



# MOTOR CARRIER NEWS

Quarterly Newsletter and Official Publication of the Oregon Department of Transportation  
Motor Carrier Transportation Division, 550 Capitol Street NE, Salem, OR 97301-2530

Volume 19, Number 66

June 2004

## Court ruling could signal end to flat fee payment option

An Oregon Court of Appeals ruling could signal the end to an Oregon weight-mile tax payment option that's been available to certain motor carriers since 1949. On April 28, 2004, a three-judge panel said allowing haulers of logs, sand and gravel, and wood chips to pay weight-mile taxes on the basis of a flat fee, rather than by miles traveled, "puts interstate carriers at a disadvantage when compared with intrastate carriers." The court held, therefore, that the option violates the U.S. Constitution's Commerce Clause, which limits state regulation of interstate commerce.

The Appeals Court ruling overturns part of a 2002 Marion County Circuit Court decision that went against the American Trucking Associations (ATA) and several other parties in a class action lawsuit. The ATA took its case to the Court of Appeals after the Circuit Court ruled that Oregon's truck tax system is lawful.

There's no immediate action being taken, however, because both the State of Oregon and ATA still have the option of filing an appeal of this latest ruling and having it reviewed by the Oregon Supreme Court.

While the Appeals Court clearly ruled against Oregon's flat fee option for paying weight-mile taxes, it also indicated that any remedy like tax refunds should be strictly

limited. According to ODOT Motor Carrier Division Administrator Gregg Dal Ponte, now the courts could deny any refunds whatsoever and just declare that flat fees are unconstitutional, or require a relatively limited amount of refunds only to those carriers of flat-fee eligible commodities who opted to pay weight-mile taxes on a mileage basis. In that case, refunds could be less than \$1 million for the year 2000. When the ATA originally filed suit to challenge the constitutionality of Oregon's tax system, it sought the refund of weight-mile taxes paid by all carriers since January 2000.

Further litigation of this case could take years to run its course. Assuming the parties exhaust all opportunities for review of the constitutionality of Oregon's tax system, a review by the Oregon Supreme Court could take a year or more. Review by the U.S. Supreme Court could take yet another year or more. If the tax were held invalid, state trial court proceedings regarding tax refunds would probably take another six months to a year. Appellate review of any refund decision could extend years after that.

"The State intends to continue to vigorously defend the suit," Dal Ponte said, "and believes it has strong arguments to avoid or reduce the amount of liability."

The Oregon Court of Appeals ruling is available on the Internet: [www.odot.state.or.us/trucking/special/appeals2004.pdf](http://www.odot.state.or.us/trucking/special/appeals2004.pdf)

## About flat fees

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

Log haulers currently may pay \$6.10 per 100 pounds declared combined weight, sand and gravel haulers may pay \$6.05 per 100 pounds, wood chip haulers may pay \$24.62 per 100 pounds, and for-hire farm carriers in trucks under 46,000 pounds combined weight may pay \$5.00 per 100 pounds. Carriers opt for flat fee payments by completing a Flat Monthly Fee Election Form and agreeing to pay the fees for the next year as long as they haul eligible commodities.

Flat fee rates are designed and intended to yield as much money for the Highway Fund as weight-mile taxes would yield. Oregon law (ORS 825.482) requires the Department of Transportation and the Transportation Commission to review flat fee rates in each even-numbered year and recommend to the Legislature any appropriate adjustments to the rates.

After the payment option was offered to log haulers in 1949, it was offered to sand and gravel haulers in 1969, and to wood chip haulers in 1983. In May 2004, the carriers opting to pay flat fees included 731 log haulers, 81 sand and gravel haulers, and 7 wood chip haulers.

