



August 18, 2026

Greenbrier Reservation Deadline Tomorrow

Tomorrow, August 19 is the last day to guarantee your room rate of \$275 for the VPCMA 78th Annual Meeting at the Greenbrier Resort in White Sulfur Springs, WV. After tomorrow, room rates will be determined on a space availability basis. We hope that you will take advantage of our group rate today and sign up several members of your team to attend. [Click here](#) for Greenbrier room reservations.

Click below for the full meeting promo and to reserve your spot!



[Register for Meeting](#)

[Greenbrier Reservations](#)

[Meeting Promo](#)

Tobacco Licensure, Regulation and Fees Effective October 1

As the result of legislation passed by the General Assembly earlier this year (which we opposed) all businesses that sell retail tobacco products will be required to have a license by October 1 of this year. We are pleased that Chris Curtis, Deputy Secretary of the ABC Board and a longtime friend of the association, will be at the Annual Meeting on September 22 to discuss the new program requirements and answer your questions. [Click here](#) for compliance documents from ABC and steps your business must take before October 1 to be in compliance.

Unfortunately, the General Assembly also included a first ever registration fee of \$400 or \$300 for those with an existing ABC license. The bill also includes mandatory employee training on underage sales of tobacco products. The new laws require that the retail tobacco permit applicant attest that their employees have received training regarding ID checking, placement of signage, prohibited acts, and penalties. Virginia ABC has launched VERT (Virginia Education for Retailers of Tobacco), which contains the required training elements. It is free of charge and can be taken online through [Virginia ABC's website](#). Additionally, the legislature has also added a future annual renewal fee per location with an undetermined price tag.

The new taxes generated by these fees are designed to fund once every 24 months inspections of all tobacco outlets. This is complete overkill in that Virginia has the lowest rate of underage sales in the South and that rate has declined precipitously since the start of tobacco 21 in 2018. Further, after October 1, inspections of tobacco outlets will be more frequent than those ABC performs for

for alcohol compliance. How does that make sense? Ask the General Assembly and Governor Spanberger.

FMCSA Publishes Proposal to Codify Out-of-Service Criteria for ELP Violations

From EMA

Since 1937, commercial drivers have been required to read and speak sufficient English to converse with the public, understand traffic signs, respond to inspectors, and complete reports. For a decade, however, violations of that requirement — 49 CFR 391.11(b)(2) — were cited but did not result in a driver being placed out of service (OOS). That changed in 2025: following Executive Order 14286, FMCSA rescinded its non-OOS guidance, and CVSA restored English language proficiency (ELP) violations to its North American Standard Out-of-Service Criteria, effective June 25, 2025. ELP violations have been treated as OOS events in the field ever since.

The Proposal

FMCSA has now issued a Notice of Proposed Rulemaking (NPRM) (Docket No. FMCSA-2026-0826) to write that enforcement practice directly into the federal regulations. The proposal would add a new paragraph to 49 CFR 391.11 requiring that a driver found in violation of the ELP requirement be placed OOS immediately, with a narrow exception for drivers whose current trip stays within U.S.-Mexico border commercial zones. Codifying the rule would also require MCSAP-funded states to adopt a compatible OOS standard, locking in uniform enforcement nationwide regardless of future CVSA guidance changes. Comments are due October 9, 2026.

Managing the Risk — Act Now, Not Later

The critical point for fleets: this exposure already exists today and does not wait on a final rule. FMCSA's policy memorandum MC-SEE-2025-0001 (issued May 20, 2025, and updated by MC-SEE-2026-0002 in April 2026) is the operative enforcement directive currently guiding roadside inspections, and it has applied OOS consequences for ELP violations since June 2025. Fleets that treat this as a future compliance issue are misreading their present risk. Marketers should act now to:

- Confirm ELP screening is a standing part of driver qualification file reviews and periodic recertification — not just a one-time hiring check.
- Brief staff on MC-SEE-2025-0001 and its 2026 update, so they understand current roadside enforcement expectations, including the border-zone documentation standard.
- Audit drivers who may be borderline on English proficiency and consider in-house evaluation or refresher resources before a roadside stop forces the issue.
- Conduct routine checks to assess readiness for roadside inspections and identify potential gaps before enforcement actions occur.
- Track this rulemaking.

Review the enforcement policy [here](#). Review FMCSA's proposal [here](#).



Catterton Memorial Golf Tournament Sponsorships Available

The 2026 Dave Catterton Memorial Golf Tournament returns to the Greenbrier on Monday, September 21 at the Meadows Course. We will have shot-gun start at 12:30. The scramble will feature prizes for the top 3 teams as well as several proximity contests and winners will be rewarded at our 19th hole reception on the clubhouse porch after the tournament ends.

Click below for tournament and hole sponsorship opportunities.

Golf Tournament Sponsorships

Thank You EMA PAC Contributors

A couple weeks ago we, along with EMA 1st Vice Chair Lewis Wall, initiated our solicitation for contributions to the Energy Marketers Association (EMA) of America's Political Action Committee. As a VPCMA member, you are automatically a member of EMA which lobbies Congress and interacts with many regulatory agencies that impact the nation's fuel marketers. An important component of that representation is supporting those elected officials who support us on Capitol Hill. Federal political contributions must be made by **personal check**. We hope that you will join us in sending a personal check for \$150 made out to "**EMA PAC**." Please mail to the office as follows:

VPCMA
7275 Glen Forest Drive
Suite 204
Richmond, VA 23226

Thank you to all of our contributors to date:

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