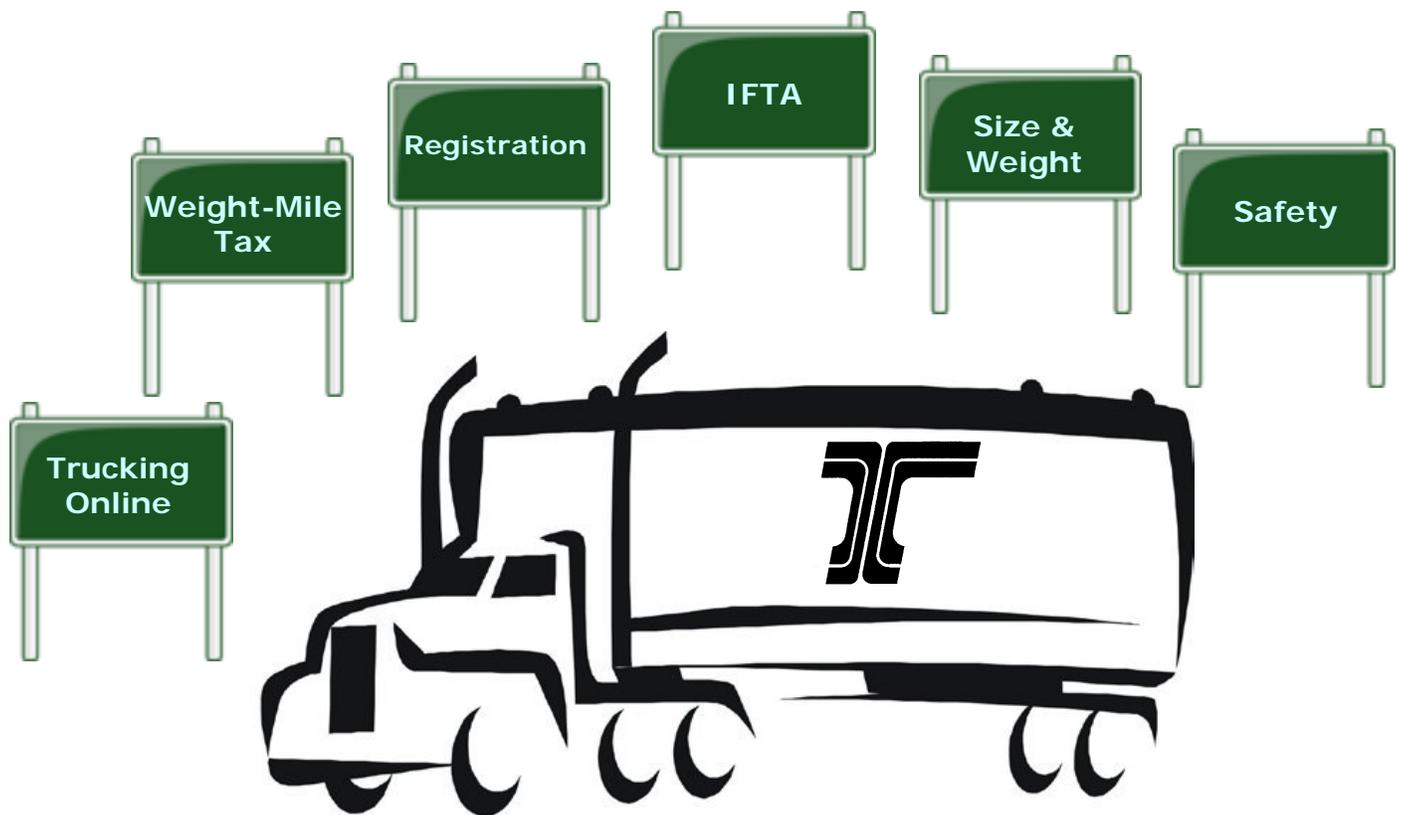


Motor Carrier Education Manual

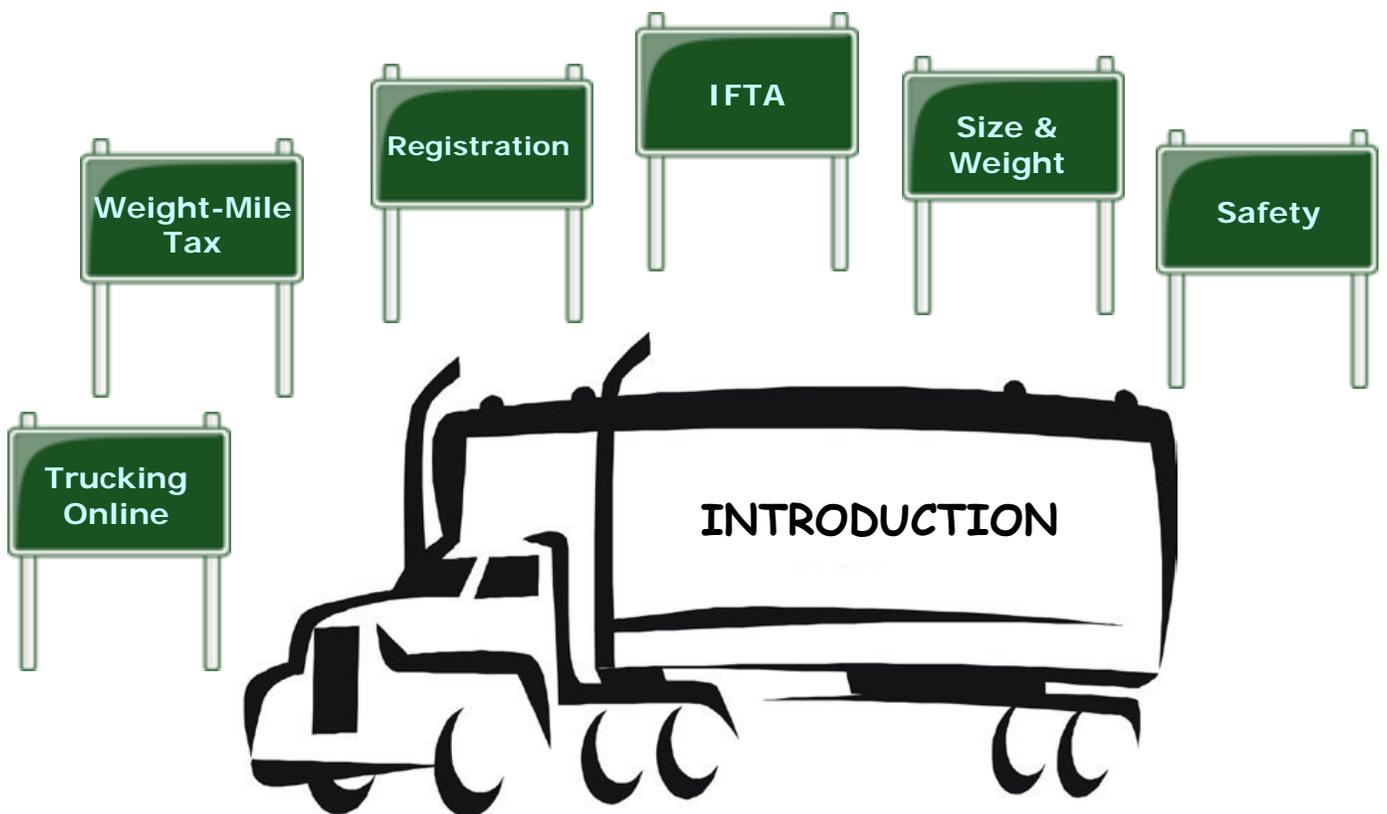
State of Oregon
Department of Transportation
Motor Carrier Transportation Division



Amy Ramsdell, Administrator
January 2017

Motor Carrier Education Manual

State of Oregon
Department of Transportation
Motor Carrier Transportation Division



Amy Ramsdell, Administrator
November 2016

The purpose of this manual is to provide the reader with general references and to familiarize drivers and companies with the applicable Federal and State laws and regulations pertaining to the motor carrier industry.

The contents of this manual are NOT intended to serve as a precise statement of the Oregon Revised Statutes, Oregon Administrative Rules, or the Federal Motor Carrier Safety Regulations. The proper legal reference should be consulted for exact requirements of law.

This manual is for you, the Motor Carrier and Professional Truck Driver. It is important for you to keep up to date on State and Federal laws affecting your safety. In addition, you need to be familiar with the safety of commercial motor vehicles, the size and weight of loads that may be carried, and the permits required to operate on our state highways.

Each section of the manual has a date indicating the most current revision date. The sections are updated as needed to convey new information, regulations, and laws.

Prepared by the Oregon Department of Transportation
Motor Carrier Transportation Division
3930 Fairview Industrial Drive SE
Salem, Oregon 97302-1166

<http://www.oregon.gov/ODOT/MCT/Pages/EDUCATION.aspx>

TABLE OF CONTENTS

Introduction

Contacts—Telephone Numbers

Section I

Trucking Online

Section II

Weight-Mile Tax

Section III

Registration

Section IV

International Fuel Tax Agreement

Section V

Size & Weight

Section VI

Motor Carrier Safety

Section VII

 Brochures

 Green Light Transponder Information



**THE MISSION OF THE
MOTOR CARRIER TRANSPORTATION
DIVISION...**

is to promote a safe, efficient and responsible commercial transportation industry by simplifying compliance, reducing regulatory requirements, wherever appropriate, preserving the infrastructure, enhancing the private/public partnership, fostering effective two-way communication and delivering superior customer service, while recognizing the vital economic interests of the commercial transportation industry.

Remember :

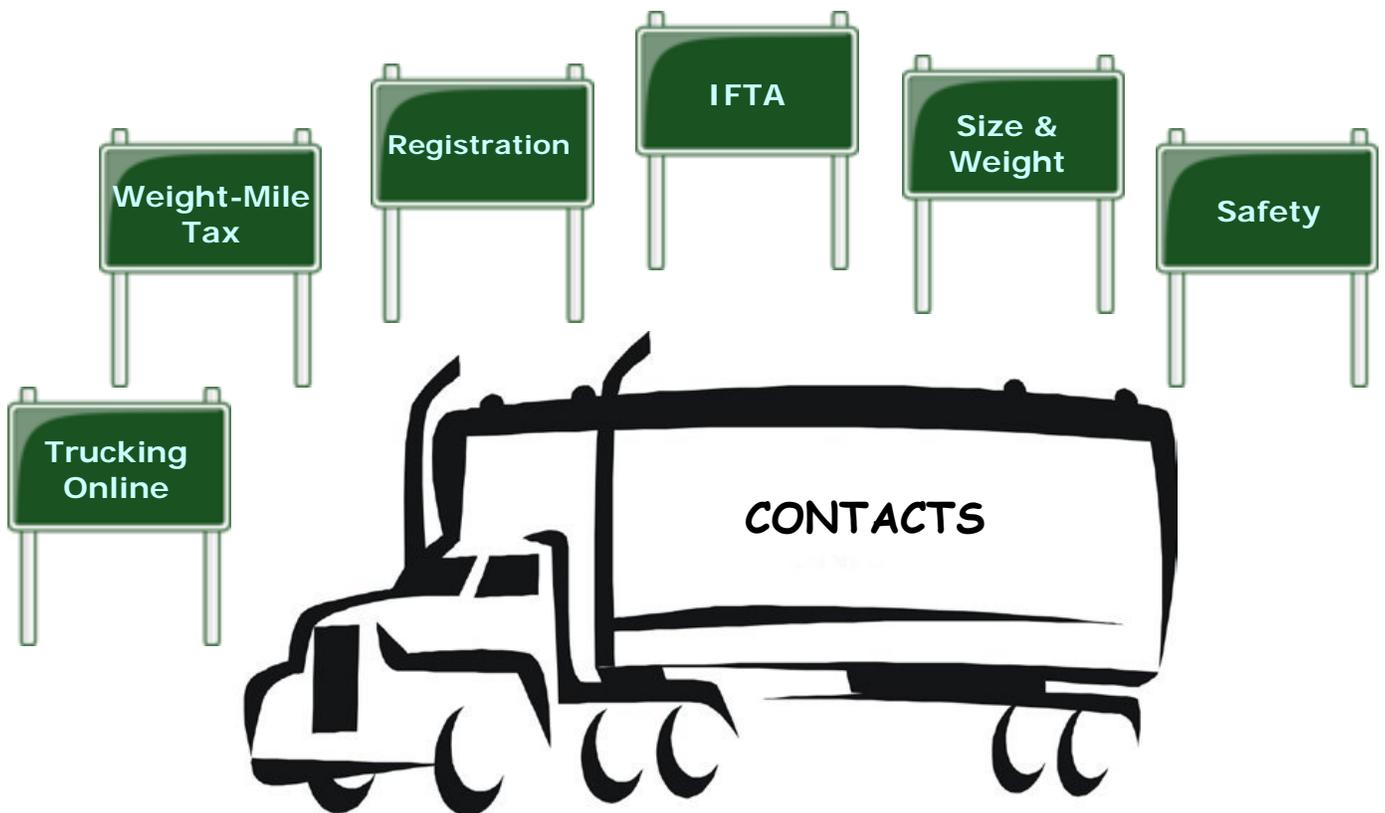
Always BUCKLE UP

for Safety



Motor Carrier Education Manual

State of Oregon
Department of Transportation
Motor Carrier Transportation Division



Amy Ramsdell, Administrator
January 2017

MOTOR CARRIER TRANSPORTATION DIVISION

ODOT/MCTD office hours are Monday through Friday,
8:00 a.m. to 5:00 p.m., Pacific Time.

Registration Services	Salem	Phone Number	Fax Number
	Additional Report Forms.....	(503) 378-6699	(503) 378-6880
	Bond/Insurance.....	(503) 378-4823	(503) 378-3736
	Collections.....	(800) 535-8018	(503) 378-3060
	Oregon IFTA.....	(503) 373-1634	(503) 378-8815
	Intrastate Authority.....	(503) 378-6699	(503) 378-6880
	Mileage Accounts.....	(503) 378-6699	(503) 378-6880
	Over-Dimensional Permits.....	(503) 373-0000	(503) 378-2873
	OR DOT Plates, Temp. Passes, & Trip Permits....	(503) 378-6699	(503) 378-6880
	Oregon IRP.....	(503) 378-6643	(503) 378-5765
	Reinstatement of Authority.....	(503) 378-6699	(503) 378-6880
	Service Center	(503) 378-6699	(503) 986-3263
	Drug Consortium/3 rd Party Questions.....	(503) 373-1979	(503) 378-3567
	Tax Help.....	(503) 378-6220	(503) 378-3736
	Tax Permits, Registration & Reports.....	(503) 378-6699	(503) 378-6880
	<u>Field Registration Services</u>		
	Portland Bridge Permit Office.....	(971) 673-5900	(971) 673-5893
Motor Carrier Audit	Eastern Oregon.....	(541) 922-3791	(541) 922-4340
	Portland.....	(971) 673-1511	(971) 673-1525
	Salem.....	(503) 378-6658	(503) 373-7952
	Springfield.....	(541) 736-2308	(541) 736-2319
	Audit Inquiry.....	(503) 378-6658	(503) 373-7952
	Audit Reassessments or Waiver Requests.....	(503) 378-6656	(503) 373-7952
Motor Carrier Safety	Ashland	(541) 774-5997	(541) 776-6018
	Bend	(541) 388-6171	(541) 388-6320
	Farewell Bend.....	(541) 869-2904; (541) 869-2909	(541) 869-2026
	La Grande.....	(541) 963-1389	(541) 962-7674
	Portland.....	(971) 673-5885	(971) 673-5890
	Salem.....	(503) 378-6336	(503) 378-3567
	Springfield.....	(541) 736-2303; (541) 736-2302; (541) 736-2301	(541) 736-2319
	Umatilla.....	(541) 922-2534; (541) 922-2578	(541) 922-2705
	HazMat Questions.....	(503) 378-3667	(503) 378-3567

MOTOR CARRIER TRANSPORTATION DIVISION

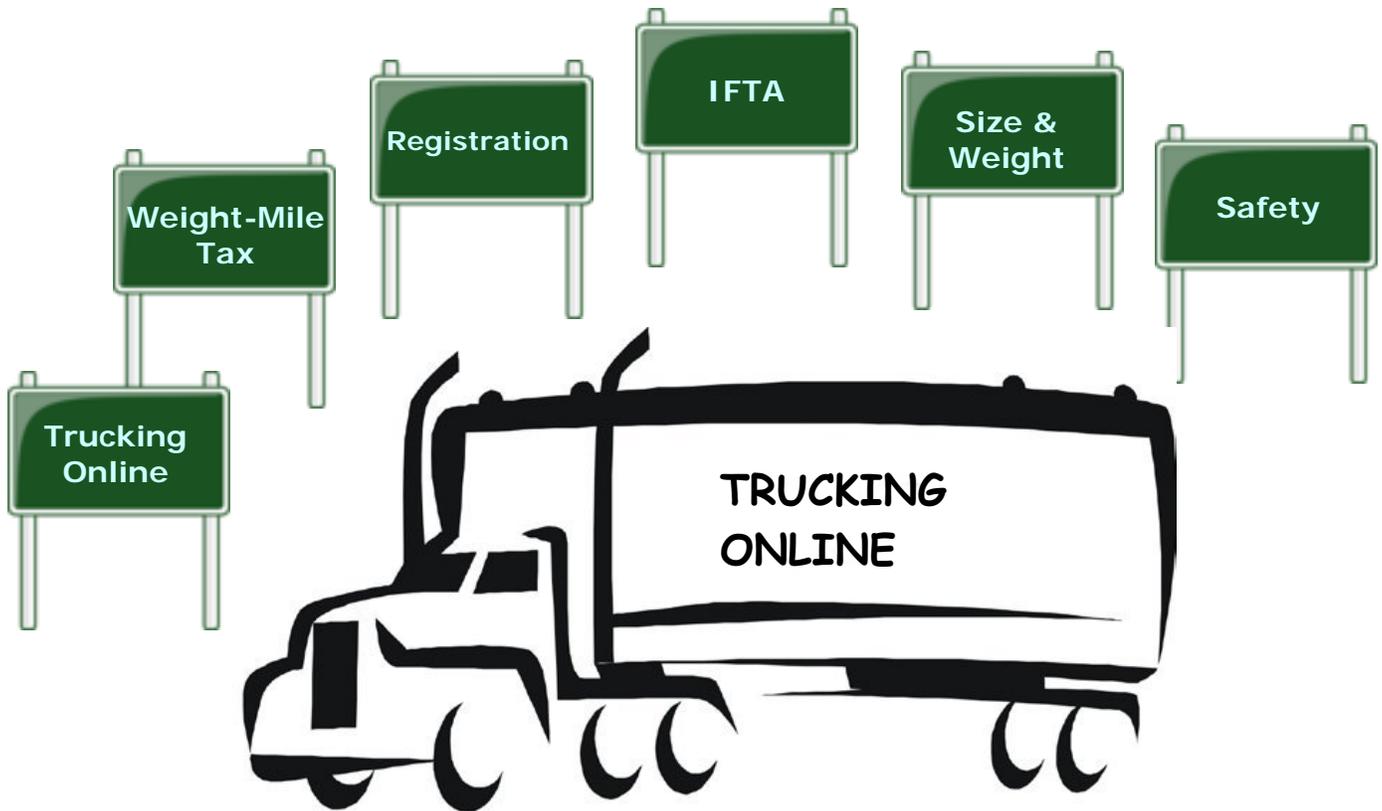
Motor Carrier Enforcement Ports of Entry	Phone Number	Fax Number
Ashland Port of Entry.....	(541) 776-6004	(541) 776-6009
Cascade Locks Port of Entry.....	(541) 374-8980	(541) 374-2240
Farewell Bend Port of Entry.....	(541) 869-2474	(541) 869-2021
Klamath Falls Port of Entry.....	(541) 883-5701	(541) 883-5564
Umatilla Port of Entry.....	(541) 922-5183	(541) 922-6303
Woodburn Port of Entry.....	(503) 982-0804	(503) 982-7201

Additional information may be obtained by visiting our website at:

<http://www.oregon.gov/ODOT/mct/>

Motor Carrier Education Manual

State of Oregon
Department of Transportation
Motor Carrier Transportation Division



Trucking companies must have knowledge in all areas of regulations in order to fulfill their regulatory requirements. This material provides concise and relevant information to your business and is provided to you by the Oregon Department of Transportation, Motor Carrier Transportation Division.

