



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 22, Number 79

September 2007

Trucking Online offers remedy for renewal headaches

About 24,000 trucking companies are receiving paperwork this month from the Motor Carrier Transportation Division (MCTD) so they can renew registration or tax credentials for the 340,000 trucks they'll operate in Oregon in 2008. The mailing should not induce widespread headaches, however, because office workers at thousands of these companies will simply go online to complete the entire process. Last year companies used Trucking Online to renew

118,621 trucks, an increase of 54% over activity in 2006. As a result,

MCTD saved 235 reams of paper (a stack of paper that would reach 49 feet high), plus over \$12,000 in postage

and staff time to process and mail renewal-related materials. This year should yield even greater savings because more companies are familiar with using the Internet-based service.

Here are several ways to ensure a trouble-free renewal:

1 Do it online. Not signed up yet for Trucking Online? Go to <http://OregonTruckingOnline.com> to request a Personal Identification Number (PIN) and get started.

2 Keep phone transactions to a minimum. This year, carriers calling MCTD are limited to renewing a maximum of 10 vehicles. The renewal-by-phone limit is necessary to keep phone wait times down. During this busy period, it's

common for staff to receive over 25,000 calls per month, most calling on weekdays from 8 to 5.

3 Don't forget HVUT. To renew an Oregon-based truck with a gross weight of 55,000 pounds or more, Oregon must have a copy of Heavy Vehicle Use Tax IRS Form 2290 or proof of payment (this is not applicable to out-of-state carriers renewing weight-mile tax credentials).

4 Don't post-date checks. Every year, a number of carriers send in their paperwork with a check dated to be cashed sometime in the future. This year, any paperwork with a post-dated check will be rejected and returned to the carrier.

5 Verify drug and alcohol testing compliance. Oregon carriers must indicate they have their own testing program or they must name the testing consortium (a private company) providing the service.

6 Disclose name or ownership changes. Carriers undergoing a name or ownership change must complete a new Application for Oregon Motor Carrier Account (Form 935-9075) or they face extra costs after their renewal is processed.

7 Renew IRP and IFTA together. Oregon companies receive a combined IRP and IFTA renewal form. Last year 80% of them opted to complete that form and renew both at the same time. Combined renewal can also be done the easy way via Trucking Online.

8 Meet the deadline. Companies doing renewal on paper need to complete the paperwork and return it as soon as possible or at least by October 31 so there's time to process the 2008 credentials. Every year hundreds of companies wait until the last minute and it makes for workload nightmares at MCTD.



New interstate requirements may be in place soon, Oregon cancels base state UCRA plans

As this publication was being prepared in late August, it appeared that the new Unified Carrier Registration Agreement (UCRA) will be in place soon and interstate operators will be paying fees for 2007. Oregon has changed its plans, however, and will not be participating as a base state for the program. That does not have any affect on Oregon interstate operators' responsibility to pay fees. It just means they will select another state as a base state and send registration paperwork to it or register directly through a UCRA online system.

On August 22, 2007, the ODOT Motor Carrier Transportation Division notified the UCR Board that it is canceling its participation in the program.

(continued on page 2)

Oregon Plate/Credentials Renewal — 2008



Commercial plates

— 4,973 Oregon companies have 18,737 trucks displaying this plate, which is

issued to trucks that generally don't operate in another state. These companies get renewal paperwork, but they'll find it easier to complete the process online. They can renew, add, or delete trucks for 2008, and opt to pay for plates on a quarterly basis. Trucking Online calculates what's owed and takes credit card payments (registration fees can't be charged to account). Do it online and within three business days MCTD will send new credentials (Weight Receipt and Tax Identifiers and Registration Cab Cards) and stickers for each plate.



Apportioned plates

— 4,074 Oregon companies have 33,083 trucks displaying

Apportioned plates

so they can operate in other states and Canada under the International Registration Plan (IRP). These companies must report the miles their fleet(s) operated in Oregon, other states, and Canada from July 1, 2006 thru June 30, 2007. It's easier using Trucking Online if vehicles will operate in the same jurisdictions in 2008 (the online application lets them cancel vehicles, but not add or drop jurisdictions). Companies can let the computer calculate the registration fees owed to each jurisdiction and pay by credit card (registration fees can't be charged to account). MCTD then collects and distributes the fees. Do it online and within three business days MCTD will send new credentials (Weight Receipt and Tax Identifiers and Registration Cab Cards) and stickers for each plate.

Oregon Weight Receipt and Tax Identifier —

13,369 companies based in other states and Canada have 289,433 trucks for which an Oregon Weight Receipt and Tax Identifier paper credential has been assigned to identify the company's weight-mile tax account. They get a paper renewal summary in the mail listing the trucks that have the tax credential. It's easier to use Trucking Online to edit the list to renew, add, or delete trucks for 2008, and then instantly print all the new credentials on a local printer.

Oregon withdraws from UCRA, will not participate as base state

(continued from page 1)

Oregon's withdrawal from the UCRA is the result of three developments that have raised issues related to workload, requirements of participating states, and even a threat of litigation.

