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WESTERN STATES TRANSPARENT BORDERS

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Final Technical Report
April 1993



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Final Technical Report
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Western States Transparent Borders Project

**WESTERN STATES
TRANSPARENT BORDERS PROJECT**
DESCRIPTION OF CURRENT STATE PRACTICES
WASHINGTON

by

Robert R. Scheibe
Research Assistant

Jodi Koehne
Research Engineer

Mark Hallenbeck
Deputy Director

Washington State Transportation Center (TRAC)
University of Washington, JE-10
The Corbet Building, Suite 204
4507 University Way N.E.
Seattle, Washington 98105

Washington State Department of Transportation
Technical Monitor
Barry Diseth
Administrator, Motor Carrier Services

Prepared for

Washington State Transportation Commission
Department of Transportation
and in cooperation with
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The contents of this report reflect the views of the authors, who are responsible for the facts and the accuracy of the data presented herein. The contents do not necessarily reflect the official views or policies of the Washington State Transportation Commission, Department of Transportation, or the Federal Highway Administration. This report does not constitute a standard, specification, or regulation.

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INTRODUCTION

Some of the most significant consequences of intelligent vehicle-highway system (IVHS) initiatives and technologies involve commercial vehicle operations (CVO). These new technologies offer substantial improvements in the operational efficiency of shipping and trucking firms and the public agencies that regulate, administer, and interact with them.

These new IVHS technologies combine with changes in data collection methods, information sharing, and organization to form a new concept, referred to as "transparent borders." The transparent borders concept was developed to:

- reduce motor carrier costs,
- reduce regulatory costs for public agencies,
- improve competitiveness among motor carriers,
- improve motor carrier safety and compliance, and
- eliminate unnecessary delays for both public agencies and the motor carrier industry.

Most of the costs, associated with both the motor carriers and the regulatory agencies, originate from the tasks associated with compliance. These tasks include the following:

- licensing,
- registration,
- permitting,
- tax collection,
- regulation of vehicle dimensions (size and weight), and
- safety enforcement.

Processing delays that occur when these tasks are performed are often costly and frustrating to regulatory agencies, the motor carrier industry, and the general public.

PROBLEM DEFINITION

There are many aspects of the transparent borders concept that would be beneficial to both industry and government. For example, implementation of specific

IVHS technologies could reduce the costs of operating a trucking firm, improve the safety of the road environment for all drivers, and eliminate unnecessary delays. In turn, there would be benefits for the government and public, including a reduction in regulatory costs and an improvement in safety compliance, which would subsequently reduce attendant auditing requirements.

Though many of the IVHS technologies are already commercially available or technically feasible, substantial barriers prevent their immediate implementation. These barriers may include the following:

- physical limitations at existing facilities,
- resource constraints,
- political concerns (e.g., job security, authority),
- antiquated computer systems and manual record keeping, and
- administrative and legislative restrictions on the collection and dissemination of information and money (including privacy issues).

This project has been funded by the Federal Highway Administration (FHWA) to identify the extent to which these and other barriers are impeding the implementation of IVHS technologies, and to determine how to overcome these barriers.

GOALS AND OBJECTIVES

The primary goals and objectives for the project are as follows.

- Provide documents for each participating state that describe the current regulatory and administrative organizational frameworks within that state as they relate to the creation of transparent state borders for interstate commercial vehicle operations.
- Develop, within each participating state, an interagency working group that will guide the implementation of systems and technologies related to the transparent borders concept. These technologies will be designed to improve the efficiency of both governmental agencies and trucking firms operating in the state.
- Identify the areas where use of IVHS technologies will provide the most significant benefits for each state.
- Develop working relationships between these groups on an interstate level.

- Determine a potential course of action for each state to implement IVHS technologies to improve commercial vehicle operations.

The goal of this first part of the project is to provide each state with a document that describes the basic functions and perspectives of each government agency and industry organization that influences commercial vehicle operations. This report provides readers with a common understanding of these issues, and serves as a reference for state agencies and organizations to use to understand how these functions are carried out in neighboring states.

After each state reviews its report, the report will be updated to incorporate comments and clarifications. The report will then be used in conjunction with the first and second round of project interviews to 1) identify barriers to transparent borders, 2) guide discussions concerning potential technological and organizational solutions to reduce these barriers, and 3) suggest specific solutions for implementation. These issues will be the subject of subsequent meetings and reports.

REPORT FORMAT

This report has been organized to make information as accessible as possible. It is not intended to be read cover to cover, but to be a reference on how commercial vehicle operations work within a specific state.

Consequently, information is repeated within this document. This was done so that, regardless of the reason the information was needed or the reader's perspective, the information would be easy to find. For example, if readers want to know how a specific function is performed, they can turn directly to the process description chapter. Or, if readers are interested in the organizations involved or distribution of tasks among those agencies, they can find their information in the organization and/or task responsibility chapters without having to read through the details of how a particular function is performed.

This report presents the following information:

- an overview of the organizational structures of both the agencies and industries involved in interstate trucking;
- a description of the agencies' and industries' roles and perspectives related to interstate trucking;
- a description of the various administrative and regulatory processes required of the interstate trucking industry, including driver licensing, vehicle licensing and registration, operating authority and insurance, permits, tax collection, weight and size regulations, and safety regulations; and
- an overview of the information paths and data sharing within and among the various agencies and industries, including computer systems and databases.

This report does not identify barriers to the implementation of IVHS technologies, nor does it describe measures that would ease their implementation. However, these topics will be covered in subsequent reports.

The following sections examine the status of commercial vehicle operations, first from the institutional viewpoint and then from a functional perspective.

ORGANIZATIONAL STRUCTURE

To identify barriers that may prevent the implementation of transparent borders technologies, one must understand the organizational structure of the agencies and industries that are associated with commercial vehicle operations. This is especially important if the various agencies and industries must work cooperatively.

GOVERNMENT AGENCIES

Interstate trucking is regulated and serviced by various federal and state agencies. Though the researchers here focused on state agencies in this report, several federal agencies are also important to this investigation (Figure 1). The U.S. Department of Transportation (USDOT) has two major branches that interact with commercial trucking: the Federal Highway Administration (FHWA) and the National Highway Traffic Safety Administration (NHTSA). Under the FHWA, the Office of Motor Carriers has a number of sub-organizations that assist in the development and enforcement of safety standards and laws, including the Research and Special Programs Administration (RSPA), which is responsible for writing and enforcing hazardous material regulations affecting transportation.

The Interstate Commerce Commission (ICC) is responsible for the development and enforcement of economic regulations affecting interstate trucking. The ICC also grants interstate operating authority to interstate carriers.

The Internal Revenue Service (IRS) is responsible for collecting the Federal Heavy Vehicle Use Tax (FHVUT) from all carriers operating vehicles with a gross vehicle weight (GVW) of 55,000 lb. or greater. Carriers are responsible for providing proof of payment of the FHVUT when registering their vehicles. The IRS also collects an excise tax on the first retail sale of some heavy trucks and trailers.

In addition, the American Association of State Highway and Transportation Officials (AASHTO) is interested in commercial vehicle operations. AASHTO is divided

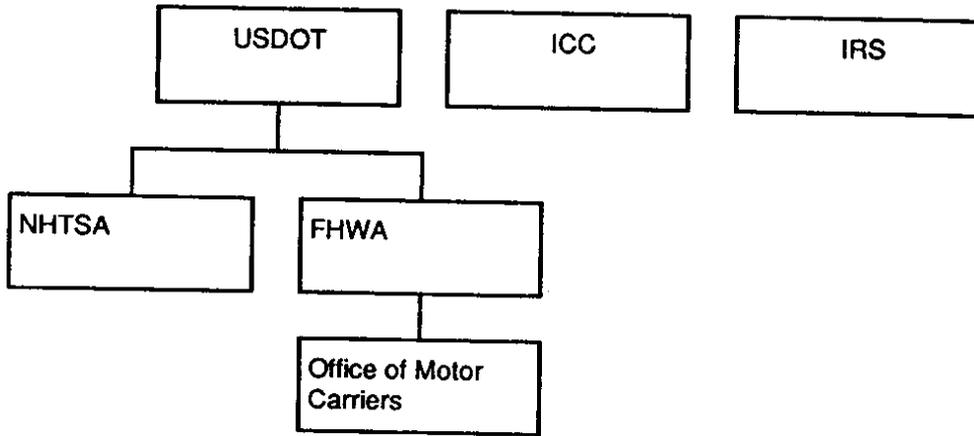


Figure 1. Federal Regulatory Agencies

into four regions; a subcommittee on highway transport comprises one member from each state. The Western Association of State Highway and Transportation Officials (WASHTO) also has a highway transport subcommittee. WASHTO is not a formal division of AASHTO; the states of Idaho, Oregon, and Washington began to work on uniformity of size and weight issues, but eventually became a consortium of 17 states called WASHTO. The WASHTO subcommittee has charter primarily to promote uniform size and weight, but it has other interests also.

The organizational structure for the various government agencies in Washington is shown in Figure 2. State of Washington agencies are part of one of three governmental branches: legislative, judicial, and executive. In the legislative branch, the Transportation Committees in the Senate, House of Representatives, and the legislature as a whole consider and pass legislation related to the industry. In addition, the Legislative Transportation Committee (LTC) conducts studies on issues related to trucking. The judicial branch, consisting of the court system at the supreme, district, and municipal levels handles adjudication of disputes and assessment of penalties. The executive branch contains the majority of agencies associated with the commercial trucking industry.

The executive branch is divided into two major sections. One section consists of agencies headed by a governor-appointed executive. Those agencies include the Washington State Patrol (WSP), Washington Department of Licensing (WDOL), and the Washington Traffic Safety Commission (WTSC). The WSP is primarily responsible for enforcement and safety, and the WDOL handles vehicle licensing and registration, fuel taxation, and driver licensing.

The other section of the executive branch consists of agencies that are not directly headed by a governor appointee. These agencies report to an executive appointed by a board; the board is appointed in whole or part by the governor. The Washington Utilities and Transportation Commission (WUTC) operates in this manner. The State

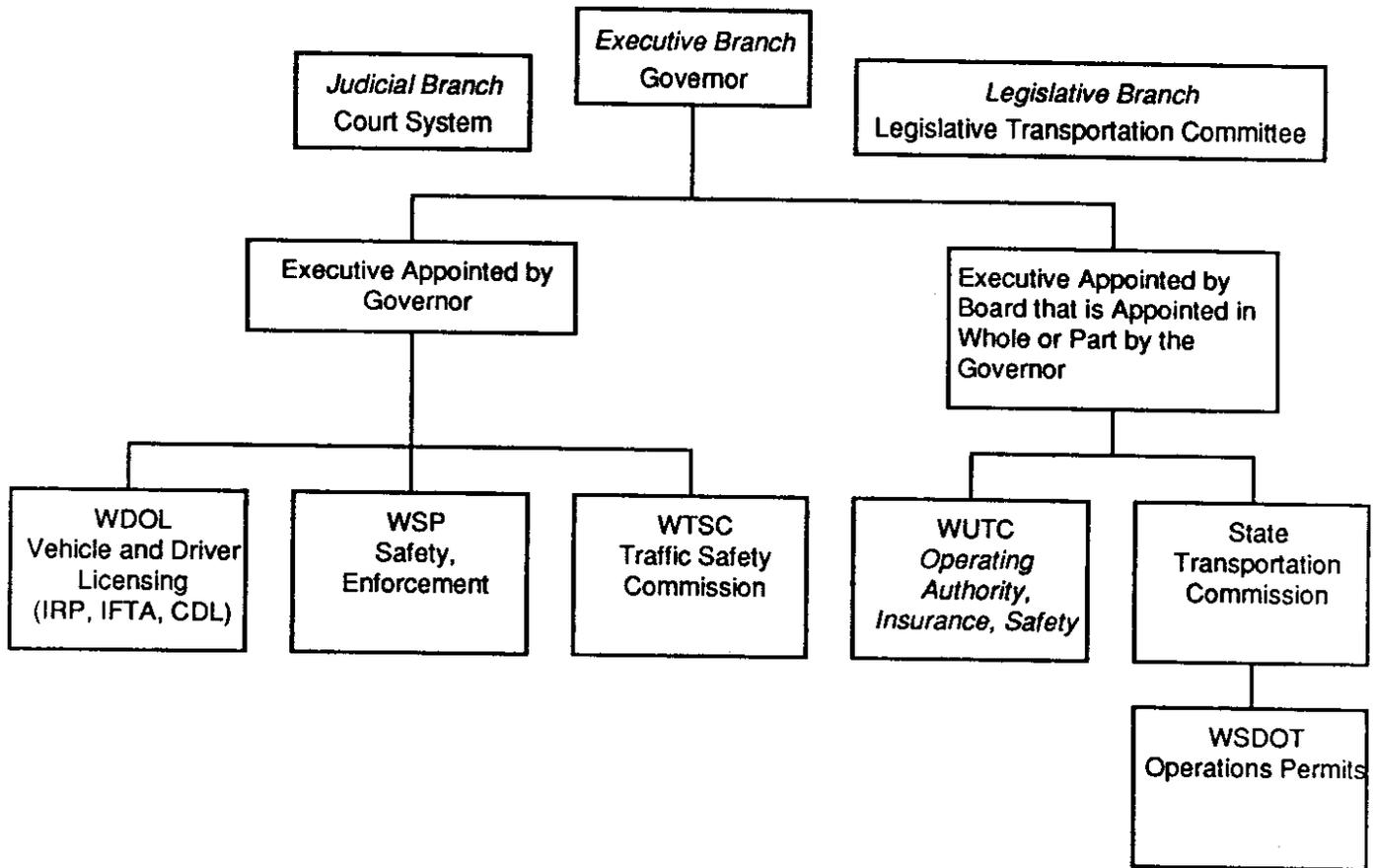


Figure 2. Washington Regulatory Agencies

Transportation Commission (appointed by the governor) appoints a director to the Washington State Department of Transportation (WSDOT). For interstate trucking, the WSDOT is primarily responsible for issuing oversize and overweight permits. The WUTC is responsible for issuing intrastate operating authority, registering interstate authority, issuing insurance, rates and tariffs, and regulating safety.

INDUSTRY

The commercial trucking industry comprises motor carriers (including business owners, owner/operators, and drivers) and entities that manufacture and service vehicles and provide components. National, regional, and state associations protect and promote the interests of motor carriers (Figure 3). On a national level, these associations include the American Trucking Association (ATA), the National Private Truck Council (NPTC), and the Owner Operator Independent Drivers Association (OOIDA). At the state level, the Washington Trucking Association (WTA) interacts on a regional basis with the Western Trucking Association Executive Council (WTAEC).

The vehicle industry has a number of trade organizations, including the Society of Automotive Engineers (SAE), the Truck Trailer Manufacturers Association (TTMA), and the Truck Maintenance Council (TMC). These organizations provide a forum in which designers, manufacturers, and service technicians can share information, participate in the development of federal regulations (including size, weight, and safety codes), and respond to changes in federal regulations.

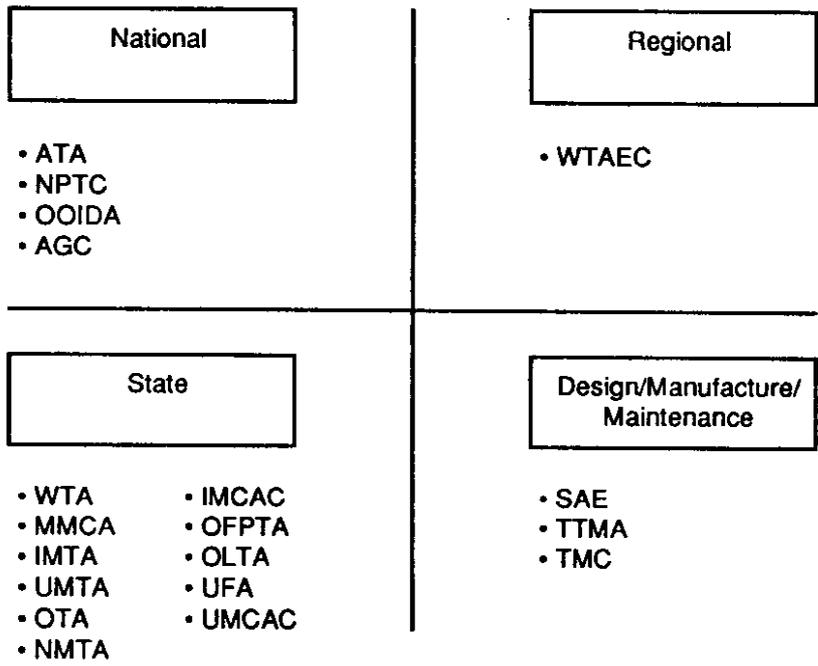


Figure 3. Trucking Industry Organizations

AGENCY PERSPECTIVES AND RESPONSIBILITIES

In many cases, motor carriers and the public agencies that regulate them have very different interests. The specific roles and perspectives of each of the major agencies involved with interstate trucking are discussed in detail in this section.

Regulatory agencies must oversee a wide range of commercial vehicle functions, including driver licensing, vehicle licensing and registration, operating authority, tax collection, permitting, weight and size enforcement, and safety enforcement. In Washington, commercial vehicle regulatory agencies include

- the Washington State Department of Transportation (WSDOT),
- the Washington State Department of Licensing (WDOL),
- the Washington State Patrol (WSP), and
- the Washington Utilities and Transportation Commission (WUTC).

The specific responsibilities of each of these agencies are summarized in Table 1 and are discussed in detail below.

WASHINGTON STATE DEPARTMENT OF TRANSPORTATION

The Washington State Department of Transportation (WSDOT) Motor Carrier Services Office is responsible for issuing of permits for commercial vehicles. The permits offered include (1) single trip permits, (2) oversize/overweight vehicle permits, (3) additional tonnage permits, (4) log tolerance permits, (5) special fuel permits, and (6) Western Regional Permits.

The WSDOT views itself as a public service organization, with a "client" responsibility to commercial vehicle operators. The WSDOT helps truckers comply with the various rules and regulations associated with commercial vehicle operations.

The WSDOT is also charged with maintaining the safest and most efficient roadway environment possible. As part of meeting objective it provides permits to protect both the trucker and the motoring public from the hazards created by the

movement of oversize (OS) and overweight (OW) loads on the highway. It also regulates the traffic flow around OS/OW loads so as to minimize inconvenience to other motorists.

At the same time, the WSDOT protects the public's investment in the highway system's pavement structures by preventing premature deterioration. Because heavy trucks accelerate such deterioration, the WSDOT must regulate the amount and type of commercial vehicle traffic through the permitting process. This process also generates revenue and defrays some of the cost of maintaining the highway system.

WASHINGTON STATE DEPARTMENT OF LICENSING

The Washington State Department of Licensing (WDOL) is responsible for driver and vehicle licensing, as well as the collection of the fuel tax and the issuance of trip permits for temporary registration. The WDOL is responsible for testing, issuing, and renewing the Commercial Driver's License (CDL). The WDOL is also responsible for the registration of vehicles under the International Registration Plan (IRP) and the International Fuel Tax Agreement (IFTA). Both of these programs require the collection of fees from Washington-based interstate carriers and the apportioned disbursement of fees to various participating states.

Aside from auditing IRP and IFTA participants to ensure proper procedures and payments, the main responsibility of the WDOL is to provide motor carriers with the proper credentials to operate as commercial vehicle operators.

WASHINGTON STATE PATROL

The primary responsibilities of the Washington State Patrol (WSP) involve enforcement of and compliance with traffic and safety rules and regulations. The areas of enforcement related to commercial vehicle operations, include (1) checking for proper credentials, (2) enforcing safety compliance, and (3) enforcing size and weight compliance. The WSP performs all of its enforcement activities on the roadside or at

weigh stations; all terminal inspections are handled by other agencies, such as the WUTC or the FHWA.

The WSP also acts as the lead agency for gathering and maintaining vehicle inspection and accident data. This is done under the Motor Carrier Safety Assistance Program (MCSAP), which will be described later. Additionally, the WSP issues trip permits as an agent of the DOL.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

The Transportation Division of the Washington Utilities and Transportation Commission (WUTC) directs economic and safety regulation of common and contract carriers operating within Washington. Private carriers (carriers that haul commodities to which they own title) are exempt from commission regulation unless they are operating as a contract carrier part-time. Basic regulatory tasks include the following:

- granting intrastate operating authority,
- registering interstate operating authority,
- approving rates and publishing tariffs,
- conducting safety inspections in terminals of intrastate and interstate carriers, and
- enforcing insurance standards on regulated carriers.