This section describes **Trucking Online**.

Amy Ramsdell, Administrator
November 2016



OREGON TRUCKING ONLINE

www.oregontruckingonline.com

What can an established motor carrier do online?

- Sign up for Direct Payments
- File weight-mile tax reports and pay taxes (including bulk reporting for carriers with more than 50 vehicles)
- Verify that weight mile tax reports are filed
- Obtain temporary passes/trip permits
- Look up temporary pass/trip permits
- Pay statements of account
- Report and pay road use assessment fees
- Look up over-dimension permits
- Analyze weights of certain combinations to see what's allowable
- Save calculations and analysis of weights of combinations
- Verify insurance status
- Verify bond status
- Verify account status
- Check renewal status
- Get weigh station scale crossing reports
- View driver/vehicle inspection reports
- Look up a vehicle
- Change mailing/location address
- Authorize rental agencies to issue temporary passes for trucks the carrier rents or leases
- Apply for transponders for Green Light weigh station preclearance
- View a list of size and weight restrictions on roads and bridges
- File truck crash reports

What can Oregon-based Apportioned (IRP) carriers do online?

In addition to the above functions, Oregon Apportioned (IRP) carriers can:

- Pay IRP supplements online
- Add (including through fee transfer), cancel or amend an apportioned vehicle
- Obtain replacement IRP credentials
- Renew your IRP (apportioned) vehicles
- Check renewal status
- File IFTA tax returns
- View IFTA return status/detail
- Renew IFTA license
- Obtain copy of IFTA license
- Obtain replacement / additional IFTA decals
- Verify IFTA account status
- Make IFTA payments
- Inquire Mileage Schedule B, fleet and weight group

What can Oregon-based Commercial carriers do online?

In addition to the above functions, Oregon commercial carriers can:

- Add, cancel or amend a commercial vehicle
- Add quarterly registration to vehicles
- Renew Commercial vehicles
- Check renewal status
- Obtain replacement credentials

What can carriers based outside Oregon do online?

In addition to the above functions, carriers based outside Oregon can:

- Issue an Oregon Weight Receipt and Tax Identifier
- Amend or cancel an Oregon Weight Receipt and Tax Identifier
- Obtain replacement credentials
- Renew an Oregon Weight Receipt and Tax Identifier
- Check renewal status

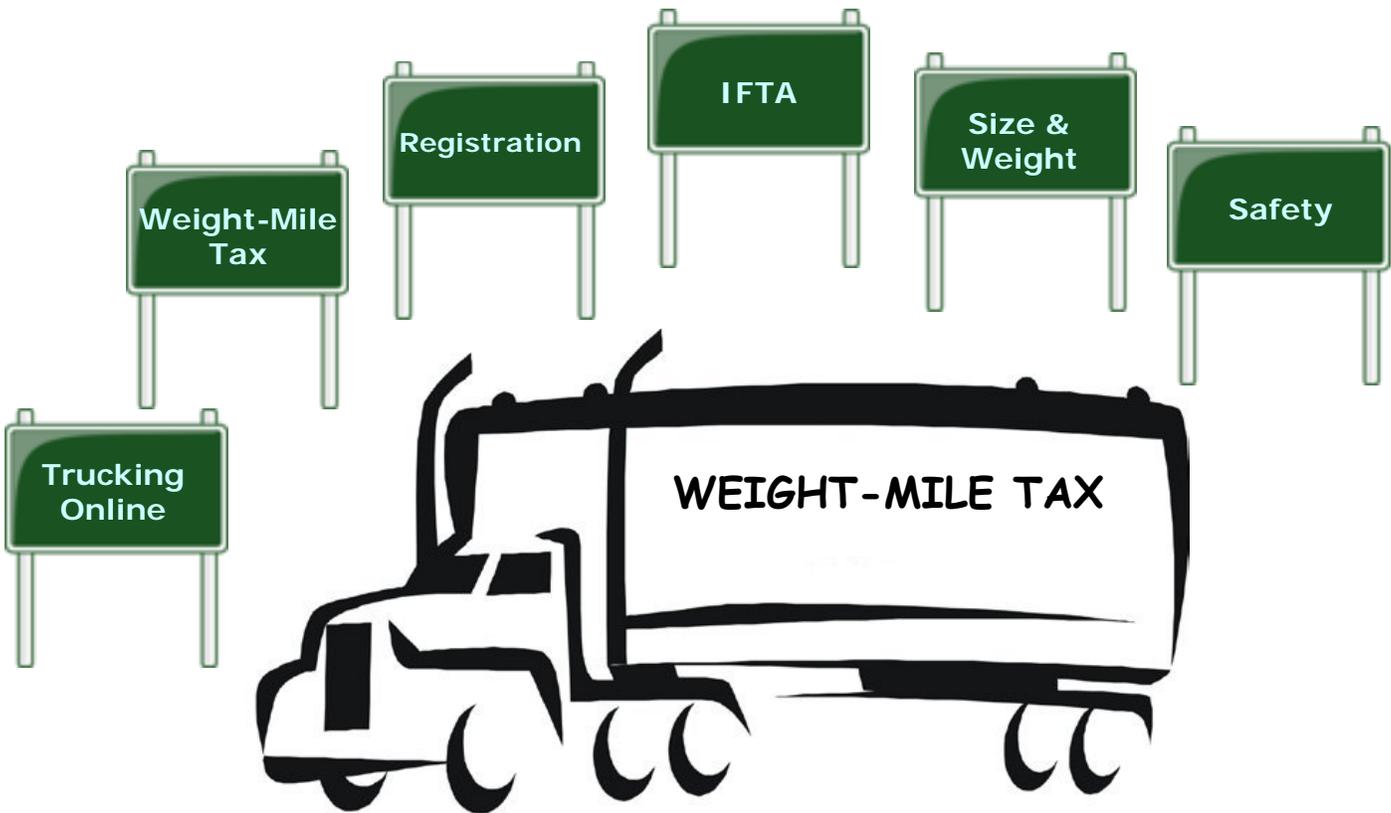
What can rental agencies do online?

- Issue temporary passes when motor carriers rent or lease heavy trucks
- Settle temporary passes for billing motor carriers

New functions are added regularly to the Trucking Online program. Go to the Trucking Online Web site to obtain a PIN and start enjoying the 24 hour a day, 7 day a week convenience of doing business online. <http://www.oregon.gov/ODOT/MCT/Pages/TOL.aspx>

Motor Carrier Education Manual

State of Oregon
Department of Transportation
Motor Carrier Transportation Division



Trucking companies must have knowledge in all areas of regulations in order to fulfill their regulatory requirements. This material provides concise and relevant information to your business and is provided to you by the Oregon Department of Transportation, Motor Carrier Transportation Division.

This section describes **Weight-Mile Tax**.

Amy Ramsdell, Administrator
November 2016

WEIGHT-MILE TAX – Account Information

Who Must Pay Weight-Mile Tax

The Oregon Department of Transportation (ODOT) requires motor carriers operating vehicles in commercial operations on public roads within Oregon, and with a gross weight over 26,000 pounds, to report and pay highway-use taxes. ODOT requires that you file reports if you have Oregon DOT plates or Oregon Weight Receipt and Tax Identifiers, even if you do not owe tax. ODOT may suspend your account if you fail to file the required reports. If you will not be operating in Oregon, cancel your Oregon Weight Receipt and Tax Identifiers.

Exemptions

Oregon operations exempt from weight-mile tax include: government, charitable, private or off-road, and some farm operations. However, exempt operations are very limited and may be subject to state fuels tax. Call the Motor Carrier Transportation Division (MCTD) at (503) 378-6699 if you feel your vehicle is exempt from weight-mile tax.

Oregon Weight Receipt and Tax Identifier (Receipt)

The tax credential MCTD issues is the Weight Receipt and Tax Identifier, otherwise known as a “Receipt.” This credential is required in addition to registration plates and over-dimensional permits. MCTD prints each vehicle’s lowest and highest tax declared weights on the receipt. The receipt must be carried in the power unit. You are responsible for all vehicles holding credentials under your account, including leased or rented vehicles. You cannot allow someone else to use or assume liability of your account. There is an \$8.00 charge for replacing a lost receipt. All carriers need to send written notification to MCTD to discontinue the tax liability and cancel the receipt.

Leased Equipment

Oregon Administrative Rules (OAR) 740-045-0100 through 740-045-0170 identify the requirements of leased vehicles. The motor carrier (lessee) assumes full responsibility for payment of all Oregon highway-use taxes, fees, and penalties arising from operation of a leased vehicle. Vehicles operated under lease shall at all times be externally identified with the lessee’s name in the manner prescribed by Federal Motor Carrier Safety Regulations, Part 390.21. Vehicles operated under lease shall be credentialed, either permanently or temporarily, under the lessee’s account. A copy of the lease must be carried in the vehicle during operation under lease and must be maintained at the carrier’s principal place of business for a period of three years after the termination of the lease. Only written notification to ODOT/MCTD to indicate termination of a lease relieves the motor carrier’s (lessee’s) highway-use tax responsibility.

The lessee may enter into a fee pay agreement authorizing the owner

WEIGHT-MILE TAX – Account Information

(lessor) to report and pay mileage fees for vehicles credentialed under the lessor's account. Such agreement must be submitted on ODOT Form 735-9485, and approved in advance by MCTD. Such agreement does not relieve the lessee of its obligation for payment of mileage fees accruing during the term of the lease and prior to written notification of the termination of the lease.

Agents and Reporting Services

You must file a power of attorney with MCTD if you hire an agent, reporting service, or another person who is not an employee of your company to:

- (a) Complete and submit applications and fees to establish an MCTD account or intrastate authority;
- (b) Complete and submit applications for registration, highway-use tax passes, markers, or plates (original and renewals);
- (c) Prepare, sign, and submit documents and payments for filing highway-use tax reports;
- (d) Sign highway-use tax bonds; or
- (e) Direct correspondence and plates to another address.

You may request a form from MCTD for this purpose. MCTD does not regulate agents. The motor carrier is ultimately responsible for ensuring tax reporting is accurate and timely.

Name and Ownership Changes

If you use an assumed business name and you are based in Oregon or have Oregon Certificate or Permit Authority, you must file your business name with the Oregon Secretary of State, Corporation Division. When there is a change in the ownership of a company, i.e., adding or deleting partners, filing articles of incorporation, or forming a limited liability company, it is necessary to establish a new account.

To add an assumed business name, change your existing assumed business name, or when there is a change of ownership, you must notify MCTD. Complete ODOT Form 735-9075. Additionally, you must contact the Corporation Division to file or change the name.

Contact the Corporation Division at 503-986-2200.

WEIGHT-MILE TAX – Account Information

Address Changes	<p>You must keep your current address and telephone number on file with ODOT until your account is officially closed. If you have an address change, notify ODOT in writing. You can notify MCTD of the address change by marking the change on your tax report form, or you may complete ODOT Form 735-9075. Official notices, such as audit billings, will be mailed to you at your last official address of record. If you are a Trucking Online customer, you may change your address of record online.</p>
Insurance Requirements	<p>Interstate motor carriers are not required to file proof of insurance with the state. They are however required to be in compliance with federal requirements regarding financial responsibility.</p> <p>For information regarding the federal Unified Carrier Registration Agreement (UCRA) visit www.ucr.in.gov.</p> <p>A permit is required for intrastate haul for-hire operations and proof of cargo insurance (Form H) may be required for those operations. The minimum limit of coverage for cargo insurance is \$10,000.</p> <p>Oregon-based intrastate motor carriers may be required to provide proof of liability insurance coverage (Form E). The coverage requirement is a combined single limit liability insurance coverage in the amount of at least \$750,000.</p>
Bond Requirements	<p>Oregon state law requires that carriers file a bond with the Department of Transportation as a guarantee of payment of fees and taxes. MCTD will send notification of the bond requirement giving instructions on how to post the bond.</p> <p>This bond may be in the form of:</p> <ul style="list-style-type: none">• Money (cash deposit),• Savings Assignment, or• Surety Bond. <p>Surety bonds are the most common, and can be obtained from most insurance companies.</p> <p>If you choose to deposit cash with the agency, interest will be paid. The full amount of the bond must be deposited in order to avoid suspension.</p> <p>Cash deposits are also required on temporary passes for accounts.</p>

WEIGHT-MILE TAX – Account Information

The cash deposit is twice the amount of the tax on the temporary pass or \$100 whichever is more.

ODOT may waive the deposit required of a new carrier with a Dun & Bradstreet rating of 3A2 or higher, or an established carrier if the Department finds that in the previous 12 months the motor carrier has been required to file weight-mile tax reports for each of the reporting periods (monthly, quarterly or annually) and has had:

1. No Suspensions with the Department;
2. No revocation of IFTA tax license;
3. No weight-mile tax reports filed late;
4. Fees timely paid;
5. No more than two estimated weight-mile tax reports filed;
6. No more than one estimated weight-mile tax report filed without an actual report filed within a 30-day period;
7. No non-sufficient fund checks;
8. No outstanding billings for over-dimensional variance permits;
9. No outstanding balance with the Department's Collection Unit for fees owed to the Department under ORS Chapter 825 and/or ORS 818.225; and
10. Within the previous 36 months the carrier had no weight-mile tax audit resulting in an assessment that exceeded by more than 15% the amount of the weight-mile taxes and fees reported and paid during the audit period.

If a motor carrier no longer meets the above criteria, the bond required of a motor carrier may be increased, or a previously waived bond may be required.

Bonds for New Carriers

For new motor carriers who have not previously received a permit or certificate of authority from ODOT, the security deposit schedule is as follows:

- One vehicle -- \$2,000;
- Plus \$375 for each additional vehicle from 2-5 vehicles;
- Plus \$250 for each additional vehicle from 6-10 vehicles;
- Plus \$125 for each additional vehicle above 10 vehicles;

WEIGHT-MILE TAX – Account Information

- Maximum deposit required -- \$10,000.

Different requirements exist for private carriers, farmers, and vehicles using gasoline for which Oregon state fuel tax is paid.

For more information about bond requirements, contact the Bond Unit at (503) 378-4823.

Change in Fee Basis A fee basis is the method a motor carrier uses to report and pay Highway Use Tax, for example Monthly Mileage, Quarterly Mileage, or Flat Monthly. Tax status is determined by the weight of the vehicle, commodity being transported, purpose of the transportation and highways traveled. The tax status is established by the operation performed at the time the commodity is transported, including without limitation; farm operations, for hire operations, exempt operations, such as school and non-profit operations, operations less than 26,000 pounds or operations on private roads and commodities designated as flat fee.

A change in fee basis occurs when a commodity is loaded on a vehicle causing a change in the tax status. The vehicle remains in the fee basis indicated by the load while transporting that load and for any subsequent operations, including unladen travel, until a loaded commodity changes the fee basis.

Suspension of Account

Suspension may be caused by one of the following:

- Reports not filed or reports filed with no payment, when payment is owed.
- Taxes or fees not paid.
- Insurance not filed timely or notice of cancellation received from insurance company.
- Balances not paid timely.
- Bond not filed timely.
- Noncompliance with rules or statutes.

MCTD will provide written notification prior to suspension of your account. For insurance cancellations, a letter will be mailed at least 20 days prior to the proposed suspension date. For all other deficiencies, a letter will be mailed 10 days prior to the proposed suspension date. The letter will provide the reasons for the proposed suspension along with directions for correcting the deficiency.

When the deficiencies are corrected before the proposed suspension date, MCTD will cancel the suspension action.

WEIGHT-MILE TAX – Account Information

When the deficiencies are not corrected by the suspension date, another letter will be sent notifying you that your account has been suspended. Suspension of your account will invalidate all your OR DOT plates and receipts. Operating in Oregon while suspended is illegal and cause for citation, fines, and penalties.

Reinstatement of Account

Once you have satisfied all of the conditions needed to correct the deficiency (filed insurance, paid fees, etc.), you may reinstate your account. Call the Salem office during normal business hours, or visit the Salem office or the Portland Bridge Field Registration office (at Jantzen Beach). Bring any necessary documents to satisfy the suspension. There is a reinstatement fee of \$25 and a \$5 fee for each OR DOT plate or receipt active at time of suspension. If you reinstate within 30 days from the suspension date, you may return your plates or receipts for cancellation and you will not be charged the \$5 fee for those vehicles. Your account will be reinstated once all requirements have been met.

For more information about reinstatement, please call (503) 378-6699.