First, according to instructions for implementing UCRA, base states will accept paper registration forms along with all forms of payment and offer over-the-counter service. Oregon would be hardpressed to manage such a registration process, especially if a large number of operators in other states chose Oregon as their base state (California, for example, is not participating in UCRA in 2007 so its interstate operators will be looking for a base state).

Second, UCRA states have learned that they may bear some additional responsibilities. In an August 6 letter, a Federal Motor Carrier Safety Administration (FMCSA) official noted "... the purpose of the UCR agreement is to govern 'the collection and distribution of registration and financial

responsibility information provided and fees paid' by the five categories of motor carrier entities covered." Deputy Administrator David Hugel went on to declare "FMCSA expects that the UCR Plan will adopt requirements for filing of financial responsibility information for those motor carrier entities not currently filing with FMCSA." This presents a new, unanticipated requirement. Oddly, it follows the federal

preemption in SAFETEA-LU that forbids states from requiring a filing of financial responsibility from any interstate carrier. Oregon just changed state law to conform to the preemption.

Third, new federal legislation stipulated that by October 1 the FMCSA will issue final regulations to establish the Unified Carrier Registration System (UCRS) and set UCRA fees. But the FMCSA has yet to start proceedings for the final regulations establishing a UCRS. If states begin collecting fees, interstate operators may challenge that in court. If Oregon participates in the UCRA, it risks being party to litigation and, if it's on the losing end of a court case it could be required to return all fees collected.

Oregon interstate operators should watch for more UCRA news in coming months. The ODOT Motor Carrier Division is considering sending a special mailing with instructions for selecting a base state and paying 2007 fees.

The Unified Carrier Registration

Agreement is a new base-state system for registering interstate motor carriers with vehicles over 10,000 lbs., including private, for-hire, and exempt carriers, brokers, freight forwarders, and leasing companies. All interstate operators must pay annual registration fees to the UCRA. The UCRA replaces the Single State Registration System, which since 1991 had been used by 38 states to register for-hire carriers and verify the insurance status of that group of carriers. However, now as a result of preemptions in federal regulations called SAFETEA-LU, all interstate carriers are free from any state requirements regarding insurance filings. Certain interstate carriers are still subject to federal insurance requirements in 49 CFR Part 387.

2007 Legislative Session — Wrap-Up

Oregon adjusts laws governing interstate operators

Federal legislation passed by Congress in 2005 prohibits states from registering interstate for-hire or private motor carriers and requiring filings of financial responsibility. The legislation also preempts states from requiring carriers to display credentials related to identification of vehicles, except those credentials associated with the International Registration Plan, the International Fuel Tax Agreement, and other approved forms of identification.

As a result, Oregon legislators passed Senate Bill 222, changing state requirements to conform to the preemption. Now interstate motor carriers are officially not required to obtain a special Oregon permit or file proof of insurance with the state as long as they're in compliance with federal requirements regarding registration and financial responsibility. (A permit is required to haul for-hire within the state and cargo insurance requirements may apply to those operations.) Interstate carriers are also not required to display the Oregon weight-mile tax credential, called a Weight Receipt and Tax Identifier.

Oregon enforcement officers will now check the new Unified Carrier Registration (UCR) System, whenever that's established, to verify that an interstate carrier is in compliance with federal requirements. These carriers will be subject to suspension on the basis of UCR enforcement practices, whenever that's established as well. Similarly, officers will check computer systems to see if a vehicle has obtained an Oregon weight-mile tax credential. Interstate carriers are no longer required to display the credential, but they still must set up an account and obtain it for purposes of paying the weight-mile tax. Drivers will also still need to show this credential in order to buy diesel fuel

tax-free in Oregon. (Senate Bill 222, effective June 18, 2007)

Lawmakers approve UCRA participation

When it preempted states from registering interstate carriers and requiring a filing of financial responsibility, the federal legislation called SAFETEA-LU created a new base-state system for registering interstate operators and collecting annual fees from them. The Unified Carrier Registration Agreement (UCRA) affects private, for-hire, and exempt motor carriers operating vehicles over 10,000 pounds, as well as brokers, freight forwarders, and leasing companies.

With the passage of Senate Bill 222, Oregon legislators authorized participation in the new multi-jurisdictional agreement.

The ODOT Motor Carrier Transportation Division (MCTD)



originally sought this authority and believed it should participate as a matter of customer service. As the UCRA has taken shape, however, it became clear that potential drawbacks to participation outweighed the benefits. On August 22, 2007, MCTD sent the UCR Board a letter announcing Oregon's withdrawal from the program (see article on page 1-2).

States are not required to participate, it just provides the only way a former Single State Registration System (SSRS) state can replace the revenue derived from the SSRS. Oregon was never an SSRS

state and did not charge or rely on such fees. It now joins 13 other states who are not players in 2007. Oregon interstate operators will meet annual UCRA registration requirements by selecting another state as their base state or registering online directly with the UCR. (Senate Bill 222, effective June 18, 2007)

State exemptions given extra clarity

Oregon law contains many exemptions from motor carrier safety regulations, such as exemptions for certain nonprofit operations, charitable organizations, farmers, and mass transit districts. But it's now more clear to anyone reading the law that it does not exempt carriers from federal safety regulations when operating in interstate commerce.

