MOTOR CARRIER NEWS

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New interstate requirements may be in place by mid-2007

The Unified Carrier Registration Agreement (UCRA) is still very much under construction, but it's slowly taking shape and all interstate operators could be subject to its registration and fee requirements by mid-year.

In progress made so far, a total of 37 states have indicated their intent to participate in 2007, a UCR Board of Directors has recommended a fee structure that the U.S. DOT is expected to adopt (see pages 3 and 4), and the Federal Motor Carrier Safety Administration (FMCSA) is developing an online system for confirming whether or not interstate operators have paid annual UCR fees.

Since that's not enough progress for some states, both the Commercial Vehicle Safety Alliance (CVSA) and the National Association of Regulatory Utility Commissioners have been urging Congress to extend the Single State Registration System (SSRS) so it can resume collecting fees from for-hire interstate carriers. The extension would apply to the 2007 calendar year.

Under federal legislation called SAFETEA-LU, the SSRS was repealed January 1, 2007. But with the UCRA still under construction, several states are reporting that the lapse in revenue is impacting motor carrier safety programs that relied on SSRS fees. According to CVSA, some states will have to start terminating safety inspectors as early as April 1 and other states report that their CDL licensing, safety compliance reviews, and new carrier entrant audit programs will be affected.

The UCRA is slow getting underway because it's a program of unprecedented proportions that represents a dramatic change in the way states interact with interstate operators. It's similar to the SSRS that had been used by 38 states to register for-hire interstate carriers. But the UCRA applies to private, for-hire, exempt carriers, and farmers, including any interstate carrier operating vehicles that weigh over 10,000 pounds. Moreover, the UCRA applies to brokers, freight forwarders, and leasing companies. They, too, will be required to register and pay annual fees beginning sometime in 2007.

UCR officials spent months last year trying to determine how many would be affected by the program and how much they should pay in annual fees. Working with Federal Motor Carrier Safety Administration databases, they concluded that there are 326,005 active interstate motor carriers and 19,000 brokers and freight forwarders, for a total of 345,005 entities that are subject to annual UCRA fees (see pages 3 and 4).

According to the CVSA, implementation has also been delayed by a determination that UCR Board actions must follow Administrative Procedures Act requirements that call for rulemakings with notifications, waiting periods, and comment periods. As a result, CVSA in January reported that "the timeline for development of the new UCR plan remained uncertain."

Oregon legislators consider participation in UCR, other changes to state law

Oregon legislators are currently considering a bill with provisions to allow the state to participate in the Unified Carrier Registration Agreement (UCRA). This would authorize the Motor Carrier Transportation Division to help Oregon interstate operators start meeting new registration and fee requirements just as soon as the UCRA is up and running. The bill, Senate Bill 222, would also make changes to Oregon law that are required by preemptions in federal legislation called SAFETEA-LU. If legislators approve, Oregon would no longer require interstate for-hire and private carriers to register and file proof of financial responsibility. Oregon would also not require carriers to "display" the weight-mile tax credential, called the Oregon Weight Receipt and Tax Identifier, although they will still be required to obtain the credential.

Since Oregon never participated in the Single State Registration System (SSRS), some might question why the state would participate in a new system designed to replace SSRS. According to Motor Carrier Transportation

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Customer service drives Oregon participation in UCRA

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Division Administrator Gregg Dal Ponte, it's only reasonable for Oregon-based interstate operators to expect Oregon to facilitate their participation in this new federally-required program.

"It's true that the Unified Carrier Registration Agreement (UCRA) was created primarily to replace the SSRS, with the interests of 38 states in mind," Dal Ponte said. "And it's unfortunate that states like Oregon are getting dragged into this. But regardless of whether Oregon participates in the UCRA, Oregon interstate operators are required to register and pay annual fees. We're already helping these carriers with two similar base-state programs — the International Registration Plan and International Fuel Tax Agreement — so it would not be good customer service to tell them we cannot help with UCRA."

States were given until November 1, 2006, to submit a UCR "State Plan" that is essentially just a non-binding statement of intent to participate in 2007. Oregon and 36 other states met that deadline. The 13 states that didn't respond will be invited to opt in for 2008 and 2009, but if they don't submit a plan by August 2008 they may never participate in the UCRA.

Under UCRA rules, carriers based in a state that is not participating in UCRA must contact another state within that FMCSA Service Center region and request that it act as its base state. The Western Service Center includes 14 states — Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, North Dakota, South Dakota, Oregon, Utah, Washington, and Wyoming.

If Oregon didn't participate in 2007, Oregon interstate operators would have to contact a participating state within the Service Center — Colorado, Idaho, Montana, North Dakota, South Dakota, Utah, or Washington. On the other hand, if Oregon participates in 2007 it may be contacted by interstate operators in Alaska, Arizona, California, Hawaii, and Nevada. Those states did not file an intent to participate in 2007 so their interstate operators could need help registering and paying fees.

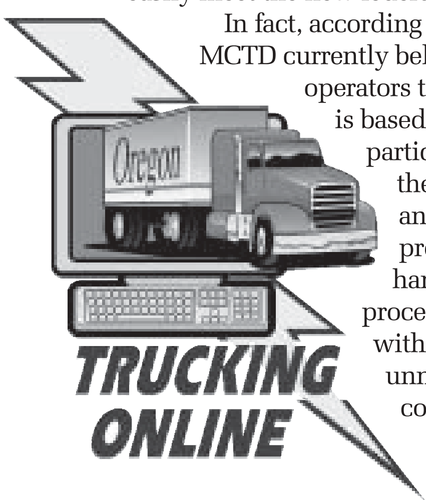
"We're told that eventually the FMCSA will have an online system through which carriers can register and pay fees without involving the state as a middle man," Dal Ponte said. "But until that's in place and everyone's comfortable using an online system, states will have to help administer the UCRA."

Regarding the fee structure, Dal Ponte notes that there is quite a variation in the revenue that former SSRS states will recover from UCRA fees. "It ranges from about $475,000 for Iowa to $7.5 million for Michigan," he said. "States will collect fees, retain their varying amounts, and forward the remainder to a depository for distribution among participating states. Oregon can retain up to $500,000, but it will clearly be a "donor" state in the UCRA scheme of things."