Canceling Authority/ Closing Your Account

If you are no longer going to operate in Oregon and wish to close your account (and cancel Oregon authority, if applicable), you must:

- a) Cancel all Oregon Weight Receipt and Tax Identifiers (Receipts).
- b) Oregon-based carriers must return all Registration Plates and Cab Cards in addition to all Receipts.
- c) File tax reports **through** the date the Receipts are cancelled or **through** the date the Registration Plates and Cab Cards are returned.
Note: Until you receive notification from MCTD that all Receipts and/or Oregon Registration Plates and Cab Cards have been cancelled, you must continue to file weight-mile tax reports.
- d) Send a letter to MCTD's Salem Registration office requesting closure of your account. If you have a cash bond deposit on file with ODOT, ask to have it refunded. Once your account has been audited, closed, and all tax liabilities have been satisfied, MCTD will refund any remaining money to you.
- e) Keep MCTD informed of any address changes until your account

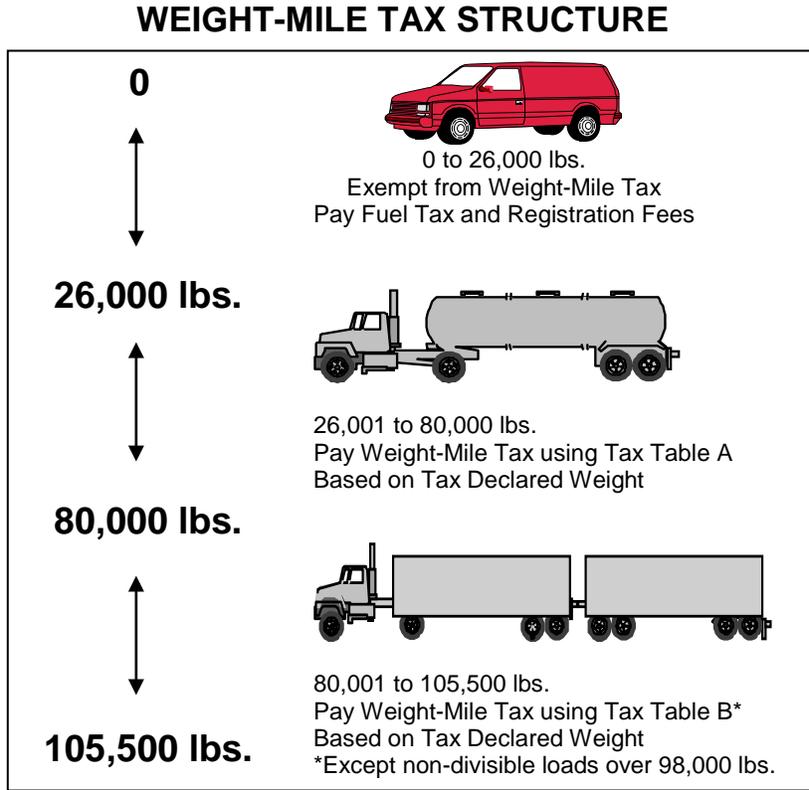
WEIGHT-MILE TAX – Account Information

has been audited. You may continue to receive correspondence until the closure process is completed.

Note: If you have a change in ownership (entity), a new account must be established, and you must obtain new Receipts under the new entity. Oregon-based carriers need to apply for new Registration Plates and Cab Cards in addition to new Receipts. Carriers with intrastate for-hire operations must also obtain Permit or Certificate Authority prior to operating in Oregon. You must request closure of your old account following the instructions provided above.

Keep your records for at least three years.

WEIGHT-MILE TAX – Structure



Vehicles Operating At a Loaded Weight Of 26,000 Pounds or Less

Commercial vehicles with a weight of 26,000 pounds or less are exempt from weight-mile tax. They meet their Oregon tax obligation by paying tax on all fuel purchases at the pump. A company may register with the ODOT/MCTD Fuels Tax Group to file periodic reports of miles and pay fuels tax rather than pay the fuel tax at the pump. Carriers with operations at both 26,000 pounds and less, and more than 26,000 pounds may be subject to weight-mile tax and fuels tax.

ODOT Fuels Tax Group Telephone: 503-378-8150

Once a vehicle operates above 26,000 pounds, the vehicle is subject to weight-mile tax. A weight-mile tax credential must be obtained and the tax must be paid at the heaviest weight the vehicle will operate.

Vehicle Weight Between 26,001 and 80,000 Pounds

The tax declared weight determines the tax rate to be used. The declared weight must be the heaviest weight at which the vehicle will operate. You may declare different tax weights for different vehicle configurations. The tax rate is the same whether you operate the vehicle fully loaded, partially loaded, or empty. Use Tax Table A rates for declared tax weights between 26,001 and 80,000 pounds.

WEIGHT-MILE TAX – Structure

Vehicle Weight 80,001-105,500 Pounds – Divisible Loads

When transporting a divisible load and the vehicle's combined weight is more than 80,000 pounds, you must obtain a Variance Permit from MCTD Over-Dimensional Permit Unit (OD Permit Unit). This type of Variance Permit is called an Extended Weight Permit and is valid for one year from the date of purchase.

You must have a tax declared weight on your Oregon Weight Receipt and Tax Identifier (Receipt) sufficient to cover your maximum operations over 80,000 pounds. The tax declared weight of the vehicle and the number of axles will determine the mileage tax rate you will use. You may declare multiple tax declared weights when you operate with different vehicle configurations. Use Tax Table B rates for operations over 80,000 up to 105,500 pounds when transporting loads that are divisible. You cannot transport divisible loads over 105,500 pounds. Additionally, you must have a valid registration up to 105,500 pounds.

- Examples of divisible loads: lumber, carrots, milk, groceries, etc.

Once a load is transported at a weight that exceeds 80,000 pounds, the vehicle's weight-mile tax rate must be reported at the tax declared weight for that configuration, using Tax Table B, until there is a change in vehicle configuration or a change in operation. An empty return trip is not a change of operation and must be reported at the same weight as when the vehicle was loaded.

Changes in configuration: drop or deck a trailer and the weight is 80,000 pounds or under, use Tax Table A rates.

Changes in operation: drop part of a load, or drop the whole load and reload, resulting in a weight of 80,000 pounds or less, use Tax Table A rates.

Between 80,001 and 98,000 Pounds - Non-Divisible Loads

When transporting a non-divisible load and the vehicle's combined weight is between 80,001 pounds and 98,000 pounds, you must obtain a Variance Permit from the OD Permit Unit. This type of Variance Permit is called a Heavy Haul Permit. This permit can be valid for a year from the date of purchase when the vehicle/load dimensions qualify.

Additionally, you must have a tax declared weight on your Oregon Weight Receipt and Tax Identifier (Receipt) equivalent to your maximum operations over 80,000 pounds up to 98,000 pounds. The tax declared weight of the vehicle and the number of axles will determine the mileage tax rate you will use. You may declare multiple tax declared weights when you operate with different vehicle configurations.

WEIGHT-MILE TAX – Structure

Use Tax Table B rates for operations over 80,000 up to 98,000 pounds, when transporting loads that are non-divisible.

- Examples of a non-divisible load: bulldozer, a steel beam, crane, etc.

Once a load is transported at a weight that exceeds 80,000 pounds, up to 98,000 pounds, the vehicle's weight-mile tax rate must be reported at the tax declared weight for that configuration, using Tax Table B, until there is a change in vehicle configuration or a change in operation. An empty return trip is not a change of operation and must be reported at the same weight as when the vehicle was loaded.

Changes in configuration: drop or deck a trailer and the weight is 80,000 pounds or under. Use Tax Table A rates.

Changes in operation: drop part of a load, or drop the whole load and reload, resulting in a weight of 80,000 pounds or less. Use Tax Table A rates.

Self Propelled Vehicles Only

Occasionally, carriers operate self-propelled vehicles that qualify for an OD heavy haul permit but do not have a rate on Table B. Use the Table B rate for the next higher number of axles when reporting weight-mile tax to MCTD.

Example: A four-axle self-propelled crane weighing 84,000 pounds would qualify for an OD heavy haul permit but Table B rates start at five axles. Use the Table B rate for 84,000 pounds, five axles when reporting these operations.

When a self-propelled vehicle exceeds 98,000 pounds, contact OD Permit Unit to determine if vehicle qualifies for variance permit. If so, pay RUAF on Single Trip Permit. Also you will need an Oregon temporary pass or an Oregon Weight Receipt and Tax Identifier and valid registration to match the operation.

Weight over 98,000 pounds – Non-Divisible Loads

When transporting a non-divisible load and the vehicle's combined weight is more than 98,000 pounds, you must obtain a Variance Permit from the OD Permit Unit. This type of Variance Permit is called a Single Trip Permit (STP) and is valid for one trip within a 10-day period.

Miles operated in this configuration are exempt from weight-mile tax because the miles are subject to a Road Use Assessment Fee (RUAF). The number of axles and the combined weight of the vehicle determine the RUAF rate. The rate is multiplied by the number of loaded miles. The fees are reported and paid to the OD Permit Unit rather than on your

WEIGHT-MILE TAX – Structure

weight-mile tax report. Make a note of these trips on your weight-mile trip record as “paid on STP#_____.” Use Table A and the 80,000-pound rate for any empty miles traveled in conjunction with RUAF operations unless the empty vehicle itself weighs more than 80,000-pounds. In those instances, the empty vehicle itself requires an STP. **If the empty vehicle exceeds 80,000-pounds, but does not exceed 98,000-pounds**, use the rate for that weight on Table B. If the empty vehicle itself exceeds 98,000-pounds, pay RUAF on the STP.

Additionally, you must have a temporary pass or tax declared weight on your Oregon Weight Receipt and Tax Identifier (Receipt) at 80,000 pounds. When you also have operations over 80,000 pounds up to 98,000 pounds, you must have a tax declared weight for that operation, and valid Oregon registration up to 105,500 pounds. Refer to the section above titled Vehicle Weights Between 80,001 and 98,000 Pounds Non-Divisible Loads.

Tax Rates

Tax rates change periodically. Please ensure you are using current tax rate tables. Tax tables are available at the MCTD Web site:

<http://www.oregon.gov/ODOT/MCT/Pages/FORMS.aspx>

If you report your taxes on a QUARTERLY basis, the reporting period is each calendar quarter.

If you report your taxes on a MONTHLY basis, the reporting period is each calendar month.

Tax Declared Weight Definition

Weight-mile tax is paid on a declared weight basis. The **TAX DECLARED WEIGHT** is the weight of the vehicle and the load that represents the heaviest weight the vehicle will actually carry in a given configuration for the reporting period. Your tax declared weights are subject to audit and approval by the Department. The vehicle’s **registration weight** may be higher than its **declared weight**, but the vehicle’s **declared weight** cannot be higher than its **registration weight**. Vehicle weight declarations must be filed with the Department before commencing operation at that weight.

Solo Weight

A solo vehicle is a power unit by itself, including a truck tractor, a motor truck, a bus, or a fixed load power unit. The weight declaration for solo vehicle is:

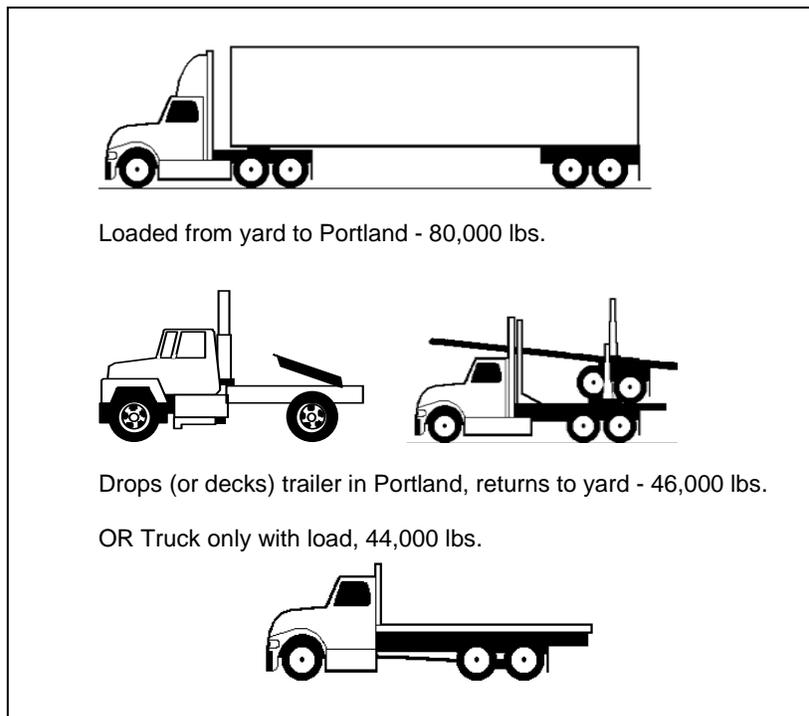
- Motor trucks (power units that can carry a load) – the maximum loaded weight
- Fixed load power units – the maximum loaded weight
- Truck tractors operating with the trailer carried (decked) or not pulling a trailer at all (bobtail) – the first declared combination weight less the weight the trailer alone can carry

WEIGHT-MILE TAX – Structure

The solo weight is not the actual weight of the power unit by itself. You must declare a solo weight to report operations at that weight.

You must keep detailed records of these solo/decked miles or MCTD may deny them at the time of audit. We recommend you contact an MCTD representative if you have any questions regarding your specific situation.

TAX DECLARED WEIGHTS: SOLO WEIGHT



Above are three examples of solo weight declarations:

(a) In the first example, the vehicle is declared at 80,000 pounds when in combination. When the trailer is dropped, the solo weight (bobtail) would be 46,000 pounds. (80,000 pounds less 34,000 pounds allowable on the trailer axles)

(b) A log truck declared at 80,000 pounds in combination would be declared at 46,000 pounds when the trailer is decked. Again, removing 34,000 pounds allowable on the trailer axles from the 80,000 pound declaration leaves a solo weight of 46,000 pounds.

(c) A solo truck capable of carrying a load.

WEIGHT-MILE TAX – Declared Weight

Combination Weight A combination weight is the weight of the vehicle (power unit and trailer) plus the weight of the maximum load the vehicle will carry. It may be to your advantage to declare more than one combination weight if you operate with different vehicle configurations. However, you may only declare one weight per configuration. If you operate at more than 80,000 pounds, you must declare your highest weight in addition to an 80,000-pound declaration. Records must be maintained to support operations reported at each declared weight.



Example 1:

A five-axle combination may be capable of weighing 80,000 pounds, but the carrier hauls potato chips and the heaviest weight that unit will operate is 72,000 pounds.

- ◆ May register at 72,000 pounds for the year (or higher if there is a possibility that operations may change).
- ◆ May declare and report solo operations at 38,000 pounds (must maintain records supporting solo operations).
- ◆ May declare and report combined operations at 72,000 pounds (empty and loaded).

Example 2:

However, if this same vehicle hauls both potato chips AND potatoes, operating at 80,000 pounds:

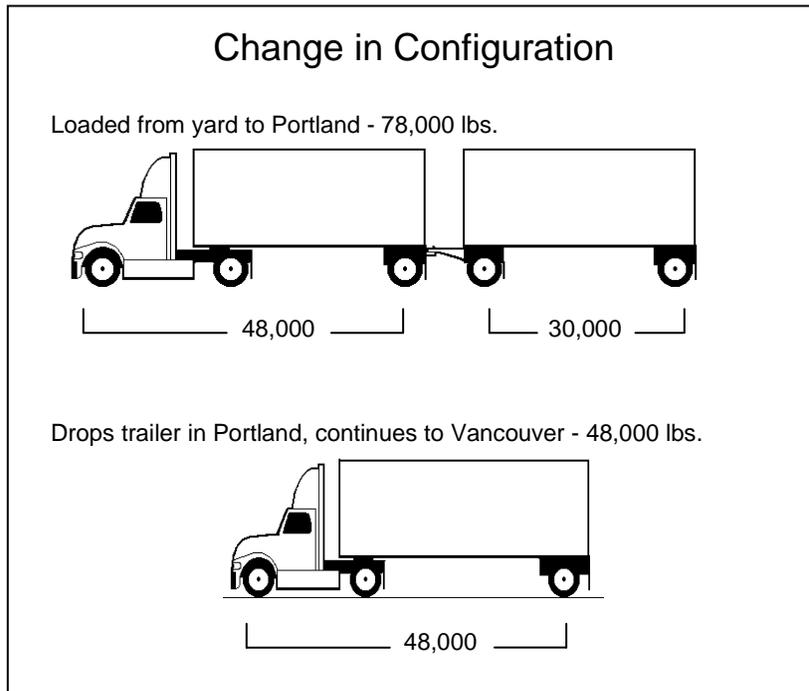
- ◆ Must register the vehicle at 80,000 pounds.
- ◆ May declare and report solo operations at 46,000 pounds (must maintain records supporting solo operations).
- ◆ May declare and report combined operations at 80,000 pounds (empty and loaded). It cannot have a declaration of 72,000 pounds for the potato chip hauls and a declaration of 80,000 pounds for the potato hauls.

More Than One Configuration

You may have one declared weight for each vehicle configuration during a reporting period. It may be to your advantage to declare more than one combination weight if you operate with different vehicle configurations. If you operate at more than 80,000 pounds, you must declare your highest weight in addition to an 80,000-pound declaration. Records must be maintained to support operations reported at each declared weight.

WEIGHT-MILE TAX – Declared Weight

DECLARED WEIGHTS



In this example, two trailers are pulled to the first stop. The declared weight for this configuration is 78,000 pounds. All mileage operated in this configuration is to be reported at this weight.

The second trailer is dropped in Portland, and the vehicle continues on pulling only the single trailer. The declared weight for this configuration is 48,000 pounds. All mileage operated in this configuration is to be reported at this weight. If the vehicle returns empty to the yard in this configuration, include those miles at the 48,000 pound rate.

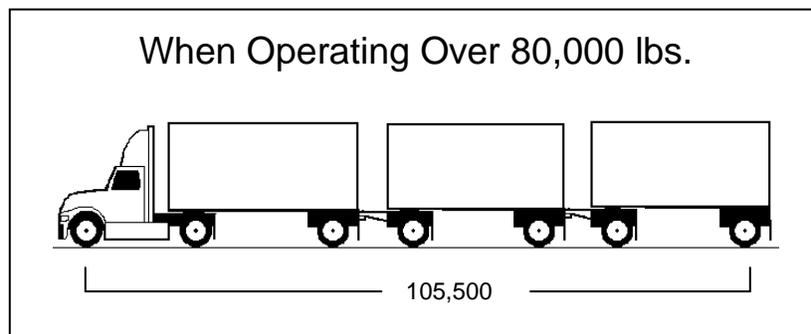
Dropping a trailer changed the configuration, allowing the carrier to report the miles operated at a different weight declaration.

NOTE: Raising a lift-axle is not considered a change in configuration. Report the miles as if the lift-axle is always down.

WEIGHT-MILE TAX – Declared Weight

Weights Over 80,000 Pounds To operate over 80,000 pounds, you must also obtain either an Extended Weight or Annual Heavy Haul highway variance permit. Call the Over-Dimensional Permit Unit at (503) 373-0000 to obtain the appropriate permit. You may have ONE declared weight for each vehicle configuration during a reporting period. You must also have a weight declaration at 80,000 pounds for operations that may occur at 80,000 pounds or under. Use Tax Table B for reporting operations of divisible loads over 80,000 pounds and non-divisible loads up to 98,000 pounds.

DECLARED WEIGHTS



A **change in configuration** occurs when trailers are added or dropped from the combination. A **change in operation** occurs either when part of a load is dropped, or when the whole load is dropped and a new load acquired AND the weight drops to 80,000 pounds or less. Use Table A declared rates when a change of operation occurs. An empty return trip is not a change of operation and should be reported at the same weight as when loaded.

Non-divisible loads over 98,000 pounds do not use Tax Table B rates. Tax is based on the Road Use Assessment Fee and is included in the price of the special variance permit. Use Table A for reporting the miles on a return trip if the empty weight is 80,000 pounds or less. Do not pay the Road Use Assessment Fees on your weight-mile tax report.

Records must be maintained to support operations reported at each declared weight.