Legislation passed in 2003 clarified that certain state exemptions, most notably those affecting farmers, only apply to carriers operating within the state

in intrastate commerce. But that legislation left broad wording in the statutes, which left concerns that they could be misinterpreted. Federal Motor Carrier Safety Administration officials recommended that Oregon amend the law to avert the risk of losing federal grant funds. So this time legislators added a clarifying statement in one statute and reference to that statement in each of the five statutes that list exemptions. The changes will have little, if any, practical effect on Oregon truck safety enforcement. (Senate Bill 221, effective January 1, 2008)

Citation may apply to weight violation

It doesn't happen often, but sometimes a motor carrier shows up at a weigh station weighing over 80,000 pounds and the only real problem is that the carrier has not obtained an annual, continuous operation over-dimension variance permit. Now with the passage of House Bill 2902, effective January 2008, enforcement officers can issue a citation for a Class A violation for exceeding maximum weight limits if a truck qualifies for an over-dimension permit — annual, continuous operation extended weight or heavy haul — but does not have the permit. A Class A violation is subject to a standard fine of \$427.

Until the change in law, a truck with an extended weight of 105,500 pounds that qualifies for a permit but doesn't have one would be subject to the Schedule 1 fine of 24 cents per pound over 80,000 pounds, which amounts to \$6,120. The Oregon Trucking Associations requested a change because that potential fine is disproportionate to the offense of failing to obtain the permit. Trucks carrying divisible loads with gross weight between 80,001 and 105,500 pounds pay \$8 for a permit authorizing travel on state highways, along with additional county fees ranging from \$2.75 to \$8 per county. Annual, continuous operation permits are valid for one year. (House Bill 2902, effective January 1, 2008)

Permit violation fine increases

At the request of the Oregon Trucking Associations, legislators

amended Oregon law to make it a Class A traffic offense to violate provisions of an over-dimension variance permit, other than weight violations. The industry testified that the provision for a Class A violation is needed for enforcement of pilot car requirements so motor carriers don't view citations as just a cost of doing business.

Some carriers are reportedly ignoring pilot car requirements, for example, because paying the current \$97 Class D traffic violation citation is cheaper than the cost of hiring a pilot car.

After the bill passed, however, the industry raised concerns that other minor violations of permit provisions will also be subject to a Class A penalty. It was intended that they would continue to be treated as a Class D violation of administrative rules.

Thus when the Legislature returns for a short

session in February 2008 it may be asked to consider further amendments to this law. (House Bill 2936, effective January 1, 2008)

Implements may be hauled or towed

A vehicle may now haul or tow a combination of two or three implements of husbandry without violation of vehicle combination restrictions. Until the change, such combinations could only be "drawn" by another vehicle.

Legislators heard testimony that in many cases it is arguably safer to transport an implement of husbandry on a trailer than to pull it along on its own wheels. This is true, for example, with implements that have large, soft, ballooned tires. It was also noted that Oregon law currently provides an

exemption from size limitations, except the maximum allowable extension beyond the last axle, when implements of husbandry are "hailed, towed or moved" on any highway other than interstates. (House Bill 2821, effective June 18, 2007)

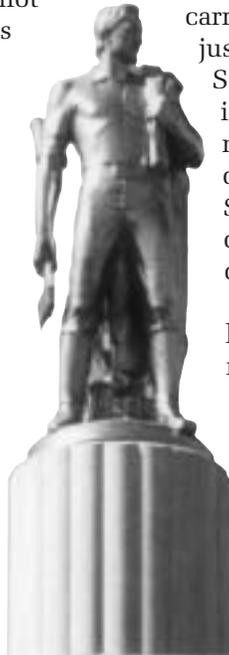
Bill requires mirrors or driver caution

Concern about delivery trucks running over kids led to the creation of a Class C violation to use a truck over 10,000 pounds in commercial delivery without forward crossview mirrors or, if there are no mirrors, to fail to check the vehicle's path to verify it's clear before the driver reenters the truck. Vehicles are exempt if owned / operated by the U.S. or a governmental jurisdiction with the U.S. (except when carrier of property for-hire), owned / operated by a mass transit district, or used in solid waste or recycling collection. Commercial buses, tow vehicles, and farm vehicles are also exempt. (Senate Bill 108, effective January 1, 2008)

Seat belt exemption removed from law

The requirement to wear a seat belt now applies to any vehicle designed or used to transport property, including pickup trucks. Effective January 2008, there will no longer be exemptions for privately-owned, property-carrying commercial vehicles or vehicles with a combined weight of less than 10,000 pounds.

Legislators heard testimony that safety belts are highly effective in reducing crash injuries and fatalities. Since passage of the adult belt law in 1990, Oregon's crash injury and fatality rates have dropped 43% each and belt use has doubled to 97% compliance. (House Bill 2275, effective January 1, 2008)



Trucks allowed up to 400 pounds for weight of Auxiliary Power Units

Oregon now officially allows a truck to be up to 400 pounds over maximum axle and gross weight limits if it's equipped with a working idle reduction system (Auxiliary or Alternate Power Unit, APU) designed to reduce fuel use and engine emissions. Senate Bill 223 passed both the Senate and the House with no opposition and Governor Ted Kulongoski signed it into law on May 7.

