

- ✦ When will the UCR implementation actually begin?
A: It is scheduled for 1/1/07 in the legislation. However both ATA and NCSTS agree that this may be unreasonable and agree to seek a delay until 1/1/08.
- ✦ When will SSRS go away?
A: ATA and NCSTS agree that there is to be no gap between the end of the SSRS program and the implementation of the UCR. As stated above the date set in the legislation is 1/1/07 but a delay until 1/1/08 is to be sought.
- ✦ Is there going to be lapse between SSRS going away and the beginning of UCR?
A: See answer above. There is to be no gap between the two programs.
- ✦ Will states continue to collect and receive SSRS or UCR revenue until the complete implementation of UCR?
A: States will continue to receive SSRS revenue until the end of that program and the implementation of the UCR.
- ✦ SSRS is vehicle specific with a per-state fee per vehicle. UCR is a per carrier based fee. Will carrier report all vehicles in application process similar to the way SSRS is currently done?
A: The legislation requires the carrier to report all commercial motor vehicles as defined in 49 USC 31101 (10,001 lbs. and above). However the legislation allows a carrier at its (the carrier's) option to include the lower weight commercial motor vehicles in its fleet.
- ✦ What about additional vehicles added during the year?
A: It is anticipated that no supplements would be required unless the carrier's total vehicles during the year exceeded the bracket in which the carrier originally filed its application. In that case the carrier would only owe the difference between the two brackets.
- ✦ Are there any weight or other criteria for a carrier being required to participate in UCR?
A: The carrier is required to report all commercial motor vehicles as defined in 49 USC 31101 (10,001 lbs. and above).
- ✦ There are specific requirements under SSRS. If I read it correctly, the law states that regulations will be developed to govern UCR?
A: The Secretary is required to develop the regulations for the unified registration system. The Board is required to develop the UCR agreement and Plan.

✦ Do I understand this correctly or will the same procedures and requirements of SSRS basically be adopted to govern the UCR and simply add the requirements for private motor carriers, freight forwarders and brokers?

A: Although there are some similarities between the two programs, SSRS terminates when the UCR is implemented. Each program has its own rules and regulations.

✦ Would that be the Agreement talked about in the law? Is there a draft of what the UCR Plan would look like or read?

A: The Board is to develop the base state agreement to be known as the UCR Agreement. The legislation calls for some specific elements of the UCR Agreement but in general it is expected to be similar to the existing the base state agreements under Chapter 317 of Subtitle VI of Title 49 USC.

✦ What about Canadian or Mexican motor carriers? Are they required to participate in UCR? How is the jurisdiction chosen?

A: Any foreign carrier operating in the U.S. will be required to register under the UCR. The foreign carrier is allowed to designate a participating state as its base state under the UCR.

✦ What about Canadian Provinces or Mexico participating in the UCR? Can they be members?

A: The UCR allows but cannot require foreign jurisdictions to join the UCR Plan. Any foreign jurisdiction that does join the UCR Plan will not participate in the sharing of the replacement revenue or annual allotment under the Plan. UCR fees collected by the foreign jurisdiction must be transmitted to the depository chosen by the Board.

✦ The UCR law calls for an on-line electronic system? What is this?

A: The unified registration system required to be developed by the Secretary.

✦ Is it a system for verification that can be accessed by jurisdictions and motor carriers?

A: The unified registration system is to serve as a clearinghouse and depository of information available to all.

✦ Will the system also be used by motor carriers to input data?

A: It is anticipated that the base states will upload the information provided by the carrier on the UCR application.

✦ Will that system be used by jurisdictions to process UCR applications? Or, will states have to develop their own systems?

A: The Secretary will develop the unified registration system. The base states will be responsible for their costs to access the system.