Trucking industry representatives worked with Congress to craft the UCRA in order to: (1) eliminate the SSRS and reduce insurance filing requirements to just the existing federal ones, (2) prohibit states like Oregon from having individual registration and insurance regulations, (3) replace the revenue SSRS yielded, but spread the costs to all interstate operators, and (4) ensure that states use the fees collected only for motor carrier safety programs, enforcement, or administration of the UCR Plan and UCR Agreement.

Trucking Online to play key role in UCRA

The annual requirement to register and pay fees for the Unified Carrier Registration Agreement (UCRA) could present a paperwork headache for both motor carriers and states. But the Motor Carrier Transportation Division (MCTD) expects that its Trucking Online service can play a key role in helping carriers easily meet the new federal requirements.



In fact, according to Motor Carrier Services Manager Ric Listella, MCTD currently believes it will have to require certain interstate operators to use Trucking Online for UCRA. "If someone is based outside Oregon in a state that is not participating in UCRA and they want Oregon's help, they'll have to use Trucking Online to register and pay UCRA fees," Listella said. "This new program presents a workload that cannot be handled in conventional ways. Our staff cannot process tens of thousands of paper registration forms with checks attached. It would be particularly unmanageable if many carriers from other states contact us for help meeting the requirements."

Trucking Online business is currently booming. Compared with 2005, online transactions were up 44% and records inquiries were up 49% in 2006. In the past four years, trucking companies and members of the public have used a home or office computer to complete over 950,000 transactions or record inquiries that formerly required a phone call, fax, mail delivery or field office visit. MCTD is counting on companies to shift as much business as possible to the Internet so it can improve its service to those who still must complete transactions by phone, mail, or in person.

U.S. DOT now considering recommended fees for 2007

Several variables factor into new UCRA fees

Sometime in 2007, a new base-state system — the Unified Carrier Registration Agreement (UCRA) — will be established and begin registering all interstate operators, including private, for-hire, and exempt carriers, brokers, freight forwarders, and leasing companies. Each of these operators is required to pay an annual UCRA fee and the U.S. DOT is now considering what that fee will be for 2007. Following is a summary of how UCR officials arrived at a recommended fee structure that ranges from $75 for single-truck owners to $37,500 for companies with 1,001 or more trucks.

Variables Affecting Fees

In developing a fee structure, the Unified Carrier Registration Board of Directors' goal was to replace revenues for the 38 states that formerly participated in the Single State Registration System (SSRS), replace revenues that certain of these states generated from intrastate carrier renewal fees, provide a set amount of revenue for the 12 other non-SSRS states if they choose to participate, and cover the administrative costs of the Unified Carrier Registration Plan. They identified several variables to factor into the 2007 fees:

- Participating Jurisdictions
- Revenue Requirement
- Administrative Costs
- Carrier/Broker Population
- Fee Bracket Structure
- Carrier Distribution
- Fee Relationship Between Brackets
- Fee Comparison to SSRS Fees

Participating Jurisdictions — 37

The Federal Motor Carrier Safety Administration (FMCSA) set a November 2006 deadline for states to submit a plan indicating intent to participate in the Unified Carrier Registration Agreement (UCRA) in 2007. Of the 38 former SSRS states, only California and North Carolina said they would not participate in 2007. Of the 12 states that were never part of SSRS, only Oregon agreed to participate in 2007.

Revenue Requirement — $101,772,400

Under the federal legislation that created the UCRA, enough fees must be collected so that former SSRS states receive revenues equal to what they collected in 2004, including any revenues from intrastate carrier renewal fees. The legislation also provided that enough fees must be collected so that other participating states, like Oregon, will receive up to $500,000 per year. The 36 former SSRS states that declared they would participate in 2007 received a total of $101,272,400 in revenue in 2004. After adding $500,000 for Oregon, the state entitlement from UCRA fees totaled $101,772,400. **Note:** UCRA fees may only be used for motor carrier safety programs, enforcement, or administration of the UCR Plan and UCR Agreement. When a state collects fees in excess of what it's entitled, the difference will be forwarded to a depository for distribution among participating states.

States Participating in UCRA in 2007

Alabama
Arkansas
Colorado
Connecticut
Georgia
Idaho
Illinois
Indiana
Iowa
Kansas
Kentucky
Louisiana
Maine
Massachusetts
Michigan
Minnesota
Missouri
Mississippi
Montana
Nebraska
New Hampshire
New Mexico
New York
North Dakota
Ohio
Oklahoma
Oregon
Rhode Island
South Carolina
South Dakota
Tennessee
Texas
Utah
Virginia
Washington
West Virginia
Wisconsin

Administrative Costs — $5,000,000

At the national level, administering the UCRA will cost an estimated $2 million for computer systems development, $1.5 million for credit card operating expenses, $500,000 for creating a depository for excess fees collected, $650,000 for industry outreach and communications, $250,000 for Help Desk and assistance functions, and $100,000 for travel by UCR officials. The computer work includes development of a Web-based registration system that allows a motor carrier to register online and pay UCRA fees.

Carrier/Broker Population — 345,005

FMCSA databases provide the only way to determine how many entities must pay the annual UCRA fee. The Motor Carrier Management Information System (MCMIS) contains census data for all carriers that operate in interstate commerce, including those from Canada, Mexico or any other country, and the License and Insurance System (L&I) contains similar information for brokers and freight forwarders.

But the MCMIS online registry system contains information that carriers themselves maintain. Carriers are required to update their census data every 24 months, but if one ceases operations there's no systematic follow-up to mark that census file as "inactive." Because the system contains both active and inactive entities, UCR officials first considered conducting a survey to determine what percentage of carriers are inactive. When that approach proved controversial, UCR

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UCRA fee structure

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Unified Carrier Registration Agreement Recommended Fee Structure 2007

No. of Power Units	Fee per Company	National Revenue
0 - 1	$ 75	$ 11,806,275
2 - 5	$ 145	$ 16,793,755
6 - 20	$ 425	$ 22,023,075
21 - 100	$ 1,475	$ 24,038,075
101 - 1,000	$ 7,000	$ 23,667,000
1,001 or more	$37,500	$ 8,662,500
		$106,990,680

officials took the MCMIS database and filtered it to find who had some roadside or audit activity, such as inspections, crashes, or a safety review, in the past 30-month period. Then using an FMCSA estimate that there are 19,000 brokers and freight forwarders, they concluded that a total of 345,005 entities were subject to annual UCRA fees.