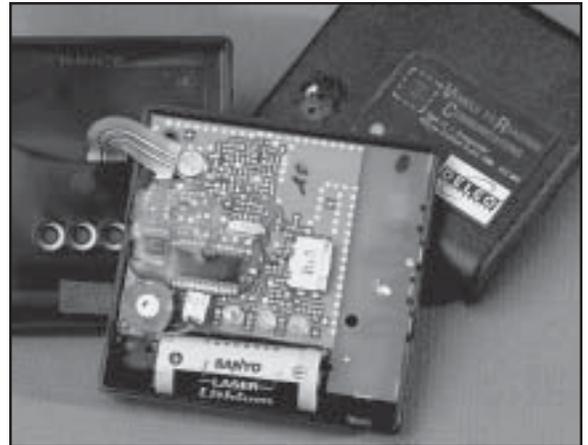
## Business picks up at Transponder Service Center

A Salem BATTERIES PLUS store is beginning to see an influx of orders to refurbish the Delco transponders that most truckers currently use for the Green Light weigh station preclearance program. The store, which opened a Truck Transponder Service Center in August 2003, stocks a unique transponder battery and installs new ones for less than \$15 per transponder.

The lithium battery in a transponder lasts about seven years. Since Oregon handed out many of them in the mid-1990s, it's been expected that they would fail by now. The Service Center has

refurbished hundreds of the devices this year and several companies are reportedly sending in 50 or more at a time. Transponders can be mailed to the Service Center, 3045 Lancaster Drive NE, Salem OR 97305.

The ODOT Motor Carrier Transportation Division gives trucking companies the first transponders they need to get started in Green Light. It currently offers a Mark IV brand transponder that works just like the Delco brand. Once a company has its transponders, it owns



The Delco Type II+ transponder circuitry runs on a Sanyo lithium battery. When the transponder stops working, it probably just needs a new battery. But it will only work with a Sanyo Model CR17450E-R battery. A Salem-based Truck Transponder Service Center specializes in installing new batteries so the transponder can be used for 5-7 more years.

## Trucking Online adds newest services

Companies participating in Trucking Online continue to have an increasing number of Oregon transactions they can complete from a home or office computer via the Internet without the need for a phone call, mail or fax delivery, or a personal visit to a field office.

The Motor Carrier Transportation Division's newest offering lets companies go online to file weight-mile tax reports and make payments by credit card. About 10,500 companies currently send a weight-mile tax report form and a check by mail to Salem every month. Another 12,000 companies send this form and payment by mail on a quarterly basis.

Another new service, called Oregon Scale Crossings and Reports (OSCAR), allows authorized trucking company officials to use a home or office computer to obtain a monthly report of Oregon scale crossing information for their fleet(s). Along with these weigh station records, which can be downloaded as text files or an Excel spreadsheet, companies can also get a list of citations and warnings that Oregon Motor Carrier Enforcement Officers issued to their drivers for size and weight violations.

Visit the Trucking Online Web site for more information — [www.odot.state.or.us/trucking/online](http://www.odot.state.or.us/trucking/online) — and instructions how to get started.

### Oregon Services Now Available Online



- File and pay weight-mile taxes
- Get an Oregon Weight Receipt and Tax Identifier
- Amend, Cancel, or Replace a Weight Receipt
- Get a Heavy Vehicle Trip Permit
- Get a Temporary Pass (established carriers only)
- Look-Ups — Check status of Vehicles, Insurance, Highway-Use Tax Reports, and Surety Bonds. Get monthly reports of scale crossings, citations, and warnings issued.
- Change Address
- Renew Commercial Plates and Tax Credentials

them and when the batteries die it is responsible for paying to either replace the batteries or buy new transponders.

In a 2002 survey of companies participating in Green Light, about one of every four said they wouldn't want to spend \$50 for a new transponder. But most said they would spend \$15 to have the battery replaced.

Carriers with questions about refurbishing transponders can contact the Transponder Service Center at 503-581-4890.

## MCTD plans to survey customers

Motor carriers should watch their mail this summer for survey forms as the Motor Carrier Transportation Division (MCTD) will be reaching out to randomly-selected "customers" to ask, "How are we doing and how can we do a better job?"

In a 2002 survey, MCTD contacted 16 customer groups and received generally favorable responses from the 31% who returned forms. This time MCTD hopes for that same bottom line result, along with a greater response rate.

# Green Light transponder application

**Tired of stopping at weigh stations?** Complete this application, mail or fax it to the ODOT Motor Carrier Division, and get a free transponder for each of your trucks. Then start getting weighed in motion as you approach 21 Oregon weigh stations around the state and save time and money for every green light signal you get to keep on truckin' past the stations!

