



MOTOR CARRIER NEWS

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Unified Carrier Registration takes shape sooner this year

The Unified Carrier Registration Agreement (UCRA) was slow getting started in 2007, its inaugural year, but it's taking shape much quicker this year. At a January meeting, the UCR Board of Directors voted to hurry the process for establishing fees for 2008 by simply keeping the same fees charged in 2007. This avoids a lengthy rulemaking for the Federal Motor Carrier Safety Administration and allows the participating states to start collecting fees as early as Spring 2008. The fee structure will again have six brackets ranging from \$39 to \$37,500 (see sidebar on this page).

UCR fees may only be used to support motor carrier safety and enforcement programs, or pay for UCR administration. The program is designed for states that need to replace revenue they formerly collected under the Single State Registration System (SSRS). Oregon never participated in SSRS and it's not participating in UCRA. Oregon-based interstate operators must select another Western state and pay their fees to it (see list on page 2), or pay online at ucr.in.gov.

Participating states plan to send billings to those who registered in 2007. They'll also contact anyone who has not yet come forward by cross-checking against a U.S. DOT Motor Carrier Management Information System list of interstate motor carriers and a Licensing and Insurance list of brokers and freight forwarders.

It wasn't until late last year that interstate operators received notice about the 2007 fees and many met the November 14 payment deadline. But then the program entered a limbo period between the end of 2007 and

the time when 2008 fees were established. For a while it was assumed that this year's fees would be recalculated based on the number of participating states and the total revenue they previously collected (in 2004) from the SSRS. Last year there were 33 participating states and they sought to recover over \$101 million in revenue. But this year 41 states are asking for a cut of fees collected and their "entitlement" tops \$107 million.

It's not been reported how much was actually collected in 2007. By re-imposing the 2007 fees, the UCR Board avoids a rulemaking that would assumably seek increased fees for 2008 to compensate the 41 states and possibly make up for any shortfall in 2007 collections.

With the Unified Carrier

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UCRA

Proposed Fee Structure 2008

No. of Straight Trucks Tractors, Trailers	Annual Fee per Company
0 - 2	\$ 39
3 - 5	\$ 116
6 - 20	\$ 231
21 - 100	\$ 806
101 - 1,000	\$ 3,840
1,001 or more	\$ 37,500

The Unified Carrier Registration Agreement is a base-state system for registering interstate motor carriers with vehicles over 10,000 lbs., including private, for-hire, and exempt carriers, farmers operating in interstate commerce, and brokers, freight forwarders, and leasing companies. All of these operators must pay annual registration fees that fund state motor carrier safety programs, enforcement, and UCR administration.

The UCRA replaces the Single State Registration System (SSRS), which since 1991 had been used by 38 states to register for-hire carriers and handle insurance filings. But the UCRA is different in that it does not include insurance requirements. Legislation passed in 2005 preempts states from imposing insurance requirements on interstate carriers and left them only subject to federal requirements in 49 CFR Part 387.

Oregon never participated in SSRS and it is not participating in UCRA. An Oregon-based interstate operator must choose a participating Western state as its base state (unless it has a principal place of business in a particular state). Most Oregon operators will select one of the following states — AK, CA, CO, ID, MT, ND, NM, SD, UT, or WA — and mail fee payments there or pay online — www.ucr.in.gov. The online system accepts Visa, MasterCard, and electronic transfers, with a convenience fee added for the service.

UCRA fee enforcement begins anew in 2008

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Registration program getting such a late start in 2007, states were advised to work to educate motor carriers about the UCRA rather than aggressively issue citations for failure to pay fees. When the UCR Board surveyed states during a December 2007 conference call, only 16 of 36 states available on the call said they were ready to impose, or threaten to impose, monetary penalties for failure to pay fees.

Interstate operators who did not pay 2007 fees have not escaped that obligation. The UCR Board is encouraging states to take action to enforce the payment of both 2007 and 2008 fees. When states go to collect for this year, they'll be checking to see if 2007 fees were paid.

Further incentives to comply are in the works. For example, it's reported that the Commercial Vehicle Safety Alliance (CVSA) may make the timely payment of UCRA fees part of its safety inspection criteria. In the future, failure to pay fees could be an out-of-service violation.

Although most states are issuing receipts for payments, no UCRA credential is required to be carried in vehicles. So how will UCRA be enforced? When an interstate operator pays its fees, the base state conveys the information to the Federal Motor Carrier Safety Administration so that it's noted in the Safety and Fitness Electronic Records (SAFER) system. Roadside enforcement can then verify UCRA payments by accessing SAFER, Query Central, and the Inspection Selection System.

Oregon is not participating as a base state, but it must enforce UCRA requirements. Oregon law, ORS 825.104, was changed in the 2007 legislative session to require interstate for-hire and private carriers to comply with any requirements related to the program.

Oregon interstate operators with questions about UCRA are asked to please contact one of the Western states participating in the program:

Western States Participating in UCR in 2008

Alaska Department of Transportation — Commercial Vehicle Customer Service

11900 Industry Way, Building M, Suite 2, Anchorage AK 99515
907-365-1200 FAX 907-365-1221

Pay by: Cash, Check, Credit Card, Money Order, Certified Funds

California Department of Motor Vehicles — Motor Carrier Division

P.O. Box 932345, MS H-850, Sacramento CA 94232-3450
916-657-2605 FAX 916-657-8232