Fee Bracket Structure

Under the federal legislation that created the UCRA, fees must be based on fleet size rather than a per vehicle basis and there must be at least four and as many as six fee brackets. Since the power units operated by the universe of 345,005 entities ranges from 1 to 55,000, it was determined that six brackets would be needed to have any degree of equity among the progressive fee brackets.

Carrier Distribution

Examination of the 345,005 total entities found that 157,417 (46%) had no power units or only one unit, so the first fee bracket was set for this industry segment. That fee bracket applies to the 19,000 brokers and freight forwarders with no vehicles. A "high end" bracket was set for the few companies (272) with 1,001 power units or more. Then since 80% of the industry reported having 5 or fewer power units, a third bracket was set for those with 2-5 units. The remaining entities that operate from 6 to 1,000 power units were separated into three brackets — 6-20, 21-100, and 101-1,000.

Fee Relationship Between Brackets

Having fleshed out the foundational factors, UCRA officials then had to determine what mix of fees would yield the $106,772,400 target revenue entitlement figure, plus administrative costs. Although UCRA fees are based on fleet size, the officials were sensitive to the equivalent per vehicle costs within each bracket. They wanted the maximum that a carrier pays per vehicle within a subsequent bracket to be no more per vehicle than the maximum paid in the previous bracket. If the maximum paid per vehicle in the 1 vehicle bracket was $1, for example, the maximum amount per vehicle in the 2-5 bracket should be no more than $1 per vehicle.

Recommended Fee Structure

UCR officials tested hundreds of fee variations before arriving at a final fee structure that would yield the approximate target revenue amount. Those fees range from a low of $75 for the 1 vehicle bracket to a high of $37,500 for the 1,001 or more vehicle bracket. Assuming a 100% compliance rate, this fee structure would generate $106,990,680 in revenues, resulting in a projected surplus of $218,260 for the UCR registration year 2007.

Fee Comparison to SSRS Fees

Fees under the former SSRS varied among the 38 states. Average fees that had been paid by 1 vehicle operators ranged from as little as $70 per power unit in Idaho to as much as $166 per unit in Tennessee.

UCR officials checked the SSRS fees for Missouri and North Dakota and found that carriers had paid the following average fees there:

Power Units	Avg. SSRS Fees
1	$114 - 119
2 – 5	$271 - 366
6 – 20	$785 - 1,220
21 – 100	$3,444 - 8,059
101 – 1,000	$19,420 - 42,394
1,001 +	$321,782

Conclusion

In a letter dated December 6, 2006, the UCR Board submitted its recommended fee structure to U.S. Department of Transportation Secretary Mary Peters. Under the legislation that created the UCRA, fees must be set within 90 days after receiving the recommendation.

The UCR Board's letter mentioned the uncertainty surrounding establishment of these new fees. "Throughout their deliberations," the letter notes, "the Board was cognizant of the task of setting fees in an environment where many new and untested variables exist. For example, under SSRS, fees were neither charged nor collected by the states from private motor carriers, freight forwarders, leasing companies, or brokers. Under UCR, these entities are required to register for the first time and their total number and overall percentage of registration are unknown."

Oregon carriers slow to take advantage

Tax credits available for clean-burning engines

An increasing number of companies are taking advantage of tax credits for buying clean-burning diesel engines, but the trucking industry is still leaving a fistful of credits on the table.

Tax Credits Provided

Tax Year	Certified Engines	Tax Credits	Unclaimed Limitation
2004	491	$ 223,760	$2,776,240
2005	541	$ 257,885	$2,742,115
2006	619	$ 333,180	$2,666,820
Total	1,651	$ 814,825	

Oregon taxpayers who upgrade their truck fleets can get up to $80,000 per year in tax credits for buying clean-burning diesel engines. The credit applies to trucks over 26,000 pounds with engines purchased in Oregon and certified by the Environmental Protection Agency to emit 2.5 grams or less nitrogen oxides per brake horsepower-hour.

Beginning with the 2004 tax year and continuing through 2007, Oregon is issuing up to $3 million per year in credits for engines purchased during calendar years 2004 through 2007. As of mid-February 2007, the Oregon Department of Environmental Quality (DEQ) had approved credits to 138 truck owners for 1,651 engines in the first three years of the program and 73 more engines so far this year. DEQ denies about 10% of claims, mainly because truck owners purchased the truck in another state. A purchase qualifies for the credit if all of the following applies:

- **The taxpayer** owns the truck and purchased the qualifying engine in Oregon in 2004, 2005, 2006, or 2007.
- **The truck** has a combined weight of more than 26,000 pounds and is registered in Oregon.
- **The diesel engine** is certified by the federal Environmental Protection Agency as emitting oxides of nitrogen at the rate of 2.5 grams per brake horsepower-hour or less, it was purchased in Oregon, and its model year is 2003, 2004, 2005, 2006, or 2007.

For more about truck engine tax credits, contact the Oregon DEQ, Tax Credit Programs, at 503-229-6878.

Flat fee or mileage choice limited to once a year

The Motor Carrier Transportation Division (MCTD) is informing motor carriers of a change regarding an election to pay the Oregon weight-mile tax on the basis of actual miles traveled or annual flat fees. Carriers eligible to make the election must choose to pay mileage or flat fees for the entire calendar year. They may not switch from one payment method to the other at any time during the year.

The flat fee payment option is available only to carriers hauling certain commodities, primarily logs, sand and gravel, and wood chips. Until now it was common for these carriers to opt for the mileage-based tax during slow-business winter months and then switch to flat fees during the busy summer months.

After conferring with the Oregon Department of Justice, MCTD has determined that under Oregon Revised Statute 825.480 related to flat fees, carriers may be allowed to elect a fee basis, that is they may change to or from monthly/quarterly mileage payments or flat fees, only one time in each calendar year.

In the future, carriers who make a fee basis election from flat fee to mileage-based weight-mile tax will not be allowed to make another fee basis election to flat fee at any time during the remainder of the calendar year. Similarly, carriers who make a fee basis election from mileage-based weight-mile tax to flat fee will not be allowed to switch to reporting mileage-based weight-mile tax at any time during the remainder of the year.