Change in Configuration Over 80,000 Pounds

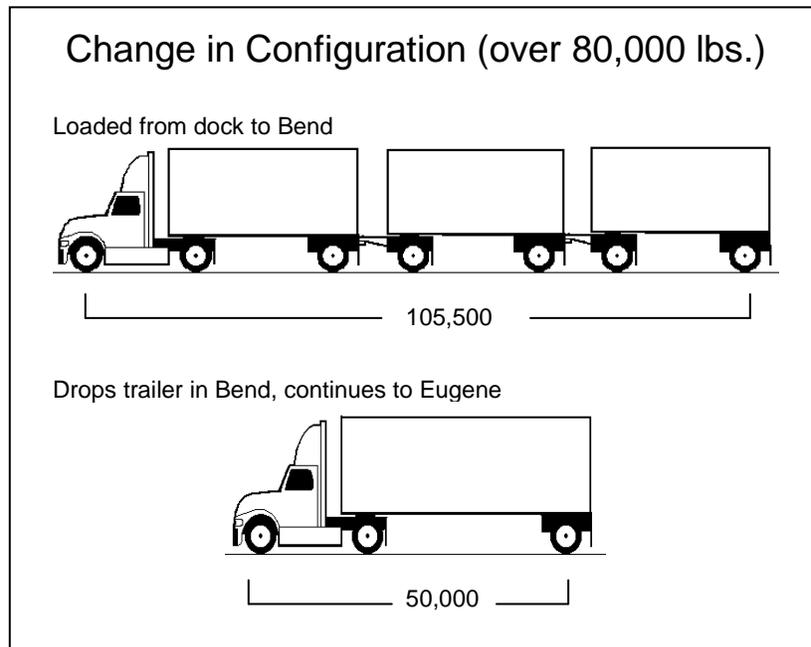
If a vehicle is operating over 80,000 pounds and changes configuration (drops one or more trailers) resulting in a change in loaded weight to 80,000 pounds or less, reporting shifts from Tax Table B to Tax Table A.

When the configuration is changed again by adding a trailer(s), if the

WEIGHT-MILE TAX – Declared Weight

loaded weight of the vehicle again exceeds 80,000 pounds, the reporting shifts back to the declared weight on Tax Table B.

Empty miles are to be reported at the weight declared for the configuration.



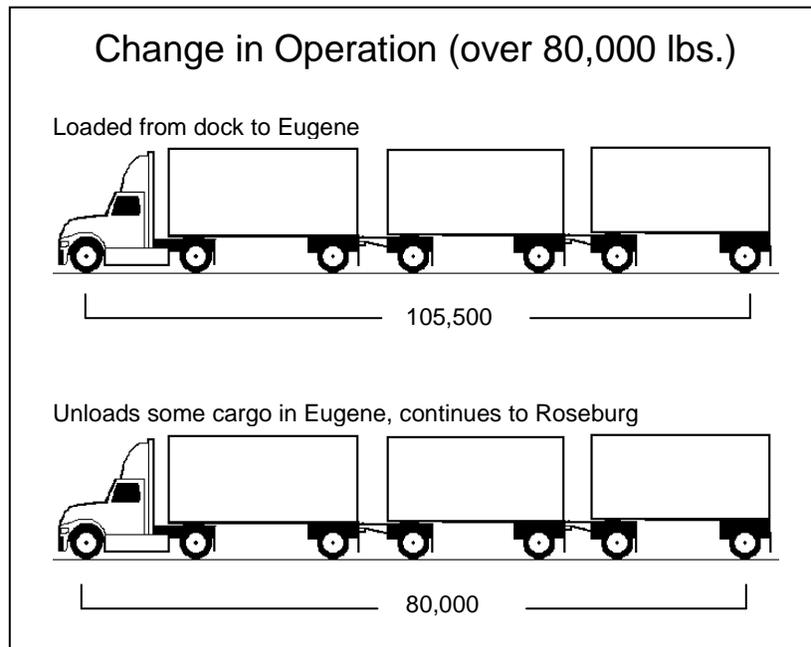
In this example, the combined vehicle loaded at the dock and traveled to Bend at the declared weight of 105,500 pounds. It then dropped two trailers (change of configuration) and continued to Eugene at the declared weight for a single trailer at 50,000 pounds.

If the vehicle returns empty to the dock in this configuration, include those miles at the 50,000 pound rate.

Change in Operation Over 80,000 Pounds

A change in operation from a loaded weight over 80,000 pounds to a loaded weight of 80,000 pounds or less will shift reporting from Tax Table B rates to Tax Table A rates.

WEIGHT-MILE TAX – Declared Weight



In this example, the vehicle arrives at the first stop in Eugene and some part of the cargo is unloaded (change in operation), bringing the loaded weight to 80,000 pounds or less. The vehicle continues on the second leg of the trip to Roseburg to unload the remaining cargo. The declared weight for this second leg is 80,000 pounds (actual weight 78,000 pounds). The miles operated for this leg of the trip would be paid at the Tax Table A, 80,000-pound rate. Continue reporting at the Tax Table A, 80,000-pound rate until either a change of configuration occurs or a new load is acquired that causes the combined weight to exceed 80,000 pounds. Then report at the Tax Table B weight declaration.

WEIGHT-MILE TAX – Declared Weight

REGISTRATION WEIGHT RULE / DECLARED WEIGHT

The registration weight may be higher than the declared weight.

Registration weight 105,500 lbs.
Declared weight 80,000 lbs.

The declared weight may NOT be higher than the registration weight.

Registration weight 80,000 lbs.
Declared weight 105,500 lbs.



Registration Weight Declared Tax Weight Review

The registration weight is the highest weight a vehicle will operate during the registration reporting period, January 1 through December 31. The registration weight for a vehicle may be the same or higher than the declared weight, depending on the type of operations conducted during the year.

The declared weight is the highest weight a vehicle or configuration will operate during the tax reporting period, either monthly or quarterly. The declared weight may be the same as the registration weight, but it may not be higher. Exception: Tow trucks and mobile home toters may operate with declared weights higher than registration weights.

If you operate in excess of either your registration weight or declared weight, you must contact MCTD to increase these weights. You must also contact MCTD to change registration or declared tax weights in advance of operations.

Amending a Declared Tax Weight

If you wish to report a vehicle at something other than its currently declared weight, you must amend the declared weight prior to the operations. To amend a declared weight, inform ODOT/MCTD Registration in Salem at (503) 378-6699. If you have an account on MCTD's Trucking Online, you may also amend vehicle weight declarations over the Internet at OregonTruckingOnline.com. You may also visit an ODOT Field Registration office or Motor Vehicles Division office to amend a declared weight. You may not change declared weights on a tax report. There is an \$8 charge for amending your declared tax weight and you will receive a new Receipt reflecting the changed declared weights.

WEIGHT-MILE TAX – Declared Weight

Adding Equipment Equipment may be added to your account using Trucking Online (once you have obtained a PIN), or by completing an Oregon Weight Receipt and Tax Identifier (Receipt) Application Form 735-9076. Mail the application, with payment, to 3930 Fairview Industrial Drive SE, Salem, Oregon 97302-1166.

Discontinuing Equipment You cannot transfer an OR DOT plate or Receipt from one vehicle to another. If you sell a vehicle, permanently lease a vehicle to another carrier, or put a vehicle out of service, you must notify MCTD immediately and return the Receipt or temporary pass.

If you are Oregon-based and have a combined tax and registration plate, you must send written notification to MCTD to discontinue the tax liability portion of the combination plate. If you do not provide written notification to discontinue your tax liability, you are responsible for the tax and must continue to file tax reports.

You must file a report even if no tax is due. Failure to file reports is cause for suspension of your account. ODOT will hold you liable for all unpaid taxes, plus penalties and interest, at the time of audit.

Lost Plates or Broken Leases If your OR DOT plate or Receipt becomes lost or stolen, contact MCTD immediately. You can request a new plate or Receipt. There is a fee for replacement credentials.

If you break a lease and cannot return the plate or Receipt, contact MCTD immediately. The tax liability ends upon written notification of a broken lease.

If you have an account on MCTD's Trucking Online, you may obtain or cancel Receipts for your vehicle(s) over the Internet at OregonTruckingOnline.com.

WEIGHT-MILE TAX – Record Keeping Requirements

OAR 740-055-0120 Oregon Administrative Rule (OAR) 740-055-0120 **requires all carriers to keep daily records of vehicles used during the current reporting period.** MCTD requires that carriers keep records at the main office or place of business for a minimum of three **(3) years.** Retention periods may be longer when the records are also used for registration (IRP) or fuel tax (IFTA) purposes. These records consist of:

- (a) Origin and destination points;
- (b) Oregon entry and exit points;
- (c) Actual Oregon miles for each trip;
- (d) Pickup and delivery points in Oregon for each trip;
- (e) Routes of travel for each trip.
- (f) Dates of each trip;
- (g) Daily beginning and ending odometer readings, or other mileage-recording device readings for each vehicle;
- (h) Load tickets or bills of lading for each shipment transported;
- (i) Identification of any exempt miles claimed, which shall include beginning and ending odometer or other mileage recording device readings for the exempt portion of each trip. If repeated trips are made to and from the same locations, a one-time recording of odometer or other mileage recording device reading for the exempt portion of those trips may be applied to the total number of trips;
- (j) Carriers operating motor vehicles that are issued or required to obtain an annual variance permit under ORS 818.200(1)(a) to (c) with a combined weight of more than 80,000 pounds shall also provide for each reporting period:
 - (A) Number of axles in the vehicle configuration; and
 - (B) A record of changes of operation. A change of operation occurs when the vehicle configuration remains the same but the actual weight of the vehicle and load changes from more than 80,000

WEIGHT-MILE TAX – Record Keeping Requirements

pounds to 80,000 pounds or under. Empty movements are not changes in operation.

- (k) Carriers operating motor vehicles in multiple configurations shall provide the number of miles operated in each motor vehicle configuration for each trip.

All registrants that pay registration fees via registration trip permits must retain a copy of each registration trip permit.

Records generated from on-board recording devices, vehicle tracking systems, or other electronic data recording systems may be used in lieu of, or in addition to, the records required in this rule provided that the electronic records:

- (a) Meet all the requirements of sections (1) through (3) of this rule; and
- (b) Are provided in printed format upon request.

Miles on private roads or on highways in other states are not taxable. Some operations on Oregon state forest lands or Forest Service roads are also exempt.

When the audit section reviews the carrier's account, auditors will make sure the miles that were reported are correct. An auditor may contact the carrier and request information to be sent to MCTD, or the auditor may visit the carrier's place of business.

MCTD has trip record forms available for carrier's use.

Form 735-9002C is for log and dump truck operators.

Form 735-9002E is for interstate and intrastate carriers

When operating five or fewer vehicles, it may be to the carrier's advantage to submit vehicle trip records with the tax report. Be sure to label trip records with the account number, name, and the reporting period.

WEIGHT-MILE TAX – Fuel Tax Credits

Oregon State Fuel Tax

You may claim a credit if you paid Oregon state fuel tax on fuel purchased for a vehicle subject to weight-mile tax. The deduction must be for the reporting period that you used the fuel. Credits for previous reporting periods will not be granted until time of audit. You must attach copies of fuel invoices to the highway-use tax report. Oregon Administrative Rule (OAR) 740-055-0110 requires the invoice to contain:

- (a) Date and location of the purchase;
- (b) From whom purchased;
- (c) Kind of fuel and number of gallons purchased;
- (d) Oregon Weight Receipt and Tax Identifier number or temporary pass number of the vehicle if fuel is delivered directly into such vehicle; and
- (e) Amount of fuel tax paid.

Fuel Card statements reflecting purchases from retail stations must clearly separate and identify retail and cardlock purchases. Purchases from retail stations require an invoice for receipt from the original seller to be accepted. Diesel vehicles usually do not pay Oregon state fuel tax at the pump. If you were charged Oregon fuel tax, a separate entry showing state tax will appear on your receipt.

Invoices must be maintained for a period of three (3) years.

Bulk Fuel

If you buy fuel in bulk, you may only claim credit for fuel pumped into a qualified vehicle during the reporting period. If you buy fuel in bulk, or if you buy fuel from a card lock station, in addition to the invoice you must maintain a daily record indicating the Oregon Weight Receipt and Tax Identifier, the vehicle number and the number of gallons pumped into each motor vehicle. These records must be filed with your tax report.

Weights Above And Below 26,000 Pounds

Motor carriers with vehicles having declared weights above and below 26,000 pounds may only take a fuel tax credit on the fuel consumed for the miles operated when weighing more than 26,000 pounds.

Fuel tax credits will not be verified until time of audit. Fuel tax credits that are denied at time of audit are subject to interest and penalty charges.

WEIGHT-MILE TAX – Monthly & Quarterly Mileage Tax Reports

Tax Reporting Responsibility

Failure to receive tax report forms does not relieve you of the responsibility of filing reports on time. You must send both the report and payment before MCTD will consider a report filed. When you have no operations, the report is still due but there is no tax. MCTD will mail additional forms to you upon request. Forms are available on ODOT's website:

<http://www.oregon.gov/ODOT/MCT/Pages/FORMS.aspx>

Or, call (503) 378-5849 to request report forms. Tax reports may also be filed using Trucking Online once you have obtained a PIN:

www.OregonTruckingOnline.com

If you operate **only** on temporary passes (no vehicles have permanent tax credentials) and pay the tax when ODOT issues the pass, you do not need to file tax reports unless there is additional tax due.

If you buy a temporary pass for a vehicle with an OR DOT plate, **do not** deduct the highway-use tax you paid on the temporary pass from your mileage tax report. Instead, list the temporary pass on the vehicle trip record but do not add the mileage in the Oregon taxable miles column on the tax report form.

ODOT does not credit or refund the \$9 pass fee paid on a temporary pass.

Late Filing

If you file a report after the due date, you must include a late payment charge equal to ten percent of the late tax. The filing date for late charges is the date your report is postmarked. **Note:** Most post offices do not process and postmark mail deposited after 5 p.m. until the next day.

Amending Tax Reports

If you need to correct an error on a previous report and additional taxes are due, write the correction on a separate report form and label it "**AMENDED** (month and year)." The additional report will be placed on your account immediately without review. You will need to pay a 10 percent late payment charge on additional taxes not paid on time. Your account will be reviewed at time of audit. Any additional charges found at that time will be subject to late payment, penalty, and interest charges.

If you need to correct an error on a previous report and a credit is due to you, write the correction on a separate report form and label it "**AMENDED** (month and year)." If the correction results in a change to your account, the transaction will be reviewed prior to adjusting your account. After MCTD adjusts your account, you will receive a credit statement. You can then use the credit on a future report or request a refund.

WEIGHT-MILE TAX – Monthly & Quarterly Mileage Tax Reports

Annual Mileage Tax Reports

Motor carriers may report mileage tax on an annual basis if your estimated annual tax is \$100 or less, and you have no vehicles that exceed 30,000 pounds. The annual mileage report and payment must be postmarked by the postal service by **February 28** to cover the operations for the preceding calendar year. MCTD will send a computer-printed report form to you the last week of December.

Monthly Mileage Tax Reports

Most motor carriers report mileage tax on a monthly basis. The monthly mileage tax report and payment must be postmarked by the postal service by the last day of the month to cover operations for the preceding calendar month. For example, your May report and payment must be postmarked no later than June 30.

Quarterly Mileage Tax Reports

Motor carriers may request to report mileage tax on a quarterly basis subject to the Department's approval. To be eligible to file quarterly tax reports the account must:

- Have a 12 consecutive month filing history, and in that 12 month period not had;
 - A suspension related to reporting or payment of taxes or fees;
 - A revocation of IFTA tax license;
 - More than 25% of tax reports filed late;
 - A repayment plan; or
 - A delinquency in payment of over-dimensional permit fees or road use assessment fees.
- In the last 36 months, not had an audit that resulted in assessments that exceeded reported fees by 15%.

The quarterly mileage report and payment must be postmarked by the postal service by:

QUARTER	PERIOD COVERED	DUE DATES
1st	January through March	May 31
2nd	April through June	August 31
3rd	July through September	November 30
4th	October through December	February 28

MCTD will send a computer-printed report form to you at the end of each quarter.

Instructions for Completing the

The top portion of the Monthly Mileage Tax Report indicates the period of operation and carrier information which includes Account Number,

WEIGHT-MILE TAX – Monthly & Quarterly Mileage Tax Reports

**Monthly and
Quarterly Mileage
Tax Report Form**

Name, and Address. There is also space to change the motor carrier’s name, address or telephone number. A change of ownership may require a new account to be established. Contact MCTD at (503) 378-6699.

Monthly

If you are reporting on a monthly mileage basis, enter the month and year of operations.

Quarterly

If you are reporting on a quarterly mileage basis, enter the quarter and year of operations. (This information is printed on the form if MCTD sends you a preprinted report.)

**Section 1
Column A**

BASE LICENSE PLATE OR PASS NUMBER

Enter the license plate or pass number of the power unit for which you are reporting. If you were issued a temporary pass with mileage to be reported, or you owe additional mileage on a prepaid pass, enter the pass number.

Column B

STATE/PROVINCE

Enter the state or province that issued the license plate.

Column C

UNIT NUMBER

Enter the company’s unit number for the power unit for which you are reporting.

Column D

MAKE OF VEHICLE

Enter the first five letters of the make of the vehicle.

Column E

ODOT DECLARED WEIGHTS

You must declare and report operations at the heaviest weight operated per configuration. This must be one of the weights you declared with ODOT. If returning empty, use the same declared weight and tax rate as when loaded. Use one line for each weight you report.

You must obtain an annual Extended Weight Permit from MCTD if you are operating between 80,001 and 105,500 pounds (divisible load). You must obtain an Annual Heavy Haul permit from MCTD if you are operating a non-divisible load up to 98,000 pounds. Call the Over-Dimensional Permit Unit at (503) 373-0000 to obtain the appropriate permit.

Operations for more than 98,000 pounds under a single-trip permit (non-divisible load) issued by MCTD will pay a Road Use Assessment Fee to the MCTD Over-Dimensional Permit Unit. You should not include this tax on your ODOT Highway Use Tax Report. Note these paid trips on your trip record as “paid on STP#_____.”

WEIGHT-MILE TAX – Monthly & Quarterly Mileage Tax Reports

MONTHLY MILEAGE TAX REPORT

GENERAL REPORTING INFORMATION

DO NOT PAY ROAD USE ASSESSMENT FEES OR INVOICES FROM THE OVER-DIMENSIONAL PERMIT UNIT ON THIS REPORT. To report mileage on an Over-Dimensional Permit, contact OD Permits at 503-373-0000.

DUE DATE: Your report must be postmarked by the Postal Service by the last day of the month following the end of the calendar month. If you file your report late, add a 10 percent late payment charge in box 5.

ODOT requires you to file reports as long as you have ODOT plates and/or Oregon Weight Receipts and Tax Identifiers (receipts). If there is no tax due, you must still file a report. If you did not operate a vehicle, put a zero (0) in columns I and L. If you will not be using your vehicle(s), turn in the ODOT plate(s) and receipts or cancel by written notification.