The WUTC is primarily a regulatory agency. However, unlike the WSP, the focus is on business rather than roadway operations. Though the WUTC performs random roadside checks for operating authority (and also conducts safety inspections on these vehicles), they are primarily concerned with intrastate operating authority, insurance requirements, and regulation of rates and tariffs. The WUTC does not have much regulatory authority over interstate truckers (other than safety and insurance); this is handled primarily by the Interstate Commerce Commission (ICC).

For interstate carriers, the WUTC currently registers ICC operating authority in the State of Washington. Details of this program are discussed later in this report.

INTERSTATE COMMERCE COMMISSION

The Interstate Commerce Commission (ICC) is responsible for granting operating authority to any state-based carrier wishing to operate on an interstate level. State regulatory agencies monitor the possession of proper interstate authority.

UNITED STATES DEPARTMENT OF TRANSPORTATION

The United States Department of Transportation (USDOT) is not often involved in the day to day regulation/enforcement of commercial vehicle operations but is instead responsible for ensuring that the state-level regulation/enforcement programs are sufficient. Such programs include (1) commercial drivers licensing, (2) weight and size compliance, (3) safety compliance, and (4) compliance with hazardous material regulations. State agencies usually must submit annual reports to the USDOT describing their program operations.

INTERNAL REVENUE SERVICE

The Internal Revenue Service (IRS) is responsible for collecting commercial vehicle related taxes such as the Federal Heavy Vehicle Use Tax (FHVUT), and the Federal Motor Vehicle Excise Tax. The IRS relies on state agencies to verify payment of the FHVUT at the time of registration.

INDUSTRY PERSPECTIVES AND RESPONSIBILITIES

Within the motor carrier industry, various sectors have diverse interests. These differences in perspective are often evident between drivers and fleet owners, and between drivers for different carriers or industries.

MOTOR CARRIER INDUSTRY

The motor carrier industry comprises primarily truck fleets, individual owner/operators, drivers, and vehicle (and component) manufacturers. Each has a different perspective.

Fleet Operators

Fleet operators are concerned with the business aspects of trucking. From a discussion with a representative of the Washington Trucking Associations (WTA), which is largely composed of fleet owners, the researchers learned that fleet owners' major concern is commerce, but they are also interested in industry image. Image includes the issue of safety, and the desire to have a closer alliance with the WSP. Fleet owners expressed the desire for the elimination of (and no further creation of) unfair advantages that adversely affect competition.

The fleet managers participating in this project were uniformly interested in improving their ability to communicate with their drivers. Major concerns were that the drivers did not always have access to information that they needed, the drivers were not sufficiently familiar with the complex regulatory requirements of different states, and the drivers needed better communication with the fleet's dispatch and/or administrative offices. However, this desire for improved communications was always presented in relation to the cost of providing that access. That is, improved communications were desired, but only if the costs were relatively low.

Fleet managers expressed a variety of opinions about improving their ability to monitor drivers and vehicles. The desire to monitor vehicle and driver performance

Washington Trucking Associations

The Washington Trucking Associations (WTA) is a non-profit trade association, in existence since 1922, that consists of 1,400 members from all aspects of the trucking industry. These include

- common carriers (the largest group),
- private carriers,
- movers,
- logging truckers,
- bulk carriers (cement, fuel),
- heavy haul carriers, and
- suppliers (PACCAR, Kenworth).

Similar independent motor carrier organizations exist in all 50 states. The WTA has only a loose affiliation with other state trucking associations except through the Western Truck Association Executive Council (WTAEC). The WTAEC consists of representatives from motor carrier associations in 13 western states. Information is shared in an effort to improve and promote the motor carrier industry on a regional level. The WTA deals primarily with local issues, such as increases in the state fuel tax, whereas the ATA deals with national issues such as the Intermodal Surface Transportation Efficiency Act (ISTEA).

The WTA is self-policing. If one member violates some law or rule, especially if the violation provides that member with an unfair business advantage, another member may anonymously report it to the WTA. The WTA will then report it to the appropriate agency or enforcement personnel, and the tattling member does not have to fear retribution.

The WTA perspective on the transparent border issue is one of cautious optimism. WTA members are primarily concerned with creating a fair and viable business climate, while maintaining a good public image and safety record. Therefore, they generally oppose deregulation, since they feel that consumers would suffer hardship because of a decrease in the availability of service and an increase in the price.

Cooperation from the trucking industry in implementing transparent borders technologies will depend on a cost/benefit analysis. The WTA believes that the cost of such technology should be borne by the entities that realize the greatest benefit. However, it recognizes that the time savings truckers would experience would likely be significant, and the WTA is likely to favor any advancement that promotes the efficient movement of trucks.

Because truckers are generally for hire at \$60-\$80 per hour, and they may have to spend a half-hour at scales several times a day, the WTA thinks that transparent borders concepts could produce significant savings. However these savings would not be distributed evenly throughout the trucking industry. The trucking firms likely to benefit substantially from these savings would probably support the IVHS initiatives even at some financial cost to themselves, but firms that do not benefit financially from these new systems would not likely support their implementation if they had to bear some of the cost of that implementation.

Perhaps the WTA's most serious potential opposition to the transparent borders process relates to the possibility of a ton-mile tax. Some truckers may perceive that a ton-mile tax would be adopted as a result of this technology since it would make mileage monitoring much easier monitoring. Though a ton-mile tax might be viewed as equitable to some truckers, (they would pay for what they used), the WTA is concerned that once truckers were singled out with a tax that was solely associated with the trucking industry, the tax could be raised more easily. Currently, a tax is assessed on fuels used by all consumers, including automobiles; hence, raising fuel taxes may be more difficult because an increase will affect all consumers.

Other Industry Representatives

The National Private Truck Council (NPTC) is an association comprising mainly corporations that operate their own trucking fleets. The NPTC works at the national level to support legislation beneficial to the trucking industry, with a particular emphasis on

those issues that affect private fleet operators. Similarly, the Owner-Operator Independent Driver Association (OOIDA) is a national trade association that serves the interest of independent owner/operators.

PROCESS DESCRIPTION

To best understand the requirements for interstate trucking operation, the process of fulfilling these requirements must be understood. This section examines these processes from the functional standpoint, rather than from the institutional format of the previous sections.

Each state has the same basic functional processes for commercial vehicle operations (CVO), which include the following:

- driver licensing,
- vehicle licensing and registration,
- operating authority and insurance,
- permits,
- tax collection,
- weight and size regulation, and
- safety regulation.

Figure 4 depicts how each of the CVO processes can be classified into one of three categories. The categories are initiation, operational, or enforcement/regulation processes. Initiation processes are required for getting the vehicle and driver on the road. Operational processes are the functions necessary for everyday operation, year after year. Enforcement and regulation processes are self-explanatory.

Because this project focuses on the differences in these processes among the states (the differences that may represent barriers to the transparent borders concept), the researchers decided to include the processes that are federally mandated, and hence similar from state-to-state, in Appendix C. Therefore, this section of the report concentrates on the functional processes that are generally more specific to each state.

Table 2 is a summary chart showing each CVO function, the agencies that are primarily responsible for administering the function, their agents, the regulatory or enforcing agency for each function, and the location where enforcement typically occurs.

Each of the sections that follow are divided to describe (1) the agencies involved with each process, (2) the process itself, (3) the contact that must occur for the process to

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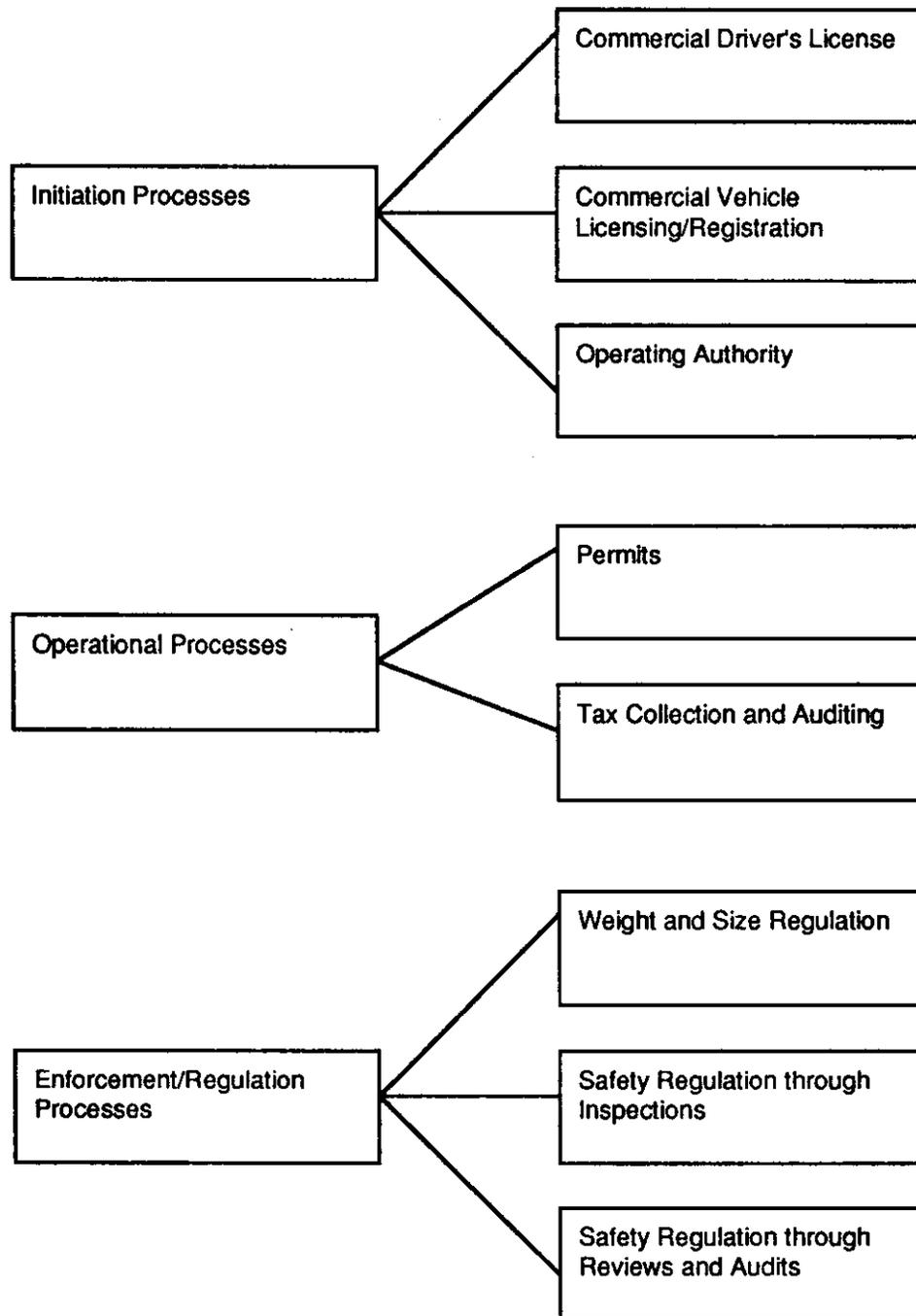


Figure 4. CVO Functions

Table 2. Agency Responsibility by Function

| Commercial Vehicle Function | | Administration | Issuance | Enforcement | Location |
|---|------------------------------------|----------------------------|-----------------------------|--------------------------|----------|
| Commercial Driver's License | | WDOL USDOT ¹ | Licensing Stations | WSP | Roadside |
| | | | | WUTC, USDOT ¹ | Terminal |
| Vehicle Registration and Licensing | | WDOL | Licensing Stations | WSP | Roadside |
| | | | | WDOL | Terminal |
| Operating Authority-Granting | | ICC | ICC | WUTC, ICC | Terminal |
| Operating Authority-Registering | | WUTC | WUTC | WUTC | Terminal |
| | | | | WSP | Roadside |
| Permits | Vehicle Registration, Special Fuel | WDOL | WDOL, WSP, Private Agencies | WSP | Roadside |
| | OS/OW | WSDOT | WSDOT, WSP | WSP | Roadside |
| | Western Region | WSDOT | WSDOT and Member States | WSP | Roadside |
| | Operating Authority | WUTC | WUTC | WUTC, WSP | Roadside |
| Tax Collection | IFTA, Special Fuel | WDOL | WDOL | WDOL | Terminal |
| | | | | WSP | Roadside |
| | MV Excise, FHVUT | IRS | WDOL | WDOL ² | Terminal |
| Weight and Size Enforcement | | USDOT ¹ | — | WSP, USDOT ¹ | Roadside |
| Safety Enforcement-Inspection | | USDOT ¹ | — | WSP, WUTC, USDOT | Roadside |
| Safety Enforcement-Safety/ Compliance Reviews | | USDOT ¹ | — | WUTC, USDOT | Terminal |

¹USDOT oversees operation of state level programs

²WDOL verifies payment of FHVUT prior to vehicle registration

Terminal - Principal place of business or fixed location where carrier records are maintained.

Roadside - Ports of entry, weigh stations or other roadside locations suitable for stopping a truck.

be completed, and (4) practices that are unique to the state of Washington, if any have been identified.

COMMERCIAL DRIVER'S LICENSE (CDL)

In accordance with the 1986 Commercial Motor Vehicle Safety Act, all states are required to meet the same minimum standards for testing and licensing drivers of commercial vehicles. Because little variation exists among state CDL practices, a more detailed description of CDL requirements is given in Appendix C.

Agency Involvement

The Department of Licensing (WDOL) is responsible for issuing, monitoring and maintaining records for commercial driver's licenses. The state has 153 third party civilian testing personnel under contract with the WDOL. In Washington people can apply for a CDL at any of the licensing agencies throughout the state. All testing can usually be done at these locations, or a special test site can be arranged. All fees are paid at these locations.

The Washington State Patrol has primary responsibility for verifying a driver's possession of a legitimate CDL. A driver who lacks the proper CDL credentials can be detected if (1) stopped on the roadside for a traffic violation, (2) stopped at a port of entry or weigh station for inspection, or (3) involved in an audit at the fleet terminal.

Process Description

The process of obtaining the CDL has been outlined in Figure 5. A driver is required to go, in person, to any of the licensing stations in Washington to (1) qualify to become a commercial vehicle driver, (2) upgrade an existing CDL, or (3) transfer the CDL to Washington from another state if Washington is the new place of residence.

To qualify for a CDL, a driver must first pass a knowledge and skills test to show awareness of the rules of the road and competence in driving a commercial vehicle. Additional testing is also required to upgrade the CDL. If a driver wishes to transfer the

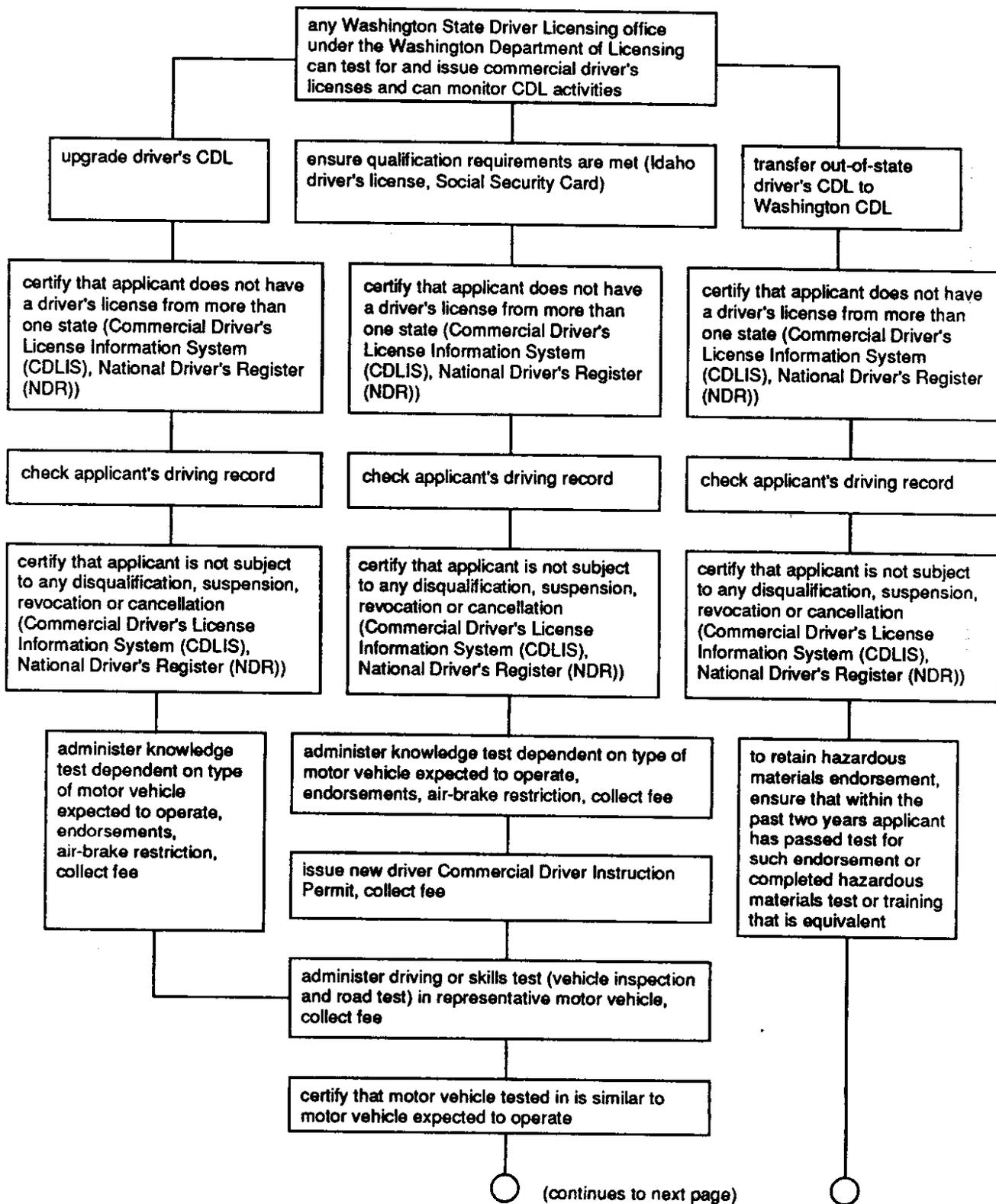


Figure 5. Procedures For Issuing a Commercial Driver's License in Washington

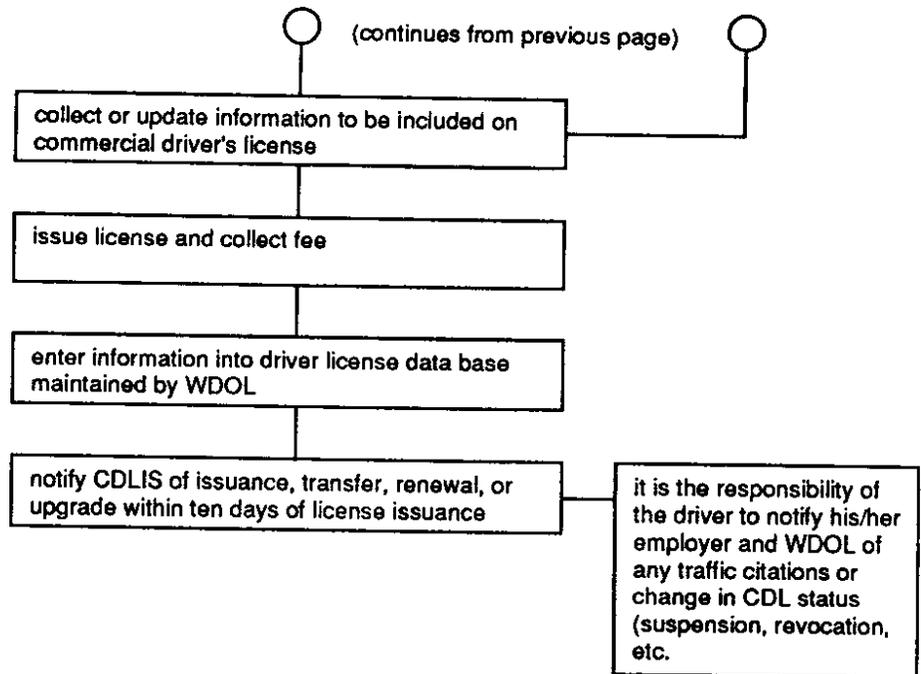


Figure 5. Procedures For Issuing a Commercial Driver's License in Washington (continued)

CDL from another state to Washington, no additional testing is required unless a driver wishes to maintain (or obtain) a hazardous materials endorsement.

