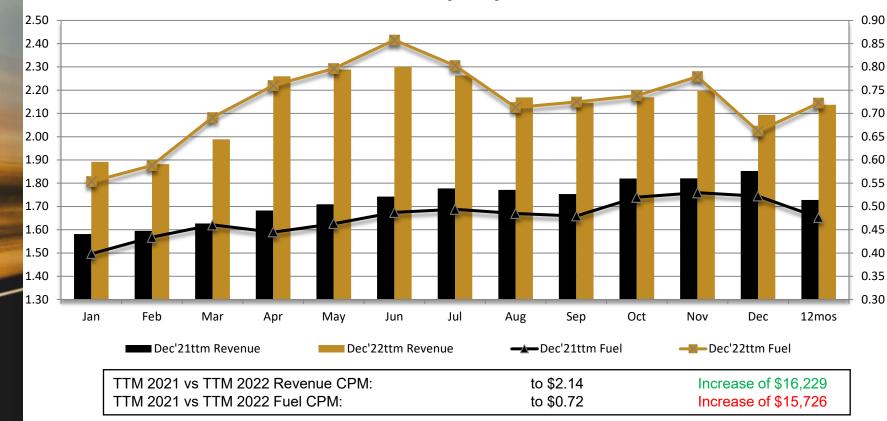
MPG (estimated)
miles / (fuel \$ / DOE avg \$ per gallon)



Revenue CPM vs. Fuel CPM – Average All Market Segments

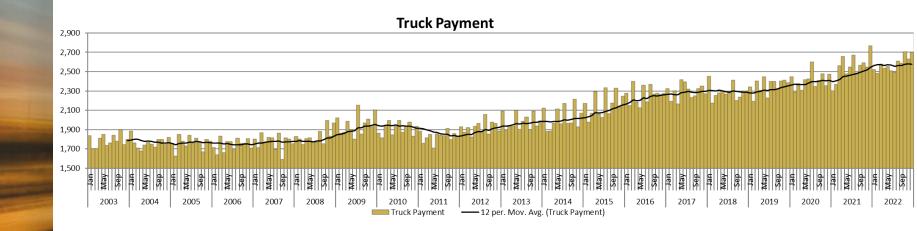






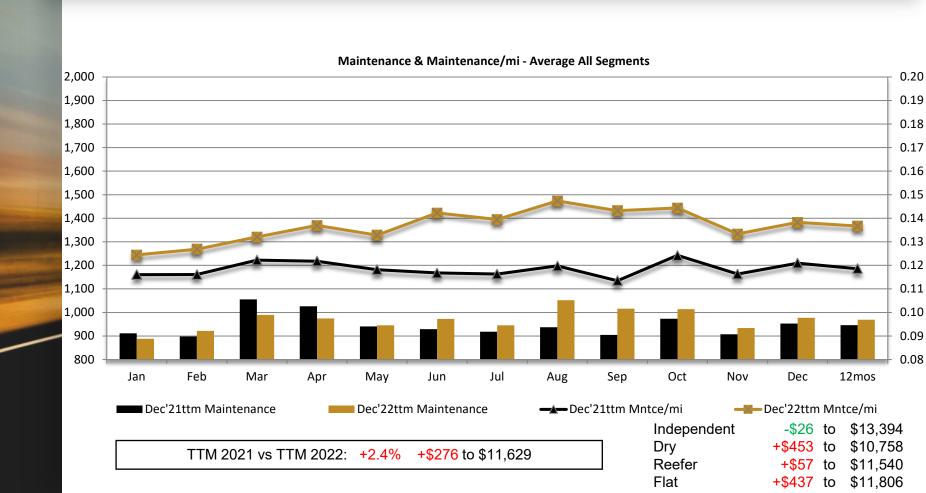
Truck Payments 2003–2022 Average All Market Segments