CUSTOMER INFORMATION			
Carrier Name		DBA Name	
Carrier Physical Location		City	State Zip Code
Carrier Mailing Address		City	State Zip Code
Contact Person		Phone Number	Fax Number
U.S. DOT #	Federal EIN	Oregon File #	IFTA Jurisdiction and #

VEHICLE PLATE INFORMATION							
Vehicle	Base State	Base State Plate No.	Registration Expires Month/Day/Year	Year/Make	Unit No.	Registered GVW	Complete VIN
1							
2							
3							
4							



**Attach a separate sheet with information about additional vehicles, if necessary.**

Please indicate if you want enrollment to include:

Washington  Idaho  Utah  Kentucky  Other \_\_\_\_\_

**Terms and Conditions of Green Light Weigh Station Preclearance Program**

1. Transponders are to be installed only on designated vehicles and in accordance with ODOT policies.
2. Carrier will report any changes in vehicles added or removed from fleet operations to ODOT.
3. Carrier will report any changes in the transponder application information to ODOT at the number listed below.
4. Carrier agrees to allow its registration base state to provide information regarding IFTA and IRP accounts to ODOT for the purpose of providing preclearance bypass to its vehicles.
5. Carrier may bypass an open port or weigh station **only** when the transponder indicates a green light or in accordance with ORS 818.400(2). **Exception:** Carriers whose vehicles are operating under, or should be operating under, a variance permit other than an **Extended Weight Permit** *must* report to the scale even if they receive a green light.

**Motor Carrier Self Certification Statement**

I agree to comply with the applicable state and federal motor carrier rules and regulations as administered by ODOT, through which I am applying for preclearance. I agree to maintain and/or keep current my IFTA and/or IRP account(s) as appropriate. I also agree to comply with the terms and conditions of ODOT for the installation and use of the transponder.

Signature	Title	Date
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**Send application to:**  
**Green Light Program, 550 Capitol Street NE, Salem OR 97301-2530**  
**Or fax to 503-373-1833**  
**For more information, call 503-378-6054**

## ODOT hires private firm to manage bridge replacement program

The Oregon Department of Transportation has hired HDR Engineering and Fluor Enterprises to manage a bridge repair and replacement program worth \$1.3 billion, along with at least 19 other projects from Oregon's Statewide Transportation Improvement Program. The companies, which are working together as a joint venture called Oregon Bridge Delivery Partners, were selected for the job through a competitive Request for Proposal process.

Hiring a private firm became necessary when the 2003 Legislature passed the Oregon Transportation Investment Act III, which increased car and truck fees to finance \$1.3 billion for state bridges on major freight routes, \$300 million for city and county bridges, \$371 million for city and county pavement maintenance and preservation, and \$500 million for projects that add capacity to the transportation system. Previous Legislatures passed Investment Acts I and II that provided a combined \$500 million for transportation projects throughout the state. Oregon Bridge Delivery Partners will manage engineering, environmental, financial, safety, and other aspects of the largest transportation construction program in Oregon since the Interstate highways were completed in the 1950s and early '60s. It's estimated that the construction work will sustain more than 8,900 family-wage jobs per year for ten years.



### Eight I-84 bridges nearly complete

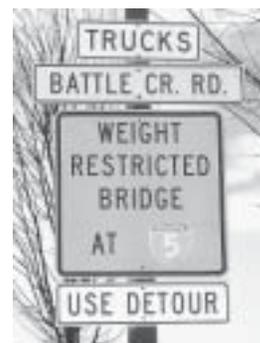
By November 2004, contractors will have replaced seven of eight bridges along a four-mile stretch of Interstate 84 near La Grande in Eastern Oregon. The last to be replaced, the westbound half of the Upper Perry bridges (pictured above), will be completed in late-2005. The work is part of the first Oregon Transportation Investment Act (OTIA I), passed in 2001, which allocated \$38 million to bridge replacement projects. The bridges have been subject to weight restrictions since September 2000 when inspectors discovered sheer cracks in the structures.