Pay by: Cash, Check, Credit Card, Money Order, Certified Funds

Colorado Public Utilities Commission

1560 Broadway, Suite 250, Denver CO 80202
303-894-2000 select 4 FAX 303-894-2071

Pay by: Cash, Credit Card, Money Order, Certified Funds

Idaho Transportation Department — Commercial Vehicle Services - Motor Carrier

PO Box 7129, Boise ID 83707-1129
208-334-8611 FAX 208-334-2006

Pay by: Cash, Check, Credit Card, Money Order, Certified Funds

Montana Department of Transportation

PO Box 4639, Helena MT 59604-4639
406-444-2998 FAX 406-444-0800

Pay by: Cash, Check, Credit Card, Money Order, Certified Funds

New Mexico Public Regulation — Commission/Transportation Division

PO Box 1269, Sante Fe NM 87504-1269
505-827-4519 FAX 505-476-0324

Pay by: Cash, Money Order, Certified Funds

North Dakota Department of Transportation — Motor Vehicle Division

608 East Boulevard Avenue, Bismarck ND 58505-0780
701-328-2725, select 2 FAX 701-328-3500

Pay by: Cash, Check, Credit Card, Money Order, Certified Funds

South Dakota Department of Revenue & Regulation Division of Motor Vehicles — UCR Program

445 East Capitol Avenue, Pierre SD 57501-3185
605-773-3314 FAX 605-773-4117

Pay by: Cash, Check, Credit Card, Money Order, Certified Funds

Utah Department of Transportation — Motor Carrier Division

4501 S. 2700 West, PO Box 148240, Salt Lake City UT 84114-8240
801-965-3871 FAX 801-965-4265

Pay by: Cash, Check, Credit Card, Money Order, Certified Funds

Washington Utilities & Transportation Commission — Licensing Services

PO Box 47250, Olympia WA 98504-7250
360-664-1222 FAX 360-586-1181

Pay by: Cash, Check, Credit Card, Money Order, Certified Funds

Remaining 31 states participating in UCRA in 2008: Alabama, Arkansas, Delaware, Connecticut, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Massachusetts, Michigan, Minnesota, Missouri, Mississippi, Nebraska, New Hampshire, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Virginia, West Virginia, Wisconsin

Legislators adjust over-dimension permit violations

Oregon legislators met in a Special Session for 19 days in February to “test drive” the concept of annual sessions. Their short To Do List included taking action to adjust over-dimension permit violations. A bill passed last year inadvertently made the violation of all provisions of a permit, other than weight violations, subject to a \$427 citation.

House Bill 3622, which passed this year without objection in the House or Senate, amends Oregon law to make it a Class A violation not to follow permit requirements related to the number of pilot cars or the routing of an over-dimension movement. The bill makes it a Class D violation not to follow any other terms of a permit, except weight violations. This new legislation has an emergency clause so that it takes effect upon passage and signature of the Governor. As this publication was being prepared, the Governor was expected to sign the bill and make it effective early in March.

The bill that passed last year sought to increase the penalty for serious over-dimension permit violations, specifically pilot car requirements. It was reported that some motor carriers were considering the \$97 Class D citation to be just a cost of doing business. If two pilot cars were required for an over-dimension movement, for example, a carrier might hire one and save the cost of the other because it was cheaper to risk getting a \$97 citation.

But other permit violations, such as those related to warning signs and flags, warrant only a \$97 citation. That’s the way minor violations have historically been handled because that penalty is sufficient incentive to achieve compliance.

Unfortunately, the bill that passed last year was written in a way that made all over-dimension permit violations, the serious ones as well as the minor ones, subject to a \$427 citation. Although that change became

effective January 1, 2008, the ODOT enforcement staff were instructed to issue warnings until the law could be corrected in the 2008 Special Session.

Oregon inspectors set record for truck and driver checks

Oregon safety specialists, motor carrier enforcement officers, State Police, and other state enforcement officers completed 61,345 inspections in 2007, which represents a new record total for a calendar year and a 3% increase over activity in 2006.

Motor Carrier Transportation Division (MCTD) inspectors alone completed 38,030 inspections and 38% of them were Level 3 inspections of truck drivers. This type of inspection checks just driver-related items — the driver’s license, medical examiner’s certificate (including driving waiver, if any), logbook / record of duty

status, hours-of-service, seat belt usage, and vehicle inspection report. In the 14,395 Level 3 inspections that MCTD staff conducted, 25% resulted in placing a driver out-of-service.

Oregon State Police completed 18,170 inspections, most of which included a check of driver items and a walk-around check of the truck. These Level 2 inspections don’t require looking under the truck. In the 1,572 Level 3 inspections that State Police conducted, 21% resulted in placing a driver out-of-service.

Other state law enforcement officers completed 5,145 inspections in 2007. Most of their work involved Level 2 inspections.

DMV service offers alerts when driving record changes

Trucking companies can keep a close eye on their truck drivers’ driving records by enrolling in an Oregon Driver and Motor Vehicle Services Division (DMV) system called the Automated Reporting Service (ARS). ARS will produce and send employers a printout of a person’s driving record whenever a conviction, accident, or suspension is posted to the record.

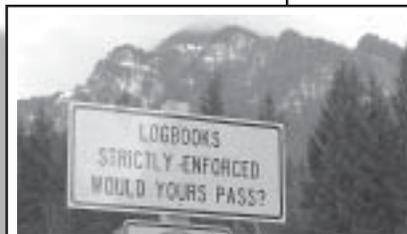
Employers sign up for the automated system by first applying for a DMV Record Inquiry Account. Once approved, they tell DMV which employees they wish to add to the

automated service. They can go online to change their ARS employee list, adding or removing names, or ask DMV for assistance. Then any time one of their employees has a citation, accident, or suspension added to his or her driving record, DMV notifies the employer.

Employers approved for a Record Inquiry Account also have access to an Interactive Voice

Response System that allows them to make driver license or vehicle inquiries by phone, 24 hours a day. They can obtain information over the phone or have printed copies mailed overnight. Menu options include: listen to driver license name, address, description and status; listen to vehicle description and ownership; order a three-year non-employment or three-year employment driving record; order a complete or certified court print driving record; and, order a vehicle record print.