Before testing, a number of credentials are checked to determine whether the applicant qualifies for a CDL. These include

- valid DOT medical card,
- social security card,
- photo ID, and
- vehicle information.

If the driver is upgrading or transferring the CDL from another state, the Commercial Driver's License Information System (CDLIS) and the National Drivers Register (NDR) are checked (via AAMVANET) to ensure that the driver possesses only one license and has not been disqualified, and that the license has not been suspended, revoked, or canceled. The applicant's driving record is also examined before license issuance. Often, other states are asked to provide driver status if the applicant is transferring from another state.

If the applicant has shown the necessary credentials, passed the required skills and knowledge tests, has a clear driving record, and has paid the required fees, a temporary license is issued immediately. A photo license is sent later.

Information regarding the transaction is then sent to the national networks (CDLIS and NDR) to ensure that they are up-to-date.

Required Contact

The CDL issuing agency must have contact with the following entities to complete the issuance process:

- CDL applicant or holder,
- national monitoring networks such as CDLIS and NDR, and
- other states' licensing agents.

The applicant must personally contact the issuing agency so it may verify the applicant's credentials and testing. The national networks, such as CDLIS and NDR, can be accessed directly via computer. If information is required from other states regarding

the driver's status, it is usually collected by telephone. This relationship is depicted in Figure 6.

VEHICLE LICENSING AND REGISTRATION

A carrier or owner/operator has essentially three ways of registering each vehicle: (1) apportioned registration for interstate operation (International Registration Plan-IRP), (2) full registration for intrastate operation or interstate operation from trucks based in a non-IRP state, and (3) trip permits in lieu of apportioned registration or full registration.

The International Registration Plan (IRP) is addressed generally in this section, but a more detailed description of the program is found in Appendix C.

Agency Involvement

The Department of Licensing (WDOL) has primary authority for all vehicle registration and licensing transactions. The WDOL handles the administration and fee collection for the IRP, as well as for the non-apportioned full registration and temporary trip permits.

Proper registration and licensing is routinely monitored by the Washington State Patrol. Improper registration or licensing is likely to be detected if they are visibly noticed by troopers (often noted while they take enforcement action for some other purpose), or if they are noted at ports of entry or during terminal audits. Audits for IRP compliance are conducted by the WDOL in Washington.

Process Description

The procedure for registering a vehicle in the state of Washington has been summarized in Figure 7.

Intrastate registration in Washington is relatively easy. There are 160 locations; truckers can walk in and walk out with the tabs. Interstate registration is more cumbersome. Currently, IRP can only be handled through the Olympia office. A large

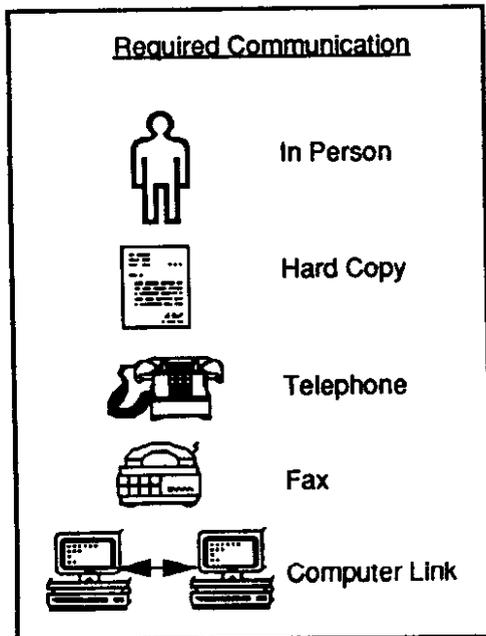
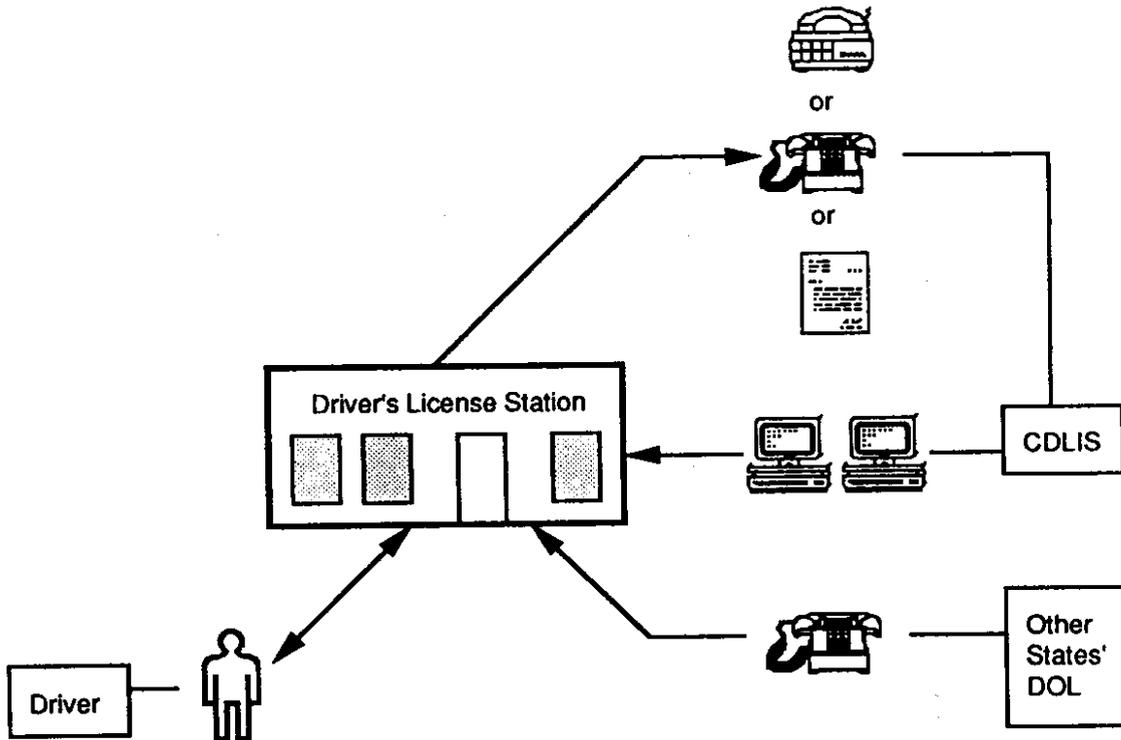
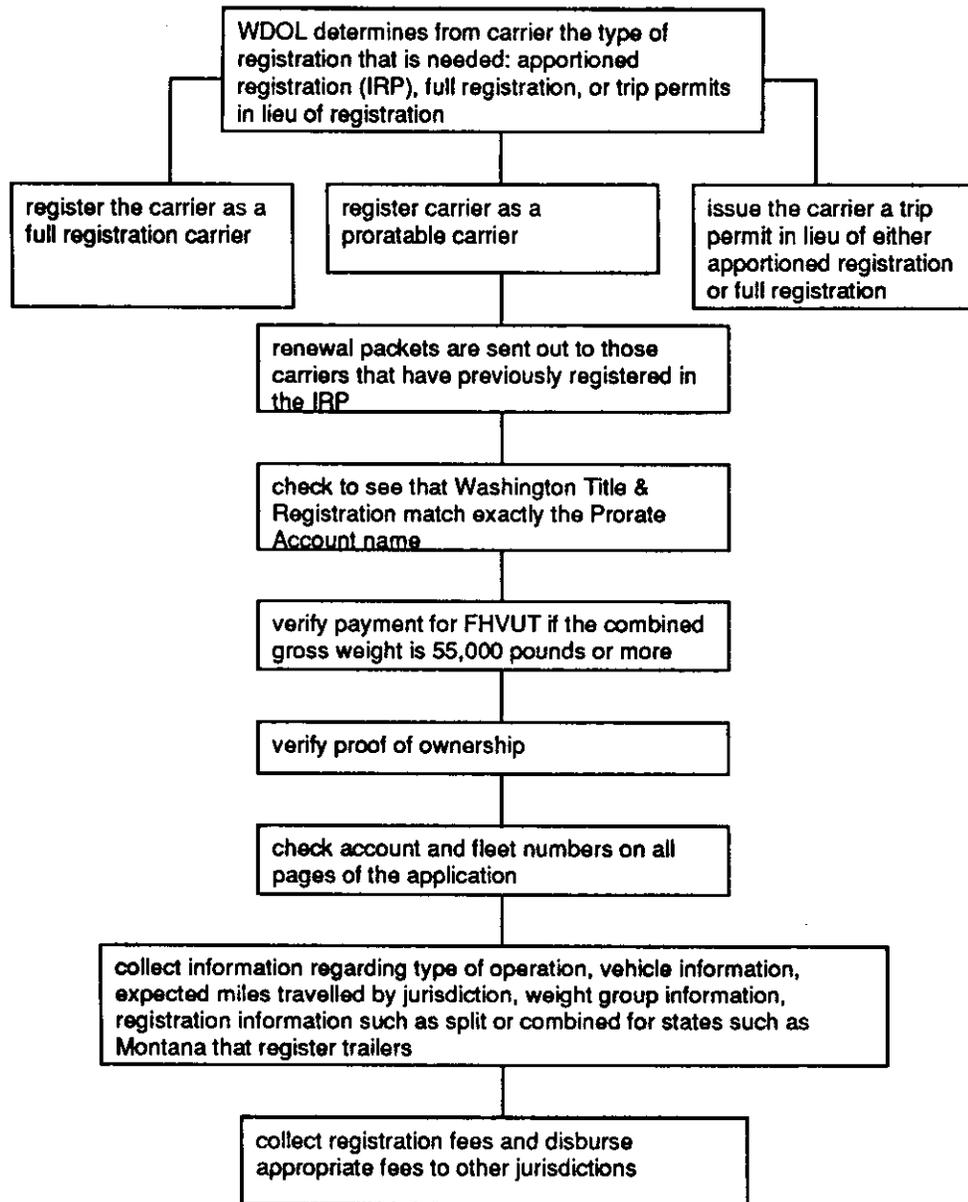


Figure 6. Required Communication for Issuing/
Transferring/Upgrading CDL in Washington

Registering



Auditing

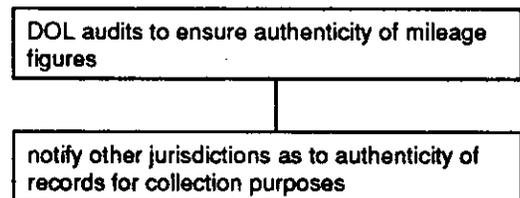


Figure 7. Procedures for Registering a Commercial Vehicle in Washington

amount of driver/vehicle history must be manually checked in files kept at this location, which has so far prevented the handling of IRP registration from multiple offices.

The responsibility for registration can lie with either the owner-operator or the carrier. For prorated registration, a copy of Washington state registration must accompany the prorated application. Before proration can take place, proof of payment of the Federal Heavy Vehicle Use Tax (FHVUT) is required for vehicles with a minimum combined gross weight of 55,000 pounds. The applicant must provide a certificate of ownership.

Additional information collected from the applicant includes the following:

- type of operation,
- vehicle information,
- expected miles traveled by jurisdiction,
- weight group information, and
- special registration information .

Carriers that have previously registered in the IRP receive renewal packets requesting this information and proof of credentials.

Power units and trailing units must be listed in separate fleets and on separate prorated applications. Washington trailing units are only eligible for prorated if they travel in one of the following jurisdictions: Alaska, British Columbia, Montana, Wyoming (intrastate only), or California. If they do not travel in one of these jurisdictions, trailing units must be fully licensed and issued a regular Washington license plate.

Registration and licensing fees are collected annually on all vehicles. Licensing fees for power units are based on the gross vehicle weight, while trailers are charged a flat annual fee. All fees associated with registration must be paid with guaranteed funds.

Any commercial vehicle owner/operator may be audited to check the authenticity of mileage figures reported in operational records and registration information. Each jurisdiction in which the registrant is proportionally registered is notified of the accuracy of the records kept and any fees that are due to that jurisdiction.

Required Contact

The process of commercial vehicle registration requires contact between the carrier and the WDOL issuing stations so that the WDOL can verify credentials, gather information, and collect registration fees. In some cases, this contact does not need to be in person but can take place via mail or fax. This relationship is shown in Figure 8.

Unique Practices of the State

Special registration reciprocity agreements exist between Washington and several other jurisdictions. These jurisdictions include Delaware, the District of Columbia, Manitoba, Massachusetts, New Jersey, Nova Scotia, Ontario, Prince Edward Island, Quebec, and Rhode Island. The agreements state that Washington-based carriers who apply to operate in these jurisdictions will not be billed for operation. The WDOL has complete authority over these reciprocity agreements.

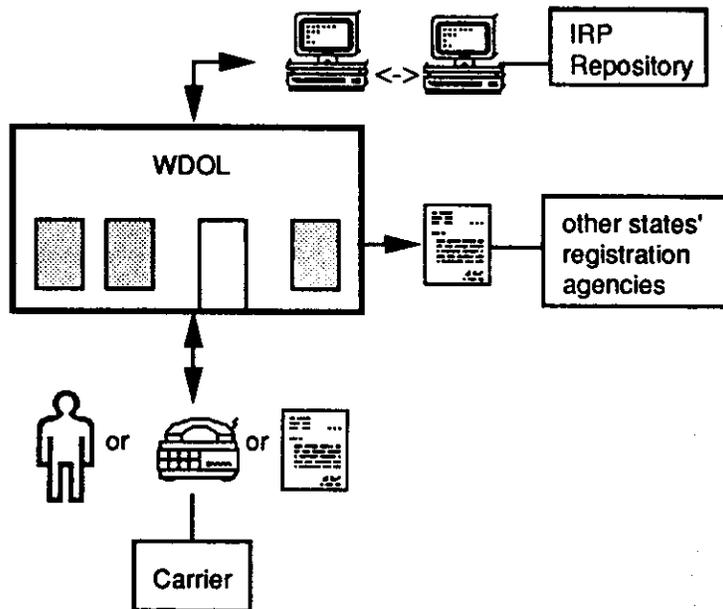
Washington gives full registration reciprocity to Oregon, but it has a problem with trailers registered there. Apparently, because registration fees in Oregon are much less than in Washington, there are many improperly registered trailers in Washington with Oregon plates.

OPERATING AUTHORITY AND INSURANCE

Operating authority is required in Washington for every driver who operates a commercial vehicle for hire and receives compensation for services. The type of operating authority required is dependent on the type of business being conducted (e.g., common, contract, or exempt carrier). Private carriers are not required to obtain operating authority.

The interstate operating authority registration process at the state level is currently undergoing a considerable change. The Intermodal Surface Transportation Efficiency Act (ISTEA) has mandated that state programs adopt a base state registration process similar to that of the International Registration Plan (IRP) or the International Fuel Tax

Issuance:



Audit:

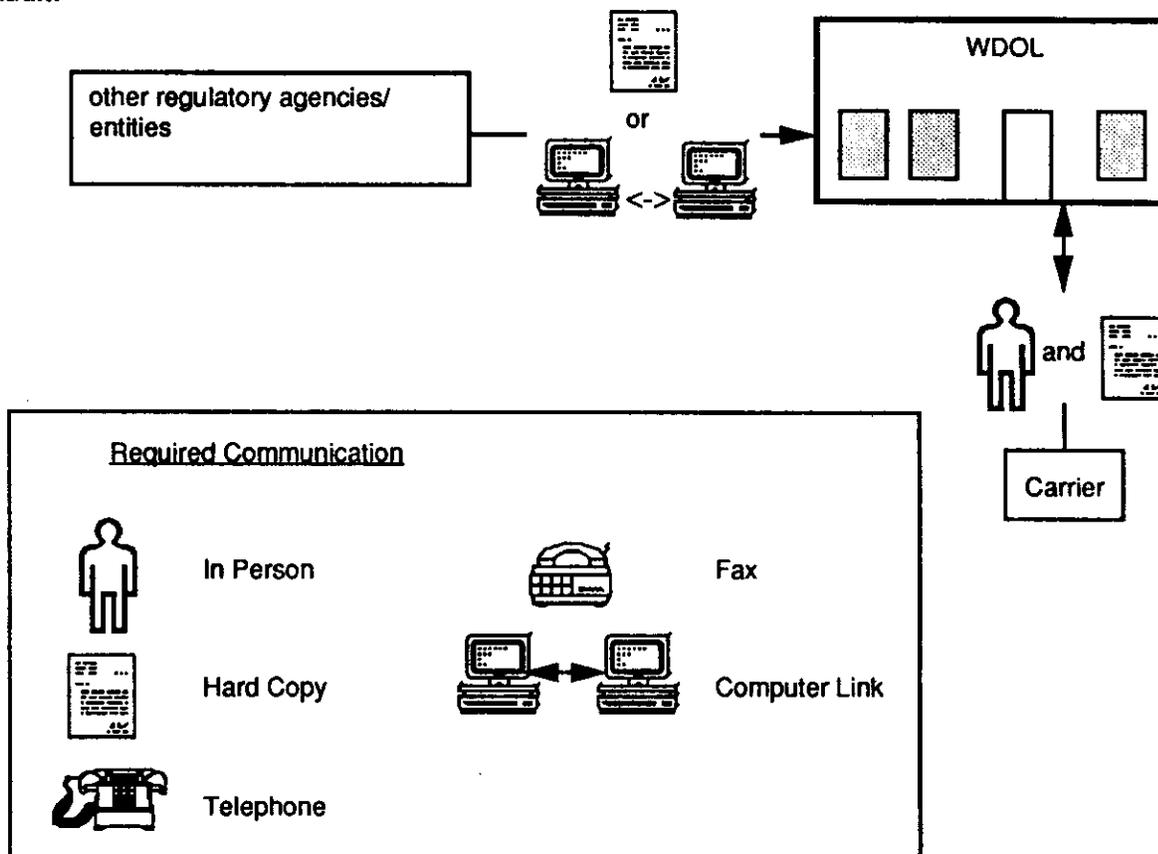


Figure 8. Required Communication for Vehicle Licensing & Registration in Washington

Agreement (IFTA). This transition, as well as a general description of the process, is described in detail in Appendix C.

Agency Involvement

The Interstate Commerce Commission (ICC) is responsible for granting interstate operating authority. The Washington Utilities and Transportation Commission (WUTC) is responsible for granting intrastate operating authority and for registering interstate authority with the state. The United States Department of Transportation is responsible for regulating insurance levels for carriers.

Enforcement of proper operating authority is handled exclusively by WUTC inspectors at ports of entry (POEs) or at terminals. The WUTC interacts with the WSP on safety-related issues, but the WSP does not concern itself with enforcement of economic regulation.

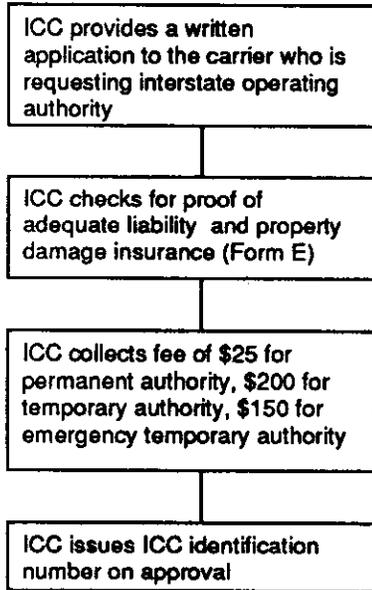
Process Description

Operating authority must be obtained or registered through the WUTC. An interstate carrier must *register* ICC interstate operating authority with the WUTC, but only the ICC can *grant* the interstate authority. The WUTC is responsible for granting operating authority only to intrastate carriers within Washington. The details of this process are not specified in this report because the project focuses on interstate commercial vehicle operations. The procedure for obtaining and registering interstate operating authority is outlined in Figure 9.

