



MOTOR CARRIER NEWS

Newsletter of the Oregon Department of Transportation Motor Carrier Transportation Division • August 1999

MCTD to begin citing truck drivers entering Oregon without credentials

Going to Oregon? Got Credentials? Save Money: Truck drivers entering Oregon without operating credentials issued by the Oregon Department of Transportation are subject to citation and a maximum fine of \$250.

That's the message the Motor Carrier Transportation Division (MCTD) is sending following its decision to start issuing citations to any truck driver stopped in Oregon without credentials. MCTD has historically allowed truckers to arrive at a Port of Entry and obtain credentials there even if they arrived after the Port's Registration Office was closed, in which case they had to call the Farewell Bend Port to have permits faxed to them.

According to Field Motor Carrier Services Manager Steve Johnston, that policy has only created an unmanageable situation as more and more truckers arrive without credentials. "We thought we could be lenient and provide a service to out-of-state truckers," Johnston said. "But now so many arrive at night or on weekends with no permit that it's overwhelming the Farewell Bend staff that provide emergency registration service after hours. Even our enforcement officers are spending too much time answering registration questions. Carriers must stop procrastinating and start planning ahead when they know they're taking a load to Oregon."

Johnston noted that now Oregon is no different than other states that also issue citations to truckers without operating credentials if they arrive during hours when registration offices are closed.

Oregon weight-mile tax may go away July 1, 2000

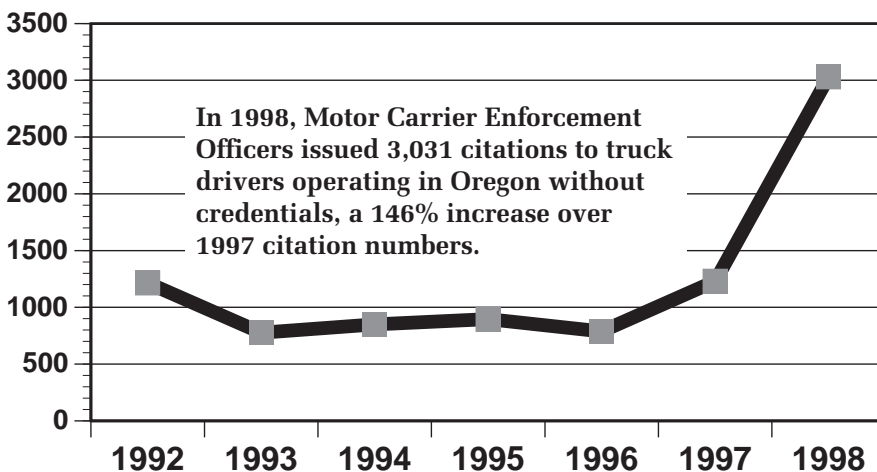
Oregon legislators made history in Salem this year. Not only did they vote for the first gas tax increase since 1991, they agreed to repeal the state's 52-year-old truck weight-mile tax and replace it with a 29 cent diesel fuel tax and a steep increase in truck registration fees, effective July 1, 2000.

House Bill 2082, a revenue-raising measure that needed approval by three-fifths of both the House of Representatives and the Senate, got just enough votes to pass.

But no sooner had the bill passed than AAA, Oregon Taxpayers United, and an environmental group began planning to petition for a ballot measure to ask voters to decide the matter. If the bill is referred to the voters and it passes, it would delay implementation of the switch to a diesel tax by almost a full year.

(more inside)

Citations Issued to Truckers with No Credentials



In 1998, Motor Carrier Enforcement Officers issued 3,031 citations to truck drivers operating in Oregon without credentials, a 146% increase over 1997 citation numbers.

Based on citations issued, more truckers are operating in Oregon without first registering with ODOT. Citation numbers jumped sharply last year, even with a lenient policy in place that allowed truckers to arrive at a Port of Entry after hours and obtain credentials at that time.

Fees to yield bulk of what is now collected by weight-mile tax

Like the sticker shock many experience when buying a new car, Oregon truckers may be taken aback when they see new registration fees that are set to replace most of the revenue now collected by weight-mile taxes.