For more information about these services and the fees involved, visit the DMV Web site at www.oregon.gov/ODOT/DMV/records/business.shtml.



Truck drivers are now seeing reminders that Oregon inspectors are serious about logbook checks. This sign at the Cascade Locks Port of Entry on I-84 is similar to several that have been posted at weigh stations around the state.

Winter storms test maintenance crews and truckers

The National Weather Service was very busy the past few months updating its Web site with reports of trouble in Oregon. Day after day it seemed the site had to warn about winter storm watches, heavy snow warnings, snow advisories, blowing snow advisories, high wind watches, and high surf advisories. It got so bad in December that Governor Ted Kulongoski declared a state of emergency after hurricane-force winds and rain wreaked havoc in the Northwest. Flooding, downed trees, slides, and other damage resulted in the closure of every route from the Willamette Valley to the northern coast, completely isolating several cities.



Snow plow on US20

Winter conditions always seem to put Oregon Department of Transportation (ODOT) maintenance crews to the test as they battle to keep roads open and safe. Every year arguably some of the toughest battles are fought in Region 5 in Eastern Oregon.

The experience of both Region 5 maintenance crews and truckers was on the agenda for the Motor Carrier Transportation Advisory Committee public meeting in January. ODOT representatives in attendance included Maintenance and Operations Engineer Luci Moore, Region 5 Manager Monte Grove, and managers from two of the three districts within Region 5. Trucking industry representatives included Oregon Trucking Associations President Bob Russell, most of the regular industry members of the Advisory Committee, and truck drivers from companies like Les Schwab and Wal-Mart who regularly drive Oregon roads. As a result of the meeting, ODOT managers identified a number of steps they can take to improve the winter level of service in Eastern Oregon:

CHAIN-UP / CHAIN-OFF AREAS

When chains are required in snow zones, it's common to find a line of cars and trucks extending back from the chain-up area. Drivers have long noted that there aren't enough roadside areas near snow zones where they can safely pull over to put on chains. But attendees at the January meeting also stressed the need for areas where they can take chains off. ODOT managers report that they've always tried to include new chain-up areas in Statewide Transportation Improvement Program project plans, and will now look for ways to add chain-off areas. In his follow-up report, Region 5 Manager Monte Grove said, "While, in general, adding chain-up areas is still our first priority, there are a few places where chain-off areas make a lot of sense and we will add those to our list of priorities."

Grove also agreed that the lanes adjacent to chain-up areas should be treated with adequate amounts of sand and/or de-icer when the areas are in use. Already a common practice for many crews, the importance of this safety precaution is being emphasized with Region 5 crews.

WARNING SIGNS AND SPEED IN CHAIN-UP AREAS

Trucking representatives called for additional signs to warn motorists of chain-up areas ahead. They said that because cars travel too fast through the areas, it would be much safer if the speed limit was reduced and there were police to enforce it. A variable message sign could be activated to show a special speed limit, for example, whenever chains are required in a snow zone.

ODOT managers promised to consider adding signs to caution motorists in chain-up areas. But they said it's problematic to use mobile variable message signs because they require crews to manually operate and update them and they're not stable in strong winds. Permanently-mounted large variable message signs provide a better alternative and will be tested for greater use next winter. Of course, keeping signs updated with the latest information is a constant challenge facing ODOT crews.

The suggestion to establish reduced speed limits in snow zones is more complicated. ODOT recently asked the Oregon Department of Justice if it has statutory authority to establish such a variable speed zone and it's awaiting that legal advice. If it has authority, it intends to implement this suggestion. If it does not, it intends to ask Oregon legislators to give it the necessary authority.

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ODOT maintenance workers help a driver free his tanker after it was partially buried in an avalanche on US20 at Santiam Pass on January 8.

Winter storms

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SAND AND/OR DE-ICING

Several of the truck drivers in attendance at the January meeting said that while hills, curves, bridges, and ramps are routinely pre-treated with sand and/or de-icing chemicals, maintenance crews are not paying enough attention to flat and straight sections that can become problem areas. ODOT managers said this will get additional attention and crews will redouble efforts to get the snow pack off the road sooner when there's a significant gap between winter storms.

ROAD CLOSURE NOTICES

Trucking companies that need to stay abreast of the latest road closures can visit TripCheck.com to look for trouble spots, or they can phone 511 to hear about them. ODOT is developing a new feature for TripCheck that will allow subscribers to receive e-mail or text message alerts about road closures and incidents in Oregon. Watch for news of that in an upcoming issue of the Motor Carrier News.

Truckers can help maintenance crews by reporting road hazards when they see them.

Operators at the following ODOT regional dispatch centers are standing by to take road hazard reports:



ODOT Regions

Portland / Metro
503-731-4652

NW Oregon, Region 1 & 2
503-362-0457

Southern Oregon, Region 3
541-858-3103

Central Oregon, Region 4
541-383-0121

Eastern Oregon, Region 5
541-383-0121

What's it like for highway maintenance crews on the front lines during winter in Oregon? Here's an e-mail from John Vial, ODOT's manager for District 8 in Southern Oregon, summarizing their experience during ten days in January 2008:

To the crews of District 8:

In the 10 days from January 2nd to 11th, District 8 was hit with a continuous series of winter storms the likes of which we haven't seen very often. We have seen bigger single storms, but this series of storms was intense and just wouldn't stop. These storms taxed our resources to the limit. In these 10 days we saw:

Weather

- 10 consecutive days of a National Weather Service "Heavy Snow Warnings" within the district.
- 2 days of a National Weather Service "Blizzard Warnings" (the highest warning they can provide).
- 2 days of valley snow where all roads in District 8 were white.
- 6 days of plowing I-5 north of Grants Pass and Hayes Hill on US 199.
- 24+ inches of snow in 24 hours a couple of times in the Diamond Lake area.
- 12+ inches of snow in 24 hours numerous times on the Siskiyou and Diamond Lake area.
- Nearly 60" of snow on I-5's Siskiyou Pass
- Over 90 inches of snow on Highways 230 and 138
- Nearly 90 inches of snow on the Mt. Ashland Ski Road
- 48 inches of snow on the Caves Highway

Chain Requirements

- 10 consecutive days of chain requirements on I-5's Siskiyou Pass.
- 2 days of chain requirements on I-5's Sexton, Smith and Stage passes north of Grants Pass
- 10 days of on-again off-again chain requirements on OR62, 138, and 230.
- Traffic back-ups due to chain requirements on I-5, which approached 10 miles a few times.

Highway Closures **NONE!**

Accidents / Injuries

- 2 crashes where vehicles struck our plows. In both cases the other driver was cited or otherwise responsible. No injuries in either crash.
- 1 slip on ice which resulted in a broken wrist.
- 1 VERY scary incident where a downed tree was 'flipped-up' by a plow and crashed through the plow's cab, narrowly missing the driver's head. The driver was transported to the hospital where he was treated for cuts from flying glass and material in his eye. This could have been very tragic; luckily, the driver escaped with minor injuries.

Coordination

- Over 20 conference phone calls with staff from CHP, CalTrans, OSP and ODOT to coordinate the response for I-5 from Ashland to Redding, California.
- Brought in staff from K-Falls, Bend, and Roseburg to assist the district.
- Literally 1000's of radio and telephone calls and TripCheck entries by our Dispatch Center.
- Had crew members spread throughout the district assisting those sections needing help.
- Provided assistance to Jackson County, Crater Lake National Park, and CalTrans to reopen their roads.
- Helped get a stuck BB King (legendary Blues artist) and his band off the Siskiyou Pass when their bus got stuck.
- Helped with the response for a major landslide on Highway 62 within the National Park.

To all of you who worked so hard, I'm impressed. This series of storms probably should have resulted in numerous road closures, but they didn't. Because of your great work, we took a series of intense major storms and made them look routine. You made them look like business as usual. Thank you for all your hard work, long hours, and dedication.

Tax credits available for clean-burning engines

Oregon taxpayers can receive up to \$80,000 per year in tax credits for buying clean-burning diesel engines. The credits have been available since 2004 and Oregon legislators recently extended them through 2011, although they capped the program at a total of \$500,000 per year. The Department of Environmental Quality (DEQ) may approve credits for model year 2007 and newer engines meeting a 0.01 gram particulate emission standard. In the past 4 years a total of 181 Oregon taxpayers have received \$1,126,099 in credits for purchasing 2,266 qualifying engines. The tax credits, which apply to trucks over 26,000 pounds with engines purchased and registered in Oregon, range from \$925 to \$400 per truck engine depending on fleet size. The larger credit is available to smaller fleets.

For more information, visit the DEQ Tax Credit Program Web site — www.deq.state.or.us/msd/taxcredits/txcp.htm or call Kevin Downing, 503-229-6549 or Maggie Vandehey, 503-229-6878.

Tax Credits Provided		
Tax Year	Certified Engines	Tax Credits
2004	491	\$ 223,760
2005	541	\$ 257,885
2006	619	\$ 333,180
2007	615	\$ 311,274
Total	2,266	\$1,126,099

Environmental non-profit group adds new outreach centers to guide more truckers to fuel savings

In February 2007, Cascade Sierra Solutions opened the nation's first showroom, finance office, and education center dedicated to helping motor carriers reduce emissions, save fuel, and save money. In this special to the Motor Carrier News, the non-profit group describes its expansion plans.

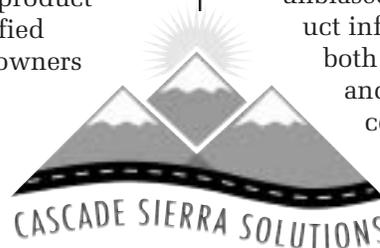
With oil prices now gushing past \$100/barrel and showing no signs of slowing down, drivers and truck owners are looking for new ways to save on fuel costs. Award-winning non-profit Cascade Sierra Solutions (CSS) is now poised to open two new outreach centers in Portland and Sacramento, offering innovative technologies to save truckers up to 25% in fuel costs.

Just 15 months ago, CSS opened its first center in Coburg, Oregon. Since then, CSS has helped over 800 truck owners save approximately 1 million gallons of fuel (equal to two Olympic swimming pools). According to Sharon Banks, CEO and founder of CSS, a full truck upgrade can increase efficiency up to 25% while an older truck replacement program can increase efficiency up to 40%. "In many cases, monthly savings are covering the cost

of the equipment upgrades and drivers are putting money back in owners' pockets," she said.

All CSS SmartWay product upgrades are EPA-verified technologies so truck owners are assured that fuel savings and emission reduction projections have been confirmed.

"Before products can be displayed at CSS centers, they must be reviewed and approved by our Technical Advisory Team," says Bill Harris, the Team Chairman. CSS provides information on idle reduction equipment, aerodynamics, diesel



CSS provides a one-stop-shop approach for driver convenience on their rest breaks. The centers offer unbiased regulatory and product information, advice in both English and Spanish, and assistance with completing finance applications best suited to each customer. Grants as well as low interest loans are available. Installations can also be coordinated through CSS to minimize down time.