Since not all states have taken such action, however, the interstate trucking industry still bears the burden of determining which states have an APU allowance and which do not. Although a provision of the Energy Policy Act of 2005 increased federal weight limits to allow for APUs, the FHWA has noted that states are not required to follow suit.

A February 2007 FHWA notice clarified that if a state adopts the exemption, it should allow up to 400 pounds in axle, tandem, gross, or bridge weight formula (an axle weight calculation), or the weight of the APU unit, whichever is less. For example, if a truck has an APU with a certified weight of 750 pounds, the truck will be allowed the maximum 400 pounds additional weight. But if a truck has an APU with a certified weight of 300 pounds, it will be allowed a 300-pound exception.

It's also expected that trucks equipped with an APU will carry a

written certification of the APU's weight. The certification must be in writing but can include a wide range of options, such as a manufacturer's certification sticker or specification plate, certified scale tickets listing the vehicle's weight both before and after the unit's installation, or a component parts list with listed weights of each component if the unit is manufactured by the owner or

operator, so long as it accurately reflects the weight of the unit and is available to roadside enforcement officers. Since many APUs use the truck tractor's fuel supply, the FHWA determined that it will only consider the APU's empty weight and not allow the weight calculation of the unit to include fuel.

A requirement that the APU be "fully functional at all times" was more problematic for FHWA to address in

rules because there will be times when a unit is temporarily broken down. For this, the FHWA has simply noted that there will be little or no incentive for a driver to install and transport a non-working APU.

The Oregon DOT's Motor Carrier Transportation Division plans its own rulemaking to clarify how Oregon will enforce the weight exception. Motor carrier enforcement officers have been allowing the weight exception since February 2006 when provisions of the Federal Energy Act of 2005 took effect. (Senate Bill 223, effective May 7, 2007)



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

Taxpayers gain time to seek credits for clean diesel engines

Oregon taxpayers have four additional years to upgrade their truck fleets and get up to \$80,000 per year in tax credits for buying clean-burning diesel engines. House Bill 3201 made existing tax credits available through 2011, although it capped the program at a total of \$500,000 per year. It also specified that effective September 28, 2007, credits will not be available for engines meeting just the 2004 emission standard. Instead, the Department of Environmental Quality (DEQ) may only approve credits for model year 2007 and newer engines meeting the 0.01 gram particulate emission standard. DEQ is asking companies to submit applications for engines qualifying under the existing criteria (2004 model year and newer NOx compliant engines) by September 14, 2007, to allow time for processing before the September 28 deadline.

In the past 3¹/₂ years that the program has been in place, a total of 161 Oregon taxpayers have received \$906,990 in credits for 1,803 engines (as of June 30, 2007). 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.

According to DEQ, heavy duty diesel vehicles make up 6% of the total motor vehicle fleet but emit about 65% of the fine particulate pollution and 35% of the nitrogen oxide pollution from motor vehicles.

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. (House Bill 3201, effective September 28, 2007)

Contact the non-profit Cascade Sierra Solutions —
www.CascadeSierraSolutions.org — for help getting grants, tax credits,
rebates, and other incentives for saving fuel and cutting emissions.

Legislative Wrap-Up

CDL laws undergo additional changes

Following up on changes made two years ago, the 2007 Oregon Legislature passed House Bill 2268 to amend Commercial Driver License (CDL) laws and bring them in line with federal regulations. The bill makes the following changes:

- Adds a definition of “holds a commercial driver license” so it means a person holds a CDL that is valid and current, expired less than one year, or suspended, but not canceled or revoked. This definition helps ensure consistency in how Oregon courts treat certain disqualifying offenses when a person holds a CDL or is operating a commercial motor vehicle. For example, Oregon law already prohibits diversion of a violation, such as DUII, if the person has a CDL or was operating a CMV at the time the offense was committed. However, without a definition of “holds a CDL” it was possible that a judge could say that a person with an expired or suspended CDL did not “hold” one and was eligible for diversion.
- Increases the penalty for violating an out-of-service order to not less than \$1,100 or more than \$2,750 for drivers, and not less than \$2,750 or more than \$11,000 for employers. This applies to DMV-administered actions.
- Adds definition of “serious traffic violation” to include exceeding posted speeds by more than 30 mph or driving 100 mph or more. A CDL holder is suspended for committing the offense when operating either a commercial or private vehicle.
- Adjusts laws to allow a driver to apply for a CDL or apply for reinstatement 10 years after receiving a lifetime suspension. This was previously incorporated into laws related to suspension, but inadvertently not added to

- laws related to reinstatement.
- Removes a provision that exempts a person with a farm endorsement from suspension of a CDL if they commit an offense for which sanctions apply under federal regulations. Also clarifies that a Class A farm endorsement authorizes the operation of a tank vehicle or double trailer combination.
- Clarifies that a trailer endorsement authorizing the operation of double and triple trailers applies only to commercial vehicles.
- Clarifies that manufacturers, dealers, or mechanics don’t need a CDL with a school bus endorsement to drive an empty school bus.
(House Bill 2268, effective January 1, 2008)

DMV takes medical waiver program

The Motor Carrier Transportation Division is transferring its Commercial Driver Medical Waiver Program to the Driver and Motor Vehicle Services Division (DMV) where it better fits alongside Commercial Driver License programs. The change follows passage of new legislation that transfers responsibility for medical review of commercial driver eligibility from the State Health Officer within the Oregon Department of Human Services (DHS) to a similar officer within the Oregon DOT. The Motor Carrier Division plans to transfer its program, including one employee, to DMV in October.