About flat fees

The Oregon flat fee payment option originated in 1949 as a way to make road-use tax reporting easier for log haulers who regularly used non-public roads. Since many of these carriers were small, single-truck operators who often made many short trips in a single day, it was considered more difficult for them to keep the records necessary to determine their taxable miles. The flat fee option was meant to ease the recordkeeping burden on these carriers.

Log haulers currently pay $6.10 per 100 pounds declared combined weight, sand and gravel haulers $6.05 per 100 pounds, wood chip haulers $24.62 per 100 pounds, and for-hire farm carriers in trucks under 46,000 pounds combined weight pay $5.00 per 100 pounds.

Flat fee rates are designed to yield as much money for the Highway Fund as weight-mile taxes would yield. Oregon law requires the Oregon DOT and Transportation Commission to review flat fee rates every other year and recommend to the Legislature any appropriate adjustments to the rates.

Environmental non-profit group sets up shop in Oregon

Coburg center guides truckers to fuel savings

Cascade Sierra Solutions has opened the nation's first showroom, finance office, and education center dedicated to helping motor carriers reduce emissions, save fuel, and save money. Oregon Department of Transportation Public Affairs Representative Sally Ridenour attended the opening ceremonies and filed this report.

On a cool, wet February morning, a group of more than 100 people including motor carriers, trucking industry representatives, equipment manufacturers, environmentalists and government officials gathered at a truck stop in Coburg to celebrate the grand opening of the Cascade Sierra Solutions Outreach Center. The diverse group was there to celebrate the nation's first center dedicated to helping motor carriers reduce emissions, save fuel and save money.

Cascade Sierra Solutions (CSS) is a non-profit organization dedicated to saving fuel and reducing emissions from heavy-duty diesel engines. The Coburg outreach center, located next to the Truck and Travel truck stop, is the first of six outreach centers CSS will open along the Interstate 5 corridor. The center is a combination equipment showroom, finance office and education center. It is staffed with technical experts and finance personnel who assist motor carriers in choosing, financing and installing emission reducing and fuel saving technology.

Support from the state of Oregon

Oregon is leading the way in offering incentives and financial packages to promote the CSS Outreach Center program. The Oregon Department of Transportation is one of several government agencies providing financing and support to CSS. ODOT helps fund CSS's efforts through a $3 million loan from the Oregon Transportation Infrastructure Bank. The Oregon Transportation Infrastructure Bank is a statewide revolving loan fund designed to promote innovative financing solutions for transportation needs.

Cascade Sierra Solutions Chief Executive Officer Sharon Banks speaks at the CSS grand opening event. Behind her from left to right are Larry Greene, Sacramento Air Quality Department, Mike Grainey, Oregon Department of Energy, and Elin Miller, Environmental Protection Agency.

"ODOT recognizes the need to respond to today's complex transportation challenges in increasingly innovative and collaborative ways, and is proud to be a part of this exciting and beneficial initiative," said Damon Fordham, ODOT's Sustainability Program Manager.

Additional incentives offered by state agencies include:

- The Oregon Department of Energy's Business Energy Tax Credit and the State Energy Loan Program are helping motor carriers save 1.8 million gallons of diesel per year through efficient truck technologies and truck stop electrification projects.
- The Oregon Department of Environmental Quality's Clean Diesel Initiative addresses diesel emissions, a major source of toxic air pollution. CSS marketing and outreach efforts help promote the use of DEQ's Clean Diesel Retrofit Tax Credit and the Truck Engine Tax Credit.

"While Oregon has taken the lead on reducing greenhouse gas emissions, the issue of global warming must be tackled on a regional basis and this is a great example," said Governor Ted Kulongoski. "This commitment to curb emissions by Oregon businesses, non-profits, local governments and the federal government will lead to cost savings for truckers and cleaner air for all of us."

Additional partners and supporters of CSS include the Environmental Protection Agency's Smart Way Transport Partnership and West Coast Diesel Collaborative; state agencies in Washington and California; the trucking industry; and more than 40 manufacturers of Smart Way green trucking technologies.

Outreach Center Services

"Many truck owners are unaware of proven technology to save fuel and reduce pollution," said Sharon Banks, CEO of CSS. CSS outreach centers display over 30 products for saving fuel and reducing emissions."

"The major barrier to getting new equipment on trucks is the cost," said Bob Russell with the Oregon Trucking Association. "CSS is breaking that barrier by providing low-cost financing for Oregon base-plated truckers."

The outreach center showcases EPA Smart Way technology including:

- Auxiliary power units, which provide power to a truck cab when the main engine is turned off.
- Tires – single tires with 17-inch wide tread can replace dual 11-inch wide tread tires and increase fuel efficiency four to eight percent. Radio controlled tire pressure monitors let drivers know instantly when their tires

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Lease program helps carriers find financing, grants and tax credits

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need more air. Properly inflated tires can save even more fuel.

- Heaters and Coolers – alternative heating and cooling systems reduce idling and save fuel.
- Exhaust controls - Diesel air cleaners can reduce emissions by 90 percent.
- Aerodynamics – trailer end caps, side skirts and gap fairings reduce drag and increase fuel economy.

"With the Smart Way technology, fuel savings are estimated at 5,000 gallons of diesel per truck and reductions in carbon dioxide emissions are expected to be 50 metric tons annually per truck," said Elin Miller, EPA regional administrator.

CSS hopes to upgrade 30,000 trucks along the I-5 corridor. This would reduce 15 million metric tons of carbon dioxide over the 10-year average life of the trucks.

The CSS Lease Program

The upfront capital costs of the Smart Way technology for full retrofits of long-haul trucks ranges from $10,000 to $25,000. The CSS Outreach Center's Everybody Wins Lease Program helps motor carriers find financing, grants and tax credits to make the upgrades more affordable.

Here's how the lease program works:

- Motor carriers select equipment that meets their own requirements for cab comfort, idle reduction and fuel savings.