"CSS locates their full-service Outreach Centers at trucker friendly locations," says Dave Orton, the CSS Communications Specialist. "The Portland center will be located next to the Jubitz Travel Center on N. Vancouver Way off Exit 307 of I-5. The Sacramento center will be at the Sacramento 49er Truck Stop off the West El Camino Exit of I-80. Both Outreach Centers are expected to be open in the second quarter of 2008. The Coburg center is located next to the TA Truck Stop at the I-5 Exit 199 just north of Eugene."

For more about Cascade Sierra Solutions:
www.cascadesierrasolutions.org

For more about EPA Smart Way:
www.epa.gov/smartway/index.htm

exhaust retrofits, Shorepower products, low resistance tires, wheels, and air pressure systems, alternative fuels, lubricants, and oil filtration products, as well as emerging product offerings.

Hard working drivers don't have a lot of time to research products, so

Don't want to pay fuel tax at the pump in Oregon? Read this.

Motor Carrier Transportation Division staff and enforcement officers report that many trucking companies and truck drivers are confused about credential-related requirements for trucks operating in Oregon. Some drivers say that recent changes in laws make it unnecessary to carry an Oregon weight-mile tax credential in their truck, but others note that they're expected to show weight-mile tax credentials when they're at an Oregon truck stop and want to fill up without paying fuel taxes. Here's a summary of what's changed and what's not changed about Oregon credentials requirements:

What's changed -

Federal legislation passed by Congress in 2005 prohibits states from registering interstate motor carriers, requiring that they file proof of insurance, or requiring that they "display" credentials related to identification of vehicles (except credentials associated with the International Registration Plan and Fuel Tax Agreement and other approved forms of identification).

In 2007, Oregon legislators passed Senate Bill 222 to change state requirements. Now interstate carriers are not required to "display" their Oregon weight-mile tax credential. Oregon law no longer stipulates that the weight receipt or temporary pass must be carried in the vehicle at all times (see ORS 825.450 and 825.470 below).

What's not changed -

Oregon charges heavy trucks a weight-mile tax for road use, rather than a fuel tax. It's been that way since 1947. Motor carriers operating trucks in Oregon with a combined weight over 26,000 pounds must set up an Oregon account for purposes of paying the state's weight-mile tax. Participation in the International Fuel Tax Agreement doesn't help because Oregon doesn't collect a fuel tax from heavy trucks.

Interstate carriers do not have to "display" state credentials, but when operating in Oregon they must have an Oregon account for purposes of paying the state's weight-mile tax. When they set up an account, they receive a permanent or temporary Oregon Weight Receipt and Tax Identifier, or a Temporary Pass, that proves the truck is paying the weight-mile tax and does not need to pay a fuel tax when buying fuel in Oregon.

When an Oregon truck stop or fuel provider sells gas or diesel, it can sell that fuel without tax if it can confirm the fuel is going into a weight-mile-tax-paying truck. Oregon law requires the driver to show proof of registration in the weight-mile tax system in order to purchase fuel without paying fuel tax (see ORS 319.665 below). There are three ways to show this proof: (1) Show a valid temporary or permanent Oregon Weight Receipt and Tax Identifier, (2) Show a valid Temporary Pass, or (3) Display an Oregon Commercial or Oregon Apportioned license plate with a valid sticker. If a driver is unable to prove registration in the weight-mile tax system, the fuel provider must charge fuel taxes. Then the driver can seek a refund of that fuel tax by submitting a detailed receipt when filing the next weight-mile tax report (read page 10, December Motor Carrier News — www.oregon.gov/ODOT/MCT/docs/1207.pdf)

Oregon law regarding collecting fuel taxes and issuing weight receipts

319.665 Seller to collect tax; exceptions.

(1) The seller of fuel for use in a motor vehicle shall collect the tax provided by ORS 319.530 at the time the fuel is sold, unless: (a) The vehicle into which the seller delivers or places the fuel bears a valid permit or user's emblem issued by the Department of Transportation; or (b) The fuel is dispensed at a nonretail facility, as defined in ORS 480.310, in which case the seller shall collect any tax owed at the same time the seller collects the purchase price from the person to whom the fuel was dispensed at the nonretail facility. A seller is not required to collect the tax under this paragraph from a person who certifies to the seller that the use of the fuel is exempt from the tax imposed under ORS 319.530.

825.450 (1) Except as otherwise permitted under ORS 825.470, the Department of Transportation shall issue a receipt stating the combined weight of each self-propelled or motor-driven vehicle and any train or combination of vehicles to be used therewith. (2) A person may not load any motor vehicle in excess of its combined weight permit rating thus determined except as variations may necessarily result in passenger loading. A fee of \$8 shall be paid to the department for each weight receipt issued.

825.470 (1) For single trip or short-time operation not exceeding 10 days of a vehicle subject to the provisions of this chapter, the Department of Transportation may issue a temporary pass identifying the motor vehicle. For this pass a fee of \$9 for each motor vehicle shall be paid.

Cameras to soon check illegal weigh station bypassers

Truck drivers who intentionally bypass an Oregon weigh station will soon have little defense when they get their Class B misdemeanor citation in the mail with a summons to appear in court. Each citation will soon be backed by a time- and date-stamped 8x10 glossy of the violation.

In the next few months, the Motor Carrier Transportation Division (MCTD) is installing cameras at each of its major Oregon weigh stations, including all six Ports of Entry, to take pictures of any bypassing truck. The cameras will help enforcement officers more easily identify those that fail to stop for size and weight checks.

There are three reasons that trucks bypass open Oregon weigh stations. First, every day thousands of trucks legally bypass weigh stations equipped with a Green Light system that weighs them in-motion, recognizes their transponders, and signals them to proceed. Second, every once in a while a truck may bypass an

open station because the driver was unfamiliar with the scale location, the driver didn't speak English and couldn't read the weigh station sign, the driver couldn't see the lighted OPEN sign because it's obscured by the sun, the truck could not safely move to the right lane to exit into the station, or some other relatively innocent reason. Third, every once in a while a truck bypasses an open station because the driver, for whatever reason, willfully refused to comply with the requirement to stop.