House Bill 2176 gives ODOT the authority to employ a part-time licensed physician to review reports provided by medical professionals and help determine an individual’s eligibility for a driver license, instruction permit, or intrastate medical waiver for a commercial driver license (CDL). Historically, the Motor Carrier Division has administered the intrastate waiver program and contracted with DHS for physicians to review medical records.

There are currently more than 500 drivers holding a CDL with a medical waiver that allows them to drive a truck in Oregon intrastate commerce. The most common waivers are for vision acuity deficiency and a history of diabetes. States are allowed to issue the intrastate waiver if a physician determines that a driver can safely operate a vehicle, even though the driver may fail to meet the physical qualification requirements in federal law, CFR 49, Part 391.41.

Currently, the Oregon program handles about 40 requests each month for a review of medical records. This includes new applications for waivers and renewals. Renewals are usually required every two years; sooner for some drivers.

Legislators heard testimony that having a physician in-house at ODOT would provide several benefits, such as increased security and confidentiality of medical information and ready access to medical expertise for advice and analysis.

DMV will maintain a separation between the medical determination process and its authority to impose sanctions on driver licenses. Anyone whose driving privilege has been suspended under the medical waiver program, or who is determined not to be medically eligible to drive, may request a hearing to appeal the decision.

Questions concerning a medical waiver to drive in **interstate** commerce should continue to be directed to the Federal Motor Carrier Safety Administration at 503-399-5775. That agency administers the interstate medical waiver program. (House Bill 2176, effective January 1, 2008)

effective October 2007

**Oregon CDL Intrastate
Medical Waiver Program**
DMV Driver Safety Unit
1905 Lana Avenue NE
Salem, OR 97314
503-945-5295

Change puts certification, vehicle registration and renewal under one roof

Motor Carrier Division to start issuing farm plates

The Oregon DOT's Driver and Motor Vehicle Services Division (DMV) is transferring its Farm Vehicle Registration Program to the Motor Carrier Transportation Division where it better fits alongside the Farm Certification Program. The regulatory streamlining transfer puts farm certification and farm plates and renewal all under one roof. It's intended to help farmers avoid the bureaucratic snafus that can arise when two departments get involved in one process. Transfer of the program should be completed by early next year.

Currently, a new farmer contacts DMV to apply for Farm Certification status and farm plates for vehicles. DMV forwards the Certification application to the Motor Carrier Division for approval. DMV needs that Division's approval of the Farm Certification application before sending any actual "F" farm plates and validation stickers. DMV commonly issues temporary, 45-day, farm registration for the farmer's vehicles while the Certification application is pending.

Currently, an existing farmer who needs to add vehicles contacts DMV to apply for farm plates, DMV then contacts the Motor Carrier Division for approval to issue the additional plates and it issues the plates if Motor Carrier says the request is justified.

Under the new process, all farm business is conducted directly with the Motor Carrier Division.

Farmers can use the Oregon Trucking Online Internet service that's available 24 hours a day, 7 days a week. Using their password and a computer at home, in the office, or at the library, they can obtain temporary registration for a

vehicle and temporary permits. In most cases they can go online and get automatic authorization of farm plate requests and have the actual plates in the mail to them the next day.

Farmers can fax or mail applications directly to the Motor Carrier Division Salem office. If they need over-the-counter service, that's available weekdays at the Division's Salem and Portland Bridge/Jantzen Beach offices and its Ashland, Farewell Bend, and Umatilla Ports of Entry.

Farm associations can also help. The Oregon Wheat Growers League, for example, has expressed willingness to lend assistance to its member if they need it.

Oregon farmers are more likely to avoid bureaucratic snafus when they work directly with Motor Carrier Division staff. They'll be advised about heavy vehicle regulations related to safety, over-dimension permits, heavy vehicle use tax, and fuel taxes, if applicable. If a farmer obtains a farm plate for a truck registered at a weight over 80,000 pounds, for example, it will be routine for staff to instruct them to obtain an extended weight variance permit before commencing operations.

Farmers operating in interstate commerce will especially benefit from a one-stop-shop for International Registration Plan (IRP) apportioned farm registration and International Fuel Tax Agreement (IFTA) licensing, all done by Motor Carrier Division staff.

"Some farmers may miss the convenience of stopping at their local DMV, but the new process actually offers better ways to do business," said Motor Carrier Division Administrator Gregg Dal Ponte. "Trucking Online is as convenient as the nearest computer so it's better than the local DMV. Farmers adding vehicles can tap in their requests and print temporary credentials right then and there, plus we take credit card payments."



Doing Farm Business with the ODOT Motor Carrier Division

Farmers accustomed to doing farm plate business with DMV will soon work directly with the Motor Carrier Transportation Division when applying for farm certification and farm plates. While most didn't know it, DMV was just a middle man all along so the new process actually cuts through some red tape.