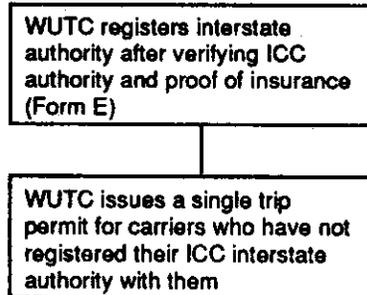
To be granted interstate operating authority from the ICC, the applicant must submit a written application, along with proof of adequate liability and property damage insurance and the appropriate fees. The applicant is then issued an ICC identification number, which indicates approval for interstate operation.

For registering the interstate authority, the WUTC needs a copy of the applicant's operating authority issued by the ICC. Proof of adequate liability and property damage insurance must also be provided.

Granting



Registering



Enforcing

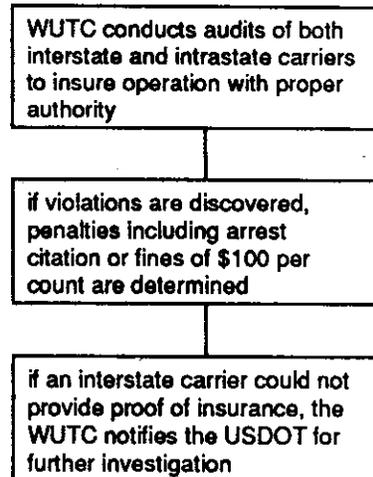


Figure 9. Procedures for Granting, Registering, and Enforcing Interstate Operating Authority in Washington

If an interstate carrier chooses not to register its interstate operating authority with the WUTC, it must purchase a single trip transit permit for each load it transports into or out of the state.

The WUTC audits both intrastate carriers and Washington-based interstate carriers to ensure both economic and safety compliance. The WUTC prefers to target problem carriers through a carrier profile system so that the investigator's time is used most effectively .

If a driver enters Washington and the WUTC has no record of registration on file, the driver must provide proof that the motor carrier for which he/she drives has adequate liability and property damage insurance. If proof of insurance is provided, the interstate carrier can purchase a temporary trip permit authorizing operation. If adequate proof is not available, the vehicle is not allowed to enter or continue travel in the state.

The USDOT is responsible for setting minimum insurance requirements, while the WUTC enforces compliance with insurance requirements for carriers operating in Washington. Lack of (or cancellation of) insurance results in cancellation of a carrier's registration of operating authority in Washington.

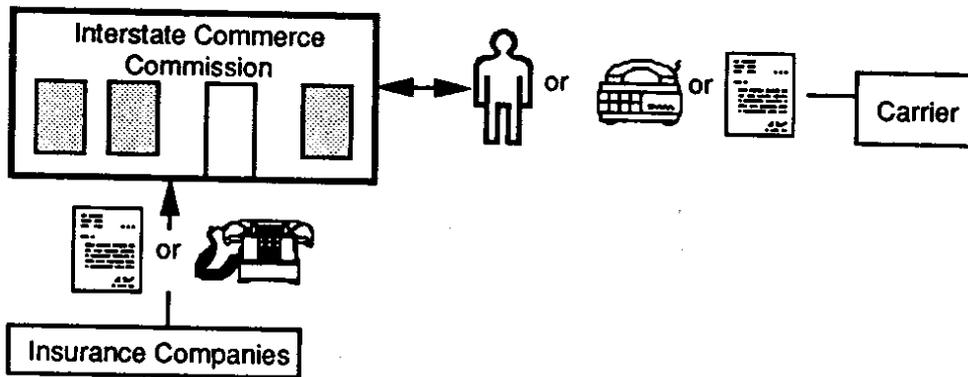
Required Contact

To grant interstate operating authority, the ICC must be in contact with the carrier either in person or, more likely, through mail or fax. Contact may also be made with the carrier's insurance company to verify adequate coverage.

When registering interstate operating authority with the state, the WUTC must be in contact with the carrier in person, by mail, or by fax to obtain the necessary information. The WUTC may contact the ICC to verify authority, but the carrier is responsible for providing the WUTC with proof insurance and ICC authority.

A graphical representation of the type of contact required for registration of operating authority is shown in Figure 10.

Granting Interstate Authority



Registering Interstate Authority

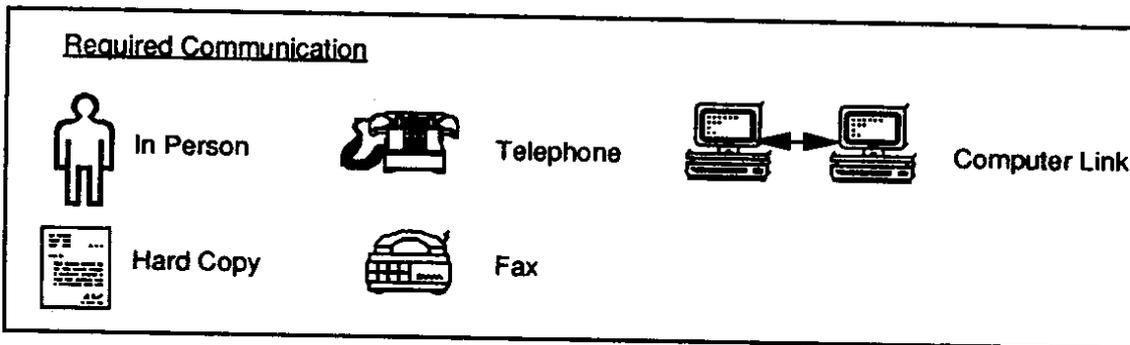
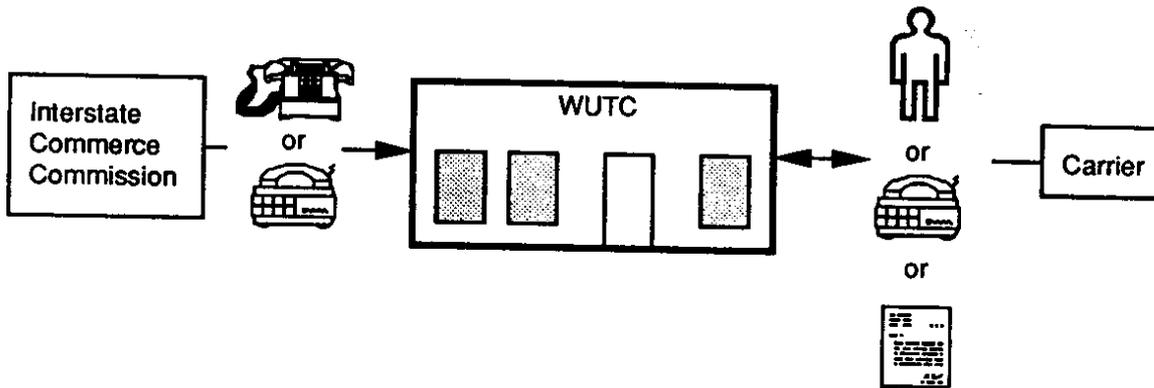


Figure 10. Required Communication for Granting or Registering Interstate Operating Authority in Washington

PERMITS

The permitting process was established for a number of reasons:

- to protect the public investment in the roadways and structures of the highway system,
- to protect the motoring public from hazards created by the movement of oversize and overweight loads (OS/OW) on the highway,
- to regulate the traffic flow around OS/OW loads to minimize inconvenience to the public,
- to assist haulers and individuals with transportation problems and to resolve them in a reasonable way, and
- to generate revenue and defray some of the costs of maintaining the highway system.

Agency Involvement

The WSDOT Motor Carrier Services Office is responsible for issuing permits for commercial vehicles and maintaining permit records. However, permits are available from a number of other sources, including

- Washington State Department of Licensing,
- Washington State Patrol,
- Washington Trucking Association, and
- Transceiver and US Permit Express (agents of WSDOT).

Note that temporary operating authority permits are handled entirely by the Washington Utilities and Transportation Commission. Discussion of this permit has been omitted from this section since it was described previously.

Washington sells permits from about 70 locations in the state (both private individuals and city/county/state agencies) and nationally through the two agents listed above. The Western Regional Permit can be obtained at only two locations, the main WSDOT office in Olympia and the Washington Trucking Association.

WSDOT would like to improve quality control by centralizing the permit process. This would mean eliminating most of the private vendors in favor of a more limited number of permit sites. For out of state truckers, the new centralization plan would rely on three alternatives for acquiring permits: the regional permit (acquired from any

member state), private companies such as the Permits Express, or the state's ports of entry. For annual permits, companies would write in much like they do for vehicle registration.

The Washington State Patrol is responsible for monitoring possession of the correct permits.

Process Description

In the state of Washington, a number of permits are available for purchase by interstate truck drivers, including (1) single trip permits, (2) oversize/overweight vehicle permits, (3) additional tonnage permits, (4) log tolerance permits, (5) special fuel permits, and (6) the Western Regional Permit. A brief description of each permit type is given below.

- **Temporary Registration Permit.** A trip permit, which is valid for three days, authorizes vehicle operation in Washington in lieu of permanent registration in the state. Though these permits are normally issued by the WSDOL, WSP, or the WSDOT, if there is inadequate lead time for conventional permitting procedures, they may be self-issued by the carrier.
- **Temporary Oversize/Overweight (OS/OW) Vehicle Load Permit.** Generally valid for a single trip, this trip permit authorizes OS/OW hauling only if the carrier can show that the load cannot reasonably be dismantled or disassembled. This permit is the most commonly issued. Specific exceptions for monthly and annual permits also exist.
- **Additional Tonnage (AT) Permits.** After a vehicle has been licensed to legal limits by the Washington Department of Licensing, the WSDOT can issue an additional tonnage permit for hauling loads above the licensed limit on a regular basis, to a maximum of 105,500 pounds gross vehicle weight.
- **Log Tolerance Permits.** Unprocessed logs can be hauled in excess of weight limits imposed on other loads with a log tolerance permit. The effect is that shorter logs may be transported on vehicles with a shorter wheel base than would be otherwise allowed.
- **Special Fuel Permits.** If a vehicle using special fuel (any fuel other than gasoline) is brought into Washington for commercial purposes, the operator must purchase a special fuel permit if the carrier does not have a valid (Washington) special fuel user's license for that vehicle (valid for three consecutive days).
- **Western Regional Permit.** The Western Regional Permit (WRP), which is valid in six states, is a single trip permit for vehicles with a moderately

oversize or overweight load. The carrier may acquire a single permit valid for travel through any or all of the member states.

The basic permit process consists of collecting information from the applicant, providing the applicant with information (i.e. the route), collecting fees, issuing the permit(s), and monitoring (enforcing) possession of the permit. It is possible that a permit may be denied. The general permitting procedure is outlined in Figure 11. For regional trip permits, the issuing state collects all of the money; fees are distributed to participating states once a month. The permit costs for each state are added and the total bill is presented to the trucker. There is no prorating system for these permits.

Required Contact

The WSDOT's Motor Carrier Services Office, or its agents, must have contact with the carrier either through mail, by telephone, by fax, or in person to exchange necessary information and collect fees. Hard copy permits may be issued by fax, by mail or in person. For oversize/overweight loads, the permit agency must have access to information regarding (1) recent construction that may have altered clearances, (2) construction in progress that may not allow for the load, (3) temporary load limitations on roadways necessary because of spring/thaw conditions, or (4) any other information that may prevent undue damage to the roadway structure.

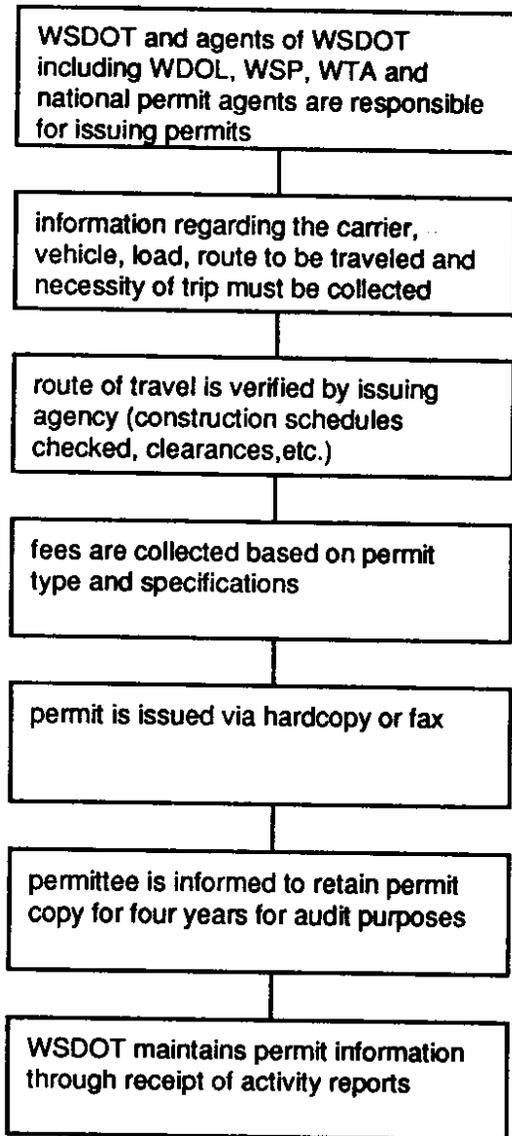
In addition, the WSDOT must have contact with the contracted permit agents to ensure that adequate permit records are maintained. Permit information is exchanged either through hardcopy or fax. The WSP sends a computer disk to the WSDOT that contains records of permit sales.

A chart showing the type of required contact is shown in Figure 12.

TAX COLLECTION

Fees and taxes are calculated and collected on all motor vehicles, trailers, and semitrailers. Fees and taxes in Washington include the International Fuel Tax and the Special Fuel Tax. Federal taxes collected in Washington include the Federal Motor

Issuing



Enforcing

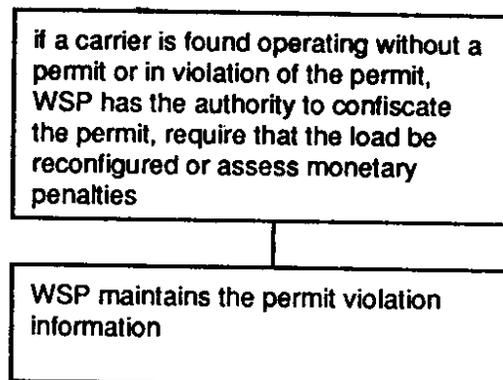


Figure 11. Procedures For Issuing and Enforcing Oversize/Overweight Permits in Washington

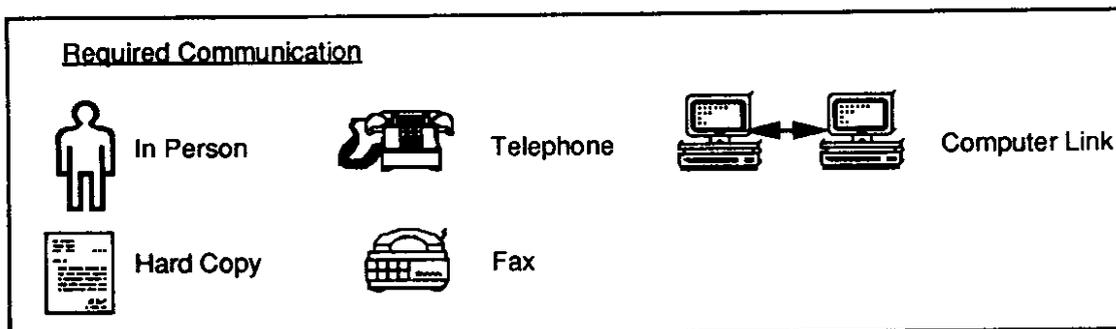
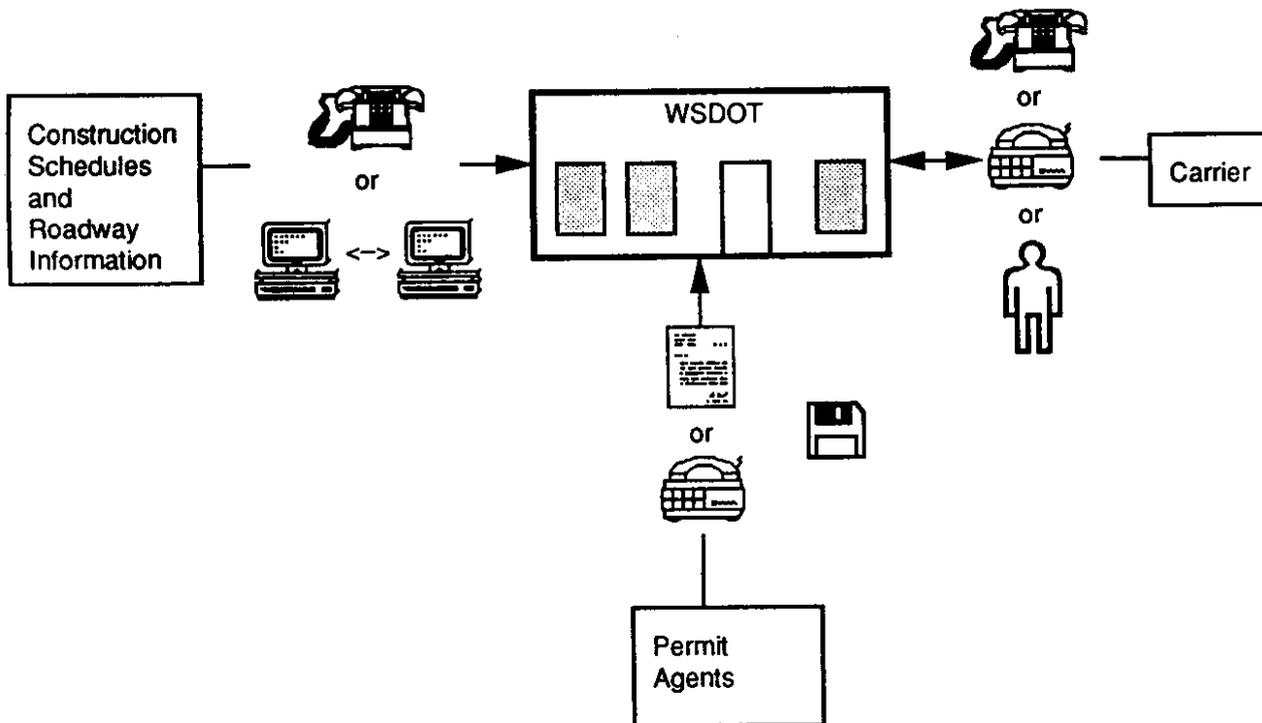


Figure 12. Required Communication for Oversize/Overweight Permitting in Washington

Vehicle Excise Tax and the Federal Heavy Vehicle Use Tax. Because the International Fuel Tax Agreement (IFTA) is a federally mandated program, and it is (or will be) essentially the same from state to state, a description of the program is contained in Appendix C.

Agency Involvement

The Washington State Department of Licensing is responsible for collecting and auditing fuel taxes for commercial vehicles in the state of Washington.

If requested, the WSP can watch for a specific carrier if it has been notified of delinquency in tax payment.

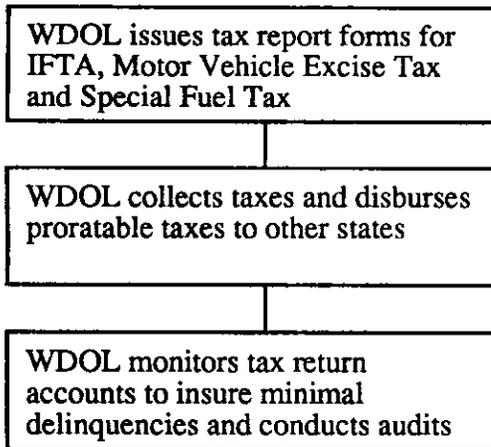
Process Description

The commercial vehicle related taxes that are collected in Washington state are briefly defined below.

- **International Fuel Tax Agreement.** The International Fuel Tax Agreement (IFTA) allows interstate carriers to pay their fuel use taxes to a single base state. This base state regularly disburses monies owed to respective states on the basis of fuel type and amount purchased. For additional detail, see Appendix C.
- **Federal Motor Vehicle Excise Tax.** A federal excise tax of 12% is imposed on the first retail sale of all trucks weighing over 33,000 lb., all trailers weighing over 26,000 lb., and all tractors used to pull trailers or semitrailers for highway transportation.
- **Special Fuel Tax.** Special fuel tax is paid to the state of Washington by intrastate commercial vehicle drivers and by interstate drivers that are based in states that are not members of the IFTA.
- **Federal Heavy Vehicle Use Tax (FHVUT).** Federal law requires proof of payment of the FHVUT when vehicles with 55,000 lb. or more gross weight or combined gross weight are licensed.