The incidence of the willful refusal to comply is rather rare. In a recent 12-month period it was estimated that 1,742 trucks bypassed Oregon weigh stations, which would represent 0.05% of all trucks weighed on static scales or precleared by Green Light. In more than 500 of the incidents, enforcement officers were able to identify the truck, contact the company to identify the driver, and send him or her a Class B misdemeanor citation.

The violation requires an appearance in court. It carries a maximum \$2,500 fine and up to one year in jail. In a number of other cases, MCTD filed civil complaint actions against the company involved. The actions initially request monetary penalties, although second-time offenders also risk suspension of Oregon operating authority.

Oregon motor carrier enforcement officers are not trained and equipped like police officers so they work under a policy that puts safety first when witnessing a truck bypassing a scale or inspection location. "Before acting and following a bypasser, the safety of self, other department personnel, and the general public must be given utmost consideration," the policy states. Officers can follow a truck in order to identify it, but they must be appropriately trained, must obey all speed limits and traffic control devices, and must stop following the truck if safety or prevailing conditions warrant.

ORS 818.400 — Failure to comply with commercial vehicle enforcement requirements; penalty.

(1) A person commits the offense of failure to comply with commercial vehicle enforcement requirements if the person is driving a vehicle or combination of vehicles and the person does not comply with any of the following or if the person is the owner of a vehicle or combination of vehicles and the person causes or permits the vehicle or combination not to comply with any of the following:

(a) A vehicle or combination of vehicles must stop and submit to any enforcement of commercial vehicle weight, size, load, conformation or equipment regulation when directed to do so by an "OPEN" sign displayed at a permanently established truck scale.

(b) A vehicle or combination of vehicles must stop and submit to any enforcement of commercial vehicle weight, size, load, conformation or equipment regulation when directed to do so by any sign or signal displayed or given by a police officer, motor carrier enforcement officer or weighmaster acting in accordance with authority granted under ORS 810.490.

(c) A vehicle or combination of vehicles must move into the right lane for purposes of a weight or size check when instructed to do so by a sign indicating the presence of a weigh-in-motion scale.

(d) The directions of any police officer, motor carrier enforcement officer or weighmaster that are given in

accordance with authority granted under ORS 810.490 or 810.530 must be complied with.

(2) The requirement of subsection (1)(a) of this section does not apply to:

(a) An empty combination of a log truck and pole trailer if the pole trailer is bunked on the log truck and there is no other load; or

(b) A vehicle or combination of vehicles if:

(A) The normal route of the vehicle or combination of vehicles requires turning off the highway after passing the "OPEN" sign but before reaching the scale; and

(B) The vehicle or combination of vehicles is en route to a terminal or other legitimate business.

(3) Operation of any vehicle or combination of vehicles in violation of this section is prima facie evidence that the owner of such vehicle or combination caused or permitted it to be so operated and the owner shall be liable for any penalties imposed under this section.

(4) The offense described in this section, failure to comply with commercial vehicle enforcement requirements, is a Class B misdemeanor. The penalty provided under this subsection is in addition to any penalty provided for violation of any prohibition relating to vehicle weight, size, load, conformation or equipment.

Safety Action Plan seeks to curb truck-at-fault crashes

There's a new game plan guiding efforts to enhance highway safety in Oregon. The Motor Carrier Transportation Division has produced a 2007-09 Safety Action Plan to Reduce Truck-at-Fault Crashes. "To our knowledge, no other state has a plan like this," David McKane, Safety Program Manager, said. "We think it's a fresh approach to addressing a serious problem."

The plan seeks to raise awareness and educate everyone about the current truck safety problem and the various ways to address it. Here's an executive summary of the various sections of the report:

ASSESS THE PROBLEM —

Truck crashes and truck-at-fault crashes have been steadily increasing in recent years. While total truck miles traveled increased 8% from 2001 through 2006, the truck crash rate increased 23% and the truck-at-fault crash rate increased 22%. In 2006, there were 0.394 truck-at-fault crashes per million miles traveled in Oregon. There are 12 areas of the state where a higher than average number of truck crashes occur. From 2001 through 2006, these highway sections, which span a total of 265 miles, were the scene of 882 truck crashes, including 486 truck-at-fault crashes. Safety officials working under the Motor Carrier Safety Assistance Program (MCSAP) focus their enforcement efforts on these areas, which they refer to as AIM Corridors — Accident Intensified MCSAP Corridors.

PLAN AHEAD — At the heart of this action plan is another more focused plan for reducing truck crashes — Oregon's annual Commercial Vehicle Safety Plan. The current plan for federal fiscal year 2008 recognizes truck driver behavior as Oregon's most glaring safety problem since it accounts for 94% of all truck-at-fault

crashes in the past six years. It details both state-specific and national program activities that will guide safety efforts.



FOCUS ON THE DRIVER — A Large Truck Crash Causation Study confirms that driver actions, either the truck driver or the other driver, are to blame for most truck crashes. Speed is commonly listed as the leading cause of crashes, along with following too closely and failing to remain in lane or improper lane change. While Oregon inspectors need to stay aggressive in inspecting trucks and trailers in order to keep mechanical-caused crashes to a minimum, their chief focus should be on the truck driver. One new strategy mentioned in the 2008 Commercial Vehicle Safety Plan is to hold more special inspection operations involving law enforcement officers, safety specialists, and motor carrier enforcement officers.