Enter the ACCOUNT NUMBER. Enter the NAME AND ADDRESS OF THE BUSINESS as filed with MCTD.

STEP-BY-STEP INSTRUCTIONS (SECTION 1)

- COLUMN A = Enter the plate or pass number of the power unit for which you are reporting.
- COLUMN B = Enter the state or province that issued the license plate.
- COLUMN C = Enter the company's unit number for the power unit for which you are reporting.
- COLUMN D = Enter the make of the vehicle.
- COLUMN E = You must declare and report operations at the heaviest weight operated per configuration. This should be one of the weights you declared with ODOT. If returning empty, use the same declared weight and tax rate as when loaded.
- COLUMN F = Enter the beginning odometer reading from the first day of the month for which you are reporting. This should be the same as the ending odometer reading from the preceding month.
- COLUMN G = Enter the ending odometer reading from the last day of the month for which you are reporting.
- COLUMN H = Enter the total miles operated for each vehicle (Column G minus Column F).
- COLUMN I = Enter the Oregon taxable miles (miles operated on Oregon public roads).
- COLUMN J = Enter the number of axles for any declared weight greater than 80,000 pounds.
- COLUMN K = Enter the appropriate rate as indicated on Form 735-9928, " Mileage Tax Rates". If you are operating between 26,001 and 80,000 pounds, use Table A rates. If returning empty, use the same declared weight and tax rate as when loaded. Empty operations associated with Special Transportation Permits (STP) are to be reported at 80,000 pounds. If you are operating between 80,001 and 105,000 pounds under an extended weight permit complete all columns. Use Table B Tax Rates. Raising a lift axle is not a change in configuration and does not constitute a change in rate. Do not use Table B rates for heavy haul operations conducted under STP when in excess of 98,000 pounds.
- COLUMN L = Compute and enter the Oregon Highway Use Tax (Column I times Column K).

PAYMENT INSTRUCTIONS (SECTION 2)

- BOX 1 = Enter the total fees from Column L.
- BOX 2 = Enter Oregon state fuel tax paid during this month. You may claim a credit if you pay Oregon state fuel tax on fuel purchases. Fuel must have been purchased in the same report month credit is claimed. Attach copies of fuel invoices to the report. The invoice must contain:

Date of purchase	Type of fuel	ODOT plate, Receipt, or Pass No
Name & Location of supplier	Number of gallons	Amount of Oregon state fuel tax paid

If you buy fuel in bulk, you can only claim credit for fuel pumped into a qualified vehicle during the reporting period. In addition to the invoice, you must attach records to show the amount of fuel pumped into each qualified vehicle.

- BOX 3 = Enter the amount of other credits as indicated on monthly Statement of Account and attach a copy. Do not use credits that have not yet appeared on the monthly Statement of Account.
- BOX 4 = Enter the total of the amounts in Box 1 minus Box 2 minus Box 3.
- BOX 5 = If you file your report late, enter 10% of Box 4.
- BOX 6 = Add other payments and attach the supporting documents. Payments received without supporting documentation may not be correctly applied to your account.
- BOX 7 = Enter the total of the amounts in Box 4 plus Box 5 plus Box 6.

An authorized company representative or agent must sign the Report. An agent must have Power of Attorney on file with MCTD before they are an authorized representative.

Be sure to enclose the payment. Make a copy for your records and mail the original to: ODOT Motor Carrier Transportation Division, 3930 Fairview Industrial Drive SE, Salem, Oregon 97302-1166. Reports are not considered filed unless we receive report and payment. You are required to maintain records for three years to support the information contained in this report and forms are available for this purpose.

Trucking Online is available for your convenience in filing and paying reports online. You may also amend your vehicle information using Trucking Online. Visit our Website @ www.oregontruckingonline.com. For additional record keeping requirements and tax reporting information, please see Instructions for Filing Highway-Use Tax Reports available on our website at www.oregon.gov/ODOT/MCT/FORMS.shtml or call 503-378-6699 for help.

WEIGHT-MILE TAX – Monthly & Quarterly Mileage Tax Reports

- Column F** **BEGINNING MONTHLY OR QUARTERLY ODOMETER READING**
Enter the beginning odometer reading for each vehicle from the first day of the month or quarter for which you are reporting. This should be the same as the ending odometer reading from the preceding month.
- If your odometer breaks, note the problem on your report. Estimate miles if necessary. Have your odometer fixed and note when fixed on your report.
- Column G** **ENDING MONTHLY OR QUARTERLY ODOMETER READING**
Enter the ending odometer reading for each vehicle from the last day of the month or quarter for which you are reporting.
- Column H** **TOTAL MILES OPERATED**
Enter the difference between the beginning and ending odometer readings for each vehicle (Column G minus Column F). If a vehicle did not operate during the month or quarter, enter a zero (0) in columns H and L.
- Column I** **OREGON TAXABLE MILES**
Enter the number of miles traveled in Oregon. All miles traveled in Oregon on streets, alleys, roads, or highways used by the public are taxable. If a vehicle did not operate in Oregon during the month or quarter, enter a zero (0) in columns I and L. Do not report tenths of miles. You must convert kilometers to miles.
- Column J** **NO. OF AXLES**
Enter the number of axles, including lift axles, for any declared weight greater than 80,000 pounds.
- Column K** **TAX RATES PER MILE (DECIMAL)**
Enter the appropriate rate as indicated on Form 735-9225, *Mileage Tax Rates*. Be sure to use the Tax Rate Chart applicable to the period for which you are reporting. Raising a lift axle is not a change in configuration and does not constitute a change in rate.
- Do not use Table B rates for heavy haul operations (non-divisible loads) conducted under an STP when in excess of 98,000 pounds. You will pay a Road Use Assessment Fee to the MCTD Over-Dimensional Permit Unit. You should not include this tax on your ODOT Highway Use Tax Report. Note these miles paid trips on your trip record as “paid on STP#_____.”

WEIGHT-MILE TAX – Monthly & Quarterly Mileage Tax Reports

Use the appropriate Table B rate for heavy haul operations where the combined weight is between 80,001 – 98,000 pounds.

Refer to the following chart for the proper Tax Table to use.

TYPE OF OPERATION		TAX TABLE
80,000 POUNDS AND UNDER	26,001 - 80,000 pounds and empty return	Use Tax Table A
ANNUAL EXTENDED WEIGHT PERMIT - DIVISIBLE LOADS	80,001 - 105,500 pounds and empty return	Use Tax Table B declaration for that configuration
	Change in vehicle operation – drop part of a load or drop the whole load and reload and the weight drops to 80,000 pounds or less	Use Tax Table A at 80,000 pounds
	Change in vehicle configuration – drop or deck a trailer and the weight drops to 80,000 pounds or less	Use Tax Table A declaration for that configuration
ANNUAL HEAVY HAUL PERMIT – NON-DIVISIBLE LOADS	80,001 - 98,000 pounds and empty return	Use Tax Table B declaration for that configuration
	Change in vehicle operation - drop the whole load and reload, and the weight drops to 80,000 pounds or less	Use Tax Table A at 80,000 pounds
	Change in vehicle configuration - drop or deck a trailer, and weight is 80,000 pounds or less	Use Tax Table A declaration for that configuration
SINGLE-TRIP PERMIT	More than 98,000 pounds and issued a single-trip permit by MCTD Over-Dimensional Permit Unit	Road Use Assessment Fee paid on the permit
	Return trip empty with weight of 80,000 pounds or less	Use Tax Table A at 80,000 pounds
	Return trip weight 80,001 pounds or more	Use Tax Table B declaration for that configuration

Column L

OREGON HIGHWAY USE TAX

Multiply your Oregon taxable miles by the appropriate rate for the amount of tax due (Column I times Column K).

Payment Information

TOTAL FROM COLUMN L

Enter the total fees from Column L.

WEIGHT-MILE TAX – Monthly & Quarterly Mileage Tax Reports

Box 1

Box 2

OREGON STATE FUEL TAX IF PAID DURING THIS PERIOD

Copies of fuel invoices must be attached. You may claim a credit if you paid Oregon state fuel tax. The deduction must be for the reporting period in which you used the fuel. Credits for previous reporting periods will not be granted until time of audit.

The invoices must contain:

Date of purchase	Type of fuel
ODOT plate, Receipt, or Pass No.	Name & Location of Supplier
Amount of Oregon state fuel tax paid	Number of gallons

Fuel Card statements reflecting purchases from retail stations must clearly separate and identify retail and cardlock purchases. Purchases from retail stations require an invoice for receipt from the original seller to be accepted. Diesel vehicles usually do not pay Oregon state fuel tax at the pump. If you were charged Oregon fuel tax, a separate entry showing state tax will appear on your receipt.

If you buy fuel in bulk, you may only claim credit for fuel pumped into a qualified vehicle during the reporting period. If you buy fuel in bulk, or from a card lock station, in addition to the invoice you must maintain a daily record indicating the vehicle number and the number of gallons pumped into each motor vehicle. These records must be filed with your tax report.

Motor carriers with vehicles having declared weights above and below 26,000 pounds may only take a fuel tax credit on the fuel consumed for the miles operated when weighing more than 26,000 pounds.

Invoices must be maintained for a period of three (3) years. Fuel tax credits will not be verified until time of audit. Fuel tax credits that are denied at time of audit are subject to interest and penalty charges

Box 3

OTHER CREDITS PER ATTACHED DOCUMENTS

Enter the amount of other credits as indicated on monthly Statement of Account and attach a copy. Do not use credits that have not yet appeared on the monthly Statement of Account.

Box 4

ENTER TOTAL OF BOX 1 MINUS BOX 2 MINUS BOX 3

Box 5

LATE PAYMENT CHARGE 10% OF BOX 4

Failure to pay taxes when due requires the addition of a late payment charge of 10 percent of the late tax. The filing date for late charges is

WEIGHT-MILE TAX – Monthly & Quarterly Mileage Tax Reports

the date your report is postmarked. Note: Most post offices do not process and postmark mail deposited after 5 p.m. until the next day.

Reports are not considered filed unless we receive the report AND payment.

Box 6

OTHER PAYMENTS PER ATTACHED DOCUMENTS

If you have received a statement or letter from MCTD for an amount due, enter the amount here and attach any documents that explain the additional amount. Payments received without supporting documentation may not be correctly applied to your account.

Box 7

TOTAL PAYMENT

Enter the total payment (Box 4 plus Box 5 plus Box 6). Enclose the payment, in US FUNDS, by company check, cashier's check, or money order with your report. MCTD is not able to process credit cards or guaranteed drafts requiring authorization through the mail. Make checks payable to Oregon Department of Transportation. **Do not post-date checks.**

Location of Records

Note the location of the records supporting the report if different than the address at the top of the report form. Identify any agent or reporting service.

Be sure to include a telephone number.

Certification Mailing

An owner, authorized employee, or agent with a power of attorney on file must sign the report.

Make a copy of the report for your records and mail the original with payment to:

Oregon Department of Transportation
Motor Carrier Transportation Division
3930 Fairview Industrial Drive SE
Salem, Oregon 97302-1166

OR consider filing your tax reports online! Visit our Web site at:

www.OregonTruckingOnline.com

WEIGHT-MILE TAX – Flat Monthly Tax Reports

Flat Monthly Tax Reports

Motor carriers may request to pay mileage tax on a flat monthly basis if transporting items from one or more of the following groups:

- (a) Logs, poles, peeler cores, pilings.
- (b) Wood chips, sawdust, barkdust, hog fuel, shavings.
- (c) Sand, gravel, rock, dirt, debris, cinders, asphaltic concrete mix, metallic ores and concentrates or raw nonmetallic products, whether crushed or otherwise, moving from mines, pits, or quarries. The vehicles must have dump bodies and be associated with a highway or construction project (except in the case of metallic ores and concentrates or raw nonmetallic products).

The flat monthly report and payment must be postmarked by the postal service by the **10th of the month** to cover operations for the preceding calendar month. For example, your May report and payment must be postmarked no later than June 10.

- (d) Farm vehicles operating intrastate, for-hire (motor vehicles described in ORS 825.024, with combined vehicle weight of less than 46,000 pounds).

Flat monthly fees on qualified farm vehicles must be paid in advance, on or before the **first of the month**.

All Vehicles Subject to Flat Fee

Flat monthly fees are based on the commodity you haul and the weight of the vehicle. Once you have made an election to pay on a flat-fee basis for a certain commodity, **all** vehicles hauling that commodity are subject to flat fees. You must report flat monthly fees for every vehicle credentialed under your account, including leased, rented, or replacement vehicles, that haul the elected, qualifying commodity.

Multiple Flat Fee Commodities

Motor carriers may elect the flat-fee basis for more than one commodity group. If you do, you need to pay the flat fee for **each** commodity. You must report at the highest declared weight for the month and use the flat-fee table. If you haul anything other than the commodities eligible for flat fees, you must report and pay mileage tax for those miles in addition to your flat fees. MCTD will send mileage tax report forms to you upon request.

Change of Fee Basis (Monthly Mileage OR Flat Fee)

You may only make a change to your account's fee basis once each year. Once a fee basis change is elected, you must remain on that fee basis through the end of that calendar year (unless the change is

WEIGHT-MILE TAX – Flat Monthly Tax Reports

mandated by MCTD). A written application to change (Form 735-9910) must be submitted. It cannot be retroactive. You cannot use your tax report to change weight declarations, body type, or fee basis.

You will receive written notification from MCTD authorizing the change and effective date of the fee basis.

Mileage tax must be reported and paid up to the date the change to flat fee is authorized. If you change to flat fee at any time other than the first day of the month, the mileage tax is due in addition to the flat fee up to the effective date of the fee change.

- Flat fees must be paid for the entire month even if the change to monthly or quarterly mileage is approved at any time other than the first day of the month.

Once you have been approved for flat fees:

- If, for longer than a month, you will not be transporting a commodity that qualifies for flat fees, you must notify MCTD in writing in advance of operations. You must file monthly mileage tax reports in addition to flat fee reports.
- If you return to hauling a commodity that qualifies for flat fees during the calendar year, you must notify MCTD in advance of operations and return to flat fee reporting. You must continue to file mileage tax reports until approved to return to flat fee only reporting.

Hauling Non-Qualifying Commodities

If you haul both a qualifying and non-qualifying commodity in a given month, you must pay mileage tax in addition to the flat monthly fee. Begin reporting on a mileage basis at the point of loading a non-qualifying commodity on the vehicle and continue reporting on a mileage basis until an elected flat fee commodity is loaded. This includes all empty miles from the time the non-qualifying load is delivered until an elected flat fee commodity is loaded again.

Flat Fee Record Keeping

Carriers electing to report and pay annual flat fees are still required to maintain daily records in accordance with weight-mile tax record requirement (OAR 740-055-120). Use ODOT Form 734-9231 to change to a flat monthly reporting basis.

You must request any changes to the way you report your tax before the beginning of the reporting period. Call ODOT-MCTD Registration in Salem at (503) 378-6699, or fax an amendment to (503) 378-6880. You may also go to the MCTD Portland Bridge Field Registration office (at Jantzen Beach) to change the way you report your tax.

WEIGHT-MILE TAX – Flat Monthly Tax Reports

WEIGHT-MILE TAX – Flat Monthly Tax Reports

**Instructions for
Completing the Flat
Monthly Form Report**

The top portion of the Flat Monthly Fee Report indicates the period of operation and carrier information which includes Account Number, Name and Address. There is also space to change the motor carrier's, name, address or telephone number. A change of ownership may require a new account be established. Contact MCTD at (503) 378-6699.

**Section 1
Column A**

BASE LICENSE PLATE OR PASS NUMBER

Enter the license plate or pass number of the power unit for which you are reporting. If you were issued a temporary pass with mileage to be reported, or you owe additional mileage on a prepaid pass, enter the pass number.

Column B

STATE/PROVINCE

Enter the state or province that issued the license plate.

Column C

UNIT NUMBER

Enter the company's unit number for the power unit for which you are reporting.

Column D

ODOT DECLARED WEIGHTS

You must declare and report operations at the heaviest weight operated. This should be the weight you declared with ODOT.

Column E

BEGINNING MONTHLY ODOMETER READING

Enter the beginning odometer reading for each vehicle from the first day of the month for which you are reporting. This should be the same as the ending odometer reading from the preceding month.

Column F

ENDING MONTHLY ODOMETER READING

Enter the ending odometer reading for each vehicle from the last day of the month for which you are reporting.

Column G

TOTAL MILES OPERATED

Enter the difference between the beginning and ending odometer readings for each vehicle (Column F minus Column E). Do not report tenths of miles. You must convert kilometers to miles. If a vehicle did not operate during the month or quarter, enter a zero (0) in columns G and L.

Column H

PRIVATE ROAD and OUT-OF-STATE MILES

Enter the number of miles each vehicle operated on either private or out-of-state roads.

WEIGHT-MILE TAX – Flat Monthly Tax Reports

FLAT MONTHLY FEE REPORT

GENERAL REPORTING INFORMATION

DUE DATE: Your report must be postmarked by the Postal Service by the tenth of the month following the end of the calendar month. If you file your report late, add a 10 percent late payment charge in box 5. You are required to file reports as long as you have OR ODOT plates and/or Oregon Weight Receipts and Tax Identifiers (receipts). If there is no tax due, you must still file a report. If you will not be using your vehicle(s), return the OR DOT plate(s) and/or Receipts or cancel by written notification.

For each vehicle with an OR DOT plate or Receipt that carries the elected flat fee product, complete columns A through L. Use rates on ODOT form 735-9927. Compute the tax and enter the tax in column L. If a vehicle did not operate in Oregon during the month, complete columns A through I and enter a zero (0) in column L.

If you haul anything other than commodities eligible for flat fees, you must report and pay mileage tax for those miles IN ADDITION to your flat fees. Please contact Salem Registration Services at (503) 378-5849 to order a supply of mileage tax report forms. DO NOT PAY ROAD USE ASSESSMENT FEES OR INVOICES FROM THE OVER-DIMENSIONAL PERMIT UNIT ON THIS REPORT. To report mileage on an Over-Dimensional Permit, contact OD Permits at 503-373-0000.

Enter the ACCOUNT NUMBER. Enter the NAME AND ADDRESS OF THE BUSINESS as filed with MCTD

STEP-BY-STEP INSTRUCTIONS (SECTION 1)

COLUMN A = Enter the plate or pass number of the power unit for which you are reporting.

COLUMN B = Enter the state or province that issued the license plate.

COLUMN C = Enter the company's unit number for the power unit for which you are reporting.

COLUMN D = You must declare and report operations at the heaviest weight operated per configuration. This should be one of the weights you declared with ODOT. If returning empty, use the same declared weight and tax rate as when loaded.

COLUMN E = Enter the beginning odometer reading from the first day of the month for which you are reporting. This should be the same as the ending odometer reading from the preceding month.

COLUMN F = Enter the ending odometer reading from the last day of the month for which you are reporting.

COLUMN G = Enter the total miles operated for each vehicle (Column F minus Column E).