The basic procedure for collecting taxes can be summarized in three steps: (1) the WDOL issues tax report forms to carriers (by mail); the forms are completed and returned, (2) fees are collected and disbursed (if from a proratable tax such as IFTA), and (3) transactions are recorded and monitored to minimize delinquencies. The process description is shown in Figure 13.

Collection



Audit

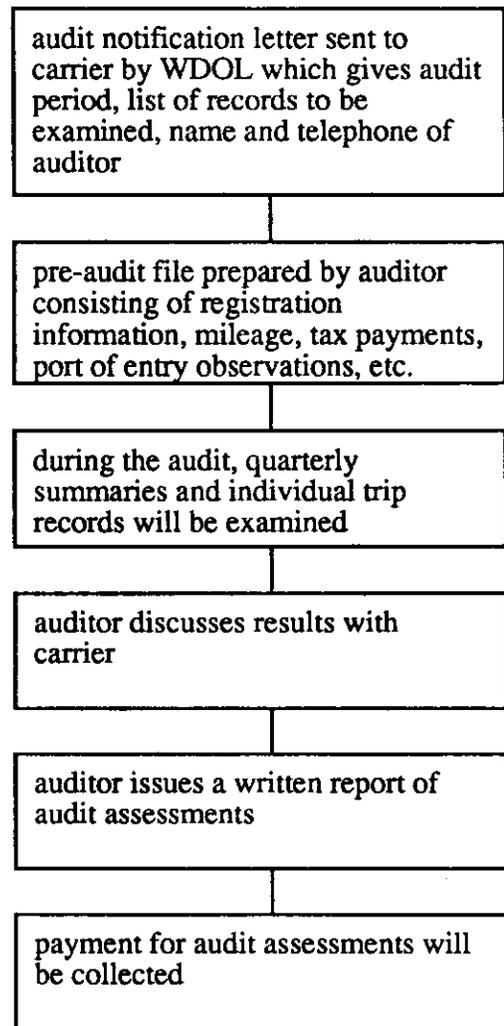


Figure 13. Procedures for Tax Collection in Washington

If a problem is noted with one of the accounts, an audit may be required. IFTA audits are required for 15 percent of carriers every five years. All other accounts are subject to an audit every three years. Carriers are usually selected for audit randomly, but with some stratification according to carrier size. Often, tips help in the audit selection process. Audit selection also relies on tips from tax report reviewers, complaints from other carriers, communication with the Internal Revenue Service (IRS), communication between states, or indicators such as bad checks or bankruptcy.

In addition to audit control, a task force has been created to stop fuel tax evasion. Oregon is the lead state, while Alaska, Washington, Idaho, and Montana each participate in this FHWA-sponsored program. Effort is under way to better track the movement of fuel from terminals to suppliers, by investigating fuel carriers, special fuel dealers, and oil companies.

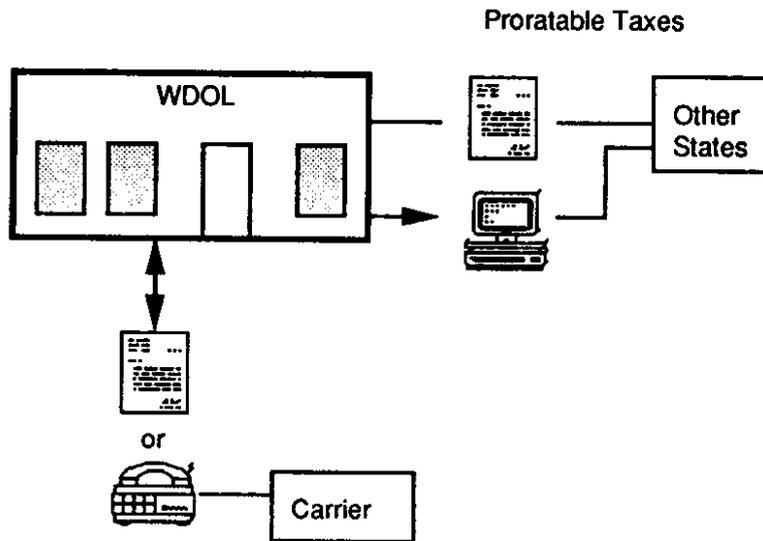
Required Contact

During the tax collection process, communication between the WDOL and carriers usually takes place through hardcopy (mail) or fax. Similarly, contact with other states for this process is indirect, through the VISTA computer system, and also through mailed hardcopy and fax. To disburse proratable taxes, checks are usually written to other states, though some states use electronic fund transfers (EFT). For any invoices over \$50,000, EFT is always used.

For the audit process, the WDOL is in contact with the carrier to notify it of the audit in writing and to examine the records the carrier maintains. Before the audit, the auditors need to be in contact with ports of entry (by hardcopy) and other regulatory agencies such as the WDOL (for registration records, by hard copy or computer link) to collect information to verify the carrier's records. After the audit, other states are notified of results by mailed hardcopy if corrective action is needed.

A chart showing the type of required contact is shown in Figure 14.

Collection



Audit

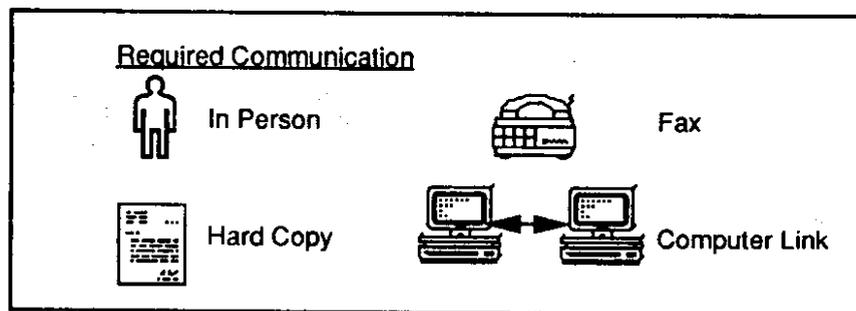
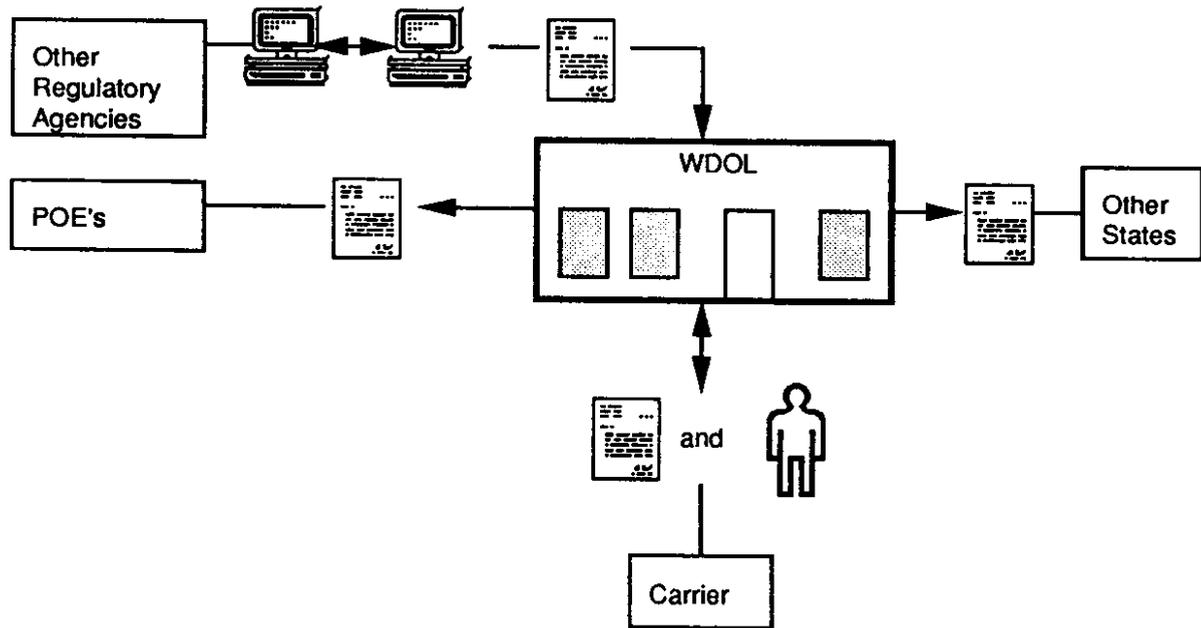


Figure 14. Required Communication for Tax Collection and Audit in Washington

WEIGHT AND SIZE REGULATION

The weight and size of commercial vehicles must be regulated and enforced to (1) avoid unnecessary damage to roadway structures caused by overweight and overheight loads and (2) assure that the safety of the road environment is not compromised by loads that occupy an unsafe proportion of the lane. The weight and size requirements for Washington are given in Table 3.

Agency Involvement

The Washington State Patrol is responsible for enforcing the size and weight of commercial vehicles on state highways and in other jurisdictions when requested. If a citation is issued to a commercial vehicle driver for carrying a load that is either overweight or oversized, the driver must pay the fines to the local court system.

Process Description

All commercial vehicles in Washington are currently required to stop at the 57 weigh stations and five ports of entry, when they are open. Portable scales are occasionally set up on secondary roads. If there is a weight or dimensional concern, the driver may be asked to produce the appropriate permits or paperwork to justify the vehicle configuration. Citations or other penalties (such as declaration of out-of-service status) may be issued by the WSP. The process of size and weight enforcement is shown in Figure 15.

Required Contact

The WSP, as part of routine enforcement policy, must have direct contact with the driver to request credentials or other information. These documents include vehicle registration, permits, CDL, logbooks, bill of lading, and placarding. It is possible that the WSP may also have contact (usually through radio dispatch) to national crime or information networks such as the Commercial Drivers License Information System (CDLIS), the National Drivers Register (NDR) or the National Crime Information Center

Table 3. Vehicle Weight and Size Requirements for Washington

| | |
|-------------------------------|-----------------------------------|
| Height | 14 ft |
| Width | 8 ft, 6 in |
| Single Unit Length | 40 ft |
| Truck-Trailer, Overall Length | 75 ft |
| Tractor-Semitrailer | |
| Overall Length | -- |
| Trailer Length | 48 ft |
| King Pin Distance | -- |
| Tractor-Semitrailer (Doubles) | |
| Overall Length | -- |
| Combined Trailer Length | 60 ft |
| Individual Trailer Length | 48 ft |
| Weight/Inch of Tire Width | |
| Steering Axle | 600 lb/in |
| Other Axles | 600 lb/in |
| Axle Weights | |
| Steering Axle | 20,000 lb |
| Single Axle | 20,000 lb/22,000 lb ¹ |
| Tandem Axle | 34,000 lb/43,000 lb ¹ |
| Gross Weight | 80,000 lb/105,500 lb ² |

July, 1990

¹ maximum weight for non-divisible loads

² maximum weight with additional tonnage permit

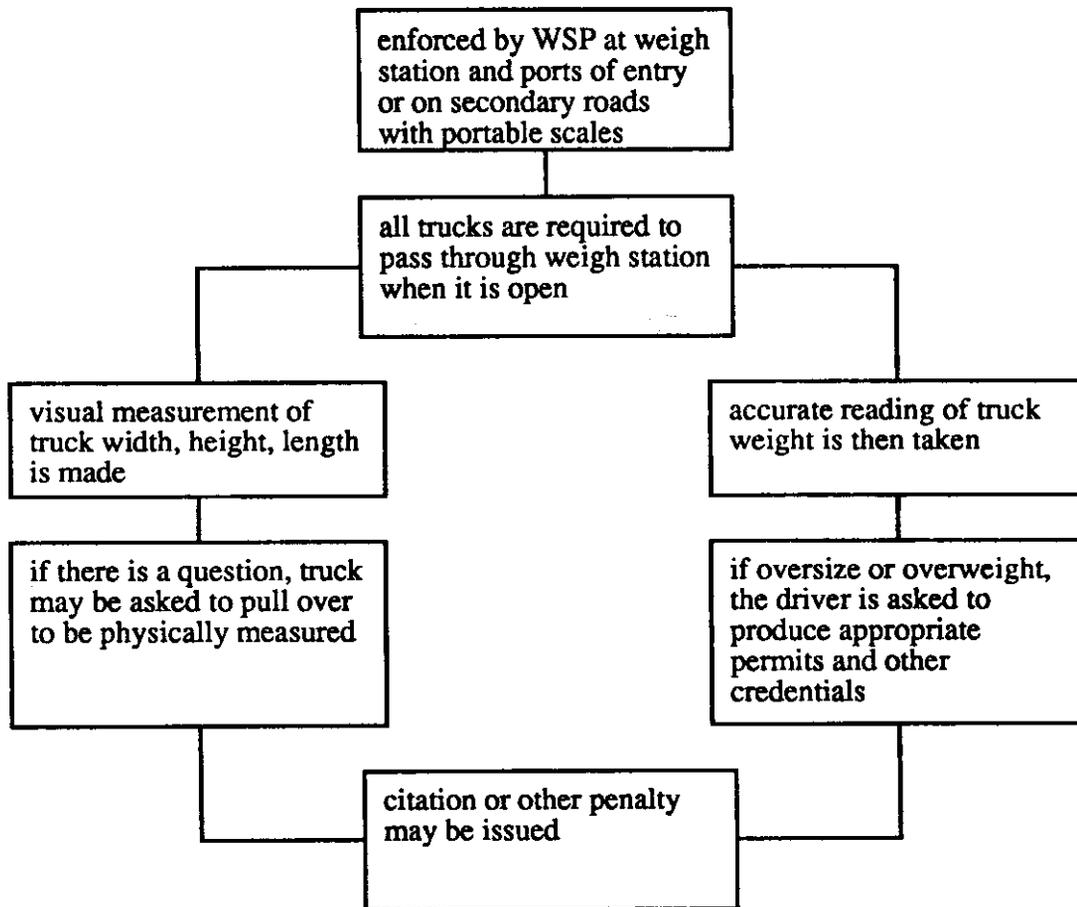


Figure 15. Procedures for Enforcing Weight and Size Regulations in Washington

(NCIC) to verify driver or license status. A chart showing the type of required contact is shown in Figure 16.

SAFETY REGULATION

For the most part, safety regulations nationwide are dictated by the Federal Motor Carrier Safety Regulations (FMCSR) and are administered through the Motor Carrier Safety Assistance Program (MCSAP) and state safety programs. Because the MCSAP program is uniform nationwide, further details are contained in Appendix C.

Agency Involvement

In Washington, MCSAP is led by the WSP, though certified Commercial Vehicle Safety Alliance (CVSA) inspectors also come from other agencies. MCSAP inspectors within the state of Washington include

- uniformed WSP officers, who primarily perform roadside inspections;
- WUTC employees who perform roadside inspections and terminal audits; and
- FHWA Bureau of Motor Carrier Safety employees, who primarily perform terminal audits such as safety and compliance reviews.

Process Description

At roadside inspection points, vehicles without valid CVSA stickers are usually selected, unless an obvious defect is noted. The WSP or WUTC inspectors perform a CVSA inspection according to the standard North American Out-of-Service Criteria. Details of the different inspection levels are given in Appendix C. A full inspection includes scrutiny of critical vehicle components, load securement, and driver condition. Additional inspection procedures are used if the cargo includes hazardous materials. If a discrepancy is found, the driver may receive a citation and/or the vehicle may be declared out-of-service or impounded.

The WSP performs roadside inspections for a sampling of all vehicles, including interstate, intrastate, common, contract, and private carriers. The WUTC, unlike the

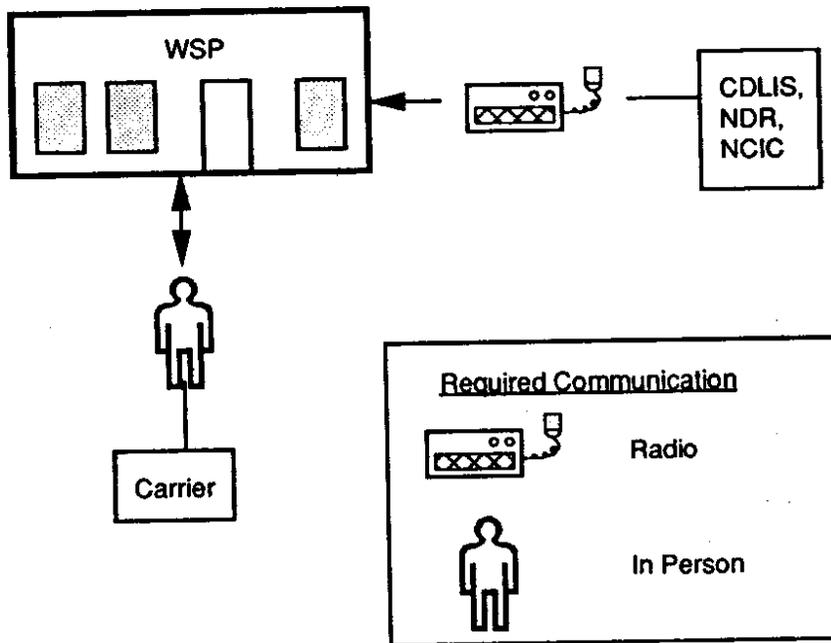


Figure 16. Required Communication for Weight and Size Enforcement in Washington

WSP, performs economic and insurance regulatory checks during roadside inspections. Therefore, the WUTC is particularly concerned with the inspection of regulated intrastate common and contract carriers, since private carriers are not regulated. However, the WSP may check for proof of insurance on any carrier.

The WSP enters inspection forms from both the WUTC and the WSP into the Safetynet system. The process of safety enforcement (for inspections) in Washington has been summarized in Figure 17.

In addition to roadside inspections, safety audits must be conducted to ensure that if citations have been issued for safety violations, the motor carrier is taking action to correct the problem. These safety audits take the form of safety reviews and compliance reviews.

The safety review, in nearly all cases, precedes the compliance review. In a safety review, compliance with Federal Motor Carrier Safety Regulations is reviewed to include required insurance amounts, driver qualification, controlled substance testing records, hours of service, vehicle maintenance, number of accidents, and proper reporting of accidents. A rating (satisfactory, conditional or unsatisfactory) is given on the basis of the carrier's records. If a carrier is rated conditional or unsatisfactory, penalties are not issued unless the carrier has inadequate insurance or a serious health or safety violation is discovered. Instead, the carrier is allowed time to improve the rating. If, upon a return visit, the carrier has made no visible attempt to improve the safety level of the operation, a compliance review is required. A shutdown order, as well as civil and monetary penalties can be issued for an unsatisfactory compliance review.

A summary of the safety audit process is shown in Figure 18.