A small diesel engine like that pictured here can pay for itself in fuel savings as it replaces the need to idle the full-size truck engine.
Photo courtesy of Willis APU/Auxiliary Power Dynamics

- They consult with a CSS advisor to decide on a purchase and installation plan.
- They work with a CSS advisor who coordinates applying for and obtaining the available government grants and financial incentives.
- They apply for the lease-to-purchase program to pay off the equipment balance not covered by the grants and/or incentives.
- CSS contracts with an authorized installer or dealer to install the new equipment.

"This is the best way to finance equipment," said Marvin Newland, an owner-operator contracted with Nickel Plate Express. "CSS helped me finance several different products all in one easy payment"

"The true beauty of this technology is that it ultimately puts money in motor carriers' pockets," said Banks. "And they do it while reducing air pollution and saving fuel. Everybody wins."

For more about Cascade Sierra Solutions:
www.cascadesierrasolutions.org
For more about EPA Smart Way:
www.epa.gov/smartway/index.htm

FHWA final rule clarifies APU weight exception

The Federal Highway Administration (FHWA) has issued final rules related to truck size and weight regulations that include guidance regarding the new 400 pound weight exception for trucks equipped with an Auxiliary Power Unit (APU). A provision of the Energy Policy Act of 2005 increased federal weight limits to allow for APUs in order to promote the use of technologies that reduce fuel consumption and emissions from engine idling.

In a Federal Register notice dated February 20, 2007, the FHWA said it will allow up to 400 pounds in axle, tandem, gross, or bridge weight formula (an axle weight calculation), or the weight of the APU unit, whichever is less. For example, if a truck has an APU with a certified weight of 750 pounds, the truck will be allowed the maximum 400 pounds additional weight. But if a truck has an APU with a certified weight of 300 pounds, it will be allowed a 300-pound exception.

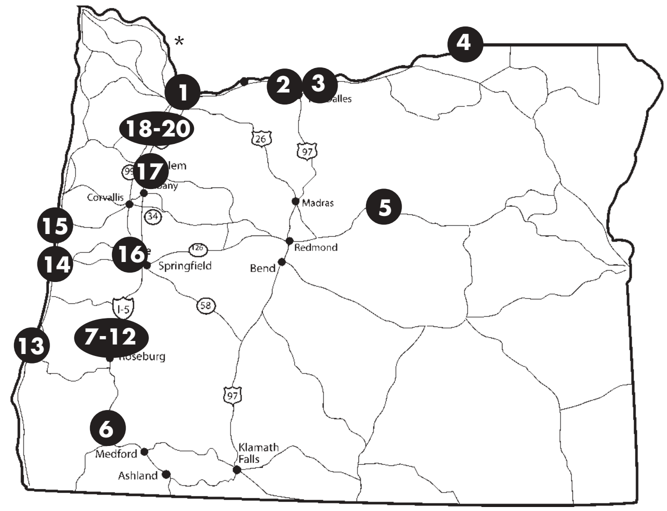
The FHWA acknowledged the concerns of enforcement agencies about APU weight certification requirements, but it concluded that trucks equipped with an APU must carry a written certification of the APU's weight: "The certification of the APUs weight must be in writing but can include a wide range of options, including a manufacturer's certification (sticker, specification plate, etc), certified scale tickets listing the vehicle's weight both before and after the unit's installation, a component parts list with listed weights of each component if the unit is manufactured by the owner or operator, etc., so long as it accurately reflects the weight of the unit and is available to roadside enforcement officers." Since many APUs use the truck tractor's fuel supply, the FHWA determined that it will only consider the APU's empty weight and not allow the weight calculation of the unit to include fuel.

A requirement that the APU be "fully functional at all times" was more problematic to address in rules because there will be times when a unit is temporarily broken down. For this, the FHWA simply noted that there will be little or no incentive for a driver to install and transport a non-working APU.

Weight-Restricted Bridges on Major Routes in Oregon

As of February 15, 2007, bridge inspectors had set weight restrictions on 20 bridges on major Oregon routes. There are also many restricted bridges on lesser routes throughout the state.

Questions about restricted bridges? Contact the Oregon DOT, Motor Carrier Division at 503-373-0000 or visit its Web site: www.oregon.gov/ODOT/MCT/RESTRICT.shtml



	Highway	Restriction	Bridge & Location
1.	OR99E SB	SR2	Martin Luther King Jr. Viaduct, Portland
2.	OR206	D	Deschutes River Bridge, MP 2.92
3.	US97	SR1	Sam Hill Bridge, Biggs Junction over the Columbia River
4.	US730	D/N	USRS Irrigation Canal Bridge, MP168.86, between Boardman and Irrigon
5.	US26	D/N	Bridge Creek Bridge, MP65.63
6.	US199	D/N	Applegate River, MP7, southwest of Grants Pass
7.	I-5 Overpass	D/N	Riddle Road, MP103.95
8.	I-5 Overpass	SR1	Chadwick Lane, MP104.85
9-10.	I-5 NB and SB	SR	Missouri Bottom Bridges, South Umpqua River, MP105.41
11.	I-5 NB	D/N	Shady Bridge, MP120.57, between Myrtle Creek and Roseburg
12.	I-5 NB	SR	Umpqua River, MP128.92, Roseburg
13.	Coos River Hwy.	SR1	Isthmus Slough Bridge, Coos Bay, MP0.51, 1/2 mile off US101
14.	US 101	D/N	Siuslaw River, MP190.98, Florence
15.	US 101	D/N	Spencer Creek, MP133.86, ten miles south of Depoe Bay
16.	OR126 Business WB	D/N	Willamette River, MP1.34, one mile east of I-5 in Springfield
17.	Off OR22	D	First Avenue Bridge in Mill City, over Santiam River
18.	OR18	D/N	Yamhill River, MP51.57, near Dayton
19.	OR219	D/N	Willamette River, MP23.46, south of Newberg
20.	OR99W S	D	Tualatin River Bridge, MP12.18, Tualatin

* **SPECIAL NOTE:** The Lewis & Clark Bridge in Washington, off US30, is restricted to 21,500 pounds per axle, with no limit on gross vehicle weight.

Restriction Legend

D/N = Restricted to Divisible and Non-Divisible Load Limits

	Divisible Loads
Single Axle	20,000 lbs.
Tandem Axle	34,000 lbs.
Maximum Wt.	105,500 lbs.