Maintenance – Avg All Market Segments



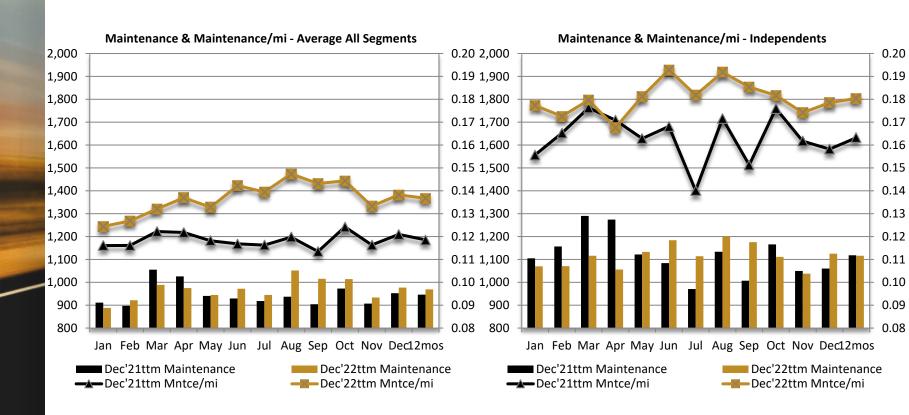


Maintenance – Avg All vs Independents



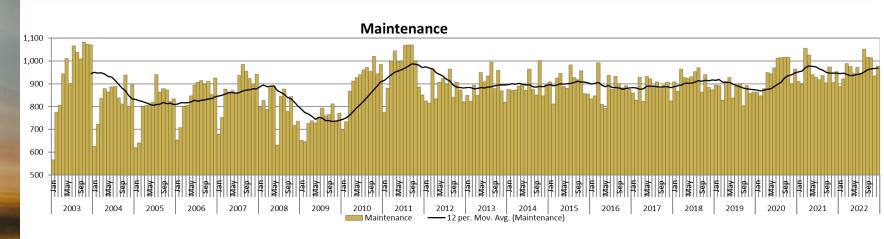


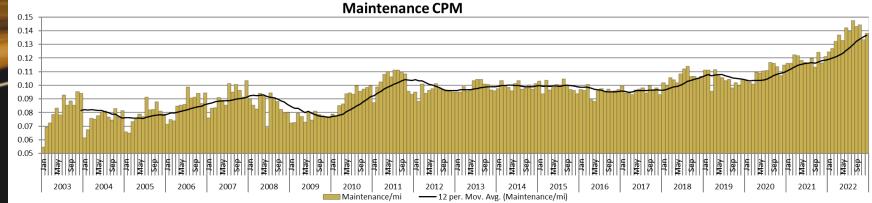
<u>Independents</u>



Maintenance 2003–2022 Average All Market Segments



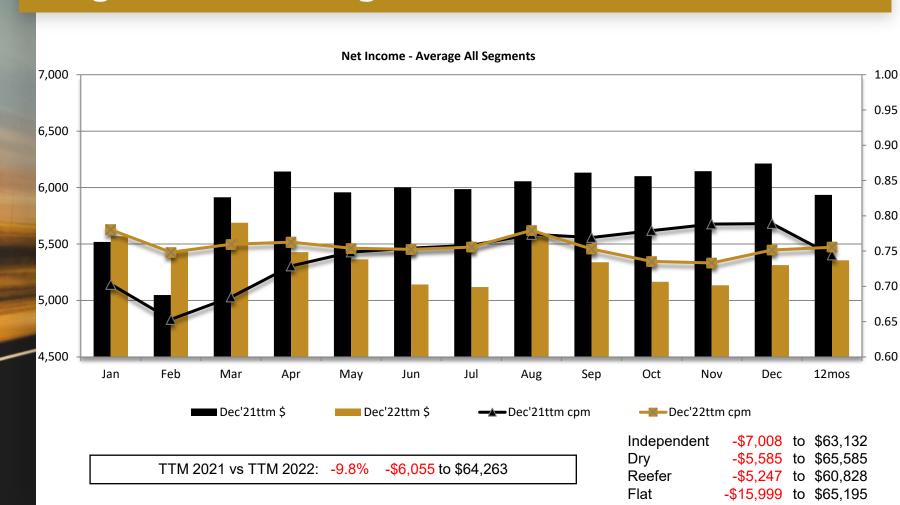




Net Income Dollars vs Cents Per Mile (CPM)