Required Contact

Personal contact with the driver and vehicle is required for MCSAP inspections. If needed, the WSP can obtain driver and vehicle license information from the WDOL via

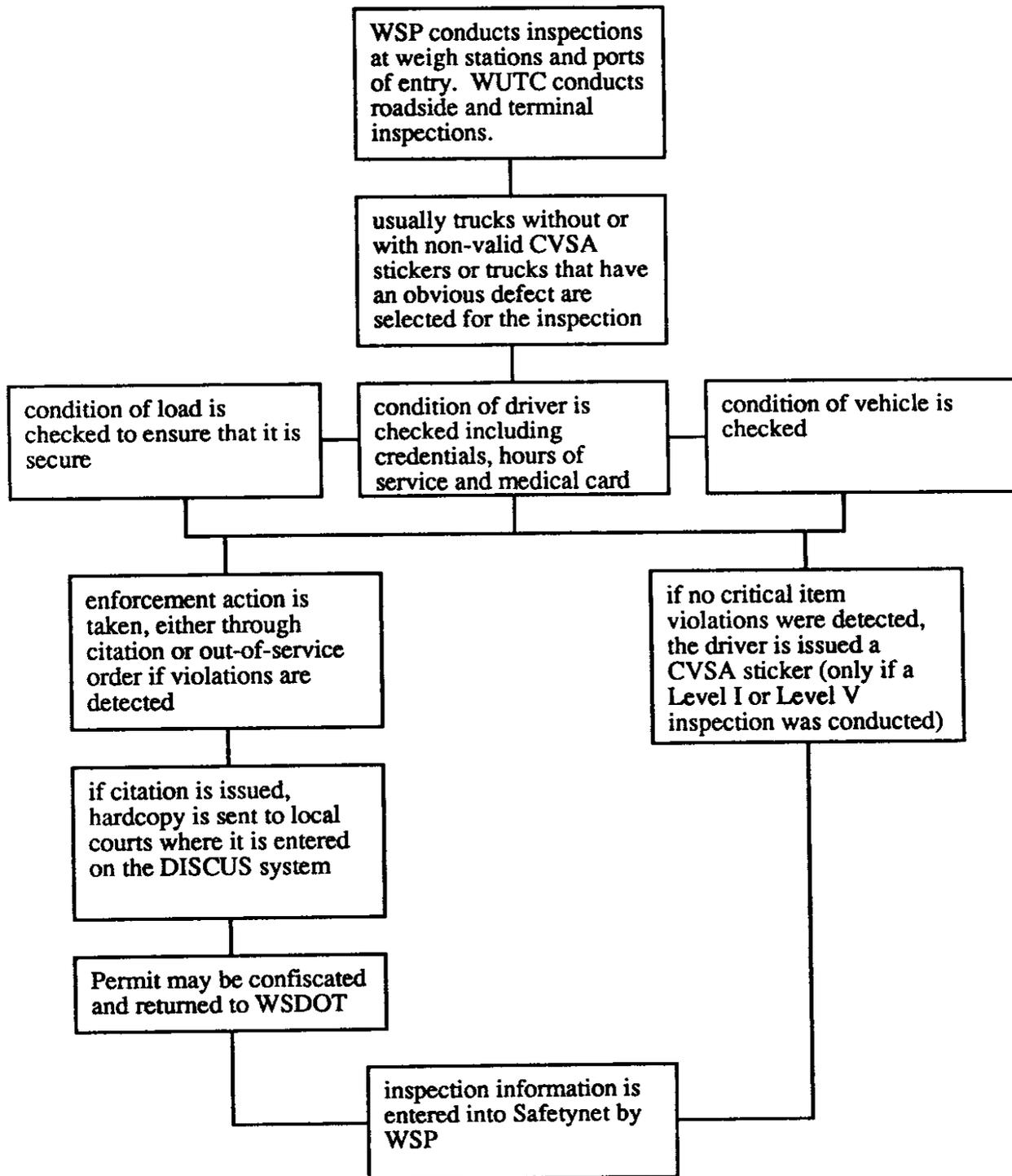


Figure 17. Procedures for Conducting Safety Inspections in Washington

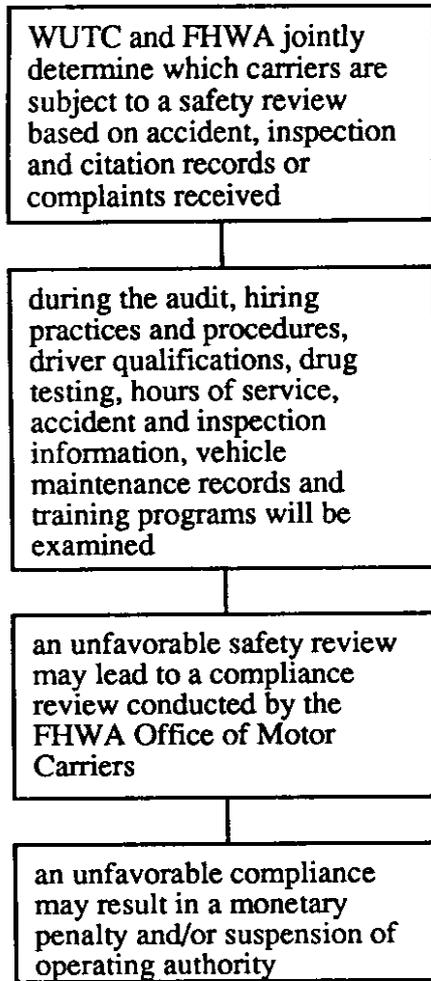


Figure 18. Procedures for Conducting Safety/ Compliance Reviews in Washington

the ACCESS computer network. Also, national crime information is available on the NLET network.

A chart showing the type of required contact is shown in Figure 19.

Safety and compliance reviews require that the auditing agency (WUTC or FHWA) be in contact with (1) the carrier, both to notify it of the audit and to exchange information, and (2) other regulatory agencies that have safety related information about that carrier to verify the carrier's records. The auditing agency may be contacted by other regulatory agencies that detect a problem with a specific carrier, or other motor carriers or motorists may request that a carrier be audited.

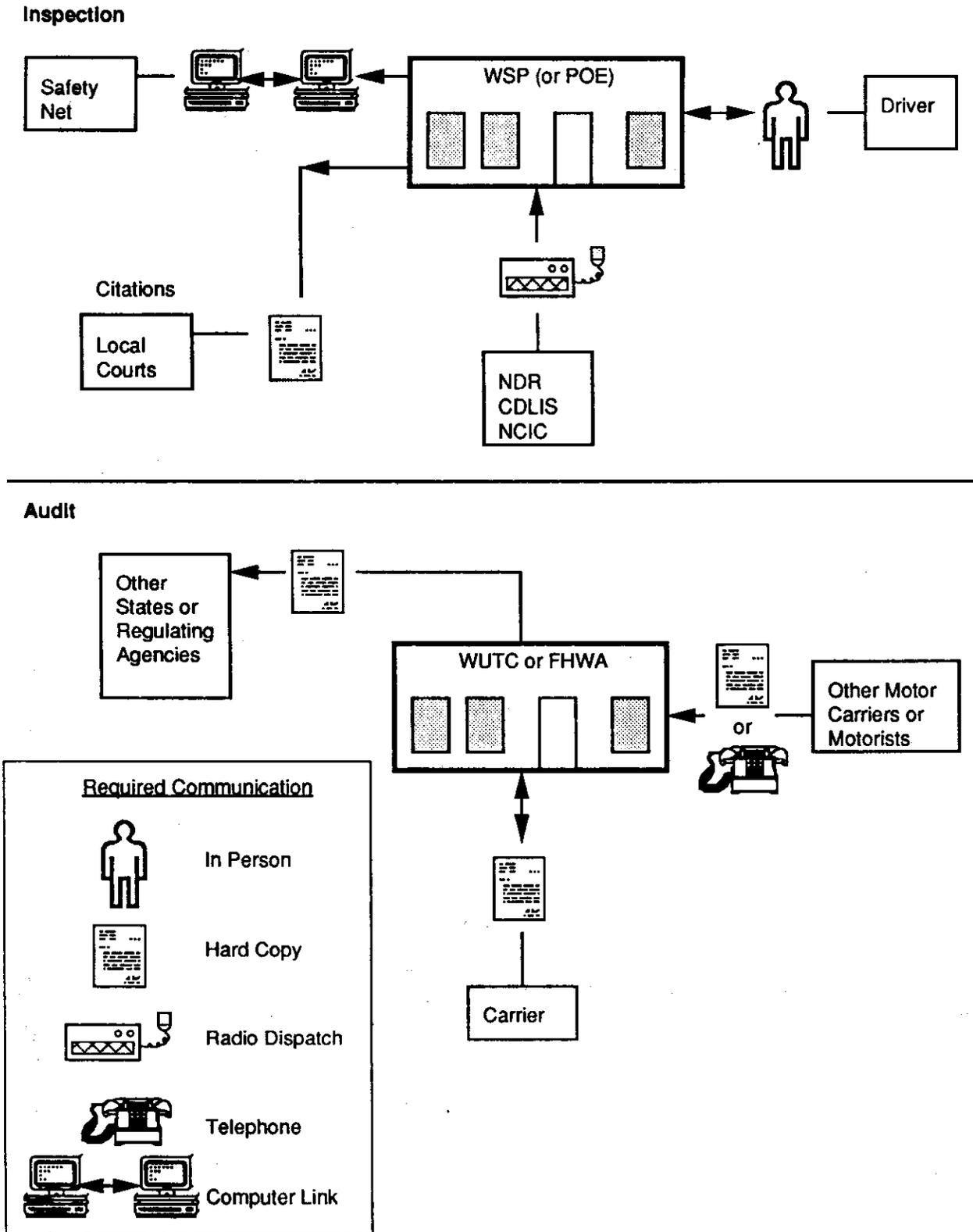


Figure 19. Required Communication for Safety Inspection and Audit in Washington

DATA SHARING/TRANSFER

The network of data sharing, transfer, and storage is extensive and quite complex. Data are stored on a variety of media and transmitted by a host of methods. For example, data are often stored in computer files on tape or disk, or in hard copy format in filing cabinets. Data can be shared by network connections, direct (hard wire) computer links or modem connections, shipment of computer tapes or disks, or by hard copy through fax, mail, or hand courier.

The researchers ascertained the current and expected (or desired) status of data sharing and transfer nationally and within and between each state agency. Major agencies involved include the Washington State Department of Licensing (WDOL), the Washington State Patrol (WSP), the Washington State Department of Transportation (WSDOT), the Washington Utilities and Transportation Commission (WUTC), the Washington Trucking Associations (WTA), and the courts. Some databases are kept and controlled solely by these agencies; others are kept by third parties and are accessible to one or more of the agencies. Tables 4 and 5 summarize the national and state databases, respectively.

Data are shared at three levels:

1. between departments or offices within the same agency,
2. between agencies within the same state, and
3. between agencies from different states or between federal agencies and state agencies.

At an interdepartmental level, the majority of the communication occurs between the department/office responsible for issuing or maintaining commercial vehicle credentials and the office/department responsible for enforcing the possession of the credential. Interagency communication usually occurs if multiple agencies are responsible for the same or similar tasks. At an interstate level, the majority of communication takes place between states and national databases to both retrieve

Table 4. National Database Information

| Agency | Database and Application | System Name | System Type | Status of Deployment | | | | Comments |
|--------|---|-------------|-------------|----------------------------|---------------|----------------------|-------------|--|
| | | | | Incorporated into Planning | Pilot Project | Under Implementation | Operational | |
| AAMVA | CDLIS • Commercial Driver Info. • CDL Status | AAMVA-NET | Main-frame | ○ | ○ | ○ | ● | |
| | NDR • CDL Violator Information | AAMVA-NET | Main-frame | ○ | ○ | ○ | ● | |
| | PDPS • Problem Driver Info. | AAMVA-NET | Main-frame | ○ | ● | ○ | ○ | |
| | Insurance • Status of Vehicle Insurance | AAMVA-NET | Main-frame | ○ | ● | ○ | ○ | |
| | Vehicle Registration • Vehicle Registration Info. | AAMVA-NET | Main-frame | ○ | ● | ○ | ○ | |
| FHWA | Safetynet • Accident Information • Vehicle Inspection Info. • CVSA | Safetynet | Main-frame | ○ | ○ | ○ | ● | Only one state agency is allowed to upload information |
| USDOT | FARS • Accident Information | | Main-frame | ○ | ○ | ○ | ● | |
| FBI | NCIC • Criminal Offenses, Warrants • Violator Information | NLET | Main-frame | ○ | ○ | ○ | ● | |
| EPA | RCRIS • Hazardous Waste Transport Information | | Main-frame | ○ | ○ | ○ | ● | |

Table 5. Washington Databases and Information

| Agency | Database and Application | System Type | Status of Deployment | | | | Comments |
|--------|--|-------------------------------------|----------------------------|-----------------------|-----------------------|----------------------------------|---|
| | | | Incorporated into Planning | Pilot Project | Under Implementation | Operational | |
| WDOL | Driver Licensing ¹ Vehicle Registration ¹ (intrastate) Fuel Taxes ² | UNISYS Mainframe | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | ¹ LAMP project will merge vehicle and driver licensing databases |
| WUTC | Permits (operating authority) Motor Carrier (name, address, insurance) Regulatory Stamps Carrier Profile System | PC Network Mini ³ | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | ² Scheduled to move to VISTA mainframe in 1993 ³ Scheduled to move to PC Network |
| WSDOT | Permits Roadway Information | MacIntosh/ PC | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | |
| WSP | Accident Records Safety Inspections Citations Criminal Records (WACIC) Permits @ POEs | Mainframe IBM 3090 | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | |

information and update information. Communication also occurs as part of the base-state programs, such as IRP and IFTA, to transfer funds between states and exchange quarterly reports. A graphical representation of the current level of data sharing is shown in Table 6.

The degree of automation that a state operates under can provide insight to the importance the state places on the use of technology for streamlining procedures and the state's receptiveness to technological advances. Washington's level of automation was examined for three functional areas:

- the collection of information,
- the processing of information, and
- the maintenance or updating of information.

The level of automation within Washington has been summarized in Table 7. In Table 7, the highest level of automation (full circle) indicates that little or no personal contact needs to occur for entry, processing, or information updates. A lower level of automation (half circle) implies that the function requires some personal contact but is handled mainly through electronic means (i.e., by fax, telephone, computer link, etc.). The lowest level of automation (empty circle) indicates that little or no electronic means are used to accomplish the task.

A description of the status of data sharing and transfer is presented individually for each agency in the following section.

DEPARTMENT OF LICENSING

The WDOL is primarily concerned with driver license (CDL) information and vehicle licensing and fuel tax issues. In-house computer and hard copy files exist for all these functions. For CDL information, the DOL has a driver license database for commercial drivers that contains the same information, and in the same structure, as the application form.

Table 6. Level of Data Sharing in Washington

| CVO Functions | Data Sharing | | | Comments |
|-----------------------------------|---|---|---|--|
| | Interdepartmental | Interagency | Interstate | |
| CDL | | 1 WDOL - WSP   ↔   2 WDOL - Courts  | 3 WDOL - Other states   4 WDOL - NDR, CDLIS  ↔  | 1) Verification of license and violations (via ACCESS) 2) Driver violations 3) State of record verification 4) AAMVANET |
| Vehicle licensing & registration | | 1 WDOL - WSP   ↔   WDOL - WUTC  ↔  | 2 WDOL - Other states   ↔   ICC - WUTC   | 1) Verification of proper vehicle registration (via ACCESS) 2) VISTA system used for IRP |
| Operating authority – granting | | | | |
| Operating authority – registering | 1 WUTC- enforcement  | 1 WUTC - WSP  | | 1) List of cancelled, suspended, or revoked authority is distributed to enforcement officials |
| Permits | Agents-MCS   | Agents - WSDOT   | Agents - WSDOT  | 1) National agents such as Transceiver |
| Tax collection | | 1 WDOL - WSP  | 1 WDOL - Other states   | 1) VISTA system used for IFTA participants |

Table 6. Level of Data Sharing in Washington (continued)

| CVO Functions | Data Sharing | | | Comments |
|----------------------------------|-------------------|---|--|---|
| | Interdepartmental | Interagency | Interstate | |
| Weight & size enforcement | | 1WSP - WACIC  2WSP - Courts  | 3WSP - NCIC   | 1) Via ACCESS, for driver background check 2) Citations 3) Via NLEET, for driver background check |
| Safety enforcement - inspections | | 1WSP - WUTC  2WUTC - WTA  | WSP - Safetynet | 1) WUTC sends inspection reports to WSP for data entry into Safetynet 2) Safety Enforcement Actions |
| Safety enforcement - audit | | 1WUTC - Other FHWA agencies  | | 1) Records and tips from other agencies for audit selection |

Required Communication



Hard copy



Computer Link



Telephone



Radio Dispatch



Disk

Table 7. Level of Automation for Washington

| CVO Functions | Data Stored on System (SYS) or Stand Alone (SA) | Level of Automation | | | Comments |
|-----------------------------------|---|---------------------|------------|-------------|------------------|
| | | Collection | Processing | Maintenance | |
| CDL | SYS | ○ | ● | ● | |
| Vehicle Licensing & Registration | SYS | ● | ● | ● | |
| Operating Authority – Granting | SYS | ● | ● | ● | |
| Operating Authority – Registering | SYS | ● | ● | ● | |
| Permits | SA | ● | ● | ● | Planning network |
| Tax Collection | SYS | ● | ● | ● | |
| Weight & Size Enforcement | SYS | | ○ | ● | |
| Safety Enforcement – Inspections | SYS | | ○ | ● | |
| Safety Enforcement – Audits | SYS | | ● | ● | |

The WDOL is connected via AAMVANET to a pair of national databases to allow it to verify driver records during the application process. These are called the National Drivers Register (NDR) and the Commercial Driver License Information System (CDLIS). The former provides information about outstanding traffic warrants or current license revocation, while the latter tracks the history of CDL, including past violations and revocations.

If the background of an applicant who has been residing in another state has to be checked, WDOL employees prefer to use telephones to make sure they receive the latest information is received. For data entered into CDLIS, a minimum ten-day lag time can be anticipated.

If the driver of a commercial vehicle is cited for an oversize or overweight load, a record of the violation is entered into a database maintained by the Department of Licensing. The driver is required to sign the citation to ensure the legitimacy of the reprimand.

The WDOL also controls a vehicle license database. This database contains vehicle license plate and registration information. Both the vehicle and driver license databases are queried regularly by the WSP during routine enforcement procedures. This is accomplished through the ACCESS network (A Central Computerized Enforcement Service System), which provides the data switching for state-based information systems.

Not all data at the WDOL is computerized. A significant quantity of information is still in hard copy format and requires manual review when backgrounds are searched. Hence, certain tasks require interaction with the main office in Olympia. This is not likely to change soon, since the volume of data is so large that scanning them into an electronic format would be prohibitively expensive.

A project currently under way, the Licensing Application Migration Project (LAMP), is attempting to combine the vehicle database and the driver's license database.

Washington utilizes the VISTA program, developed and managed by Lockheed, to handle calculation and disbursement of the appropriate registration and fuel tax fees under IRP and IFTA. Currently, a national database of IRP information (distinct from the VISTA system) is maintained by a repository under the control of a division of Lockheed for all IRP member states (approximately 47). There is no central database of IFTA information, though the WDOL has indicated a desire for the development of such a database.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

The WUTC keeps records about the status of operating authority, insurance, and safety records for motor carriers. Information from WUTC safety inspections is sent (in hard copy format) to the WSP for entry into Safetynet. Currently, the WUTC cannot download information from Safetynet, but it expects to have this capability soon. The Federal Highway Administration only allows one agency per state (in this case the WSP) to upload Safetynet data. Apparently, this saves duplication and administrative resources at the federal level. Safetynet has three modules: accident, inspection, and review. Currently, only inspection data are entered into the system.

The WUTC keeps the WSP ports of entry aware of the delinquent status of a carrier authority. This is currently done with hard copies. In turn, the WSP provides the WUTC with hard copies of traffic collision reports and other accident statistical data for commercial vehicles on request. This information is used to develop profiles for carriers through a program called Safety Management Analysis (SMA). Using a comprehensive database of carrier accident information, the SMA program identifies carriers with a higher than normal accident or violation rate. Commission staff work with these carriers to identify problems and develop an accident prevention strategy.

DEPARTMENT OF TRANSPORTATION

The permit system is currently point-of-sale based. The WSDOT computer system (Macintosh) writes and prints the permits. This system is available to all permit agents, but many do not have the computer hardware to run it on. Those that do not have a computer process permits by hand.

No central database exists for permit information, and the process is not centrally controlled. The paperwork done by independent agents is sent to the WSDOT. The WSDOT would like to centralize the system to improve quality control.

Permits are available through a number of agents, including the WDOL, the Washington State Patrol (WSP), the Washington Trucking Associations (WTA) and a network of private, electronically accessible vendors, such as Transceiver and US Permit Express.

The entire WSP accident information file is regularly provided to the WSDOT in computer tape format. This information is made available to highway engineers on state, county, and municipal levels so that they can repair or upgrade potentially dangerous sections of roadway.

WASHINGTON STATE PATROL

The WSP keeps records of enforcement and safety related activities. Databases in-house or regularly accessed include traffic collision records, citations (but not convictions), Safetynet, permits sold at the POEs, and national crime information. All Commercial Vehicle Safety Alliance (CVSA) inspections are entered into MCSAP Safetynet, a shared database of driver and vehicle inspection and accident data. By January 1, 1994, all states are required to participate in Safetynet.