1. Oregon Trucking Online

Farmers can apply for a password to conduct all business using the Trucking Online Internet service that's available 24 hours a day, 7 days a week. They can use a computer at home, the office, or a library to obtain temporary registration for a vehicle and then have farm plates mailed to them the next day. In most cases, they can get automatic authorization of farm plate requests through this online process.

2. Fax or Mail

Farmers can work directly with the Motor Carrier Division office in Salem by mail or fax. They can fax or mail applications and arrange to pay by credit card or check. If they need over-the-counter service, that's available on weekdays at the Motor Carrier Division's Salem and Portland Bridge/Jantzen Beach offices and its Ports of Entry near Ashland, Farewell Bend, and Umatilla.

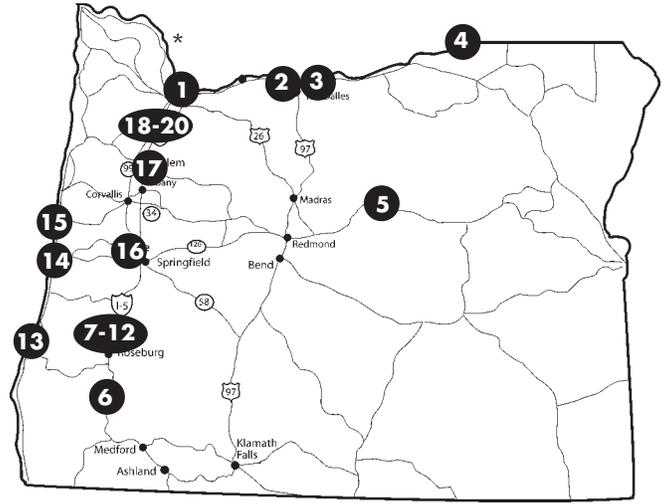
3. Farm Associations Help

Farmers who need help with farm certification and vehicle registration and renewal may also be able to turn to their farm associations for help. The Oregon Wheat Growers League, for example, has expressed willingness to lend assistance to members who need it.

Weight-Restricted Bridges on Major Routes in Oregon

As of August 24, 2007, bridge inspectors had set weight restrictions on 20 bridges on major Oregon routes. There are also many restricted bridges on lesser routes throughout the state.

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



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

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

Washington DOT delays Biggs Bridge work

The Washington State Department of Transportation has changed its schedule for replacing the deck of the Biggs Rapids-Sam Hill Bridge. Instead of completely closing this Columbia River bridge for six months beginning Labor Day this year, the bridge will be closed for two construction periods in 2008 — first for several months in Spring 2008 and then again from Labor Day until work is finished. The bridge will be open to traffic next summer, from Memorial Day until Labor Day.

During the closures, truckers traveling north on US97 to Biggs will need to go 20 miles west on I-84 to the US197 Dalles Bridge and then take WA14 to return to US97.

For the more information, call the WSDOT Columbia Gorge Office — 360-759-1310, or toll-free at 1-866-279-0730.



US97 Columbia River Biggs Rapids - Sam Hill Bridge

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.

Weight-Restricted Oregon Bridges on Lesser Routes

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

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

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

Restriction Legend

D/N -

Restricted to Divisible & Non-Divisible Load Limits

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

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

D -

Restricted to Divisible Load Limits (no heavy haul)

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

SR = Special Restrictions

SR1 -

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

SR2 -

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

SR3 -

Single Axle	20,000 lbs.
Tandem Axle	40,000 lbs.
Gross Wgt. - Weight Table 3	

SR4 -

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

SR5a -

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

SR5b -

SR6 -

Single Axle	20,000 lbs.
Tandem Axle	34,000 lbs.
Maximum Wgt.	80,000 lbs.
One-Way Trucks Only	

SR7 - 30 Tons Gross Wgt.

SR8 -

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

SR9 - 5 Tons Gross Wgt.

SR10 -

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

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

IRS offers alternative to manual HVUT pay process

By now the Internal Revenue Service had expected to offer a way for all motor carriers to electronically pay their annual Heavy Vehicle Use Tax (HVUT) for trucks with a gross weight of 55,000 lbs. or more. The agency had even planned to require that carriers with 25 or more vehicles file electronically. But it turns out that for the 2007-2008 year, the agency will allow all carriers to continue to file the paper Form 2290. The IRS has partnered with software providers who now offer applications to submit tax filings electronically, but some carriers report that the online offerings are not quite “ready for prime time.”

For those carriers who do file electronically, the IRS will return a PDF file that can be printed and used as proof of payment. The file has a watermark on the Schedule One that says “IRS e-file” and shows “Received MM/DD/YYYY.” For electronic verification purposes, the IRS has added a page called the “Consent to Disclosure of Tax Information.” State registration agencies can access HVUT information if the taxpayer gives consent to the IRS. If the taxpayer does not sign the consent form and submit it to the IRS, their information will not be disclosed to states.

The paper Form 2290 has changed to use a block format for entering employer and vehicle identification numbers (EIN and VIN) on the Schedule One. This allows the IRS to scan the document and capture the EIN and VIN into the HVUT database. The Schedule One for paper-filed tax returns will be stamp-validated and returned to the taxpayer for use in registering vehicles, just like the current process.