### Interstate 5 overpass to get repairs and needed lift



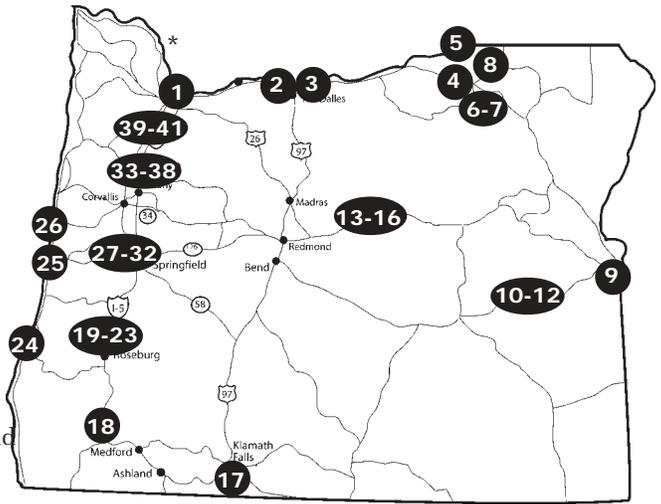
The Battle Creek overpass on Interstate 5 south of Salem will get repairs and a needed lift this summer. The structure, which currently stands 14 feet 6 inches over the southbound lanes and 14 feet 7 inches over the northbound lanes, is being raised 30 inches. As one of the lowest of the approximate 168 overpasses on I-5, it's been struck many times by overweight vehicles. (In Oregon, any vehicle over 14 feet must obtain an over-dimension variance permit with safe routing instructions.) Trucks traveling over the bridge are currently restricted to a maximum gross weight of 53,000 pounds, 20,000 pounds on a single axle, and 22,000 pounds on a tandem axle. Warning signs are up on county and city roads to route trucks to Commercial Street and Kuebler Avenue, the two main arterials in the area.

Bridge repairs began in May and contractors have already raised the structure and started reforming the footings. The work is part of a larger project that includes paving this section of I-5 and adding new guardrail, all expected to be completed in October.



# Weight-Restricted Bridges on Major Routes in Oregon

As of June 1, 2004, bridge inspectors had set weight restrictions on 41 bridges on major Oregon routes. There are also many restricted bridges on lesser routes throughout the state. Questions? Contact the Motor Carrier Transportation Division at 503-373-0000.



Highway	Restriction	Bridge & Location
1. OR99E SB	<b>SR2</b>	Martin Luther King Jr. Viaduct, Portland
2. OR206	<b>D</b>	Deschutes River Bridge, MP 2.92
3. US97	<b>D</b>	Sam Hill Bridge, Biggs Junction over the Columbia River
4. I-84 EB	<b>D/N</b>	Umatilla River, MP188.43, near Umatilla
5. US730	<b>D/N</b>	USRS Irrigation Canal Bridge, MP168.86, between Boardman and Irrigon
6-7. I-84 EB / WB	<b>D/N</b>	Grande Ronde River, MP258.89, west of La Grande
8. OR11	<b>D/N</b>	Weston Interchange, MP20.31, over OR204 and Blue Mountain RR
9. US20 / US26	<b>D/N</b>	Snake River, MP266.82, Nyssa
10. US20	<b>D</b>	N. Fork Malheur River, MP190.84
11. US20	<b>D</b>	Gwynn Crossing Bridge, MP195.13
12. US20	<b>D</b>	Sperry Bridge, MP205.58
13. US26	<b>D/N</b>	Bridge Creek, MP62.54
14-15. US26	<b>D/N</b>	Two Bridge Creek Bridges, MP65.63 and MP65.85
16. Off US26	<b>D/N</b>	Bridge Creek, R/W Route, Mitchell Access
17. US97	<b>D/N</b>	Klamath Falls bridge over Green Springs Drive, MP275.74
18. US199	<b>D/N</b>	Applegate River, MP7, southwest of Grants Pass
19-20. I-5 Overpasses	<b>SR1</b>	Riddle Road, MP103.95, Chadwick Lane, MP104.85
21. OR42	<b>D/N</b>	I-5 Overpass, MP119.51, four miles south of Roseburg
22. I-5 NB	<b>D/N</b>	Shady Bridge, MP120.57, between Myrtle Creek and Roseburg
23. I-5 NB	<b>D/N</b>	Umpqua River, MP128.92, Roseburg
24. Coos River Hwy.	<b>SR1</b>	Isthmus Slough Bridge, Coos Bay, MP0.51, 1/2 mile off US101
25. US 101	<b>D/N</b>	Siuslaw River, MP190.98, Florence
26. US 101	<b>D/N</b>	Spencer Creek, MP133.86, ten miles south of Depoe Bay
27. I-5 SB	<b>D/N</b>	Gettings Creek Bridge, MP178.40, north of Cottage Grove
28. I-5 SB	<b>D/N</b>	Row River, MP175.40, north of Cottage Grove
29. OR126 Business WB	<b>D/N</b>	Willamette River, MP1.34, one mile east of I-5 in Springfield
30. I-5	<b>D</b>	Willamette River, MP192.75, at Eugene-Springfield Exits
31-32. I-5 NB and SB	<b>D</b>	McKenzie River, MP197.38, two bridges north of Eugene
33. Off OR22	<b>D</b>	First Avenue Bridge in Mill City, over Santiam River
34. OR22	<b>D/N</b>	Deer Park Rd. Crossing, MP4.03, east of Salem
35. OR22	<b>D/N</b>	Whitewater Creek, MP60.80, east of Salem
36. OR22	<b>D/N</b>	Pamelia Creek, MP62.78, east of Salem
37. OR22	<b>D/N</b>	Marion Creek, MP66.42, east of Salem
38. OR22	<b>D/N</b>	North Santiam River, MP75.65, east of Salem
39. OR18	<b>D/N</b>	Yamhill River, MP51.57, near Dayton
40. OR219	<b>D/N</b>	Willamette River, MP23.46, south of Newberg
41. OR99W S	<b>D</b>	Tualatin River Bridge, MP12.18, Tualatin