The WSP provides accident information to a number of agencies. The WDOL is provided with a tape of WSP accident data, according to parameters selected by the WDOL. The WDOL is particularly interested in accidents involving alcohol for CDL records. All citations are hand carried to the courts (Office of the Administrator), where

they are entered into the DISCUS system; the courts provide all driver violation information to the WDOL. As mentioned previously, the WSDOT is also provided with accident information on tape. The WUTC is provided with a hard copy of statistical accident data and copies of traffic collision reports, and it is also provided with photocopies of moving violations for all commercial vehicles. In addition, the WSP reportedly provides the WTA with hard copies of all moving violations, which are then relayed by the WTA to its member carriers.

When a driver or vehicle license check is performed, the WSP officer (or dispatcher) queries the WDOL database via the ACCESS network and specifies the type of information to be obtained. If the officer is concerned about criminal records within the state of Washington, the ACCESS network provides a connection with the Washington Crime Information Center (WACIC). For a national criminal record check, officer accesses the National Law Enforcement Telecommunication Network (NLET) and queries the database at the National Crime Information Center (NCIC).

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APPENDIX A
LIST OF ACRONYMS

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LIST OF ACRONYMS

| | |
|----------|--|
| AAMVA | American Association of Motor Vehicle Administrators |
| AAMVANET | American Association of Motor Vehicle Administrators Network |
| AASHTO | American Association of State Highway and Transportation Officials |
| ACS | Automatic Clearance Sensing |
| ASD | Administrative Services Division (Division of MDT, WTD) |
| ATA | American Trucking Associations |
| ATIS | Advanced Traveler Information Systems |
| AGC | Associated General Contractors |
| AVC | Automatic Vehicle Classification |
| AVI | Automatic Vehicle Identification |
| AVL | Automatic Vehicle Location |
| CDL | Commercial Driver's License |
| CDLIS | Commercial Drivers License Information System |
| CMVSA | Commercial Motor Vehicle Safety Act |
| CVEO | Commercial Vehicle Enforcement Officer |
| CVO | Commercial Vehicle Operations |
| CVSA | Commercial Vehicle Safety Alliance |
| DCS | Driver Control System |
| DMV | Driver and Motor Vehicle Services (Division of ODOT) |
| DOC | Division of Corporations (Division of UDC) |
| DPU | Division of Public Utilities (Division of UDC) |
| DS | Driver Services (Division of ITD) |
| EBL | Electronic Placarding/Bill of Lading |
| EDI | Electronic Data Interchange |

| | |
|-------|--|
| EFT | Electronic Funds Transfer (Automatic Payments and Collections) |
| EIN | Employee Identification Number |
| ETA | Emergency Temporary Operating Authority |
| ETTM | Electronic Toll and Traffic Management |
| FARS | Fatal Accident Reporting System |
| FEIN | Federal Employer Identification Number |
| FHVUT | Federal Heavy Vehicle Use Tax |
| FHWA | Federal Highway Administration |
| FMCSR | Federal Motor Carrier Safety Regulations |
| FTA | Failure to Appear (warrant) |
| FTE | Full Time Employee |
| GCWR | Gross Combined Weight Rating |
| GVW | Gross Vehicle Weight |
| GVWR | Gross Vehicle Weight Rating |
| HELP | Heavy Vehicle Electronic License Plate |
| HIS | Highway Information System |
| ICC | Interstate Commerce Commission |
| IDLE | Idaho Department of Law Enforcement |
| IFTA | International Fuel Tax Agreement |
| ILET | Idaho Law Enforcement Telecommunications System |
| IMCAC | Idaho Motor Carriers Advisory Committee |
| IMTA | Idaho Motor Transport Association |
| IPUC | Idaho Public Utilities Commission |
| IRP | International Registration Plan |
| IRS | Internal Revenue Service |
| ISP | Idaho State Police |
| ISTEA | Intermodal Surface Transportation Efficiency Act |

| | |
|-------|--|
| ITC | Idaho Tax Commission |
| ITD | Idaho Transportation Department |
| IVHS | Intelligent Vehicle Highway Systems |
| LAMP | Licensing Application Migration Project |
| LCV | Longer Combination Vehicle |
| MCB | Motor Carrier Bureau (Division of NDMV) |
| MCS | Motor Carrier Services (Division of MDOT, ODOT, OPUC, UTC) |
| MCSAP | Motor Carrier Safety Assistance Program |
| MDHES | Montana Department of Health and Environmental Service |
| MDJ | Montana Department of Justice |
| MDT | Montana Department of Transportation |
| MHP | Montana Highway Patrol (Division of MDJ) |
| MHTS | Montana Highway Traffic Safety (Division of MDT) |
| MMCA | Montana Motor Carriers Association |
| MPSC | Montana Public Service Commission |
| MVA | Motor Vehicle Accounting (Division of ITD) |
| MVD | Motor Vehicle Division (Division of MDJ, UTC) |
| NARUC | National Association of Regulatory Utility Commissioners |
| NCR | National Cash Register |
| NCIC | National Crime Information Center |
| NCSTS | National Conference of State Transportation Specialists |
| NDMV | Nevada Department of Motor Vehicles |
| NDOT | Nevada Department of Transportation |
| NDR | National Driver Register |
| NGA | National Governor's Association |
| NHP | Nevada Highway Patrol (a division of NDMV) |
| NHTSA | National Highway Traffic Safety Administration |

| | |
|--------|---|
| NLET | National Law Enforcement Telecommunication System |
| NMTA | Nevada Motor Transport Association |
| NPSC | Nevada Public Service Commission |
| NPTC | National Private Truck Council |
| NR-CDL | Non-Resident Commercial Drivers License |
| OBC | On Board Computers |
| ODEQ | Oregon Department of Environmental Quality |
| ODOT | Oregon Department of Transportation |
| OFM | Office of Financial Management |
| OFPTA | Oregon Forest Products Trucking Association |
| OLTA | Oregon Log Trucking Association |
| OMCS | Office of Motor Carrier Services |
| OOIDA | Owner-Operator Independent Driver Association |
| OPUC | Oregon Public Utilities Commission |
| OSP | Oregon State Police |
| OS/OW | Oversize/Overweight |
| OTA | Oregon Trucking Association |
| OTC | Oregon Transportation Commission |
| PDPS | Problem Driver Pointer System |
| POE | Port of Entry |
| POE | Port of Entry Division (Division of UDOT, ITD) |
| RCRIS | Resource Conservation Recovery Information System |
| RFTA | Regional Fuel Tax Agreement |
| RIB | Reduced Institutional Barriers |
| RS | Registration Services (Division of ITD) |
| RSPA | Research and Special Programs Administration |
| SAE | Society of Automotive Engineers |

| | |
|---------------|--|
| SBAS | State Budget and Accounting System |
| STARS | State Accounting and Reporting System |
| TA | Temporary Operating Authority |
| TMC | Truck Maintenance Council |
| TTMA | Truck Trailer Manufacturers Association |
| TWC | Two-Way, Real-Time Communication |
| UDA | Utah Department of Agriculture |
| UDC | Utah Department of Commerce |
| UDOT | Utah Department of Transportation |
| UDPS | Utah Department of Public Safety |
| UFA | Utah Farmers Association |
| UHP | Utah Highway Patrol |
| UMCAC | Utah Motor Carrier Advisory Committee |
| UMTA | Utah Motor Transport Association |
| UPSC | Utah Public Service Commission |
| UTIP | Utah Truck Inspectors |
| USDOT | United States Department of Transportation |
| UTC | Utah Transportation Commission |
| UTC | Utilities and Transportation Commission |
| VIN | Vehicle Identification Number |
| WACIC | Washington Crime Information Center |
| WASHTO | Western Association of State Highway and Transportation Officials |
| WDOA | Wyoming Department of Audit |
| WDOL | Washington Department of Licensing |
| WHP | Wyoming Highway Patrol (Division of WTD) |
| WIM | Weigh In Motion |
| WRP | Western Regional Permit |

| | |
|--------------|---|
| WSDOT | Washington State Department of Transportation |
| WSP | Washington State Patrol |
| WTA | Washington Trucking Associations |
| WTA | Wyoming Trucking Associations |
| WTAEC | Western Trucking Association Executive Council |
| WTC | Washington Transportation Commission |
| WTD | Wyoming Department of Transportation |
| WTSC | Washington Traffic Safety Commission |
| WUTC | Washington Utilities and Transportation Commission |

APPENDIX B
DEFINITION OF TERMS

APPENDIX B
DEFINITION OF TERMS

ACTUAL GROSS WEIGHT — The weight of the vehicle plus the weight of the load, used in ton-mile tax calculations.

ADDITIONAL TONNAGE PERMITS — An annual Washington permit issued after a vehicle has been licensed to legal limits. Possession of an additional tonnage permit does not allow hauling a load heavier than a legal load but does allow hauling a load heavier than the amount of licensed tonnage that was obtained at the time the vehicle was licensed.

APPORTIONED REGISTRATION — A method of licensing a fleet of commercial vehicles that operate in more than one jurisdiction. Collected fees are divided and distributed based on the percentage of miles traveled in each jurisdiction. Often used in reference to the International Registration Plan.

APPORTIONED VEHICLE — Vehicles operating in two or more member jurisdictions and used for the transportation of persons or property may apply for apportioned registration. Apportionable vehicles include (1) a power unit with a gross vehicle weight in excess of 26,000 pounds, (2) a power unit with three or more axles, regardless of weight, or (3) a power unit used in combination when the weight of such a combination exceeds 26,000 pounds gross vehicle weight.

BASE JURISDICTION — The jurisdiction where the registrant has an established place of business, where mileage is accrued by the fleet, and where operational records of such a fleet are maintained or can be made available.

BASE STATE — See "Base Jurisdiction"

BIENNIAL (PERIODIC TEST) — A drug test administered to a driver at the time of his or her medical examination.

BINGO STAMP — A vehicle-specific sticker issued by each state under current rules that indicates registration of ICC operating authority in that state. Program will disappear by 1994, when the ISTEA mandated base-state programs are implemented.

BULK HAULERS — Carriers that transport bulk commodities in containment systems with capacities in excess of 3,500 water gallons (except poison gases and Class A and B explosives which are considered bulk in any quantity).

CAB CARD — Certificate of registration (vehicle or fuel) issued by the base jurisdiction. It contains the jurisdictions and the registered gross weight for the jurisdictions in which the vehicle is registered.

CERTIFICATE OF OWNERSHIP — Vehicle title, showing a full description of the vehicle, the vehicle identification number, the number of miles on the odometer, any distinguishing marks of identification, and the name and address of the registered owner. The certificate of ownership need not be renewed annually.

- COLLECTION SITE** — A place designated by the motor carrier where individuals provide a urine specimen to be analyzed for the presence of controlled substances.
- COMMERCIAL DRIVER'S LICENSE (CDL)** — A license issued by a State or other jurisdiction to an individual which authorizes the individual to operate a class of a commercial motor vehicle.
- COMMERCIAL MOTOR VEHICLE** — A motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle (a) has a gross combination weight rating of 26,001 or more pounds, inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds; or (b) has a gross vehicle weight rating of 26,001 or more pounds; or (c) is designed to transport 16 or more passengers including the driver; or (d) is of any size and is used in the transportation of hazardous materials (required to be placarded). (From 49 CFR 383.5).
- COMMERCIAL VEHICLE SAFETY ALLIANCE** — An association of State and Provincial officials responsible for the administration and enforcement of motor carriers safety laws in the U.S. and Canada.
- COMMON CARRIERS** — Carriers that serve the general public for business at regular rates and tariffs that are established with the governing economic regulatory commission.
- COMPLIANCE REVIEW** — An on-site examination of motor carrier operations such as driver's hours of service, maintenance and inspection, driver qualifications, commercial driver's license requirements, financial responsibility, accidents, hazardous materials, and other safety and transportation records to determine whether a motor carrier meets the safety fitness standard. A compliance review may be conducted in response to a request, to a change a safety rating, to investigate potential violation of safety regulations by motor carriers, or to investigate complaints or other evidence of safety violations. The compliance review may result in an enforcement action.
- CONDITIONAL SAFETY RATING** — Given to a motor carrier when it does not have adequate safety management controls in place to ensure compliance with the safety fitness standard.
- CONTRACT CARRIERS** — Carriers who haul for shippers under contract or special agreement. A contract carrier may convert to a common carrier, but only through proper application.
- CONTROLLED SUBSTANCES** — The five classes of drugs (cocaine, marijuana, opiates, amphetamines, and phencyclidine); used synonymously with drug.
- CONVERTER GEAR** — Used to convert a semitrailer into a trailer or a two axle tractor into a three-axle tractor. May be licensed as a separate vehicle or in combination with the vehicle with which it is used.
- CREDENTIALS** — The cab cards and apportioned plates with validation tabs issued for proportionally registered vehicles.

DECLARED COMBINED GROSS VEHICLE WEIGHT — The total unladen weight of any combination of vehicles plus the weight of the maximum load to be carried on the combination of vehicles as declared by the carrier (for registration or tax purposes).

DISQUALIFICATION — (a) The suspension, revocation, cancellation, or any other withdrawal by a state of a person's privileges to drive a commercial motor vehicle; or (b) a determination by FHWA under the rules of practice for motor carrier safety that a person is no longer qualified to operate a commercial motor vehicle.

DIVISIBLE LOAD — A load that can be shared between two or more vehicles by (1) shifting the commodity, (2) dismantling the equipment or (3) altering the vehicle configuration. Often used interchangeably with "Reducible Load."

ELECTRONIC FUNDS TRANSFER (EFT) — Any transfer of funds, other than a transaction originated by check, draft, or other similar paper instrument, that is initiated through a computer terminal, telephonic instrument, computer or magnetic tape to order, instruct, or authorize a financial institution to debit or credit an account.

EMERGENCY TEMPORARY OPERATING AUTHORITY — Limited term operating authority for a transportation service for which there is an emergency need that cannot be met by existing carrier service and when there is not sufficient time to process an application for a temporary operating authority.

ENDORSEMENT — An authorization appended to an individual's CDL; required to permit the individual to operate certain types of commercial vehicles.

ENVELOPE VEHICLE — A vehicle described by a predetermined set of specifications, such as a weight and size category.

EXCISE TAX — A tax levied on the sale, production, or consumption of certain commodities.

EXEMPT VEHICLES — Vehicles in some states that transport exempt commodities including mail, farm commodities transported between farms, coal, lumber, and logs. Also, vehicles owned by agricultural cooperative associations and used for non-profit activities; vehicles owned and operated by the state, county, city, town, municipality or public transit district; vehicles used for the distribution of newspapers; towing, wrecking and maintenance vehicles; and armored cars.

FEDERAL HEAVY VEHICLE USE TAX — Federal law requires proof of payment of the FHVUT when vehicles with 55,000 lb. or more gross weight or combined gross weight are licensed. Proof is not required on new units registered within 60 days of the date of purchase.

FEDERAL MOTOR VEHICLE EXCISE TAX — An excise tax of 12 percent is imposed on the first retail sale of all trucks weighing over 33,000 lbs, all trailers weighing over 26,000 lbs, and on all tractors used to pull trailers or semitrailers for highway transportation.

FOR-HIRE CARRIERS — Any carrier, available to the general public, in the business of hauling goods for compensation.

- FORM E** — An insurance form used to show that a carrier has obtained the necessary insurance for operating its truck fleet.
- FULL TRAILER** — Vehicle without motive power, designed for carrying property, pulled by a motor vehicle, and so constructed that no part of its weight rests on the towing vehicle.
- GENERAL FUND** — Funds within a state government that are not earmarked by existing legislation for specific activities.
- GROSS COMBINATION WEIGHT RATING (GCWR)** — The gross vehicle weight rating of combined or articulated vehicles.
- GROSS VEHICLE WEIGHT RATING (GVWR)** — The value specified by the manufacturer as the maximum loaded weight of a single vehicle.
- INTERNATIONAL REGISTRATION PLAN (IRP)** — An agreement between states of the U.S. and provinces of Canada that allows license fees to be paid to a single jurisdiction, prorated on the basis of fleet miles operated in any member jurisdiction.
- INTERSTATE COMMERCE** — Any trade, traffic, or transportation in the United States between a place in a jurisdiction and a place outside of that jurisdiction, or between two places in a jurisdiction through another jurisdiction (see "jurisdiction").
- INTERSTATE MOTOR CARRIER** — A motor carrier engaged in interstate commerce whose vehicle(s) transport property or passengers between or through two or more states or other jurisdictions (see "jurisdiction").
- INTRASTATE** — Trade, traffic, or transportation from one point within a jurisdiction to another point within the same jurisdiction.
- INTRASTATE MOTOR CARRIER** — A motor carrier whose vehicle(s) transport property or passengers from one point within a jurisdiction to another point within the same jurisdiction, excluding interstate movements.
- JURISDICTION** — A state, territory, or possession of the United States; a foreign country; or a state or province of a foreign country. (When used in reference to interstate or intrastate commerce, cities and counties are excluded.)
- LOG TOLERANCE PERMITS** — Unprocessed logs can be hauled in excess of weight limits imposed on other loads. The effect is that shorter logs may be transported on a vehicle that has a shorter wheelbase than would be otherwise allowed. The type of truck doing the hauling, gross weight, axle spacing, and local approval are regulated.
- LOG TRUCKS** — Vehicles designed and registered to carry unprocessed logs.
- MIL RATE** — A rate charged per thousand. Often used for assessing ton-mile tax (i.e., taxes are assessed per thousand ton-miles) (one mil = 1/10 cent).

MOTOR CARRIER — A person, individual, partnership, firm, association, or private or public corporation that is engaged in interstate or intrastate commerce and that operates or causes to be operated on any highway any commercial motor vehicle.

MOTOR VEHICLE FUEL TAX — A tax imposed on fuel for use by all motor vehicles.

MOTOR VEHICLE FUND REVENUE — Those state taxes, fees, and penalties which are deposited in the motor vehicle fund. This does not include (a) money derived from non-fuel tax sources that are deposited directly into several accounts, (b) interest deposited directly into several accounts, (c) federal funds, (d) proceeds from the sale of bonds, or (e) reimbursements to the motor vehicle fund for services performed for others (does not exist in all states).

NON-DIVISIBLE LOAD — Cargo that cannot be reasonably shared between two or more vehicles by (1) shifting the commodity, (2) dismantling the equipment, or (3) altering the vehicle configuration. Often used interchangeably with "Non-Reducible Load."

NON-REDUCIBLE LOAD — Cargo that cannot be reasonably shared between two or more vehicles by (1) shifting the commodity, (2) dismantling the equipment, or (3) altering the vehicle configuration. Often used interchangeably with "Non-Divisible Load."

NON-RESIDENT CDL — A CDL issued by a state to an individual living in a foreign country.

OPERATING AUTHORITY — The legal permission required by a common or contract carrier to haul goods from one point to another. Interstate operating authority is granted by the ICC and registered in certain states by the state economic regulatory agency. Intrastate operating authority is granted by the state economic regulatory agency.

OPERATIONS — When applied to a motor carrier, this term means the operation of all commercial vehicles, whether loaded or empty, whether for compensation or non-compensation, and whether owned by or leased to another.

OS/OW PERMITS — The hauler must show that the load cannot reasonably be dismantled or disassembled. If the load can be reduced, even if that would require the use of additional vehicles, no special permit will be issued. Escort vehicles, signs, and hours and days of movement need to be regulated.

OVERDIMENSIONAL — Any vehicle, vehicle combination, or load in excess of length, width, or height limits established by state or federal code.

OVERLEGAL — Any vehicle, vehicle combination, or load in excess of length, width, height, or weight limits established by state or federal code.

OWNER/OPERATOR — The person, firm, or corporation that leases vehicle equipment with a driver to a carrier (often the owner, an individual, is the operator).

PERMIT AGENTS — Individuals or companies legally empowered to sell various permits for OS/OW or other operating conditions.

POST ACCIDENT TEST — A test administered to a driver following a reportable accident in which the driver has been cited for a moving violation, regardless of whether there is reasonable cause to believe the driver has been operating the commercial vehicle while under the influence of drugs or the driver was at fault in the accident and drug use may have been a factor.

PRE-EMPLOYMENT TEST — A test given to an individual whom the motor carrier intends to hire or use as a commercial motor vehicle driver.