Federal legislation in 2004 ordered the IRS to create an electronic HVUT filing system so that carriers with 25 or more vehicles would have to file electronically. The legislation repealed the quarterly tax payment option and established a credit policy for vehicles sold or replaced. Other legislation in 2005 funded development of electronic filing and creation of an information system for electronic payment verification by state and federal authorities.

The changes are meant to improve a burdensome manual process that had motor carriers complete the paper Form 2290 and mail payment to the IRS, receive a receipt in 6-8 weeks, and present the receipt to state agencies as part of the truck registration process. Until now, states had to manually verify HVUT payment in order to suspend or cancel registration credentials if there's no proof of payment.

Last year, more than 575,000 Forms 2290 were filed with the IRS.

Hiring a driver with a CDL? Go back three years when contacting prior employers.

Federal safety regulations appear to require two different things when it comes to hiring drivers with a Commercial Driver License (CDL).

One regulation related to drug and alcohol testing requires employers hiring anyone to perform safety-sensitive duties to contact all previous DOT-regulated employers of the past two years to ask if the person ever tested positive for controlled substances or alcohol, or ever refused a test — FMCSR Part 382.413 and Part 40.25(b). But another regulation related to qualifications of drivers requires anyone hiring a driver with a CDL to contact the previous employers of the past three years — FMCSR Part 391.23(e).

An article in the June Motor Carrier News about employers' responsibilities only mentioned the requirement to contact previous employers of the past two years. But Part 391 has the applicable regulation because it's specific to drivers of commercial motor vehicles. The regulation in Part 40 applies more broadly to all safety-sensitive transportation employees subject to DOT regulations.

The three-year background check requirement was set in 2004 after a lengthy rulemaking that followed the passage of the Hazardous Materials Transportation Act of 1994 (Public Law 103-311). The HazMat Act directed that Part 391.23 be changed to specify three years as the minimum time to be investigated when performing a safety background investigation of driver applicants. The Act required all previous employers to respond to the investigating employer within 30 days of receiving a request.

According to Oregon officials in charge of Safety Compliance Reviews, auditors rarely if ever find a problem with someone who only conducted a two-year background check rather than a three-year one. It's much more common to find that nothing whatsoever was done in terms of checking an applicant's background. As reported in the June article, a check of Oregon Safety Compliance Reviews conducted in the past six years found 72% (1,702 of 2,379 total reviews) identified problems with motor carriers meeting drug and alcohol testing requirements in general.

When a prospective employer goes to check Oregon DMV records, they can now use one form to request a check of both a person's driving record and any prior drug testing. DMV Form #7291 saves the trouble of completing two separate forms requesting a complete check of records. The form is designed for companies that establish a DMV Record Inquiry Account (Form #6037) by paying a one-time \$70 fee and going through the process of qualifying to receive the personal information that appears on records.

Enforcement 2nd Quarter 2007

From April through June 2007, the Motor Carrier Division finalized 114 civil enforcement actions, in addition to 73 actions related to inspection follow-up violations. The number next to each name indicates violations confirmed in the process.

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

Safety Violations

A total of 109 enforcement actions established violations related to violations found during safety compliance reviews, or driver violations related to waiver of physical disqualification.

Advantage Transportation Services (*Keizer OR*) 7
 Albina Fuel Co. 37**
 All Dirt, Inc. 3
 J A Almaguer Trucking LLC 8
 Dean Anderson Logging 3**
 B C Trucking LLC (*Aurora OR*) 4**
 Ken Baldwin Trucking 7**
 Beaver Tree Service 1
 Ben Wamp Logging Co., Inc. 1
 Bend Excavating LLC 4
 Big G Trucklines LLC 5
 Boring Bark 18**
 Britannia Enterprises, Inc. 2**
 Burl Brim Excavation, Inc. 4
 Busy Beaver Tree Service 3

Capital Concrete Construction, Inc. 12**
 Carmona's Transportation LLC 20**
 Carr's Hauling 2
 Carter & Company, Inc. 4
 Cascade Auto Recycling LLC 4***
 Cascade Timber Consulting, Inc. 8
 Covey Run Trucking LLC 6****
 R & R Dailey Trucking 4
 Dave's Construction, Inc. 4
 Decal Custom Homes & Construction, Inc. 4**
 Doherty Welding LLC 3
 Dump Truck Services 11
 Eben Ezer Express 9
 Economy Rentals 2***
 Elston Trucking 1
 Fairview Acres Dairy Farms, Inc. 4
 Fat Alice Transport 1
 Fernandez Trucking (*Beaverton OR*) 21**
 J Fernandez LLC 15**
 Gillem Trucking, Inc. 2
 H P S Construction, Inc. 25**
 Harley Welding 3
 Scott Harrin Design & Construction, Inc. 2
 Ronald D Harrison 1
 Hennick's Home Center, Inc. 2**
 I K Contracting LLC 3**
 I R T LLC 8
 Ione Repair 10**
 J & J Tree Service LLC 4
 Stacy Jansik Excavation 23**
 Rebel K Justesen 1
 K L Transport, Inc. (*Portland OR*) 60***
 Kamph Construction Co., Inc. 15**
 Robert Kearsley Trucking 7
 Joseph P Kenny 1**
 L B L Window & Door 59**
 L&M Leasing, Inc. 3
 Mark Lafayette Farm & Trucking 2
 George J Lehmann Construction 2
 D&K Loper Trucking LLC 1
 William C Lukenbill 1**
 Marin Bros. Transport 8
 Robert A Mathieson 1**
 Patrick M McKenna 1
 Jason Miller Trucking 29***
 MK Mahoney Trucking 17**
 Mohawk Valley Transport LLC 21***
 Moore Underground, Inc. 5***
 Mudrick Underground, Inc. 3**
 N W F Trucking 8***
 Nacca LLC 6
 Navigational Construction, Inc. 2
 Obie Construction, Inc. 2
 Clifford Olson Trucking 1
 Online Logistics 2
 P M Express (*Vancouver WA*) 5