The annual fees would increase beginning July 1, 2000, so that a truck registered at 80,000 lbs. would go from paying \$320 to paying a fixed fee plus a variable fee for a total of \$3,667. The fees would increase again in January 2002, so that same

truck would pay \$4,893 total. The law contains exceptions, however, and many will qualify for lower fees.

Why the steep increase? Before legislators would agree to repeal weight-mile taxes, they had to be convinced that an alternative tax plan could bring in as much money for the Highway Fund. Achieving "revenue neutrality" was one big challenge the trucking industry faced as they sought a change.

The state is expected to receive \$689 million in road-use related taxes and fees next year, \$223 million of which would come from weight-mile taxes paid by truckers. Since a 29-cent diesel tax could yield only about \$104 million a year, other fees need to bring in \$119 million more.

Other Fee Changes

Effective July 1, 2000, or March 1, 2001, if referred to voters and they approve

Temporary Operations Fees

Three-Day Trip Permit \$26
(available only to carriers not registered under the International Fuel Tax Agreement)

Registration-Related Fees

Three-Day Heavy Motor Vehicle Trip Permit \$42
One-Day Heavy Motor Vehicle Trip Permit \$15
Heavy Trailer Trip Permit \$20
Registration Weight Trip Permit \$10
Registered Vehicle Trip Permit \$10
Heavy Trailer Trip Permit \$20

Over-Dimensional Operations Fees

Single-Trip or Continuous Operation Variance Permit \$16
(not to exceed \$16)

Diesel tax refunds available for some

The new diesel fuel tax will be paid at the "rack," which means the major distributors will pay Oregon its 29-cent per gallon tax as soon as the fuel enters the state. Truckers will pay the tax at the pump, but they're essentially reimbursing the distributor for the prepaid tax. The new law provides refunds for the following operations:

- 25 percent refund for diesel tax paid for log or dump trucks, if records show total gallons used on highways and total used off highways. Log trucks, however, don't need records to claim up to a 15 percent refund.
- 45 percent refund for diesel tax paid for a power take-off unit on a concrete mixer, self-loading log truck, garbage truck or recycling truck, if there is no separate fuel supply tank for the power take-off unit.
- 70 percent refund for diesel tax paid for vehicles owned and operated by an investor-owned utility.
- 100 percent refund for diesel tax paid when there is a separate fuel supply for operating ancillary equipment and not propelling the vehicle.

New Truck Registration Fees

Effective July 1, 2000, and January 1, 2002, or at other future dates if referred to voters and they approve