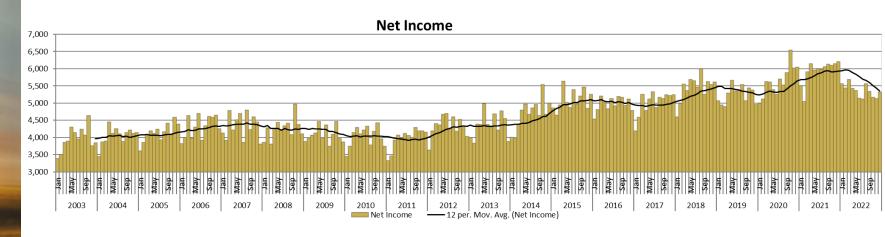
Net Income – Avg All Market Segments

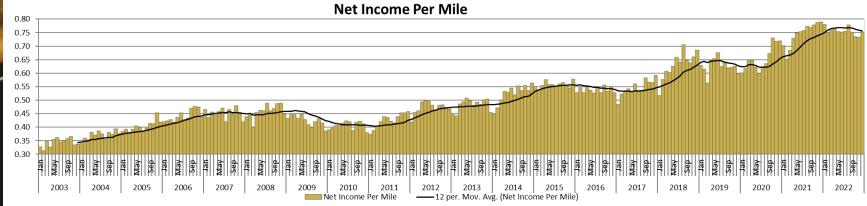




Net Income 2003–2022 Average All Market Segments







What does all this information mean?

- Miles are down massively, but net per mile isn't take an extra load
- Revenue Per Mile is slipping almost everywhere
 - Grass isn't Greener
 - Know Your Costs
- Fuel MPG hasn't improved Slow it down!
- The best operators are doing both
- Save for maintenance and downtime!!!



What can you do?

- Do a new profit plan/budget
 - Break-even point and what it means
 - Fixed costs per day PLUS Variable Cost per mile
 - Contribution Margin
 - Benefits of better MPG and running an extra load
- Start the habit of great record keeping and stick with it
- Look at P&Ls regularly to make adjustments
 - MPG and impact
 - Utilization and home time times have gotten harder, so the best ICs are working harder!



Take an Extra Load

	1 more load	12 months	2 more loads	12 months
Miles	500	6000	1000	12000
RPM	\$2.00	\$2.00	\$2.00	\$2.00
Gross	\$1,000	\$12,000	\$2,000	\$24,000
Fixed Costs	\$0	\$0	\$0	\$0
Variable	\$450	\$5,400	\$900	\$10,800
Profit	\$550	\$6,600	\$1,100	\$13,200

Average RPM - \$2.14 Average Variable CPM - \$0.90



Slow it Down

		Miles					
		85000	90000	95000	100000		
	6	\$60,917	\$64,500	\$68,083	\$71,667		
MPG	7	\$52,214	\$55,286	\$58,357	\$61,429		
	8	\$45,688	\$48,375	\$51,063	\$53,750		

Average Fuel Cost - \$4.30 (2/27/23 – EIA.gov)

Go from 6-7 mpg – Save \$8500 to \$10,000

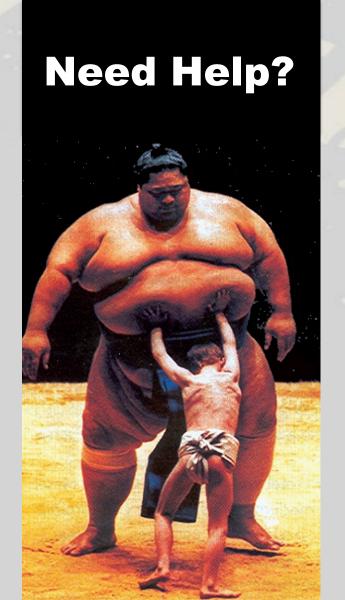
Go from 6-8 mpg – Save \$15,000 to \$18,000



Save for maintenance!!!

- Preventative Maintenance!!!
- Maintenance is the #1 cause of IC failure
 - Cost of repair
 - Down time
 - Fixed costs keep coming
 - □ Home bills never stop
- Avg ATBS client at 14 CPM or roughly \$12,000
 - Figure out your needs
 - Based on age of truck Leasing company 10 CPM from day 1
 - Save extra for downtime!





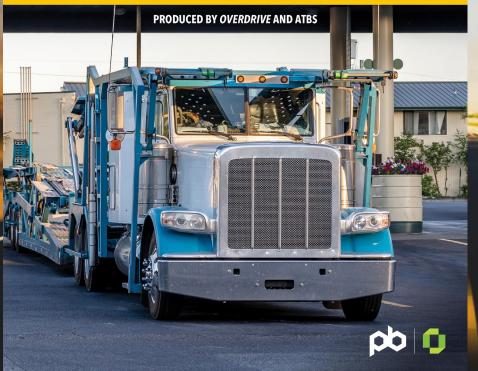


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