**\*SPECIAL NOTE:** The Lewis & Clark Bridge in Washington, off US30, is restricted to 19,500 pounds per axle, with no limit on gross vehicle weight.

Restriction Legend	
<b>D/N = Restricted to Divisible and Non-Divisible Load Limits</b>	
	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.
<b>D = Restricted to Divisible Load Limits (no heavy haul loads)</b>	
	Divisible Loads
Single Axle	20,000 lbs.
Tandem Axle	34,000 lbs.
Maximum Wt.	105,500 lbs.
<b>SR1 = Special Restriction - Single Axle - 20,000 lbs. Tandem Axle - 34,000 lbs. Max. Wgt. - 80,000 lbs.</b>	
<b>SR2 = Special Restriction - No truck combinations, Max. Wgt. - 50,000 lbs.</b>	
Weight restrictions shown here do not supersede restrictions posted on signs at each bridge location. All bridges listed here are being closely watched by bridge inspectors. Restrictions may change on a daily basis, and other bridges may become similarly restricted, as conditions warrant.	

# Commission selects OTIA III local bridge projects

The Oregon Transportation Commission has selected 141 local bridge projects eligible for \$300 million in funds from the 2003 Oregon Transportation Investment Act (OTIA III). A Local Agency Highway Bridge Repair and Rehabilitation Committee recommended the projects after several months of consultation with the Oregon Freight Advisory Committee, Area Commissions on Transportation, and many stakeholders, including trucking industry representatives.

Local bridge projects had to meet certain criteria to be considered for funding. Primarily, they needed to involve modernization of a freight route of statewide or regional significance and be estimated to cost \$1 million or more. Projects estimated to cost less were considered if they were critical to removing barriers to freight movement or substantially supported freight mobility. Projects were then given priority if they (1) remove identified barriers to the safe, reliable, and efficient movement of goods, (2) facilitate public and private investment that creates or sustains jobs, (3) support multimodal freight transportation movements, and (4) are "project ready" and likely to be constructed within the time frame contemplated.

The Oregon DOT will now enter into grant agreements with the local governments responsible for the design and construction of each project. A total of 175 local bridge projects were found to meet the freight mobility-related criteria specified by OTIA. The 34 bridges not selected for OTIA III funding will be considered as part of the 2006-2009 Statewide Transportation Improvement Program update.

In addition to this \$300 million to replace and repair local bridges, OTIA III provides \$1.3 billion for work on state bridges, \$361 million for county and city maintenance and preservation projects, and \$500 million for modernization projects throughout Oregon.