PRINCIPAL PLACE OF BUSINESS — A single location designated by the motor carrier, normally its headquarters, where records will be maintained.

PRIVATE CARRIERS — Carriers that transport their own products (commodities to which they hold title).

PRORATE — Registration that allows commercial vehicles to comply with the registration requirements of more than one jurisdiction, and to pay registration fees based on their percentage of miles traveled in each jurisdiction.

RANDOM TEST — An unannounced drug test that is given to a predetermined percentage of covered drivers who are selected in a statistically sound, random selection process from a pool of all eligible drivers.

REASONABLE CAUSE TEST — A drug test administered to a driver whose conduct or appearance indicates the use of controlled substances. The determination for testing may be made only by a supervisor or company.

RECIPROCITY AGREEMENTS — Agreements between states allowing for the reciprocal granting of equivalent rights and/or privileges to properly credentialed vehicles.

REDUCIBLE LOAD — A load that can be shared between two or more vehicles by (1) shifting the commodity, (2) dismantling the equipment, or (3) altering the vehicle configuration. Often used interchangeably with "Divisible Load."

REGISTERED GROSS WEIGHT — The total weight (vehicle plus load) which a truck is registered to carry without additional permits.

REPORTABLE ACCIDENT — An accident in which (a) a fatality occurs; or (b) an individual injured in the accident immediately receives medical attention away from the scene of the accident; or (c) total property damage is above a specified monetary limit.

SAFETY MANAGEMENT CONTROLS — The systems, practices, policies, programs, and procedures used by a motor carrier to ensure compliance with applicable safety and hazardous materials regulations, which ensure the safe movement of products and passengers through the transportation system and reduce the risk of highway accidents and hazardous materials incidents.

SAFETY REVIEW — An on-site assessment to determine whether a motor carrier has adequate safety management controls established and functioning to meet the safety fitness standard. The safety review includes an inspection of selected motor carrier records and operations. It is used to gather information for assigning ratings to unrated carriers. The safety review is not ordinarily employed to gather evidence in support of enforcement actions, but it is used in this manner if serious violations are discovered (e.g., absence of proof of financial responsibility, document falsification).

SATISFACTORY SAFETY RATING — A motor carrier has established and is operating adequate safety management controls to meet the safety fitness standard. Safety management controls are adequate if they are appropriate for the size and type of operation of the particular motor carrier.

SELF INSURANCE — For larger carriers, self insurance allows a carrier to set aside specific funds to cover their legal liabilities. It is used in place of purchasing insurance coverage from a private insurance company.

SEMITRAILER — A vehicle without motive power, designed for carrying property and for being pulled by a motor vehicle, and so constructed that some part of its weight and that of its load rests upon or is carried by the towing vehicle.

SINGLE TRIP PERMIT (OVERDIMENSIONAL) — The document that indicates a vehicle or combination of vehicles can legally carry a specific load to a specified destination, for vehicles that could not normally travel that route legally. Such permits are valid only on an individual trip basis, and are not issued annually.

SINGLE TRIP PERMIT (REGISTRATION) — The document that, in lieu of registration, allows the unladen single trip movement or transit of a vehicle between points of origin and destination in the state.

SPECIAL FUEL — All combustible gases and liquids suitable for the propulsion of motor vehicles, except gasoline.

SPECIAL FUEL PERMITS — A permit for motor vehicles that use a special fuel (other than gasoline) traveling in a state for commercial purposes. Any operator who does not have a valid special fuel user's license must purchase a special fuel tax permit. This does not exempt the carrier from paying taxes on the fuel purchased while in this state.

SPECIAL FUEL TAX — The taxes assessed on motor vehicle fuels, except gasoline.

TANK VEHICLE — Any commercial motor vehicle that is designed to transport any liquid or gaseous material within a tank that is either permanently or temporarily attached to the vehicle or the chassis.

TEMPORARY OPERATING AUTHORITY— Limited term authority to operate a transportation service for which there is an immediate need that cannot be met by an existing carrier service.

TON MILE TAX — A per-mile tax, calculated by determining the ratio of actual vehicle gross weight to the sum of actual miles traveled at that weight. A weight distance tax, which is similar, bases the tax on registered (instead of actual) gross vehicle weight.

TRACTOR — A motor vehicle used primarily for drawing other vehicles but not constructed to carry a load other than part of the weight of the vehicle that is pulled.

TRAILER — A towed (non-powered) vehicle, used for transportation of cargo. Examples include a full trailer, semitrailer, pole trailer, or utility trailer.

TRIP LEASERS — Leased carriers operating for multiple companies.

TRIP PERMIT — A temporary permit issued by a jurisdiction in lieu of longer term credentials. Trip permits can include temporary vehicle registration, operating authority, fuel license, and oversize/overweight permits.

TRUCK TRACTOR — A vehicle designed and used primarily for pulling other vehicles, but constructed to carry a load, in addition to a part of the weight of the vehicle and load (dromedary).

UNIFORM PRORATE AND RECIPROCITY AGREEMENT — An agreement developed prior to IRP that allowed commercial carriers to prorate registration fees based on the percentage of miles traveled in each jurisdiction.

UNLADEN VEHICLE WEIGHT — The actual weight of the vehicle, including the cab, the body, and all accessories with which the vehicle is equipped for normal use on highways (excludes the weight of any load).

UNRATED CARRIER — A safety rating has not been assigned to the motor carrier by the FHWA.

UNSATISFACTORY SAFETY RATING — A rating given by a regulatory agency to indicate that a motor carrier did not successfully pass a safety review. It generally means that the carrier does not have adequate safety management controls in place to ensure compliance with the safety fitness standard.

WEIGHT DISTANCE TAX — A per-mile tax calculated by determining the ratio of registered gross vehicle weight to miles traveled. Differs from a ton-mile tax in that actual gross vehicle weight is used in that case.

WESTERN COMPACT — see "Uniform Prorate and Reciprocity Agreement."

WESTERN PRORATE — see "Uniform Prorate and Reciprocity Agreement."

WESTERN UNIFORM COMPACT — see "Uniform Prorate and Reciprocity Agreement."

APPENDIX C
FEDERALLY MANDATED PROGRAMS
COMMON TO ALL STATES

APPENDIX C

FEDERALLY MANDATED PROGRAMS COMMON TO ALL STATES

In a number of the functional areas described throughout this report, a part or all of the function is governed by federal mandates. For this reason, little variability exists between states for execution of these programs. Functional areas that are partly or wholly mandated by federal requirements include:

- Commercial Driver's License,
- Vehicle Registration,
- Operating Authority and Insurance,
- Tax Collection, and
- Safety Regulation.

The federal programs as related to these functional areas are described in detail below.

COMMERCIAL DRIVER'S LICENSE

The 1986 Commercial Motor Vehicle Safety Act (CMVSA) requires all states to meet the same minimum standards for testing and licensing drivers of commercial motor vehicles. Commercial drivers throughout the United States are required to obtain a single Commercial Driver's License (CDL). A valid CDL, one that is not suspended, revoked, or canceled, allows the driver to operate a commercial vehicle in any state without retesting or carrying multiple licenses. The CMVSA also mandates uniform penalties and a central reporting system.

Written tests are essentially identical among states, though there are still some differences. For example, California is more restrictive than some other states for hazardous material endorsements; drivers there must be retested more frequently than in neighboring states.

A CDL is required for drivers that operate any of the following vehicles:

- all single vehicles with a gross vehicle weight rating (GVWR) of more than 26,000 pounds,

- all trailers with a GVWR of more than 10,000 pounds, if the gross vehicle weight rating of the combined vehicle(s) is more than 26,000 pounds,
- all vehicles designed to transport 16 or more persons (including the driver), and
- all vehicles that carry placarded amounts of hazardous materials.

These vehicles can be divided into three classes, A, B, and C, depending on the type of vehicle being driven (see Table C-1). A Class A CDL allows operation of vehicles in any of the lower classes if the correct endorsements have been obtained.

There are five types of endorsements for the CDL:

- P passenger
- T double and triple trailers
- N tank vehicle
- H hazardous materials
- X tank vehicles transporting hazardous materials (Idaho uses N-H)

In addition to the special endorsements, a CDL restriction requires drivers of vehicles equipped with air brakes to pass additional tests that specifically address that feature. Drivers who do not take or pass these tests are restricted to driving non-air braked vehicles.

Farmers, firefighters, military personnel, and recreational vehicle operators are exempt from the CDL requirements.

A driver may have the CDL suspended, canceled, or revoked or may be disqualified from operating a commercial vehicle for (1) providing false information on the CDL application or (2) receiving serious traffic convictions, including citations for excessive speeding, reckless driving, or following too closely. The penalty is more serious if the driver is convicted of a more serious offense, such as driving under the influence of alcohol or drugs or leaving the scene of an accident.

Table C-1. Vehicle Groups as Established by FHWA

| Group | Description |
|-------|--|
| A | Any combination of vehicles with a GCWR of 26,001 or more pounds, provided the GVWR of the vehicle(s) towed is in excess of 10,000 pounds. |
| B | Any single vehicle with a GVWR of 26,001 or more pounds, or any such vehicle towing a vehicle not in excess of 10,000 pounds GVWR. |
| C | Any single vehicle, or combination of vehicles, that does not meet the definition of Group A or Group B as contained herein, but that either is designed to transport 16 or more passengers including the driver, or is placarded for hazardous materials. |

From 49 CFR 383.91, 8/92

INTERNATIONAL REGISTRATION PLAN

The International Registration Plan (IRP) is an agreement between states of the U.S. and provinces of Canada that allows license fees to be paid to a single jurisdiction, prorated on the basis of fleet miles operated in any member jurisdiction.

A carrier or owner/operator registers each vehicle in its base state only (i.e., one set of license plates and one cab card are issued for each vehicle). The registration fees, based on miles traveled, are then sent to the states in which the driver operated. Cab cards for the power unit must be carried inside that vehicle.

At this time nearly every state is offering apportioned registration to its interstate carriers. By 1996, every state will be mandated by the Intermodal Surface Transportation Efficiency Act (ISTEA) to offer apportioned registration, through the IRP.

Jurisdictions outside of the continental U.S. are also required to apply for apportioned registration if they want to participate in interstate commerce. Alaska and British Columbia are members of the Uniform Prorate and Reciprocity Agreement, which preceded the IRP but accomplishes similar functions.

Any commercial vehicle owner may be audited for the purpose of verifying the authenticity of reported mileage figures. Records are examined for the current registration year and the preceding three years. Currently, IRP audits are performed on 15 percent of the carriers every 5 years, similar to IFTA audit requirements. Though these audit schedules are required, no penalty exists for non-compliance by a jurisdiction.

Common problems discovered during the audit process include

- miles unreported because of mathematical errors,
- miles unreported because of careless record-keeping,
- unreported miles traveled on roads constructed and maintained with public funds, and
- carrier hauling at a weight in excess of the registered weight.

Each jurisdiction in which the carrier is registered is notified of the audit findings, and is responsible for collecting outstanding fees or penalties, or refunding overpayments discovered through the audit.

OPERATING AUTHORITY AND INSURANCE

Interstate operating authority is required for every carrier who operates a commercial vehicle for hire and receives compensation for services. The type of operating authority required depends on the type of business being conducted (e.g., common, contract, or exempt carrier). Private carriers are not required to obtain operating authority.

The Interstate Commerce Commission (ICC) is responsible for granting interstate operating authority. To obtain interstate operating authority, the carrier must provide proof of adequate insurance to the ICC. Insurance requirements, which are regulated by the USDOT, depend upon the type of carrier and the commodities being transported. A summary of the federal insurance requirements is shown in the Table C-2.

The ICC fees for interstate operating authority are as follows:

- \$25 for permanent authority
- \$200 for temporary authority
- \$150 for emergency temporary authority

Only cash or checks are accepted for payment of these fees. The ICC can provide registration on the same day the carrier applies.

Some states require registration of interstate operating authority. The rules regarding registration of authority are changing considerably. The ISTEA has mandated that states change to a uniform base state program, but the details of exactly how this program will be implemented are not yet clear. The current bingo stamp program and the base state program (mandated to take effect in 1994) are discussed below.

Table C-2. Federal Insurance Requirement

| CARRIER | COMMODITY | INSURANCE |
|---|--|-------------|
| For-Hire (Interstate or Foreign Commerce) | property, non-hazardous | \$750,000 |
| For-Hire & Private (Interstate, Intrastate, and Foreign Commerce) | hazardous material in cargo or portable tanks, class A or B explosives, poison gas, compressed or liquefied compressed gas, or radioactive materials | \$5,000,000 |
| For Hire & Private (Interstate & Foreign Commerce — any quantity, Intrastate — bulk only) | oil, hazardous waste, hazardous substances | \$1,000,000 |
| For-Hire & Private (Interstate, Intrastate, and Foreign Commerce) | Class A or B explosives, poison gas, radioactive materials | \$5,000,000 |

Current Program

The bingo stamp program is being used in 39 states. Each carrier receives a sticker, which is affixed to a card. Each state provides a sticker; the card has spaces for all 39 participating states to signify where operating authority has been registered.

Base State Program

Similar to the IRP and IFTA in concept, all carriers must register with the state in which they are based. If the carrier is not based in a participating state, registration is required in the state in which the highest fee is paid. The carrier must file its name, address, insurance information, and ICC number indicating that it has been granted interstate operating authority. The base state will then collect fees for all states in which the fleet plans to operate. The driver will carry only proof of fees paid and probably a number that is assigned to the carrier (not the vehicle).

INTERNATIONAL FUEL TAX AGREEMENT

The International Fuel Tax Agreement (IFTA) allows interstate carriers to pay motor fuel use taxes to a single base state instead of submitting payments to each state in which the carrier operates. Through a clearing house process, each member state receives payment of all motor fuel taxes that are due, depending on the amount and type of fuel purchased in that state. The base state then monitors their state-based carriers, for both interstate and intrastate travel. Other member states collect the taxes and monitor the activities of the carriers based in their state.

In addition to collecting fuel taxes, audits must be conducted to ensure that the correct tax amounts are being submitted. IFTA audits are required for 15 percent of all carriers every five years. All accounts are subject to an audit every three years. Accounts with significant discrepancies are scheduled more frequently.

The base state is responsible for conducting the audit. The findings of the audit are reported to the carrier in writing, as well as to any member jurisdiction affected by the

audit. The base state collects any tax, penalty, or interest owed to all other member states.

Common problems discovered during the audit process include

- inaccurate reporting of fuel mileage,
- miles unreported because of mathematical errors,
- miles unreported because of careless record-keeping, and
- unreported miles traveled on roads constructed and maintained with public funds.

The ISTEA requires that, for a state to qualify for federal grants, it must (1) join a base state fuel tax system (but not specifically IFTA), (2) start another base state program, or (3) allow trucks to operate in the state without fuel taxation. Maine, New Hampshire, and Vermont already participate in the Regional Fuel Tax Agreement (RFTA). The ISTEA exempts RFTA from changing to IFTA, though RFTA is not allowed to expand.

MOTOR CARRIER SAFETY ASSISTANCE PROGRAM

The Motor Carrier Safety Assistance Program (MCSAP) provides participating states with the federal funds (at a matching ratio of 80 percent federal and 20 percent state) to support truck and bus safety activities. In return for receiving the federal funding to conduct these activities, the states primary task is to enforce federal motor carrier safety regulations (FMCSR) and hazardous material regulations (HMR) through roadside inspection and safety audits. Enhancements to this program include the following:

- traffic enforcement activities carried out in conjunction with roadside inspections;
- increased Commercial Drivers' License requirements enforcement;
- training of MCSAP inspectors to enforce hazardous materials regulations;
- for those states that have adopted the National Governors Association's (NGA) recommendations, development of uniform reporting methods for truck and bus accident data;

- research, development, and demonstration of technologies, methodologies, or information systems designed to enhance safety through MCSAP; and
- education of the motoring public on sharing the road safely with commercial motor vehicles.

During day-to-day operations, the MCSAP program focuses on three main areas: (1) controlled substance regulation, (2) roadside or terminal inspections to check condition of both the driver and the equipment, and (3) safety and compliance reviews (audits) to check the safety records of the motor carrier.

Controlled Substance Regulation

As part of the effort to improve roadway safety, the Federal Highway Administration requires that all motor carriers establish or join programs to implement the following types of drug tests.

- **Pre-Employment** — all individuals whom the motor carrier intends to hire or use, on a permanent or temporary basis, as commercial motor vehicle drivers must be tested.
- **Biennial (Periodic)** — each driver must be tested for controlled substances at least every two years, commencing with the driver's first medical examination.
- **Reasonable Cause** — applies when a supervisor or company official trained in the detection of probable drug use directly observes a driver whose conduct or appearance suggests the use of a controlled substance.
- **Random** — a motor carrier must conduct unannounced testing on a random selection of drivers.
- **Post-Accident** — a driver cited for a moving violation following a reportable accident must be tested for drugs as soon as possible following that accident, but in no case later than 32 hours after the accident.

The regulations apply to motor carriers and operators of commercial motor vehicles in interstate commerce. If a driver refuses to be tested for controlled substance use, or if the driver is found to be a user of controlled substances, the driver is considered unqualified to operate a commercial motor vehicle until a negative test result is obtained. If the driver of a commercial vehicle either refuses to take the controlled substance test following an accident or tests positive after an accident, the driver is disqualified from operating a commercial motor vehicle for one year following the accident. Motor carriers

that violate the provisions of the agency's anti-drug program may also be subject to civil and criminal penalties, including being declared out-of-service and fines as high as \$10,000 per violation. Review of compliance with the drug testing requirements has been added to all safety and compliance reviews conducted on motor carrier operations.

A motor carrier cannot allow or require any driver to drive more than ten hours following eight consecutive hours off duty, or after being on duty 15 hours, or after being on duty more than 60 hours in seven consecutive days. A motor carrier operating vehicles every day of the week cannot allow or require any driver to drive after being on duty more than 70 hours in eight consecutive days.

Roadside/Terminal Inspections

All inspections are conducted under CVSA guidelines and out-of-service criteria. If a driver is found to violate various criteria, the driver and vehicle may be placed out of service. Though out-of service decisions should follow the out-of-service criteria defined by the CVSA, these decisions are sometimes made at the discretion of the enforcing agent.

CVSA inspections consist of five levels:

- I in-depth inspection of vehicle and driver,
- II driver inspection and vehicle walk-around inspection,
- III driver inspection,
- IV special study, and
- V terminal inspection.

CVSA decals are only issued during levels I and V inspections. The CVSA sticker is not required, but drivers have an incentive to obtain one. Display of a valid CVSA sticker (good for 90 days) usually allows the truck to bypass weigh station inspection points, unless obvious safety defects are evident, resulting in significant time savings. A level I CVSA inspection typically takes 25 to 30 minutes. There is no charge for the CVSA sticker.

Drivers convicted of violating an out-of-service order for the first time are disqualified from operating a heavy truck or bus for at least 90 days and subject to a civil penalty of at least \$1,000. Drivers convicted of a second violation are disqualified from operating a heavy truck or a bus for at least one year (but not more than five years) and are subject to a civil penalty of at least \$1,000. An employer who allows, authorizes, or requires a driver to operate a vehicle in violation of an out-of-service order is subject to a civil penalty of \$10,000 or less.

Safety/Compliance Reviews

Safety and Compliance Reviews are the primary tool for monitoring compliance with motor carrier safety and hazardous materials/waste regulations. The reviews consist of interviews, vehicle inspections, and examination of certain records to obtain information regarding:

- hiring practices and procedures
- driver qualifications, and drug testing,
- accident history,
- drivers' hours of service,
- inspection of vehicles,
- maintenance program,
- hazardous materials/waste regulation compliance, and
- training programs.

The Safety/Compliance review selection criteria may include, but are not limited to the following:

- number of preventable accidents,
- recent roadside vehicle inspections,
- complaints received,
- past compliance history,
- special studies or analysis, and
- commodity transported or shipped.

An unfavorable review may result in a warning letter, a monetary penalty, and/or suspension of operating authority.

Compliance Reviews are conducted if: (1) a carrier receives an unsatisfactory or conditional Safety Review, (2) there are complaints about that carrier (generally from other carriers), or (3) that carrier has a bad safety record. Compliance Reviews are

sometimes performed by state inspectors but more often by investigators from FHWA.
Compliance Review violations can carry either civil or criminal penalties.