Truck Weight in Pounds	Effective July 1, 2000			Effective January 1, 2002		
	Fixed Fee	Variable Fee	Total Fee	Fixed Fee	Variable Fee	Total Fee
8,000 or less	\$ 20		\$ 20	\$ 20		\$ 20
8,001 to 10,000	75		75	80		80
10,001 to 12,000	135		135	135		135
12,001 to 14,000	160		160	160		160
14,001 to 16,000	230		230	230		230
16,001 to 18,000	230		230	230		230
18,001 to 20,000	230		230	230		230
20,001 to 22,000	230		230	230		230
22,001 to 24,000	230		230	230		230
24,001 to 26,000	230		230	230		230
26,001 to 28,000	245	\$ 1,130	1,375	245	\$ 1,590	1,835
28,001 to 30,000	255	1,178	1,433	255	1,656	1,911
30,001 to 32,000	276	1,272	1,548	276	1,789	2,065
32,001 to 34,000	286	1,319	1,605	286	1,855	2,141
34,001 to 36,000	306	1,413	1,719	306	1,988	2,294
36,001 to 38,000	316	1,460	1,776	316	2,054	2,370
38,001 to 40,000	337	1,554	1,891	337	2,186	2,523
40,001 to 42,000	347	1,601	1,948	347	2,253	2,600
42,001 to 44,000	367	1,696	2,063	367	2,385	2,752
44,001 to 46,000	377	1,743	2,120	377	2,451	2,828
46,001 to 48,000	388	1,790	2,178	388	2,518	2,906
48,001 to 50,000	408	1,884	2,292	408	2,650	3,058
50,001 to 52,000	428	1,978	2,406	428	2,783	3,211
52,001 to 54,000	439	2,025	2,464	439	2,849	3,288
54,001 to 56,000	449	2,072	2,521	449	2,915	3,364
56,001 to 58,000	469	2,167	2,636	469	3,048	3,517
58,001 to 60,000	490	2,261	2,751	490	3,180	3,670
60,001 to 62,000	510	2,355	2,865	510	3,313	3,823
62,001 to 64,000	530	2,449	2,979	530	3,445	3,975
64,001 to 66,000	541	2,496	3,037	541	3,511	4,052
66,001 to 68,000	561	2,591	3,152	561	3,644	4,205
68,001 to 70,000	571	2,638	3,209	571	3,710	4,281
70,001 to 72,000	591	2,732	3,323	591	3,843	4,434
72,001 to 74,000	602	2,779	3,381	602	3,909	4,511
74,001 to 76,000	622	2,873	3,495	622	4,041	4,663
76,001 to 78,000	632	2,920	3,552	632	4,108	4,740
78,001 to 80,000	653	3,014	3,667	653	4,240	4,893
80,001 to 82,000	663	3,062	3,725	663	4,306	4,969
82,001 to 84,000	683	3,156	3,839	683	4,439	5,122
84,001 to 86,000	693	3,203	3,896	693	4,505	5,198
86,001 to 88,000	714	3,297	4,011	714	4,638	5,352
88,001 to 90,000	724	3,344	4,068	724	4,704	5,428
90,001 to 92,000	744	3,438	4,182	744	4,836	5,580
92,001 to 94,000	754	3,485	4,239	754	4,903	5,657
94,001 to 96,000	775	3,580	4,355	775	5,035	5,810
96,001 to 98,000	785	3,627	4,412	785	5,101	5,886
98,001 to 100,000	795	3,674	4,469	795	5,168	5,963
100,001 to 102,000	816	3,768	4,584	816	5,300	6,116
102,001 to 104,000	826	3,815	4,641	826	5,366	6,192
104,001 to 105,500	846	3,909	4,755	846	5,499	6,345

NOTE: Exceptions to the Variable Fee:

- Concrete mixers, log trucks, and sand and gravel trucks pay the fixed fee plus \$900. On January 1, 2002, their variable fee is scheduled to increase to \$1,250.
- Garbage or recycling trucks pay the fixed fee plus \$430. On January 1, 2002, their variable fee is scheduled to increase to \$590.
- Trucks pay only the fixed fee if they weigh between 26,001 and 60,000 lbs. and travel less than 30,000 miles a year, or weigh at least 26,001 lbs. and travel less than 5,000 miles a year.
- Trucks operated by investor-owned utilities pay only the fixed fee.
- Trucks pay only the fixed fee if they weigh at least 60,001 lbs. and are used exclusively in conjunction with installing heavy machinery.

Variance permit fees change for over-dimensional operations

The law repealing weight-mile taxes also changed the fees charged for variance permits for trucks operating beyond normal size and/or weight, effective July 1, 2000.

First, the nominal permit fee, which currently is not to exceed \$8, would double to be no more than \$16. Each road jurisdiction in which travel is authorized could charge a separate fee, as counties and cities do today. But as a result of another law passed this year, the Motor Carrier Transportation Division will develop a one-stop shop for issuing continuous operation permits (*see page 4*).

A second change applies to carriers with trucks operating at

extended weights — weights over 80,000 lbs. Under the new law, they would pay the \$16 per jurisdiction permit fee plus an extra extended weight permit fee that varies based on the number of axles. A carrier operating a 105,500 lb. truck combination with seven axles, for example, would pay an extra fee of \$191.01 regardless of the number of miles traveled.

A third change applies to carriers that need a single-trip permit for trucks with non-divisible loads. Under the new law, they would pay the \$16 per jurisdiction permit fee plus a road use assessment fee of \$3 for every ton over 98,000 lbs. A carrier with a 198,000 lb. non-divisible load, for example, would pay a \$150 road use assessment fee

regardless of the number of miles traveled. They currently pay 5.2 cents per equivalent single-axle load mile traveled.