COLUMN H = Enter the miles operated outside of Oregon and/or Oregon private roads.

COLUMN I = Enter the miles operated on Oregon public roads (Column G minus Column H).

COLUMN J = Enter the number of axles for any declared weight greater than 80,000 pounds.

COLUMN K = Enter the type of fee product hauled: C-CHIP, D-DUMP, L-LOG.

COLUMN L = Enter the flat monthly fee based on the declared weight in Column D for each power unit. Use the flat monthly fee rate table provided.

PAYMENT INSTRUCTIONS (SECTION 2)

BOX 1 = Enter the total fees from Column L.

BOX 2 = Enter Oregon state fuel tax paid during this month. You may claim a credit if you pay Oregon state fuel tax on fuel purchases. Fuel must have been purchased in the same report month credit is claimed. Attach copies of fuel invoices to the report. The invoice must contain:

Date of purchase	Type of fuel	ODOT plate, Receipt, or Pass No
Name & Location of supplier	Number of gallons	Amount of Oregon state fuel tax paid

If you buy fuel in bulk, you can only claim credit for fuel pumped into a qualified vehicle during the reporting period. In addition to the invoice, you must attach records to show the amount of fuel pumped into each qualified vehicle.

BOX 3 = Enter the amount of other credits as indicated on monthly Statement of Account and attach a copy. Do not use credits that have not yet appeared on the monthly Statement of Account.

BOX 4 = Enter the total of the amounts in Box 1 minus Box 2 minus Box 3.

BOX 5 = If you file your report late, enter 10% of Box 4.

BOX 6 = Add other payments and attach the supporting documents. Payments received without supporting documentation may not be correctly applied to your account.

BOX 7 = Enter the total of the amounts in Box 4 plus Box 5 plus Box 6.

An authorized company representative or agent must sign the Report. An agent must have Power of Attorney on file with MCTD before they are an authorized representative.

Be sure to enclose the payment. Make a copy for your records and mail the original to: ODOT Motor Carrier Transportation Division, 3930 Fairview Industrial Drive SE, Salem, Oregon 97302-1166. Reports are not considered filed unless we receive report and payment. You are required to maintain records for three years to support the information contained in this report and forms are available for this purpose.

Trucking Online is available for your convenience in filing and paying reports online. You may also amend your vehicle information using Trucking Online. Visit our Website @ www.oregontruckingonline.com. For additional record keeping requirements and tax reporting information, please see Instructions for Filing Highway-Use Tax Reports available on our website at www.oregon.gov/ODOT/MCT/FORMS.shtml or call 503-378-6699 for help.

WEIGHT-MILE TAX – Flat Monthly Tax Reports

Column I **OREGON PUBLIC ROAD MILES**
Enter the number of miles traveled in Oregon (Column G minus Column H). Oregon public road miles are all miles traveled in Oregon on streets, alleys, roads, or highways used by the public. Do not report tenths of miles. You must convert kilometers to miles. If a vehicle did not operate in Oregon during the month, enter a zero (0) in columns I and L.

Column J **NO. OF AXLES IF OVER 80,000 POUNDS**
If the vehicle operates between 80,001 and 105,500 pounds under an **annual** highway transportation permit from MCTD, enter the number of axles in this column.

Column K **ENTER C-CHIP, D-DUMP, OR L-LOG** Enter the abbreviation for the elected flat fee commodity.

Column L **FLAT MONTHLY FEE**
Enter the appropriate rate as indicated on Form 735-9200, *Flat Monthly Information and Fee Rate Tables*. Be sure to use a Tax Rate Chart applicable to the period for which you are reporting.

Section 2 **TOTAL FROM COLUMN L**
Box 1

Box 2 **OREGON STATE FUEL TAX IF PAID DURING THIS PERIOD**
Copies of fuel invoices must be attached. You may claim a credit if you paid Oregon state fuel tax. The deduction must be for the reporting period in which you used the fuel. Credits for previous reporting periods will not be granted until time of audit. The invoices must contain:

Date of purchase	Type of fuel
ODOT plate, Receipt, or Pass No.	Name & Location of supplier
Amount of Oregon state fuel tax paid	Number of gallons

Diesel vehicles usually do not pay Oregon state fuel tax at the pump. If you were charged Oregon fuel tax, a separate entry showing state tax will appear on your receipt.

If you buy fuel in bulk, you may only claim credit for fuel pumped into a qualified vehicle during the reporting period. If you buy fuel in bulk, or from a card lock station, in addition to the invoice you must maintain a daily record indicating the vehicle number and the number of gallons pumped into each motor vehicle. These records must be filed with your tax report.

WEIGHT-MILE TAX – Flat Monthly Tax Reports

Motor carriers with vehicles having declared weights above and below 26,000 pounds may only take a fuel tax credit on the fuel consumed for the miles operated when weighing more than 26,000 pounds.

Invoices must be maintained for a period of three (3) years. Fuel tax credits will not be verified until time of audit. Fuel tax credits that are denied at time of audit are subject to interest and penalty charges.

Box 3

OTHER CREDITS PER ATTACHED DOCUMENTS

Enter the amount of other credits as indicated on monthly Statement of Account and attach a copy. Do not use credits that have not yet appeared on the monthly Statement of Account.

Box 4

ENTER TOTAL OF BOX 1 MINUS BOX 2 MINUS BOX 3

Box 5

LATE PAYMENT CHARGE 10% OF BOX 4

Failure to pay taxes when due requires the addition of a late payment charge of 10 percent of the late tax. The filing date for late charges is the date your report is postmarked. Note: Most post offices do not process and postmark mail deposited after 5 p.m. until the next day. Reports are not considered filed unless we receive the report AND payment.

Box 6

OTHER PAYMENTS PER ATTACHED DOCUMENTS

If you receive a statement or letter from MCTD for an amount due, enter the amount here and attach documents that explain the additional amount. Payments received without supporting documentation may not be correctly applied to your account.

Box 7

TOTAL PAYMENT

Enter the total payment (Box 4 plus Box 5 plus Box 6). Enclose the payment, in US FUNDS, by company check, cashier's check, or money order with your report. MCTD is not able to process credit cards or guaranteed drafts requiring authorization through the mail. Make checks payable to Oregon Department of Transportation. **Do not post-date checks.**

Location of Records

Note the location of the records supporting the report if different than the address at the top of the report form. Identify any agent or reporting service. Be sure to include a telephone number.

Certification

An owner, authorized employee, or agent with a power of attorney on file must sign the report.

WEIGHT-MILE TAX – Flat Monthly Tax Reports

Mailing

Make a copy of the report for your records and mail the original report form with payment to:

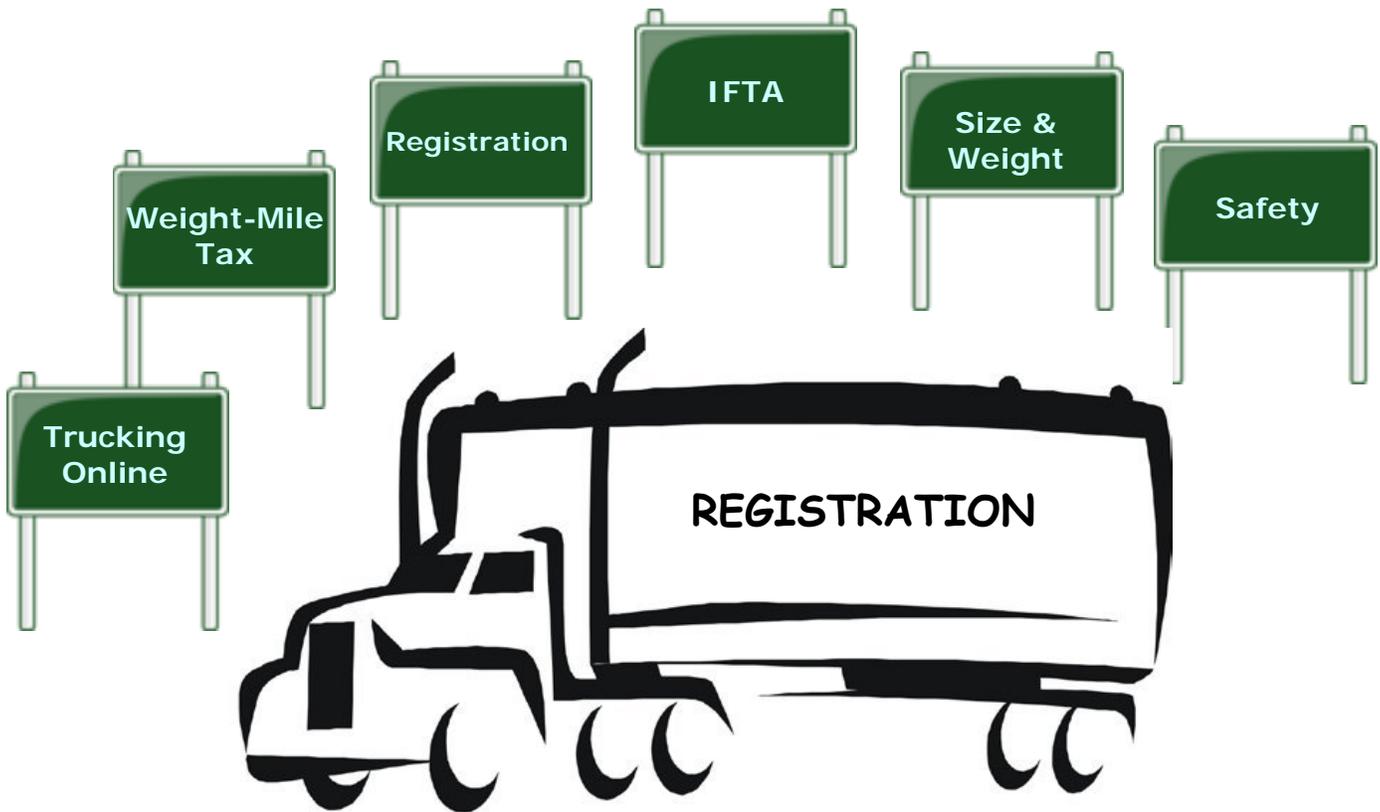
Oregon Department of Transportation
Motor Carrier Transportation Division
3930 Fairview Industrial Drive SE
Salem, Oregon 97302-1166

OR consider filing your tax reports online! Visit our Web site at:

www.OregonTruckingOnline.com

Motor Carrier Education Manual

State of Oregon
Department of Transportation
Motor Carrier Transportation Division



Trucking companies must have knowledge in all areas of regulations in order to fulfill their regulatory requirements. This material provides concise and relevant information to your business and is provided to you by the Oregon Department of Transportation, Motor Carrier Transportation Division.

This section describes **Registration**.

Amy Ramsdell, Administrator
November 2016

MOTOR VEHICLE REGISTRATION

Registration Weight

Vehicle Titles Every motor vehicle must be registered, permanently or temporarily, with the state or province in which the motor carrier's fleet is based. Each state or province has its own rules about vehicle registration and title. In Oregon, the Motor Vehicles Division (DMV) handles:

- ALL vehicle titles;
- Registration for personal vehicles (vehicles not operated as part of a commercial enterprise); and
- Registration for commercial vehicles with a gross vehicle weight of 26,000 or less pounds operated solely within Oregon (T-Plates).

Contact the main DMV by telephone at (503) 945-5000 or through the DMV web site at: <http://www.oregon.gov/ODOT/DMV/Pages/index.aspx>

The Motor Carrier Transportation Division (MCTD) handles:

Commercial Vehicles 26,000 Pounds Or Less

Registration for commercial vehicles with a gross vehicle weight of 26,000 pounds or less operated in two or more jurisdictions (IRP); and

Commercial Vehicles 26,001 Pounds Or More

Registration for commercial vehicles with a gross vehicle weight of 26,001 pounds or more, operated in two or more jurisdictions (IRP); and registration for commercial vehicles with a gross vehicle weight of 26,001 pounds or more, operated solely within Oregon (Commercial).

General Registration For Vehicles 26,001 Pounds Or More

You must register your vehicles for identification and ownership purposes. Registration is an annual fixed fee which is based on the highest loaded weight of the vehicle. Upon registration, a unique license plate (or pair of plates) is issued. These plates are vehicle specific and may not be transferred from one vehicle to another.

There are three different types of registration:

- If you operate only in Oregon, you pay full Oregon registration fees and are issued COMMERCIAL registration plates.
- If you operate in Oregon and at least one other state or jurisdiction, you may pay other jurisdiction's registration fees to Oregon. You will be issued APPORTIONED registration plates.
- If you operate a vehicle temporarily, you pay registration fees and are issued a temporary REGISTRATION TRIP PERMIT.

MOTOR VEHICLE REGISTRATION

Registration Weight

Vehicles Operating Solely In Oregon COMMERCIAL registration is for vehicles which are Oregon based, and operate solely in Oregon. Registration plates are red with white letters with the word “Commercial” imprinted at the bottom of the plate. Power units that can carry a load (trucks and truck-tractors) will be issued two plates. One plate is for the front of the power unit and one plate for the back of the power unit. Power units that cannot carry a load (tractors) will be issued one plate that is to be placed on the front of the vehicle.

Registration fees are based on the heaviest weight of the vehicle with its load for the registration period (January 1 through December 31). Fees may be paid annually or quarterly. If paying fees quarterly, there is an additional \$1 charge per quarter, and a charge of \$2.50 for each new registration card.

This registration is valid only in Oregon. To operate in another state or Canadian province, you must purchase registration trip permits for that state. Additionally, a tax credential (Oregon Weight Receipt and Tax Identifier) is required to be obtained and carried in the vehicle. Tax is to be reported separately from registration fees.

Vehicles Operating In More Than One Jurisdiction Vehicles that will operate in more than one jurisdiction (state or province) must either obtain permanent or temporary registration in each of those jurisdictions.

To obtain temporary registration, you will need to contact each jurisdiction prior to entering their jurisdiction after obtaining full registration in the vehicle(s) base jurisdiction.

To obtain permanent registration credentials to operate interstate, you will need to apply for registration under the International Registration Plan (IRP). This type of registration is also referred to as APPORTIONED registration because a percentage of each jurisdiction’s full registration fee is paid based on the fleet’s previous history of operations. The base jurisdiction collects and distributes the registration fees for each jurisdiction in which the vehicle is licensed.

Oregon’s IRP Registration plates, for vehicles subject to Oregon weight-mile tax are red with white letters with the word “Apportioned” imprinted at the bottom of the plate. Plates for vehicles not subject to Oregon weight-mile tax are yellow with blue letters, also with the word “Apportioned” imprinted at the bottom of the plate.

Power units that can carry a load (trucks and truck-tractors) will be issued two plates. One plate is for the front of the power unit and one plate for the back of the power unit. Power units that cannot carry a load (tractors) will

MOTOR VEHICLE REGISTRATION

Registration Weight

be issued one plate that is to be placed on the front of the vehicle.

Registration fees are based on the rates that are charged by each jurisdiction plus the percentage of operation in each jurisdiction. The basis for registration fees varies but is generally based on vehicle weight, value, age, and other factors. The vehicle is legally registered in all jurisdictions that appear on the vehicle's registration card.

Apportioned registration is annual and may not be paid quarterly. **EXCEPTION:** Motor carriers that qualify to base in Oregon may pay the Oregon portion of their registration fees quarterly if the Oregon fees exceed \$1,000. However, it is still an annual fee and must be paid even if the vehicle does not operate in a particular quarter or is out of service.

Registration **DOES NOT** cover intrastate authority, fuel taxes or other taxes in any jurisdiction.

Vehicle Registration Trip Permits

A vehicle trip permit is a temporary arrangement for registration of a vehicle, issued for no longer than 10 days. There are two types:

1. Heavy Vehicle Trip Permit - Issued for vehicles without registration in Oregon, fee \$43.
2. Registration Weight Trip Permit - Issued to increase registration weight temporarily for a vehicle that already has registration, fee \$5. Vehicle may also need to increase Oregon Weight Mile Tax declared weight for the vehicle.

To purchase a registration trip permit:

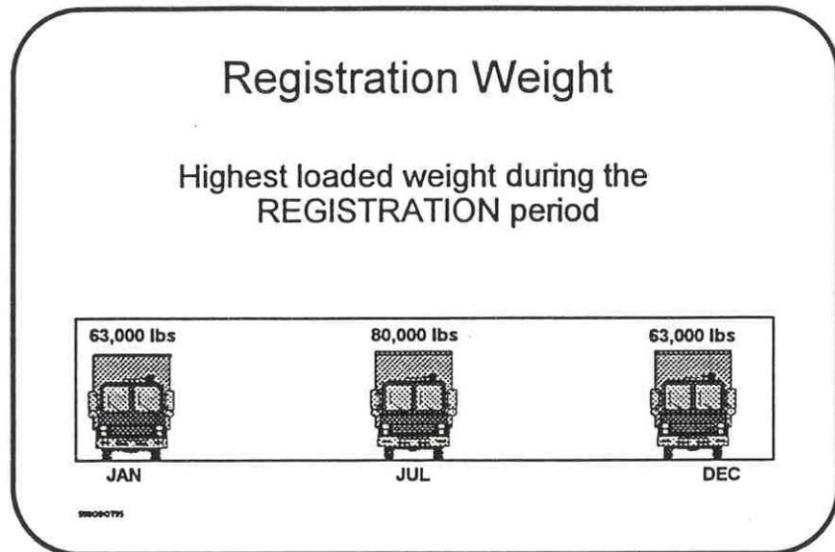
- Call Salem at (503) 378-6699.
- Go to a MCTD's Registration Office in Salem or Portland Bridge (at Jantzen Beach), during business hours.

Registration Weight

The Gross Vehicle Weight (GVW) or Gross Combination Vehicle Weight (GCVW) is the actual weight of the vehicle(s) plus the weight of the load. This is commonly referred to as **LOADED WEIGHT** or **COMBINED WEIGHT**. Registration weight is the **HIGHEST** loaded weight for the vehicle during the registration period (January 1 through December 31).

MOTOR VEHICLE REGISTRATION

Registration Weight



In the example above, the REGISTRATION WEIGHT for this vehicle is 80,000 pounds.

NOTE: The registration fee rate schedule stops at 105,500 pounds. This is the maximum weight at which a vehicle may register. If you haul heavier non-divisible loads, you will register at the maximum weight class, 105,500 pounds, plus purchase a Special Transportation Permit.

MOTOR VEHICLE REGISTRATION

Commercial Registration

Vehicle Identification Papers

To register a vehicle, you will need the following documents:

1. A copy of one of the vehicle identification papers:
 - ✓ Bill of Sale
 - ✓ Certificate of Origin
 - ✓ Prior Registration
 - ✓ Copy of Title
2. Form 2290, proof of payment of the Federal Heavy Vehicle Use Tax (HVUT) if the vehicle is registered at 55,000 pounds or more. A Bill of Sale for a vehicle purchased within the past 60 days is acceptable proof in lieu of a Form 2290.
3. If the vehicle is being leased, and you are engaged in the intrastate transportation of household goods or transporting passengers in regular route scheduled service, you must file a copy of Oregon Lease Form 735-9084 with your application.
4. DEQ certificate if the vehicle is based in either the Portland Metro or the Medford area, not diesel-powered, and Oregon-only (not apportioned).
5. Certification that the motor carrier complies with the drug and alcohol testing requirements found in Federal Motor Carrier Safety Regulation 49 CFR Part 382.