RALLY THE PARTNERS — Oregon is fortunate to have many resources supporting its safety efforts, particularly the Motor Carrier Safety Assistance Program. In 2008, it provides Oregon with \$2,414,707 in federal

funds for safety inspections, traffic enforcement, and other special safety efforts like the annual Roadcheck inspection exercise and Operation Trucker Check, a multi-day Oregon State Police effort to target driver impairment related to alcohol, drugs, or fatigue. The Oregon partnership in the fight to reduce truck crashes even includes about 1,000 carriers with exceptional safety and regulatory compliance records — the Trusted Carrier Partners. This unique-to-Oregon program is part of the Green Light weigh station preclearance program that helps enforcement officers manage a growing stream of truck traffic.

HELP ENFORCEMENT OFFICERS —

Inspectors need ready access to the best information available about motor carriers and drivers. Oregon inspectors have the nation's best software tools for picking out high-risk carriers and assisting truck enforcement activity.

GET CREATIVE, ENCOURAGE THE INNOVATORS, EDUCATE —

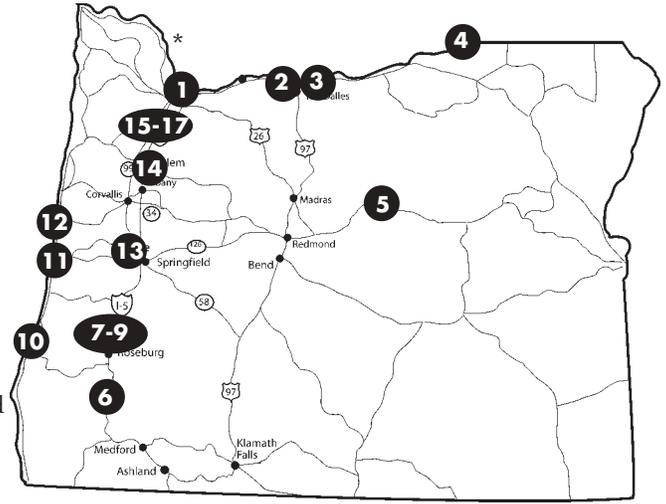
The Motor Carrier Transportation Division has long employed a number of strategies to enhance truck safety, but it's reaching out more than ever before to engage everyone and rally new ideas. It's conducting brainstorming sessions and surveys, as well as opening an online suggestion box. It's encouraging safety innovations. In coming years, the Oregon public information campaign will feature a number of different messages spread a number of different ways.

For more information about the 2007-09 Safety Action Plan to Reduce Truck-at-Fault Crashes, please contact: Safety, Investigations, Federal Programs Manager, David McKane — David.J.McKane@odot.state.or.us — 503-373-0884.

Weight-Restricted Bridges on Major State Routes in Oregon

As of February 20, 2008, bridge inspectors have set weight restrictions on 17 bridges on major Oregon routes. There are also many restricted bridges on lesser state routes throughout Oregon.

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



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

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

Biggs Bridge to reopen before Memorial Day

The Washington State Department of Transportation plans to complete Stage 1 of bridge deck replacement work and reopen the Biggs Rapids-Sam Hill Bridge over the Columbia River sometime before Memorial Day, May 26. But Stage 2 of the work requires closing the bridge again after Labor Day, September 1, until December 2008 when work is expected to be completed. The bridge will be open to traffic just during the period from Memorial Day to Labor Day. The Stage 1 work will allow for lifting the special weight restrictions that have been in effect for this bridge since 2001.



US97 Columbia River Biggs Rapids - Sam Hill Bridge

During the closures, truckers traveling north on US97 to Biggs need to go 20 miles west on I-84 to the US197 Dalles Bridge and then take WA14 to return to US97. For more information, call the WSDOT Columbia Gorge Office — 360-759-1310, or toll-free at 1-866-279-0730.

Restriction Legend	
D/N = Restricted to Divisible and Non-Divisible Load Limits	
	Divisible Loads
Single Axle	20,000 lbs.
Tandem Axle	34,000 lbs.
Maximum Wt.	105,500 lbs.
	Non-Divisible (Heavy Haul) Loads
Single Axle	21,500 lbs.
Tandem Axle	43,000 lbs.
Maximum Wt.	98,000 lbs.
D = Restricted to Divisible Load Limits (no heavy haul loads)	
	Divisible Loads
Single Axle	20,000 lbs.
Tandem Axle	34,000 lbs.
Maximum Wt.	105,500 lbs.
SR = Special Restriction - All trucks over 80,000 lbs. must stay in right lane.	
SR1 = Special Restriction - Single Axle - 20,000 lbs. Tandem Axle - 34,000 lbs. Max. Wgt. - 80,000 lbs.	
SR2 = Special Restriction - No truck combinations, Max. Wgt. - 50,000 lbs.	
Weight restrictions shown here do not supersede restrictions posted on signs at each bridge location. Bridges are closely checked by inspectors. Restrictions may change on a daily basis, and other bridges may become restricted, as conditions warrant.	

Enforcement

4th Quarter 2007

From October through December 2007, the Motor Carrier Division finalized 96 civil enforcement actions, in addition to 76 actions related to inspection follow-up violations. The number next to each name indicates violations confirmed in the process.

- ** Denotes second complaint within five years.
 *** Denotes third complaint within one year of second.
 **** Denotes fourth complaint within one year of third.

Safety Violations

A total of 75 enforcement actions established violations related to violations found during safety compliance reviews, or driver violations related to waiver of physical disqualification.