## Top 20 Local Bridge Projects

Bridge Location / Name	Cost Estimate
1. Multnomah County, Sauvie Island Bridge, Sauvie Island Road	\$25,000,000
2. Eugene, Ferry Street Bridge, Coburg Road	\$ 800,000
3. Medford, Bear Creek, Barnett Road	\$ 400,000
4. Douglas County, Days Creek, Tiller-Trail Highway	\$ 1,422,000
5. Medford, McAndrews Street at Bear Creek	\$ 7,946,000
6. Lincoln County, Siletz River, Logsdan Road	\$ 3,157,000
7. Jackson County, Beaver Creek Bridges, Applegate Road	\$ 1,297,000
8. Lake Oswego, Oswego Canal, South Shore Blvd.	\$ 1,462,000
9. Lebanon, South Santiam River, Grant Street	\$ 7,479,000
10. Lane County, Row River Bridges, Row River Road	\$ 993,000
11. Klamath County, Sprague River, Sprague River Road	\$ 2,663,000
12. Douglas County, Emile Creek, Little River Road	\$ 1,446,000
13. Falls City, Little Luckiamute River, Bridge Street	\$ 1,803,000
14. Polk County, Luckiamute River, Buena Vista Road	\$ 1,738,000
15. Yamhill County, North Yamhill River, Meadow Lake Road	\$ 3,614,000
16. Columbia County, East Fork Nehalem River, Scappoose-Vernonia	\$ 974,000
17. Jackson County, Star Gulch Creek Bridges, Applegate Road	\$ 1,582,000
18. Washington County, Beaver Creek, Timber Road	\$ 735,000
19. Drain, Pass Creek, East B Avenue	\$ 1,763,000
20. Bend, Deschutes River, Newport Avenue	\$ 4,757,000

Check the complete list of local bridge projects:

[www.odot.state.or.us/otia/pdfs/OTIA3ApprovedBridges.pdf](http://www.odot.state.or.us/otia/pdfs/OTIA3ApprovedBridges.pdf)

# Safety Inspection Follow-Up Violation Summary

In the 1st Quarter 2004, the Oregon Department of Transportation's Motor Carrier Division completed a total of 83 cease and desist orders and 18 penalty orders that established a company's failure to return a Driver or Equipment Compliance Check Form after an inspection. Following every safety inspection performed by state transportation officials or law enforcement officers, the driver receives a copy of the inspection form. If the inspection found violations or defects, the motor carrier involved is required to sign and return that form to the state where the inspection occurred and confirm that the violations were addressed (Federal Safety Regulations, Part 396.9).

## Inspection Requirements Summary

### Records Requirement

Keep a copy of every truck and driver safety inspection for 12 months.

### Follow-Up Requirement

When violations were found in an Oregon inspection, correct all violations and return the inspection form to the ODOT Motor Carrier Transportation Division within 15 days. The form must be signed by a company official. It must also be signed by a repair person if a vehicle had a critical safety violation resulting in an out-of-service notice. If violations are related to the driver (speeding, logbook, etc.), a company official's signature certifies that action was taken to assure future compliance with regulations. The form can be returned by mail or fax to the address or number on the form.

### Oregon Enforcement Process

1st time a carrier fails to return a form: 50 days after the inspection, a Cease and Desist order is sent establishing failure to meet inspection follow-up requirements.

2nd time, within 12 months of a Cease and Desist order, that a carrier fails to return an inspection form: A civil complaint action is filed assessing a \$1,000 penalty and seeking a five-day suspension of Oregon operating authority. The carrier may admit the failure to meet requirements, agree to address the problem, and seek settlement, or deny the violation and request a hearing before a law judge.

## Enforcement

### 1st Quarter 2004

From January through March 2004, the Motor Carrier Division finalized 139 civil enforcement actions. This is in addition to 101 enforcement actions related to safety inspection follow-up violations (see page 6). On the following list, the number next to each name indicates violations confirmed in the process.

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

### Safety Violations

A total of 106 enforcement actions established violations related to failure to produce safety records or violations discovered during safety compliance reviews.