Lease Agreements

If you are leasing a vehicle and are engaged in the intrastate transportation of household goods or transporting passengers in regular route scheduled service, you must obtain an Oregon Lease Form 735-9084. A copy of this lease must be filed with your application for registration. You may obtain this form at: www.oregontruckingonline.com

- ✓ Click on FORMS tab

If you are leasing a vehicle and hauling any other type of commodity, you must have a copy of your lease in the vehicle and make it available for inspection upon request. This lease must give exclusive possession and control of the leased vehicle to the lessee. You need to retain a copy of the lease for three years.

Commercial Registration Requirements

To commercially register vehicles (registered to operate in Oregon only):

1. Assemble the necessary documents:

MOTOR VEHICLE REGISTRATION

Commercial Registration

- √ Vehicle ID
 - √ Proof of HVUT (if applicable)
 - √ Lease (if applicable)
 - √ DEQ Certificate (if applicable)
2. Determine the correct registration weight for your vehicle(s).
 3. Complete "Commercial Registration Form" (form No. 735-9691). This form and many MCTD forms are available online at: www.oregontruckingonline.com
 - ✓ Click on FORMS tab
 4. Complete the "Drug and Alcohol Testing Program Certification" (form No. 735-9759) that the motor carrier complies with the drug and alcohol testing requirements found in 49 CFR Part 382.
 5. Pay the appropriate registration fees, and \$2.50 for a single plate or \$5 for a pair of plates, registration card and sticker.
 6. If you have Oregon intrastate authority, and are transporting commodities that are subject to material damage, cargo insurance must be on file. The minimum limit of coverage for cargo insurance is \$10,000.00. Your insurance company will need to submit a Form H as proof of cargo insurance coverage.

Registration can be completed at a MCTD Registration office in Salem or Portland Bridge (at Jantzen Beach).

Commercial registration fees are paid in addition to weight-mile tax. Questions may be directed to the Salem Registration Office at (503) 378-6699. You may call (503) 378-5849 to request forms. All MCTD Forms are available on Oregon Trucking Online at: www.oregontruckingonline.com

- Click on FORMS tab

MOTOR VEHICLE REGISTRATION

Apportioned Registration – Requirements

What Is IRP?

IRP stands for International Registration Plan. The IRP is a reciprocity agreement among states of the United States, the district of Columbia and provinces of Canada. The agreement provides for payment of license fees on the basis of fleet distance operated in various jurisdictions. Washington D.C. and all states (except Alaska and Hawaii), and all Canadian provinces (except the Northwest Territories, Nunavut and the Yukon Territory), are members of the IRP.

Find out more about IRP : www.irponline.org

How IRP Works

The IRP is a method for registering vehicles that travel into two or more member jurisdictions. Under the IRP, interstate carriers must file application(s) with the jurisdiction in which they are based. The base jurisdiction then issues one cab card and a single or pair of apportioned plates with stickers per vehicle. The apportioned plate(s), stickers, and cab card are registration credentials you need to operate on an interstate and intrastate basis in member jurisdictions. **(Intrastate operations require meeting the operating authority of the individual jurisdictions.)** A cab card lists the weights you have requested for each jurisdiction, and registration fees are calculated according to these weights.

IRP jurisdictions have agreed to allow the base jurisdiction to collect the applicable fees for apportionment for all jurisdictions collectively at one time and then send to other IRP jurisdictions. The fees are determined by the following:

- percentage of mileage travelled in each jurisdiction
- vehicle identification information, and
- maximum weight

Under the IRP, all member jurisdictions:

- accept a single registration plate
- accept a single registration card (cab card), and

MOTOR VEHICLE REGISTRATION

Apportioned Registration – Requirements

- allow registrants to travel both interstate and intrastate jurisdictionally (intrastate travel is subject to the terms of the operating authority issued by each member state/province)

MOTOR VEHICLE REGISTRATION

Apportioned Registration – Requirements

Apportioned Registration Does Not

Apportioned registration does not:

- Waive or exempt a truck operator from obtaining operating authority from any state/province in which the apportioned vehicle travels, or
- Waive or replace the requirements of the International Fuel Tax Agreement (IFTA), or
- Allow registrants to exceed the maximum length, width, height, or axle limitations, or
- Waive or exempt the payment of tax reporting requirements (including Oregon Highway Use Tax) or Federal Heavy Vehicle Use Tax.

Base Jurisdiction

Before a vehicle may be apportionally registered in Oregon, the carrier must have:

1. An established place of business in Oregon. “Established Place of Business” means a physical structure located within the base jurisdiction that is owned, leased, or rented by the fleet registrant.

NOTE: Applicants who do not meet the “Established Place of Business” requirements listed above may qualify as being Oregon-based by completing the Proof of Residency – Schedule R.

This physical structure must be open during normal business hours, and have located within it:

- √ A person(s) in the permanent employment of the registrant conducting the fleet registrant’s trucking-related business (not an Agent).

MOTOR VEHICLE REGISTRATION

Apportioned Registration – Requirements

- √ The operational records of the fleet and the maintenance of such records (unless such records can be made available in Oregon).
2. Mileage accrued in Oregon by the fleet.
3. Operational records of the fleet maintained or made available in Oregon.

Vehicle Title Title applications will be accepted for all power units being apportioned through any ODOT/MCTD Registration office.

IMPORTANT INFORMATION

To apply for an Oregon title at the time of registration, the owner must be domiciled in Oregon.

Unified Carrier Registration (UCR)

All carriers, private or commercial with vehicles over 10,000 lbs, who operate interstate must obtain UCR. This includes, but is not limited to brokers, freight forwarders, leasing companies, and farmers. UCR requires an annual fee based on the number of power units of the carrier. Oregon does not participate in registering or collecting fees for UCR. Oregon based carriers may submit application with fees to a jurisdiction listed on the application or may register on line at: www.ucr.in.gov. Additional information and the application for registration can be found at: <http://www.oregon.gov/ODOT/MCT/Pages/news/UCRA.aspx>.

Motor Carrier Operating Authority

Motor carriers transporting persons or property for hire in Oregon must have operating authority. Motor carriers operating vehicles with a declared weight more than 26,000 pounds transporting persons or property incidental to a primary business are considered private carriers and must also have operating authority. MCTD issues authority in the form of a certificate or permit.

In addition to operating authority, motor carriers operating leased or owned vehicles with a declared weight over 26,000 pounds are subject to weight-mile tax, insurance regulation and bond requirements. Each motor vehicle must have a valid Oregon weight receipt and tax identifier (OWRATI) or a temporary Oregon weight receipt and tax identifier (TOWRATI), or a temporary pass carried in the vehicle. Plates, passes, and Oregon weight receipts

MOTOR VEHICLE REGISTRATION

Apportioned Registration – Requirements

are NOT transferable from one vehicle to another.

When a carrier discontinues operation of a vehicle, the plate and cab card must be returned for cancellation.

Every carrier who obtains Oregon weight receipts is supplied with forms that are used to compute, report, and pay their weight-mile tax. Report forms and tax tables supplied, are also available upon request.

Weight-mile temporary passes, temporary Oregon weight receipts, and plates must be obtained prior to operating in Oregon. Call the Salem Registration office at (503) 378-6699 or visit your local MCTD Registration Office to obtain a temporary pass, weight receipt, or plate.

If you are an Oregon Trucking Online customer, you may also obtain weight receipts through Oregon Trucking Online:

www.oregontruckingonline.com

USDOT Number

Carriers who operate vehicles with a Gross Vehicle Weight (GVW) of 10,000 pounds or more are required to have a USDOT Number. This is a safety identification number issued to motor carriers and shippers by the United States Department of Transportation. This number is free and can be obtained by visiting the web site at:

www.fmcsa.dot.gov

Name Or Ownership Change

If you are changing the name of your company, but not changing ownership, you must apply for a name change only. Submit a completed Oregon Application for IRP and/or IFTA Schedule A (Form 735-9908) requesting cab cards in the new company name (\$2.50 each vehicle). You must also submit a completed Application for Motor Carrier Permit (Form 735-9075).

If the ownership of the company is changing (i.e., individual or partnership to a corporation, partnership to an individual, etc.), an application must be submitted in the new ownership name. A new account will be established.

NOTE: **Registration fees cannot be transferred from previous ownership to new ownership during any registration year.** Fees will be

MOTOR VEHICLE REGISTRATION

Apportioned Registration – Requirements

recalculated for the remainder of the registration year according to the new application information submitted.

Contact the Salem Registration office at (503) 378-6699 for more information or download the forms from Oregon Trucking Online:

www.oregontruckingonline.com

- ✓ Click on Forms tab
- ✓ Click on Registration
- ✓ Forms are found under IFTA and IRP Forms section

Federal Heavy Vehicle Use Tax

Federal law requires vehicles 55,000 pounds or more combined or loaded gross weight to pay a Federal Heavy Vehicle Use Tax (HVUT) to the IRS. This tax is paid yearly (July – June). Proof of payment of this tax must be provided when registering. Proof is not required on new or used units registered within sixty (60) days of the date shown on the bill of sale. A copy of this bill of sale must be submitted with your application.

Acceptable proof of payments:

- Copy of the **receipted** Schedule 1, Form 2290, listing vehicle identification number(s).
- Copy of the un-receipted Schedule 1, Form 2290, and copy of proof of payment document (e.g. front and back of cancelled check).
- Copy of the Schedule 1, Form 2290, with vehicles listed in Part II for which tax is suspended, will be accepted without being receipted.

NOTE: IRS suspends tax under certain circumstances. Questions regarding this suspension should be directed to the IRS at 1-800-829-1040.

Enforcement

Enforcement personnel look at the cab card for verification that vehicles are properly registered and fees paid. The cab card must always be carried in the vehicle described. Cab cards may not be altered in any way.

MOTOR VEHICLE REGISTRATION

Apportioned Registration – Requirements

Commercial vehicles not displaying a current registration plate with cab card, a valid trip permit, or a temporary vehicle registration are in violation and the motor carrier is subject to penalties and fines.

MOTOR VEHICLE REGISTRATION

Apportioned Registration – Getting Started

Apportioned Registration Forms (IRP)

You may apply for both IRP (Registration) and IFTA at the same time, using the same forms.

Oregon IRP forms **Schedule A, B, and C** must be completed when:

- First making application for an Oregon apportioned Registration and/or IFTA account.
- Adding a new fleet.
- Renewing an existing Oregon apportioned fleet and the pre-printed renewal form was not received.

The Oregon IRP **Schedule G** worksheet is used for distance estimates for new accounts, adding jurisdictions and fleet renewals.

The Oregon IRP **Schedule R** is used when applicant does not have an “Established Place of Business” and is registering as a resident.

Both application IRP **Schedule B and C** must be completed when:

- Adding a jurisdiction(s) to a current apportioned fleet during the registration year.

The **Schedule C** is used when:

- Adding vehicles.
- Amending vehicles.

Processing

Applications are processed in the order received. Once an application has been processed, a billing will be mailed or faxed to the carrier. The carrier has the option of mailing the payment directly to the Salem Registration Office or paying online.

To find out how to sign up for Oregon’s Trucking Online go to:

www.oregontruckingonline.com

Click on the SIGN up for a PIN tab.

MOTOR VEHICLE REGISTRATION

Apportioned Registration – Getting Started

Points to remember

- If applying under a company or firm name, the company name or Assumed Business Name must first be registered with the Oregon Corporation Commission.
- If you have an Oregon IFTA account, you must still file a mileage tax report for Oregon's weight-mile tax in addition to your quarterly fuels tax report.
- Be sure that you have obtained a USDOT number, UCR and Federal Motor Carrier operating authority if required.
- Be sure that you have obtained all the applicable operating requirements from other jurisdictions (e.g., operating authority).

Application for Oregon IRP And/Or IFTA Schedule A

You must complete the Oregon IRP and/or IFTA Schedule A (Form 735-9908) in order to initiate a new IRP Fleet.

You may obtain an Oregon Application for IRP and/or IFTA – Schedule A (Form 735-9908) by calling the Vehicle Registration Unit at (503) 378-6643 or

All MCTD forms are available on Oregon Trucking Online:

www.oregontruckingonline.com

✓Click on Forms tab

✓Click on Registration

✓Forms are found under IFTA and IRP Forms section

Instructions are found on the back of this form and in the Oregon Motor Carrier Registration and Tax Manual. However, here are a few important points to keep in mind.

Tell us who you are. Existing MCTD account, please tell us.

Tell us what you want to do. Indicate whether this application is for IRP, IFTA, or both.

Tell us when you want to start in the Effective Date field.

Do you meet the Established Place of Business Requirements?
To meet the definition of an established Place of Business there must be “a physical structure owned or leased by the Registrant, located in the base jurisdiction, which is open and staffed by persons employed by Registrant (not agents) during business hours.” If no, Proof of

MOTOR VEHICLE REGISTRATION

Apportioned Registration – Initial Application

Residency – Schedule R (Form 735-9914) must be completed and approved.

Complete IRP and/or IFTA sections; both sections are required when applying for IRP and IFTA credentials.

Previous IRP account or IFTA License in another jurisdiction?

Drug & Alcohol Consortium: Provide the name of the provider that is used to comply with the drug and alcohol testing requirements found in Federal Motor Carrier Safety Regulation 49CFR Part 382. Enter the name of consortium, or “**In-House**” when the company is maintaining its own program.

Sign the application!

MOTOR VEHICLE REGISTRATION

Glossary of Terms

Renewal Applications

Renewal applications will be mailed to all Oregon-based carriers approximately three (3) months prior to the beginning of the new registration year. Most carriers will receive a combined IFTA/IRP Renewal Application. The renewal applications are computer printouts containing the active fleet information, at the time of printing.

It is essential that the applicant review the renewal application for accuracy and for omission of pertinent information. Failure to report or include factual data could result in processing delays, assessment of incorrect fees, or maintenance of incorrect records.

Renewal applications are to be returned to the Salem Registration office or Field Registration Offices (by appointment only) for processing by **October 31**. This allows sufficient time to process the renewal information.

Payment must be received prior to December 31 to qualify for a “display grace period.”

Please do not mail any funds with your Oregon Apportioned Renewal application. An invoice will be produced and mailed back to you after we receive and process your renewal.

Payment Options: You have the option of mailing the payment directly to the Salem office or by making an appointment at the Salem Registration office. You may also make your payment by credit card online, renewal credentials will be mailed within 3 business days.

Not signed up for Oregon Trucking Online? Find out how to sign up at:

www.oregontruckingonline.com

✓ Click on the SIGN up for a PIN tab.

Please review your IRP Billing carefully! The jurisdictions listed will be the jurisdictions registered. Many jurisdictions do not allow refunds once the registration is issued.

MOTOR VEHICLE REGISTRATION

Glossary of Terms

Supplemental Applications To make changes to your vehicles after the original/ renewal application has been filed and paid, complete and submit an Oregon Apportioned Registration Form Schedule C – Vehicle Addition/Update (FORM 735-9684).

You must submit a Schedule C to complete any of the following transactions.

Adding Vehicle(s) Vehicles may be added to an existing fleet at any time throughout the registration year. The mileage information provided with your original application will be used to calculate the fees due.

Replacing Vehicle(s) (Fee Transfer) Fleet vehicle(s) may be replaced at any time throughout the registration year. To apply the credits from the previous vehicle(s) to the new vehicle(s), the information must be provided on the same application. The cab card(s) and plate(s) must be surrendered when the new vehicle's registration becomes effective. Credits from a deleted vehicle cannot be used to increase the weight on another vehicle.

Changing Vehicle(s) Information You may apply for a change of vehicle information at any time throughout the registration year. Changes may include unit number, VIN (Vehicle Identification Number) or vehicle type.

Changing Vehicle(s) Registered Weight A change in vehicle weight may be made at any time during the registration year. If the gross vehicle weight is increased, you will be billed for any difference in registration fees. Generally speaking, weight decreases are only allowed at Renewal.

Adding Jurisdiction(s) You may add jurisdiction(s) to your apportioned fleet account any time during the registration year by completing an Oregon Apportioned Registration Forms - Schedule B (FORM 735-9685) and Schedule C (FORM 735-9684).

Added jurisdictions apply to all equipment in a fleet. Refer to the current year's Schedule G, Estimated Distance Worksheet, (FORM 735-9919a or FORM 735-9919b) when determining estimated distance.

Replacing Credentials Replacement credentials can be obtained anytime during the registration year by contacting any MCTD Registration Office for assistance.

Also available on Oregon Trucking Online with a valid PIN:

www.oregontruckingonline.com

MOTOR VEHICLE REGISTRATION

Glossary of Terms

Apply for PIN - Use the Online PIN Request process to complete the Internet Access Personal Identification Number Request Form, then have it signed by a company officer and send it in.

Completion Of Applications

It is the applicant's responsibility to properly complete all forms necessary to register vehicles under apportioned registration agreements. If a submitted application is incomplete, the applicant will be notified and asked to provide the information or to submit a new, revised application. Incorrect or partial completion of an application will delay processing.

Forms may be accessed through our website:

www.oregontruckingonline.com

- ✓ Click on Forms tab
- ✓ Click on Registration
- ✓ Forms are found under IFTA and IRP Forms section

Detailed instructions are found in:

[Oregon Motor Carrier Registration and Tax Manual](#)

Oregon IRP Forms:

- Schedule A – Oregon IRP and IFTA Applications
- Schedule B – Oregon IRP Mileage
- Schedule C – Oregon IRP Vehicle Addition/Updates
- Schedule G – Oregon Estimated Distance Worksheet
- Schedule R – Oregon Proof of Residency

Submitting Applications

Mail/Fax:

Mail or fax completed application, along with registration requirements to the Salem Registration office. MCTD will mail or fax the billing.

ODOT/MCTD Fax: (503)378-5765
PO Box 5330
Salem OR 97304-0330

Payment is required prior to credentials being issued. Temporary Vehicle Registration (TVR) may be issued upon request when the payment is made.

Credentials (plates, stickers, and cab cards) will be issued and mailed.

MOTOR VEHICLE REGISTRATION

Glossary of Terms

Counter:

Applications of ten vehicles or less can be processed in person at any MCTD Registration office by appointment only. Refer to the list at the front of this section for MCTD Registration Offices.

You may fax your completed application, including supporting requirements, to your local registration office to reduce processing time.

Or, if you cannot fax your application, you may bring the completed application and supporting documents at your appointment time. The application will be processed while you wait.

Payment is required prior to credentials being issued. Temporary Vehicle Registration (TVR) may be issued upon request when the payment is made.

Refunds

REFUNDS of apportioned registration fees are made only for duplicate or incorrect payments, overpayment of billed fees or as a result of an audit.