Extra Fee for Continuous Operation Variance Permits

Effective July 1, 2000, or March 1, 2001, if referred to voters and they approve

Truck Weight in Pounds	5 axles	6 axles	7 axles
80,001 to 82,000	\$ 165.00		
82,001 to 84,000	173.25		
84,001 to 86,000	181.91		
86,001 to 88,000	191.01		
88,001 to 90,000	200.56		
90,001 to 92,000	210.59	\$ 165.00	
92,001 to 94,000	221.12	173.25	
94,001 to 96,000	232.17	181.91	
96,001 to 98,000	243.78	191.01	
98,001 to 100,000		200.56	\$ 165.00
100,001 to 102,000			173.25
102,001 to 104,000			181.91
104,001 to 105,500			191.01

Officers gain discretion regarding legalizing overweight loads

Motor Carrier Enforcement Officers and police now have greater discretion whether to force an overweight truck to legalize its load, as a result of one bill passed this year.

House Bill 3461 included a provision that amended Oregon law to let enforcement officers decide if an overweight truck operating under an over-dimension permit should proceed down the road or be forced to reduce its load. They will have this discretion as long as the excess weight is within limits set in the law.

Historically, enforcement officers have had discretion whether to issue a citation for overweight loads, but the law required that the load be reduced if the truck was operating under a variance permit. That part of the law is changed, effective immediately.

1999 Session yields other miscellaneous changes

Booster Axles and Safety Chain Requirement — Booster axles (axles bolted or pinned to another vehicle to redistribute weight from one or more axles) are exempt from a requirement that safety chains or cables be used when towing. (SB 352, effective October 23, 1999)

Oregon Titling Exemption for California-Registered Trailers — Carriers that operate in California and have trailers based in Oregon that are currently exempt from Oregon titling requirements, because of peculiar registration provisions of the International Registration Plan, will remain exempt if California changes its law related to the proportional registration of trailers. (SB 352, effective October 23, 1999)

Manufactured Dwellings — Manufactured dwellings are exempt from requirements related to fenders and mudguards. (HB 2443, effective October 23, 1999)

Improper Disposal of Human Waste — Discarding a container of urine or other human waste along the highway is now a misdemeanor punishable by a \$250 fine. This law was prompted by reports that highway maintenance crews have been finding an increasing number of urine-filled bottles along Oregon roads. (HB 3530, effective October 23, 1999)

Mandatory Transponders — Government agencies cannot require that a truck or a driver be equipped with or use an electronic device that is intended to identify the location of the vehicle. This applies, for example, to transponders used in the Oregon Green Light weigh station preclearance program. (HB 2082, effective July 1, 2000, or March 1, 2001, if referred to voters and they approve)

Weight-Mile Tax Reinstatement — If House Bill 2082 becomes law and Oregon's weight-mile tax is repealed, it will be reinstated January 1, 2006. This means that legislators meeting in the 2005 Session will have to pass another law if they want to continue a diesel fuel tax and registration fee system for trucks. (HB 3344, effective January 1, 2006)

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

Gregg Dal Ponte, Manager
Jim Brock, Motor Carrier News Editor
(503) 373-1578

ODOT and road authorities will work together to build a better permitting system

One-stop-shop to be developed for over-dimension permits

Oregon lawmakers gave the Motor Carrier Transportation Division (MCTD) one big challenge when they passed a bill instructing it to establish a one-stop-shop for issuing continuous operation variance permits for over-dimension truck movements.

House Bill 2635, which passed overwhelmingly in both the House and the Senate, directs the Department of Transportation to work with counties and other road authorities to streamline the existing cumbersome way carriers obtain permits. The new, improved system will allow a carrier to obtain one permit that is valid for every road authority in whose jurisdiction the carrier will travel. MCTD has until July 1, 2000, to make it happen.

"This is a very challenging proposal," Ric Listella, Motor Carrier Services Manager, said. "Thirty-four of Oregon's 36 counties issue variance permits. Several cities also regulate over-dimension movements. We'll need the help and cooperation of all of these road authorities to build this new system."

One-stop shopping is available to carriers today, but only for single-trip variance permits. MCTD issues those permits, authorizing travel on both state highways and county roads, because it has an agreement with counties to act as their agent issuing the permits.