A N B Trucking 7  
 A R F Trucking, Inc. 12\*\*  
 All Coast Transportation, Inc. 47  
 Applejack Trucking, Inc. 6\*\*  
 Arlies Trucking 4  
 Balzano Trucking Co. 10  
 R P Bandy 18\*\*  
 Robert J Barker 1  
 Anthony Beardslee 26  
 Bedortha  
     Construction Co., Inc. 9  
 Bee Excavation LLC 2  
 David W Benz 1  
 Best West  
     Commercial Pumping, Inc. 7  
 Samuel R Bodine 1\*\*  
 Byrnes Oil Co., Inc. 7\*\*

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C W Mason Trucking 12  
 Cascade Pacific  
     Transportation, Inc. 35  
 Cates & Wagner, Inc. 14  
 Chilkat Enterprises, Inc. 4  
 Circle H Excavating, Inc. 7  
 Commercial Services, Inc. 12  
 Michael J Cox 1  
 D&P Excavation 12  
 Dale-Car Landclearing 11  
 Davis Shows N.W., Inc. 9\*\*  
 Gene "Tuffy" Decker  
     Excavation 1  
 Dial Trucking 5\*\*  
 Lonnie G Dickson 2  
 DLF International Seeds, Inc. 12  
 Randy J Doran 1  
 Double D Transportation  
     (Salem OR) 11  
 Eagle Heart Pallet, Inc. 13  
 Dave Eakin Trucking 16  
 Express Companies LLC 5\*\*  
 Fallon Logging Co., Inc. 7  
 Jerry & Dana Ferguson  
     Trucking 8  
 Daniel M Fero 1  
 G & M Trucking LLC  
     (The Dalles OR) 26  
 Garbarino Disposal &  
     Recycling Service 18  
 Arturo P Garcia 6\*\*\*  
 Gerlinger Casting Corp. 9  
 Graham Transportation, Inc.  
     (North Bend OR) 12\*\*  
 James E Graham 1\*\*  
 Gresham Paving 5\*\*\*  
 Ed Hanson Trucking 14  
 Heckman Recycling, Inc. 2  
 Heckman Trucking, Inc. 33  
 Henness Logging, Inc. 4  
 Harold Hills & Sons, Inc. 32  
 Jerry Howard & Sons  
     Logging, Inc. 15  
 John Howard Trucking 4\*\*\*  
 J C Trucking  
     (McMinnville OR) 20  
 Jack Robinson & Sons, Inc. 12  
 JAL Construction, Inc. 6\*\*  
 Jasmine Transportation 40  
 J E Cook Enterprises, Inc. 4  
 Kadar's Truckline, Inc. 16  
 Kindle Auto Transport 1  
 Gary E Larsen 1  
 Lindsay's Sanitary, Inc. 4  
 Juan Lopez  
     (Hermiston OR) 7\*\*\*\*  
 Maroney & Sons, Inc. 15  
 Michael R Maroney 27  
 Richard J McCormick 33\*\*  
 James T McKenzie 14  
 Jerry & Norma McMaster 14  
 Meili Construction Co., Inc. 7  
 Mid Valley Excavation 11  
 Doug Miller  
     Construction, Inc. 6\*\*  
 Morris Transfer, Inc. 58\*\*\*\*\*  
 Carl J Morrison 1  
 Mt. Hood Land  
     Development, Inc. 9  
 Muller Lumber Co. 18  
 Ilya N Muntyan 46

Terry Panter & Sons LLC 7  
 Christopher E Patterson 1  
 Pavement Protectors 7  
 S J Payne 13  
 Prineville Sand & Gravel Co. 21  
 R&G Excavating, Inc. 15  
 Vern R Randall 1  
 RCDC, Inc. 17  
 Reno Transport, Inc. 20  
 Vernon O Richardson 1  
 Richland Feed & Seed, Inc. 24  
 Robin Hood  
     Auto Transport 12\*\*  
 Sopko Welding, Inc. 8  
 Spa Warehouse 18  
 Specialized Pavement  
     Marking, Inc. 12  
 Stewart & Son Trucking 8  
 Stillco, Inc. 4  
 Strong Metals 3  
 T & T Transport 3  
 Teevin Bros.  
     Land & Timber Co. LLC 74  
 Terrascape Excavation LLC 12  
 Three J's Distributing, Inc. 18  
 Dick Ray Todd 1  
 Transit Communication  
     Service 13  
 Truss Components  
     of Oregon, Inc. 13  
 Valley View Logging &  
     Cutting, Inc. 5\*\*\*  
 Robert L Waller 2\*\*  
 Water Brothers  
     Construction, Inc. 11  
 Willamette Clearing &  
     Hydra-Axle, Inc. 18  
 Dale Earl Wilson 10  
 O L Yawn Trucking 2\*\*  
 Zieman Manufacturing Co. 5

### Other Violations

A total of 33 enforcement actions established violations related to operating without valid registration credentials, operating in excess of size and/or weight limits, or operating in violation of farm registration laws and rules.