All America Moving, Inc.
(Portland OR) 9
 J A Almaguer, Jr.
 Trucking LLC 4
 Big River Rock 31**
 Bill's Backhoe Service, Inc. 7
 Black Elk Trucking 16**
 Blue Star Charters &
 Tours, Inc. 51**
 Borino Excavating, Inc. 10
 Chuck Bradford Trucking 1
 Mike Brown, Inc.
(Philomath OR) 6
 Gheorghie Bunaciu - A.B.S. 8**
 Ron Buwalda 12**
 Wenona L Chambers 77***
 Champion Feeds 3
 Correa Trucking 200***
 D C S Construction LLC 4

D L G Transport 4
 Dadey Trucking 1
 Daniel Excavating LLC 5
 Duff's Trucks LLC 13****
 Eagle Elsner, Inc. 91**
 Jim Earls Trucking, Inc. 3**
 Field Transportation, Inc. 30***
 Terry Dean Freeman 3
 G P Freight Services 8
 Pablo Gomez, Jr. 1
 J D Gonzalez Trucking LLC 1
 Robert Henderson Trucking
(Central Point OR) 2**
 Hiebert Construction 1**
 D&C Hubbs, Inc. 1***
 Leroy Hudson Trucking 1
 HUT Airport Limousine, Inc. 5
 L Jepsen & Sons LLC 41**
 Abe Jones Septic Service, Inc. 2
 Jorub Transport Co. 6
 K R G Trucking LLC 7
 Kavkaz Express 1
 Kerr Contractors, Inc. 37***
 Kriege Logging LLC 12**
 Don Laeger 8**
 Lake County
 Disposal, Inc. 12***
 Larson Construction
 Co., Inc. 2***
 Rick McKay Corp. 3
 Molalla Redi Mix &
 Rock Products, Inc. 6**
 Gennadiy N Monich 1
 Floyd Morgan Excavating 14***
 N T A Contracting, Inc. 7**
 Ed Nicks Trucking 1
 Gerald Phelan LLC 5
 RAC Group LLC 34***
 River City Trucking, Inc.
(Rogue River OR) 3
 Robinson Bros.
 Constr., Inc. 34**
 Salazar Trucking
(Boardman OR) 21***
 Salmon River Contractors, Inc. 3
 Sam's Trucking LLC 4
 Save On Transport 6
 Schneider Equipment, Inc. 5
 David J Schulz 1
 Skyline Concrete Pumping 9**
 Rick Smith Trucking LLC 1
 Sopko Welding, Inc. 4***
 Matt L Streeter 69**
 Superior Asphalt Sealing Co. 9**
 Sweeney Excavating, Inc. 1****
 Sweet Septic &
 Portable Service 28**
 Sweet Trucking, Inc. 4**
 K W Sweitz
 Trucking & Backhoe 4
 The City of Roses Disposal &
 Recycling LLC 16**
 Thielsen Construction 2
 Torrance Construction, Inc. 2
 Umpqua Selfloader LLC 2**
 Villarreal Trucking LLC 23***
 W H S, Inc. 8
 Wallace Bend OR LLC 1
 R Webb Enterprises 2**
 Western Pacific Transport, Inc. 3

Other Safety Violations

A total of 68 cease and desist orders and 8 penalty orders established failure to return a Driver or Equipment Compliance Check Form after an inspection. Following every inspection, the driver receives a copy of the inspection form. If violations were found, the motor carrier must sign and return the form within 15 days in order to certify that any vehicle-related problems were repaired and/or driver-related problems addressed (49 CFR Part 396.9). When the inspection occurs in Oregon, the signed form must be returned to the ODOT Motor Carrier Division.

Oregon Enforcement Process — First time a carrier fails to return an inspection form for a Level 1 or Level 2 inspection that found an out-of-service violation: 50 days after the inspection, a Cease and Desist order is sent establishing failure to meet requirements. Second time, within 12 months of a Cease and Desist order, that a carrier fails to return an inspection form: A civil complaint action may be filed assessing a \$1,000 penalty and seeking a five-day suspension of Oregon operating authority. The carrier may admit the violation, agree to address the problem, and seek settlement, or deny the violation and request a hearing before an administrative law judge.

Other Violations

A total of 21 actions established violations that may include operating without valid registration credentials or in excess of size or weight limits, operating in violation of farm registration laws and rules, illegally bypassing an open weigh station, offering or providing unauthorized household goods moving services, or operating as an unregistered pack and loader.

Anfed Transport 1
 Albert F Beachler 2
 CTG Contracting, Inc. 1
 Capital Express Lines, Inc. 2
 Diamond Farms, Inc. 2
 Phillip & Sylvia Dominguez,
 dba Oregon's Best Movers 1
 Futala Trucking 1
 Darrin Gilbert,
 dba Get-Er-Done Services 9
 Landstar Transport LLC 1
 Meet Trucking 1

Larry Nath, dba PDX Moves 5
 Pauline Nath, dba
 ADF Moving & Hauling 9**
 Pacific Bros. Moving LLC 1
 Rees Enterprizes, Inc. 4
 Solemio Transportation, Inc. 1
 Steves Chevron-Palmer
 Auto Service 1
 Swift Transportation Co., Inc. 4
 Town Trucking 1
 Transx Ltd. 1
 Valley View Logging &
 Cutting, Inc. 1
 Virk Transport 1

Other Enforcement

Summary of work by Motor Carrier Enforcement Officers in the 4th Quarter 2007:

**Trucks Weighed
 on Static Scales
 530,701**

**Trucks Precleared to Pass
 Green Light Weigh
 Stations
 380,799**

**Weight-Related Citations
 3,320**

**Weight-Related Warnings
 2,041**

**Size-Related Citations
 170**

**Size-Related Warnings
 41**

**Trucks Required to
 "Legalize" (Correct) Size
 and/or Weight
 941**

**Other Citations
 1,205**

**Other Warnings
 1,645**

**Citations for Operating
 Without Oregon Weight
 Receipt & Tax Identifier
 1,484**

**Warnings for Operating
 Without Oregon Weight
 Receipt & Tax Identifier
 1,616**

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

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