	Non-Divisible (Heavy Haul) Loads
Single Axle	21,500 lbs.
Tandem Axle	43,000 lbs.
Maximum Wt.	98,000 lbs.

D = Restricted to Divisible Load Limits (no heavy haul loads)

	Divisible Loads
Single Axle	20,000 lbs.
Tandem Axle	34,000 lbs.
Maximum Wt.	105,500 lbs.

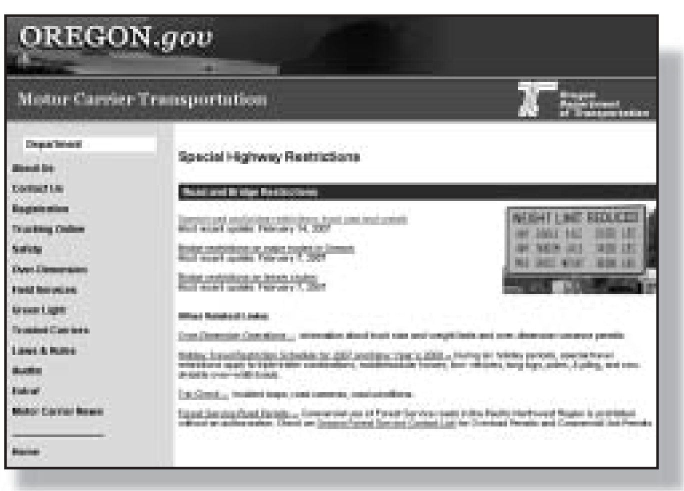
SR = Special Restriction - All trucks over 80,000 lbs. must stay in right lane.

SR1 = Special Restriction -
Single Axle - 20,000 lbs.
Tandem Axle - 34,000 lbs.
Max. Wgt. - 80,000 lbs.

SR2 = Special Restriction -
No truck combinations,
Max. Wgt. - 50,000 lbs.

Weight restrictions shown here do not supersede restrictions posted on signs at each bridge location. Bridges are closely checked by inspectors. Restrictions may change on a daily basis, and other bridges may become restricted, as conditions warrant.

Visit the Motor Carrier Division's Web site for links to a regularly-updated list of special road and bridge restrictions, as well as the latest lists of bridge restrictions on major and lesser state routes.



www.oregon.gov/ODOT/MCT/RESTRICT.shtml

Weight-Restricted Oregon Bridges on Lesser Routes

In addition to the 20 weight-restricted bridges on major routes, the Oregon Department of Transportation has restricted the following bridges on lesser state routes.

Weight restrictions shown here do not supersede restrictions posted on signs at each bridge location. Questions? Contact the Motor Carrier Division at 503-373-0000.

Highway	Restriction	Bridge & Location
NORTHERN OREGON COAST		
US 101 Business	**D**	Lewis & Clark River, 2.5 miles SE of Astoria, MP4.78
US 26	**D/N**	Volmer Creek, 2 miles SE of Cannon Beach Junction, MP2.24
US 26	**D/N**	Johnson Creek. 3 miles SE of Cannon Beach Junction, MP3.26
OR 47	**D**	Oflow, 1 mile N of Banks, MP81.94
OR 53	**SR3**	North Fork Necanicun River, 0.11 miles S of US 26, MP0.11
OR 53	**SR3**	Jack Horner Creek, 5.98 miles S of US 26, MP5.98
OR202	**SR11**	Nehalem River Hwy., Banzer Bridge, MP43.70, east of Birkenfeld
US101	**D**	Neahkahnie Mountain Chasm Bridge, MP40.71, near Manzanita
CENTRAL COAST		
Little Nestucca Hwy #130	**D**	Panther Creek, Kellow Creek, MP3.23, E of US101
Little Nestucca Hwy #130	**D**	Squaw Creek and Austin Creek, MP3.60 and 3.82, E of US101
Little Nestucca Hwy #130	**D**	Little Nestucca River, MP4.15, E of US101
Little Nestucca Hwy #130	**D**	Bear Creek, MP4.76, E of US101
OR 22	**D/N**	Louie Creek, S of Hebo, MP10.49
OR 22	**D/N**	Louie Creek, S of Hebo at Dolph, MP10.66
OR 36	**SR8**	Steinhauer Creek, 1.48 miles E of Greenleaf, MP19.69
US 20	**D/N**	Yaquina River, 0.1 miles W of Eddyville, MP23.38
WILLAMETTE VALLEY		
Bellevue-Hopewell Hwy	**D/N**	Salt Creek (Ash Swale), Hwy 153 near Amity, MP5.88
Corvallis-Lebanon Hwy #210	**SR1**	Willamette River, Van Buren Street, Corvallis, MP0.13
SOUTHERN OREGON		
Old OR99W	**SR6**	N Umpqua River (Old Winchester), Roseburg, Hwy 234, MP12.21
Midland Hwy #420	**D/N**	Lost River Diversion Channel, 5 miles S of K-Falls, MP3.66
COLUMBIA RIVER GORGE		
Historic Columbia River Hwy	**SR7**	Sandy River, Troutdale, MP0.03
Historic Columbia River Hwy	**D**	Youngs Creek, Hwy 100 (Shepperds Dell), MP13.14
Historic Columbia River Hwy	**D**	Horsetail Creek, Hwy 100, MP20.39
OR/WA Border	**SR1**	Bridge of the Gods, Columbia River, Hwy 100, MP30.42
OR/WA Border	**SR1**	White Salmon Bridge, Columbia River, Hwy 2, MP64.62
CENTRAL OREGON		
OR 242	**SR3**	2 Creek Bridges, W of Sisters, MP66.70 and 68.36
OR 27	**SR8**	3 Irrigation Canal Bridges, S of Prineville, MP1.90, 2.88, 4.59
OR 27	**D**	Bear Creek, 27 miles S of Prineville, MP27.23
OR 19	**SR11**	John Day River Bridge, near Goose Rock, 5 miles N of US26
OR 7	**D/N**	Powder River Bridges, Rancheria and Salisbury, MP41.19, 42.31
US395 Right of Way	**SR4**	Canyon Creek, Canyon City, Hwy 48, MP4.30
US395 Right of Way	**SR5a**	Canyon Creek, Canyon City, Hwy 48, MP4.81
NORTHEASTERN OREGON		
US395	**SR11**	McKay Creek Bridge, 2.5 miles S of Pendleton
I-84 Frontage	**SR9**	Hamilton Creek, Grande Ronde R & UPRR, Hwy 6, (Perry Arch)
I-84 Overcrossing	**D/N**	Upper Perry Interchange, connector over Hwy 6
OR 207	**D/N**	Hinkle Bridge, Umatilla River, MP11.86
OR82	**SR11**	Indian Creek, Grande Ronde R & UPRR, 2 miles S of OR204
Freewater Hwy #339	**SR8**	West Crockett, S of OR/WA border, MP2.76
Freewater Hwy #339	**SR8**	E & W Fork, Little Walla Walla, WA border, MP3.16, MP3.31
EASTERN OREGON		
Old US 30	**SR1**	Lime Bridge and UPRR & Burnt River Bridge, MP0.46, 2.75