- Denotes cancellation of farm registration

BRF Paints 1•  
 C D N Logistics, Inc. 1  
 Central Trucking, Inc.  
     (Edinburgh IN) 1  
 Critical Mass Limited LLC 1  
 C R S T, Inc. 3\*\*  
 Dennis Moving & Storage, Inc. 1  
 East West Motor Express, Inc. 2  
 E Z, Inc. 1  
 Fillups Trucking 6  
 Flagstar Trucking 6  
 Golden Eagle Express, Inc. 2  
 Hard Rock Holdings 1•  
 Interstate Distributor Co. 5\*\*  
 John L Jersey & Son, Inc. 5  
 Jordan River  
     Moving & Storage, Inc. 3

LMC Corp. 1•  
 Madsen Trucking, Inc. 3  
 Marten Transport LTD 1  
 McKinney & Son, Inc. 1  
 M I Transportation, Inc. 1  
 Thomas & Janet Mulder 1•  
 Palma Express 3  
 P F T Roberson, Inc. 3  
 T R Points Trucking 3  
 R & R Enterprises, Inc. 1  
 Swift Transportation  
     Co., Inc. 14\*\*  
 System Transport, Inc. 3  
 Truckers Express, Inc. 1  
 Universal Am Can Ltd. 1  
 USF Glen Moore, Inc. 1  
 U S Xpress, Inc. 5\*\*  
 Western Express, Inc.  
     (Nashville TN) 1  
 David Zivney 6

### Other Enforcement

Following is a summary of enforcement by Motor Carrier Enforcement Officers in the 1st Quarter 2004:

**Trucks Weighed on Static Scales**  
**590,119**

**Trucks Precleared to Pass Green Light Weigh Stations**  
**285,355**

**Warnings Issued**  
**6,292**

**Weight-Related Citations**  
**3,953**

**Size-Related Citations**  
**347**

**Trucks Required to "Legalize" (Correct) Size and/or Weight**  
**1,283**

**Other Citations Issued**  
**961**

**Citations for Operating Without Oregon Weight Receipt & Tax Identifier**  
**1,771**

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

OREGON DEPARTMENT OF TRANSPORTATION  
MOTOR CARRIER TRANSPORTATION DIVISION  
550 CAPITOL ST NE  
SALEM OR 97301-2530

PRSRT STD  
US POSTAGE  
**PAID**  
SALEM, OR  
PERMIT No. 81

Volume 19, Number 66



# MOTOR CARRIER NEWS

Quarterly Newsletter and  
Official Publication of the  
Oregon Department of Transportation  
Motor Carrier Transportation Division  
550 Capitol Street NE  
Salem, OR 97301-2530

Periodicals postage paid in Salem, OR

POSTMASTER: Send address changes to  
Motor Carrier News, 550 Capitol Street NE,  
Salem, OR 97301-2530

## *In this June 2004 issue:*

- Court ruling could signal end to flat fees ..... 1**  
There's additional litigation to come, but a Court of Appeals says a weight-mile tax option available to carriers of certain commodities is unconstitutional.
- Trucking Online adds newest services ..... 2**  
More transactions can now be done from a home or office computer without the need for a phone call, mail or fax delivery, or a visit to a field office.
- Transponder Service Center business picks up ..... 2**  
A Salem BATTERIES PLUS store is handling an increasing number of orders to refurbish the transponder used to preclear weigh stations.
- Green Light transponder application ..... 3**
- ODOT hires private firm for bridge program ..... 4**
- Eight I-84 bridges nearly complete ..... 4**
- I-5 overpass to get repairs and needed lift ..... 4**
- Oregon weight-restricted bridges ..... 5**  
Inspectors have currently set weight restrictions on 41 bridges on major routes in Oregon. There are 51 other restricted bridges on lesser routes.
- Commission selects OTIA III local bridge projects ..... 6**