Pacific Express Corp. 4
 Bob Potter Logging, Inc. 3**
 Pounder Oil Service, Inc. 11***
 Professional Underground Services, Inc. 3
 Putney Trucking 3**
 R2 Transport 4
 Real Good Trucking, Inc. 6
 Ted Riehl Excavating & Trucking, Inc. 1
 Robin Hood Auto Transport 3***
 Rock N Ready Mix, Inc. 46***
 Round Butte Seed Growers, Inc. 4
 F C Schneider 3
 Seeco Equipment, Inc. 1
 Siler & Sons Excavation & Fencing LLC 2
 Silver Spur Livestock 5
 Site Tech, Inc. 1***
 Skyway Transport 7
 Stokes Construction Co., Inc. 2**
 Strasser Excavation, Inc. 3
 T L C Transport 4
 Tazz Trucking 121**
 Teevin Bros. Land & Timber Co. LLC 13**
 Terry's Trucking, Inc. 3
 Three J's Distributing, Inc. 32**
 Timber Salvage, Inc. 3***
 Tony Express, Inc. 18****
 Tony Transport, Inc. 5
 Larry B Traxler 1
 Dirk S Tyler 1
 Umpqua Roofing Co., Inc. 6
 Van Well Timber LLC 3**
 Deborah J Wagner 1
 Robert Warren Trucking LLC 4
 Whipple Transport, Inc. 5
 Dennis Wilks Contract Logging 11**
 Roger Wise Trucking 6
 Justin G Wood 1
 John D Zimmerman 1**

Other Safety Violations

A total of 70 cease and desist orders and 3 penalty orders established a company's failure to return a Driver or Equipment Compliance Check Form after an inspection. Following every safety inspection, the driver receives a copy of the inspection form. If violations were found, the motor carrier must then sign and return the form within 15 days to the state where the inspection occurred 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.

Other Violations

A total of 5 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, offering or providing unauthorized household goods moving services, or operating as an unregistered pack and loader.

Fred Gibson Trucking, Inc. 1
 Futala Trucking 4
 Modern Building Systems, Inc. 1
 Lawrence Nath -
 Manpower Movers 6
 James Wold 1

Other Enforcement

Summary of work by Motor Carrier Enforcement Officers in the 2nd Quarter 2007:

Trucks Weighed on Static Scales
578,616

Trucks Precleared to Pass Green Light Weigh Stations
371,009

Weight-Related Citations
2,781

Weight-Related Warnings
1,940

Size-Related Citations
248

Trucks Required to "Legalize" (Correct) Size and/or Weight
925

Other Citations
869

Other Warnings
1,816

Citations for Operating Without Oregon Weight Receipt & Tax Identifier
1,772

Warnings for Operating Without Oregon Weight Receipt & Tax Identifier
1,809

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

The Motor Carrier News is a quarterly publication of the Oregon Department of Transportation
Motor Carrier Transportation Division
 550 Capitol Street NE
 Salem OR 97301-2530

Gregg Dal Ponte, Administrator
 Gregg.L.DalPonte@odot.state.or.us

Jim Brock,
 Motor Carrier News Editor
 James.H.Brock@odot.state.or.us
 (503) 373-1578

**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 22, Number 79



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 September 2007 issue:

Trucking Online offers remedy for renewal headaches	1
Oregon cancels base state UCRA plans	1-2
Oregon Plate / Credentials Renewal	2
2007 Legislative Session Wrap-Up	3-6
<ul style="list-style-type: none">• Oregon adjusts laws governing interstate operators• Lawmakers approve UCRA participation• State exemptions given extra clarity• Citation may apply to weight violation• Permit violation fine increases• Implements may be hauled or towed• Bill requires mirrors or driver caution• Seat belt exemption removed from law• Trucks allowed up to 400 pounds for weight of Auxiliary Power Units• Taxpayers gain time to seek credits for clean diesel engines• CDL laws undergo additional changes• DMV takes medical waiver program	
Motor Carrier Division to start issuing farm plates.....	7
Weight-restricted bridges on major / lesser routes	8-9
Washington DOT delays Biggs Bridge work	
IRS offers alternative to manual HVUT pay process	10
Hiring a driver with a CDL? Check back three years ...	10