- ✦ Will the UCR system replace MCMIS (the USDOT number carrier system)?
A: The legislation calls for the unified registration system developed by the Secretary to replace the four existing systems specified in the bill. It is expected that the unified registration system will be integrated with any other remaining Federal databases.
- ✦ There will be no hardcopy document or registration receipt. How is roadside verification expected to take place? Via radio, or wireless internet connectivity?
A: The carrier data will be available to the states. Each state will determine how it will access and retrieve that data for enforcement purposes.
- ✦ I understand the Board will recommend a fee structure that will be adopted and approved by the DOT Secretary, and also how the amount each state is to be allowed to collect before the funds go to the depository.
A: The Board will recommend a fee structure to the Secretary who will then accept, reject, or conceivably modify it within the limits of the legislation.
- ✦ How will the distributions be handled? Will they be on a monthly, quarterly, ½ yearly or annually?
A: It is anticipated that there will be a registration period prior to the year for which the fees are collected. The legislation describes the process of the collection and distribution of the fees by the states and by the depository.
- ✦ Any idea what the fees may be the first year? (I guess that is the million dollar question)
A: A lot more than one million, to be sure!!
- ✦ What happens if the jurisdictions do not collect the minimum revenue?
A: The legislation lays out the process for reimbursing the states individually and in total.
- ✦ Will FMCSA or DOT have to come up with the difference to make up for lost revenue?
A: Neither DOT in general nor FMCSA in particular are involved in any of the UCR revenue generation or replacement.
- ✦ Is there going to be any funding for state systems not only for UCR credentialing purposes but to help off set cost of developing roadside systems to aid in verification?
A: The UCR program does not provide for any such funding to the states.
- ✦ What is the general feeling about non-participating states joining UCR?
A: Unknown at this time.

- ✦ What would happen if a current SSRS jurisdiction chooses to not participate in UCR?

A: If a state decides not to participate in the UCR it will lose any replacement revenue under the UCR and the carriers based in the non-participating state will be allowed to choose another participating state as their base state. The non-participating state would still be subject to the preemptions contained in the UCR legislation.

- ✦ Intra-state

A: It depends upon what you mean by “intrastate”. An interstate carrier that also holds intrastate authority in a state that continues to regulate its intrastate carriers will only be required to renew under the UCR. For solely intrastate carriers it is up to the state as to how it wishes to administer its intrastate program for its solely intrastate carriers. The legislation allows them to administer such solely intrastate carriers under the UCR. The revenue generated from such solely intrastate carriers stays in the state and is not part of the UCR revenue.

- ✦ Any help on Garry’s questions on intra-state registrants would be very helpful!

A: Please see below.

From: Hinkley, Garry [mailto:Garry.Hinkley@maine.gov]

Sent: Fri 9/16/2005 11:29 AM

To: brian.price@fmcsa.dot.gov

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Subject: Unified Carrier Registration Act of 2005

Hello Brian,

Hope you are keeping well.

I know it's early in the process, but I have some questions regarding the Unified Carrier Registration Act, especially as it may relate to intrastate carriers. I'm hoping to get these issues on the table for discussion.

I understand that the new UCR would allow states to include purely intrastate carriers. I presume this means that the intra carriers would be registered in the new online system, would file insurance, and would be issued a DOT#. A: That is correct.

Right now, Maine requires all intrastate carriers with trucks in excess of 26,000 pounds to have an (intrastate) DOT# issued through MCMIS. We also require for-hire intrastate carriers to have intrastate authority, and we collect an annual fee (\$8 per truck) and issue a credential. This amounts to very small dollars for us.

We would like to continue to require and issue intrastate DOT#'s for intra carriers with trucks >26k. We feel this has improved highway safety in Maine by properly identifying and tracking safety events for these carriers. However, we would not want to require DOT#'s for registrants with only smaller vehicles. Will states be allowed to establish their own thresholds for requiring intrastate DOT#'s, or must we follow federal requirements? If we have to choose between all or

nothing, we might very well choose nothing. We cannot undertake the added work of dealing with a huge number of registrants with only small trucks, many of whom do not think of themselves as being truckers. **A: The legislation does not affect solely intrastate programs or carriers. It allows a state with such a program the option to include the program in the UCR for administrative purposes only. It has no other impact on the state's program for solely intrastate carriers.**

With respect to the UCR fees, if a state chooses to register intrastate carriers, what would the fees be, and where would the revenue go? Could a state charge a different (lesser) fee or no fee for intrastate carriers? Would a state keep intrastate fees, or would they become part of the total used to calculate what a state is entitled to, with any excess sent to the Depository? It would seem fair that only a state's SSRS revenue (and maybe interstate exempt) be used to calculate what a state is entitled to. Intrastate revenues should be excluded from all calculations, and states should be allowed to continue to collect those fees if they so chose. Again, Maine would be disinclined to charge UCR fees to small, intrastate carriers, especially if any excess over what we receive today in SSRS fees had to be sent to the Depository. **A: The legislation does not affect solely intrastate programs or carriers. The revenue generated from such solely intrastate carriers stays in the state and is not part of the UCR revenue.**

I know you probably do not have the answers to these questions right now. I wanted to start a discussion. In order to meet the expected January 1, 2007 implementation date, I need to submit legislation to the 2006 legislative session. I suspect many states are in a similar situation. **A: Agreed!**

Thanks,

Garry

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