Restriction Legend

D/N -
Restricted to Divisible & Non-Divisible Load Limits

Divisible Loads	
Single Axle	20,000 lbs.
Tandem Axle	34,000 lbs.
Maximum Wgt.	105,500 lbs.
Non-Divisible Heavy Haul	
Single Axle	21,500 lbs.
Tandem Axle	43,000 lbs.
Maximum Wgt.	98,000 lbs.

D -
Restricted to Divisible Load Limits (no heavy haul)

Divisible Loads	
Single Axle	20,000 lbs.
Tandem Axle	34,000 lbs.
Maximum Wgt.	105,500 lbs.

SR = Special Restrictions

SR1 -

Single Axle	20,000 lbs.
Tandem Axle	34,000 lbs.
Maximum Wgt.	80,000 lbs.

SR2 -
No truck combinations,
Maximum Wgt. 50,000 lbs.

SR3 -

Single Axle	20,000 lbs.
Tandem Axle	40,000 lbs.

Gross Wgt. - Weight Table 3

SR4 -

Single Axle	11,000 lbs.
Tandem Axle	18,000 lbs.

SR5a -		SR5b -
21 Tons	**3-axle**	19.5 Tons
32 Tons	**5-axle**	28 Tons
35 Tons	**6-axle**	26.5 Tons

SR6 -

Single Axle	20,000 lbs.
Tandem Axle	34,000 lbs.
Maximum Wgt.	80,000 lbs.

One-Way Trucks Only

SR7 - 30 Tons Gross Wgt.

SR8 -
Divisible / Non-Divisible Loads under Annual Permits, Single Trip Permits up to Weight Table 4 Limits

SR9 - 5 Tons Gross Wgt.

SR10 -

Single Axle	18,000 lbs.
Tandem Axle	30,000 lbs.

SR11 - Single Trip Permits above Continuous Trip Permits allowed, center of bridge, permit vehicle only, certified flaggers.

Truck Safety Inspection Statistics — 2006

Number of truck safety inspections conducted in Oregon in calendar year 2006: 59,604

Compared to 2005, percentage change in inspection totals: .... up 6.74%

Of the total inspections, number done by Oregon DOT Motor Carrier Division: 39,403

Rate at which inspections occur: ..... 1 every 9 minutes

Most inspections in a single day: 421

Average minutes needed to conduct a complete Level 1 truck and driver inspection: 30.3

Hours spent inspecting trucks: 25,296

If each truck was 60 feet long, miles all trucks inspected, parked end to end, would extend: 677

Distance in miles from Portland to San Jose, CA: 661

Percent of inspections conducted using laptop computers: 74%

Average violations per inspection of Oregon-based trucks: 2.15

Average violations per inspection of trucks based elsewhere: 1.64

Most violations found in one inspection: 36

Percent of vehicles placed out-of-service for a critical safety violation: 23.41%

Current national percent of vehicles placed out-of-service: 23.35%

Most common mechanical violation found in vehicle inspections: .... brake-related

Percent of drivers placed out-of-service for a critical safety violation: 9.72%

Current national percent of drivers placed out-of-service: 6.61%

Actual number of drivers placed out-of-service in Oregon: 5,766

Number of truck drivers caught falsifying log books or keeping inaccurate logs: 5,189

Number of drivers caught using radar detectors: 142

Number of drivers caught using alcohol or drugs: 105

Motorists still need lessons regarding safe-distance law

Citation records for 2006 suggest that many motorists still need a lesson or two about Oregon's safe-distance law. Oregon State Police (OSP) preliminary reports show that more than 250 drivers were cited for violation of ORS 811.147 — failure to change lanes, or slow down if a lane change isn't safe, when passing a police car, ambulance, or other emergency vehicle parked on the side of the road with flashing warning lights. This represents an increase from the 241 citations issued in 2005, in spite of the fact that OSP logged fewer hours patrolling Oregon highways in 2006.

"The good news is that we only cited seven commercial motor vehicle drivers for the offense last year, which is fewer than half from the previous year," noted OSP Patrol Division Support/Logistics Sergeant Alan Hageman. "This suggests that the message is getting around the CMV community as more and more states adopt their own version of Maria's law."

OSP troopers commonly refer to the safe-distance law as "Maria's Law" in honor of Maria Mignano, a Senior Trooper who died in September 2001, along with an Albany police officer, when a driver fell asleep and struck them on the roadside of Interstate 5 north of Albany. As a result of that accident, and others where law enforcement officers had been injured or killed while engaged in roadside stops or assists, Oregon legislators established the violation for failure to maintain a safe distance from emergency vehicles.

"Highway-related deaths have surpassed felonious attacks as the leading cause of police officer fatalities," Sergeant Hageman noted. "Highways are becoming more crowded and communication or other electronic devices are increasing driver distractions, both of which are contributing to the increase of threats to police officers who are parked along the highway shoulder."

The subject was in the news again as recently as February 11 when a Multnomah County Sheriff's Deputy was seriously injured in an early-evening accident on Interstate 84 in the Columbia Gorge.

Deputy Ken Yohe was approximately three miles west of Multnomah Falls assisting a stranded motorist with a flat tire. The deputy positioned his car well behind the stranded vehicle with all emergency lights activated, as officers are trained to do to signal passing motorists and provide a safety buffer for the stranded vehicle. After Deputy Yohe had returned to his patrol car, a 40-foot motor home hit the car.