But no such convenience exists for continuous permits, most of which are issued on an annual basis. Carriers are required to contact

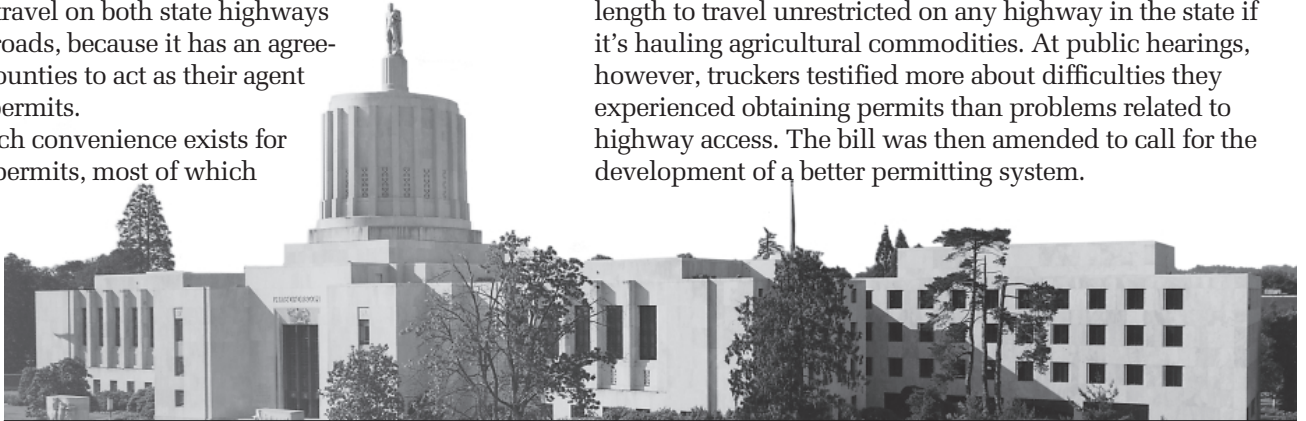
counties individually to obtain each of the permits needed. It was this cumbersome, time-consuming process that led to complaints to legislators and pleas to streamline the system.

The new legislation calls for MCTD and road authorities to establish standards for terms and conditions governing the permits. The standards will apply throughout the state and they will honor the size and weight restrictions already established on bridges and highways.

MCTD is also ordered to conduct a rulemaking to determine what fees can be charged for each permit. The law allows for a fee up to \$8, plus up to \$8 more for each jurisdiction in which the permit authorizes travel (the fee goes up to \$16 if House Bill 2082 becomes law).

Under the law, MCTD can engage private contractors in distributing permits. MCTD can also engage road authorities as contractors. In fact, once the new system is in place a road authority is not allowed to issue continuous operation permits for its roads unless it participates in the system.

House Bill 2635 was introduced on behalf of Willamette Valley Christmas tree growers. It started as a bill to allow a truck tractor and semitrailer combination up to 75 feet in length to travel unrestricted on any highway in the state if it's hauling agricultural commodities. At public hearings, however, truckers testified more about difficulties they experienced obtaining permits than problems related to highway access. The bill was then amended to call for the development of a better permitting system.



Legislators make other changes to address truck size and weight issues

Truck size and weight issues were the subject of several bills considered this year. Following is a summary of four changes Oregon legislators agreed to make in state law:

Variance Permits — Continuous operation variance permits are now available for hauling grass seed straw, grass hay, or cereal grain straw so loads can be up to 14 feet 6 inches high, and for hauling bagged grass seed or mint leaves in sacks so loads can be up to 9 feet 6 inches wide. (HB 3461, effective immediately.)

Implements of Husbandry — An existing exemption from vehicle size limits is expanded to exempt implements of husbandry if the owner of the implement is hired by or under contract to a farmer to perform agricultural activities. (HB 2973, effective October 23, 1999.)

Overweight Farm Trucks — Penalties for overweight farm trucks are now cut in half, if they're hauling agricultural products loaded in the field without benefit of a scale. Loads cannot, however, be more than 3,000 lbs. over maximum weight limits and the penalty cannot be less than \$5. (HB 3505, effective October 23, 1999.)

Farm Trucks in Malheur County — Farm trucks hauling field-loaded agricultural products in Malheur County are now governed by a separate weight table that allows up to 3,780 lbs. more on tandem axles when operating within that county (excluding travel on I-84 and US 95). Malheur County farmers sought the change because they routinely haul farm products to and from Idaho where trucks are already allowed to carry the extra weight. (HB 3506, effective immediately.)