The deputy sustained injuries to his back and neck. The car was totaled. Accident investigators found no evidence of impairment or recklessness on the part of the 66-year-old motor home driver. He was issued a citation for violation of the safe distance law, a Class B traffic violation with a minimum base fine of $242.

Enforcement
4th Quarter 2006

From October through December 2006, the Motor Carrier Division finalized 105 civil enforcement actions, in addition to 68 actions related to inspection follow-up violations. The number next to each name indicates violations confirmed in the process.

** Denotes second complaint within five years.
*** Denotes third complaint within one year of second.
**** Denotes fourth complaint within one year of third.
• Denotes cancellation of farm registration.

Safety Violations

A total of 94 enforcement actions established violations related to failure to produce safety records, violations found during safety compliance reviews, or driver violations related to waiver of physical disqualification.

ABA Co. 3
A B S *(Vancouver WA)* 5
Dale R Alley 1**
A B Alvarez, Inc. 3
Badger Creek Rock, Inc. 1
Roger A Belloir 2
Berkut Transport, Inc. 7
Birch Creek Construction, Inc. 52***
Matt Bixby Trucking 3**
Blue Mountain Asphalt Co. 11**
Mark V Bowmann 1
Ray Boyd & Son, Inc. 13**
C & M Construction, Inc. 26***
Calkins Transport Co. 12***
Columbia Paving & Excavation, Inc. 3***
Commercial Redi Mix & Aggregate, Inc. 6
Cook Crane Corp. 4
Cornerstone Trucking, Inc. 83**
Cross & Crown, Inc. 4
D A L Express 10
Deluxe Fuel Oil Co. 4
Desi Trucking 7
Michael R Dirks 1
Dollar & Dollar, Inc. 11
Randy J Doran 1
Jim Earls Trucking, Inc. 8
Earth Movers, Inc. 14
Emmons General Contracting, Inc. 5
Evergreen Redi-Mix Co. 2**
Expert Moving Co., Inc. 3**
First Choice Trucking, Inc. 10
Foothills Firewood LLC 3
Forrest Smith Drilling & Blasting, Inc. 4
Gehrke & Sons Trucking, Inc. 4
Gem Builders, Inc. 4
Harbor Truss, Inc. 22**
Robert Henderson Trucking 5
Gerald G Howell 6
Michael E Johnson 1
Ken Kauppi Trucking LLC 5
Kerr Contractors, Inc. 151**
Kinnan Engineering, Inc. 7**
L&J Hoefer Trucking 20**
Peter Ladunskiy Trucking 2
David R Lenney 1
Calvin Litzsinger Trucking 11***
McFarlane Transport LLC 5
Met Transportation 10***
John Michel 15***
Miller & Sons Excavating 17**
Gary D Moe 1
John R Morris & Son 1
Don Mumby & Son Trucking 2
Robert Nelson 2
Nicholson Equipment 3
North Douglas Cutters, Inc. 9
Loren Obrist Excavating, Inc. 51**
A G Ontko Contracting 3
Rene Osorio 15**
Pacific Recycling, Inc. 89**
R L Patterson Transportation, Inc. 18
Peewee, Inc. 17
Perez Trucking *(Ontario OR)* 94**
Pok Wan Contracting, Inc. 12***
R & M Lumber Sales, Inc. 5
Danny R Ray 1
Ricky M Reynolds 16**
Rhino Excavation & Underground, Inc. 2
Risseeuw Timber Co., Inc. 5
Rocky Mountain Construction LLC 9
Rose City Trucking Co. 4***
S L G Trans 6
Jennifer R Sanderson 1
Schroeder Enterprises 7
Shalom Lines 16**
Sonmar Enterprises LLC 4
Ray Sweat 11****
Sweeney Excavating, Inc. 21***
Terrain Tamers Chip Hauling, Inc. 2
Michael Thompson Trucking 1
Tiben Enterprize 34**
Timber Country Trucking LLC 3
Triangle Oil, Inc. 9
U S Haulers Express 6
Jeff Unger Logging, Inc. 2
V N Transportation 6
Western Pacific Transport, Inc. 4
S G Wilson Truck & Equipment Co., Inc. 3
Thomas J Wilson 2
Sam Wong & Son, Inc. 67**
Kerry E Wood 1
Lawrence E Wood 1
Woolley Equipment LLC 65**
Zwald Transport, Inc. 63**

Other Violations

A total of 11 enforcement actions established violations related to operating without valid registration credentials, operating in excess of size and/or weight limits, operating in violation of farm registration laws and rules, offering or providing unauthorized household goods moving services, or operating as an unregistered pack and loader.

Aaron M Chappell Trucking 1
Regan & Victoria Cummins 1•
Jack Davis Premiere Shows 2
Facilities Logistics, Inc. 3
Global Van Lines, Inc. 1
Heritage Acres 1•
K Diamond, Inc. 1•
Move It Or Lose It, Inc. 1
Quality Moving *(Sisters OR)* 1
Safeway Services, Inc. 1
James T Steele 6

Other Enforcement

Summary of work by Motor Carrier Enforcement Officers in the 4th Quarter 2006:

Trucks Weighed on Static Scales
551,896

Trucks Precleared to Pass Green Light Weigh Stations
352,288

Weight-Related Citations
3,432

Weight-Related Warnings
2,250

Size-Related Citations
195

Trucks Required to "Legalize" (Correct) Size and/or Weight
1,031

Other Citations
883

Other Warnings
2,976

Citations for Operating Without Oregon Weight Receipt & Tax Identifier
1,495

Totals do not include enforcement by State Police or city and county officers.

Other Safety Violations — 4th Quarter 2006

A total of 65 cease and desist orders and 3 penalty orders established a company's failure to return a Driver or Equipment Compliance Check Form after an inspection. Following every safety inspection performed by state transportation officials or law enforcement officers, the driver receives a copy of the inspection form. If violations were found, the motor carrier must sign and return the form to the state where the inspection occurred and confirm that the violations were addressed (Federal Regs, Part 396.9).

When the inspection occurs in Oregon, the inspection form must be signed by a company official and returned to the Oregon Department of Transportation, Motor Carrier Transportation Division, within 15 days. On the form, the company certifies that any vehicle-related problems were repaired and/or driver-related problems addressed.

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