CREDIT for apportioned registration fees is provided through fee transfers. When you withdraw a vehicle from a fleet, you may transfer the remaining registration to a like vehicle being added to the same fleet (within the same registration year) on the same application.

Oversize/ Overweight Over Dimension Permit

Any vehicle, combination of vehicles, or load whose size or weight is not provided for in Oregon laws must have an oversize or overweight permit. Special transportation permits for Oregon operations may be obtained by contacting ODOT-MCTD OD Permits Unit at (503) 373-0000.

Temporary Vehicle Registration (TVR)

MCTD may issue temporary vehicle registration (TVR), upon request, only when registration requirements have been met and fees have been paid.

Commercial Trip

Oregon trip permits are available for vehicles that either do not have current

MOTOR VEHICLE REGISTRATION

Glossary of Terms

Permit registration (expired plates or no plate) or that do not have Oregon listed on the vehicle registration. Trip permits cost \$43 for 10 days and must be obtained prior to operation.

If you have a current Oregon plate, you may purchase trip permits from other jurisdictions for temporary operation. Some jurisdictions also offer trip permits for vehicles having no current registration plate.

Other jurisdictions may also have additional requirements. Check before operating. Refer to the Oregon Apportioned Customer Manual or the IRP Website for contact information.

<http://www.irponline.org/>

Temporary Pass (Oregon Highway Use Tax) A motor carrier, operating vehicles in Oregon, with a combined weight of more than 26,000 pounds must purchase a temporary pass (\$9.00 + Highway Use Tax), in addition to a Commercial Trip Permit, prior to operation.

Unladen Weight Permit (Formerly Known As A Hunter's Permit) An Unladen Weight Permit is a permit issued to an owner-operator (lessor) who terminates a lease and has to surrender his apportioned license plate and cab card to the carrier (lessee). This permit enables a vehicle or combination of vehicles to use the highways in all jurisdictions for the purpose of locating a new job.

A “registrant-only” needs to surrender the plate in exchange for a hunter’s permit in order to travel within and outside of the base jurisdiction.

The **Unladen Weight Permit** is valid for vehicles operating at unladen weight **only** and is non-transferable. The vehicles are also exempt from paying Oregon’s weight-mile tax, if 26,000-pounds unladen weight or less.

The Oregon **Unladen Weight Permit** is valid for ten days at a cost of \$43. The **Unladen Weight Permit** is valid for the power unit or power unit and trailer (unladen). Vehicles over 26,000 pounds will also need to obtain a temporary pass for weight-mile tax purposes.

MOTOR VEHICLE REGISTRATION

Glossary of Terms

Source Documents Every carrier who registers vehicles under the IRP must maintain records to substantiate the actual miles travelled and other information used to determine registration fees for all vehicles in the IRP fleets.

Vehicle Costs Acceptable documentation to support a vehicle's purchase price and date of purchase include a purchase invoice and bill of sale. For leased units, the lease agreement (if the purchase price is stated in the agreement) or other proof of the fair market value of the vehicle at the beginning of the lease is required. Costs of any capital additions and modifications made to the vehicle within 30 days of the purchase must be included in the purchase price.

Driver's Trip Records An acceptable source document to record distances is a "Vehicle Trip Record" (VTR). The driver completes this document for each trip made by a vehicle in an IRP fleet, including owner-operated vehicles and leased vehicles. The most common VTRs are the driver's trip sheets and driver's logs. Other similar records are acceptable provided they contain the following basic information:

1. Registrant's name
2. Date of trip (beginning and ending)
3. Trip origin and destination
4. Routes (highway numbers) travelled
5. Beginning and ending odometer/hubodometer readings of the trip
6. Distance by jurisdiction
7. Total trip distance
8. Vehicle unit numbers, for both power unit and trailer(s)
9. Fleet number (if registrant has more than one fleet)
10. Driver's name and signature

Trip Permits Copies of all trip permits obtained for operations of the vehicle must be available on file. The distances traveled under these permits are to be reported on the next application for IRP registration.

Monthly The VTR information should be summarized on a monthly basis. The

MOTOR VEHICLE REGISTRATION

Glossary of Terms

Summaries summary should contain information by individual vehicle (beginning and ending odometer/hubodometer readings, individual trip details, distance by jurisdiction, and total distance traveled) and by fleet (distance by jurisdiction, total distance).

Yearly Summaries A yearly summary for each July 1 through June 30 reporting period should show the total fleet distance, broken down by month for each jurisdiction.

Records Retention Period **Other Records** Copies of the forms filed for annual registration (IRP Application, Supplemental Applications, Mileage Schedules, etc.) must be retained in the carrier's files for audit purposes.

All operational and mileage records supporting the application and supplements must be retained for a period of three (3) years after the close of the registration year.

Vehicle cost and weight records must be maintained for all vehicles that are currently registered in the fleet. These records must be kept for a period of three (3) years after the close of the registration year.

Reminder: In addition to the above IRP record retention requirements, the carrier must maintain all records pertaining to its operations as required under ORS 825.515 and OAR 740-055-0120.

Apportionable Vehicle "Apportionable Vehicle" means (except as provided below) any Power Unit that is used or intended for use in two or more Member Jurisdictions and that is used for the transportation of persons for hire or designed, used, or maintained primarily for the transportation of property, and:

- (i) has two Axles and a gross Vehicle weight or registered gross Vehicle weight in excess of 26,000 pounds (11,793.401 kilograms), or
- (ii) has three or more Axles, regardless of weight, or
- (iii) is used in combination, when the gross Vehicle weight of such combination exceeds 26,000 pounds (11,793.401 kilograms).

A Recreational Vehicle, a Vehicle displaying Restricted Plates, a bus used in the transportation of chartered parties or a government-owned Vehicle, is not an Apportionable Vehicle; except that a Truck or Truck Tractor, or the Power Unit in a Combination of Vehicles having a gross Vehicle weight of 26,000 pounds (11,793.401 kilograms), or less, and a bus used in the transportation of chartered parties, nevertheless may be registered under the

MOTOR VEHICLE REGISTRATION

Glossary of Terms

	Plan at the option of the Registrant.
Apportioned Registration	Registration that allows commercial vehicles to comply with registration requirements of more than one jurisdiction and to pay registration fees based on the percentage of operation in those jurisdictions.
Audit	The physical examination of a Registrant's Operational Records, including source documents, to verify the distances reported in the Registrant's application for apportioned registration and the accuracy of the Registrant's record-keeping system for its Fleet. Such an examination may be of multiple Fleets for multiple years.
Axle	An assembly of a Vehicle consisting of two or more wheels whose centers are in one horizontal plane, by means of which a portion of the weight of a Vehicle and its load, if any, is continually transmitted to the roadway. For purposes of registration under the Plan, an "Axle" is any such assembly whether or not it is load-bearing only part of the time.
Base Jurisdiction	A jurisdiction where the registrant has an established place of business, where mileage is accrued by the fleet, and where the operational records of the fleet are maintained or can be made available.
Bus	A motor vehicle designed to carry more than 10 passengers.
Cab Card	A registration card issued for a vehicle of an apportioned fleet which identifies the specific vehicle for which it was issued, the base jurisdiction of the fleet, the registered weight of the vehicle in each apportioned jurisdiction, and the jurisdiction(s) where the vehicle is properly registered.
Combination of Vehicles	A Power Unit used in combination with one or more Trailers, Semi-Trailers, or Auxiliary Axles.
Combined Gross Weight	Total empty weight of a combination of vehicles plus the total weight of the maximum load carried on that combination of vehicles.
Commercial Vehicle	A vehicle that is used for the transportation of persons for compensation or profit; or is designed or used primarily for the transportation of property.
Credentials	The registration plate, cab card, and sticker issued to reflect the apportioned registration of a vehicle.
Dump Truck	A truck whose contents are unloaded by tilting the truck bed backward with the tailgate open.
Empty Weight	Weight of a vehicle fully equipped for service, excluding the weight of any

MOTOR VEHICLE REGISTRATION

Glossary of Terms

load.

Enforcement Date “Enforcement Date” means the date the Base Jurisdiction requires a Registrant to display the new Registration Year’s Credentials.

Established Place of Business “Established Place of Business” means a physical structure located within the Base Jurisdiction that is owned or leased by the Applicant or Registrant and whose street address shall be specified by the Applicant or Registrant. This physical structure shall be open for business and shall be staffed during regular business hours by one or more persons employed by the Applicant or Registrant on a permanent basis (i.e., not an independent contractor) for the purpose of the general management of the Applicant’s or Registrant’s trucking-related business (i.e., not limited to credentialing, distance and fuel reporting, and answering telephone inquiries).

The Applicant or Registrant need not have land line telephone service at the physical structure. Operational Records concerning the Fleet shall be maintained at this physical structure (unless such records are to be made available in accordance with the provisions of **IRP Section 1020**).

The Base Jurisdiction may accept information it deems pertinent to verify that an Applicant or Registrant has an Established Place of Business within the Base Jurisdiction.

Estimated Distance “Estimated Distance” means either (i) the anticipated distance a Fleet is expected to travel in a Member Jurisdiction during an applicable Registration Year as reported by an Applicant or (ii) the distance assigned to the Fleet by the Base Jurisdiction.

FHWA Federal Highway Administration (formerly ICC)

Federal Heavy Vehicle Use Tax (HVUT) Tax paid to the Internal Revenue Service by all carriers with vehicles having a gross weight of 55,000 pounds or more.

Fleet One or more Apportionable Vehicles designated by a Registrant for distance reporting under the Plan.

Grace Period The period of time from the expiration of apportioned registration until the Enforcement Date for new Credentials.

Gross Vehicle Weight The total weight of a vehicle or combination of vehicles and load.

MOTOR VEHICLE REGISTRATION

Glossary of Terms

Interstate	Vehicle movement between or through two or more jurisdictions.
Intrastate	Vehicle movement from one point within a jurisdiction to another point within the same jurisdiction.
Jurisdiction	A country or a state, province, territory, possession, or federal district of a country.
Lease	Written document vesting exclusive possession, control of and responsibility for the operation of the vehicle to a lessee for a specific period of time. <ul style="list-style-type: none">• Long term lease – a lease of 30 days and longer• Short term lease – a lease of less than 30 days which is considered a “<i>Rental</i>” in Oregon
Lessee	Individual, partnership, or corporation having the legal possession and control of a vehicle owned by another under the terms of a lease agreement.
Lessor	Individual, partnership, or corporation which, under the terms of a lease, grants the legal right of possession, control of and responsibility for the operation of the vehicle to another individual, partnership, or corporation.
Loaded Weight	The weight transmitted to the road through an axle or set of axles when the vehicle is fully loaded.
Mileage Reporting Period	A period of twelve consecutive months immediately prior to the beginning of the registration or license year for which apportioned registration is requested. (In Oregon this period is July 1 to June 30.)
Mobile Home Toter (MT)	A motor vehicle designed without a fifth wheel and used exclusively for a mobile home on its own axles.
Operational Records	Source documents that evidence distance travelled by a Fleet in each Member Jurisdiction, such as fuel reports, trip sheets, and driver logs, including those which may be generated through on-board recording devices and maintained electronically, as required by the APM.
Owner	Any individual, partnership, or corporation, other than a lien holder, holding legal title to a vehicle.
OWRATI	Oregon Weight Receipt and Tax Identifier. The Oregon weight-mile tax credential for vehicles over 26,000 pounds.

MOTOR VEHICLE REGISTRATION

Glossary of Terms

Power Unit	A motor vehicle (not including an automobile or motorcycle) as distinguished from trailing equipment such as a trailer, semitrailer or auxiliary axle. Also see: bus, truck, truck-tractor, road tractor, tractor, dump truck, tow truck, or mobile home toter.
Purchase Price	Actual price of the vehicle paid by the current owner, excluding trade-in sales tax and use tax, including accessories or modifications attached to the vehicle. Federal Excise Tax is also included in the purchase price.
Reciprocity	Reciprocal granting of rights and/or privileges to vehicles properly registered under the IRP and to vehicles not so registered if such vehicles are subject to separate reciprocity agreements, arrangements, declarations, or understandings.
Reciprocity Agreement	An agreement, arrangement or understanding governing the reciprocal grant of rights and/or privileges to vehicles which are parties to such an agreement, arrangement, or understanding.
Recreational Vehicle/Motor Home	Vehicle used for personal pleasure or personal travel and not in connection with any commercial endeavour. Vehicles such as campers, house trailers, motor homes, and mobile homes when used exclusively for personal pleasure and travel by an individual and his family. In order to qualify as a Recreational Vehicle, the Vehicle must not be used in connection with any business endeavour.
Registration Year	The twelve-month period during which, under the laws of the Base Jurisdiction, the registration issued to a Registrant by the Base Jurisdiction is valid.
Residence	The status of an Applicant or a Registrant as a resident of a Member Jurisdiction.
Restricted Plate	A registration plate that has time (less than a full year), geographic area, mileage, or commodity restrictions (farm, log, or dealer plate) or a mass transit or other special plate issued for a bus leased or owned by a municipal government, a state or provincial transportation authority, or a private party, and operated as part of an urban mass transit system, as defined by the Jurisdiction that issues the plate.
Road Tractor	A motor vehicle designed without a fifth wheel and used for pulling other vehicles by means of a ball hitch and so constructed to carry only part of the weight of the vehicle being towed.

MOTOR VEHICLE REGISTRATION

Glossary of Terms

Tare Weight (Unladen Weight)	The actual weight of the vehicle including the cab, body and all accessories with which the vehicle is equipped for normal use on the highway excluding the weight of any load.
Total Distance	Total number of miles (including non-taxable miles and accrued on trip permits, operated by a fleet of apportioned vehicles registered in all jurisdictions during the mileage reporting period.
Tow/Recovery Vehicle (TW)	A motor vehicle designed for towing and recovering vehicles which are wrecked, damaged, disabled, abandoned, or are replacement vehicles.
TOWRATI	Temporary Oregon Weight Receipt and Tax Identifier. The temporary Oregon weight-mile tax credential for vehicles over 26,000 pounds. Issued to vehicles prior to the permanent base plate displayed on vehicle.
Tractor	Motor vehicle designed and used to pull other vehicles and NOT constructed to carry a load other than part of the weight of the pulled vehicle and its load.
Trip Permit	Temporary registration trip permit issued by a jurisdiction in lieu of apportioned or full registration.
Trip Records	Records maintained on distances travelled for each unit on a monthly/quarterly basis and accumulated totals annually. The reporting period for actual distance travelled is July 1 to June 30 of the preceding year. The reporting period for estimated distance is for the projected registration year. These records are subject to audit by the base jurisdiction as well as host jurisdictions.
Truck	Motor vehicle designed and used for the transportation of property -- generally not designed and used to pull other vehicles.
Truck-Tractor	A motor vehicle designed and used for carrying a load and for pulling trailers with loads.
Unladen Weight (Tare Weight)	The actual weight of the vehicle including the cab, body and all accessories with which the vehicle is equipped for normal use on the highway excluding the weight of any load.
Unladen Weight Permit	Permit issued to an owner-operator (lessor) that terminates a lease and has to surrender his apportioned license plate and cab card to the carrier (lessee). This permit enables a vehicle or combination of vehicles to use the highways in all jurisdictions for the purpose of locating a new job. The unladen weight permit is valid for vehicles operating at unladen weight

MOTOR VEHICLE REGISTRATION

Glossary of Terms

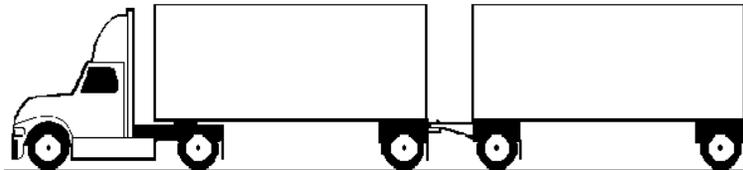
only and is non-transferable. The vehicles are also exempt from paying Oregon's weight-mile tax, when 26,000 pounds unladen weight or less. This type of permit is \$43 for 10 days. The permit is valid for the power unit or power unit and unladen trailer. Vehicles over 26,000 pounds will also need to obtain a temporary pass for Oregon's weight-mile tax.

**Vehicle
Identification
Number (VIN)**

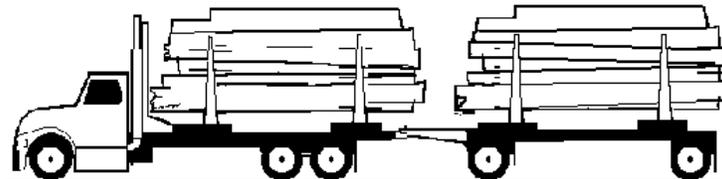
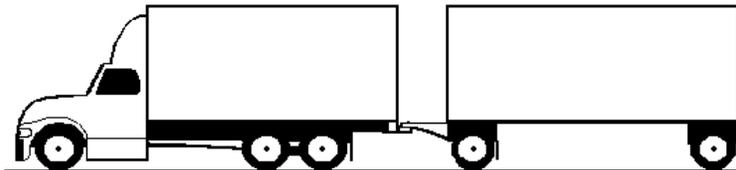
Identifying numbers and letters assigned to a vehicle for the purpose of titling and registration.

MOTOR VEHICLE REGISTRATION

Appendix A



(TR) Tractor - A motor vehicle designed and used exclusively to pull trailers.



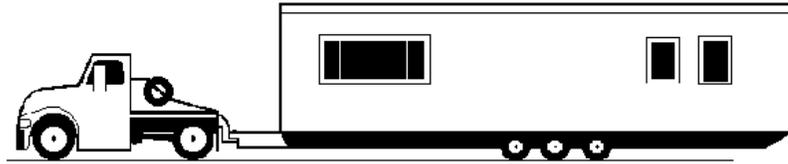
(TT) Truck/Trailer - A motor vehicle designed and used for carrying a load and for pulling trailers with loads.



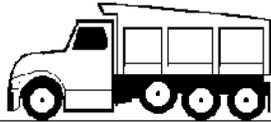
(BS) Bus - A motor vehicle designed and used to carry more than ten passengers.

MOTOR VEHICLE REGISTRATION

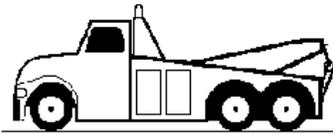
Appendix A



(MT) Mobile Structure Toter - A motor vehicle designed and used EXCLUSIVELY to pull mobile homes on their own axles.



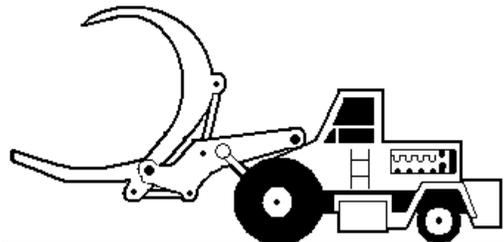
(DT) Dump Truck - A vehicle from which contents are unloaded by tilting the truck bed backward with the tailgate open.



(TW) Tow Truck - A vehicle designed and used, with a special towing license, to tow disabled vehicles.



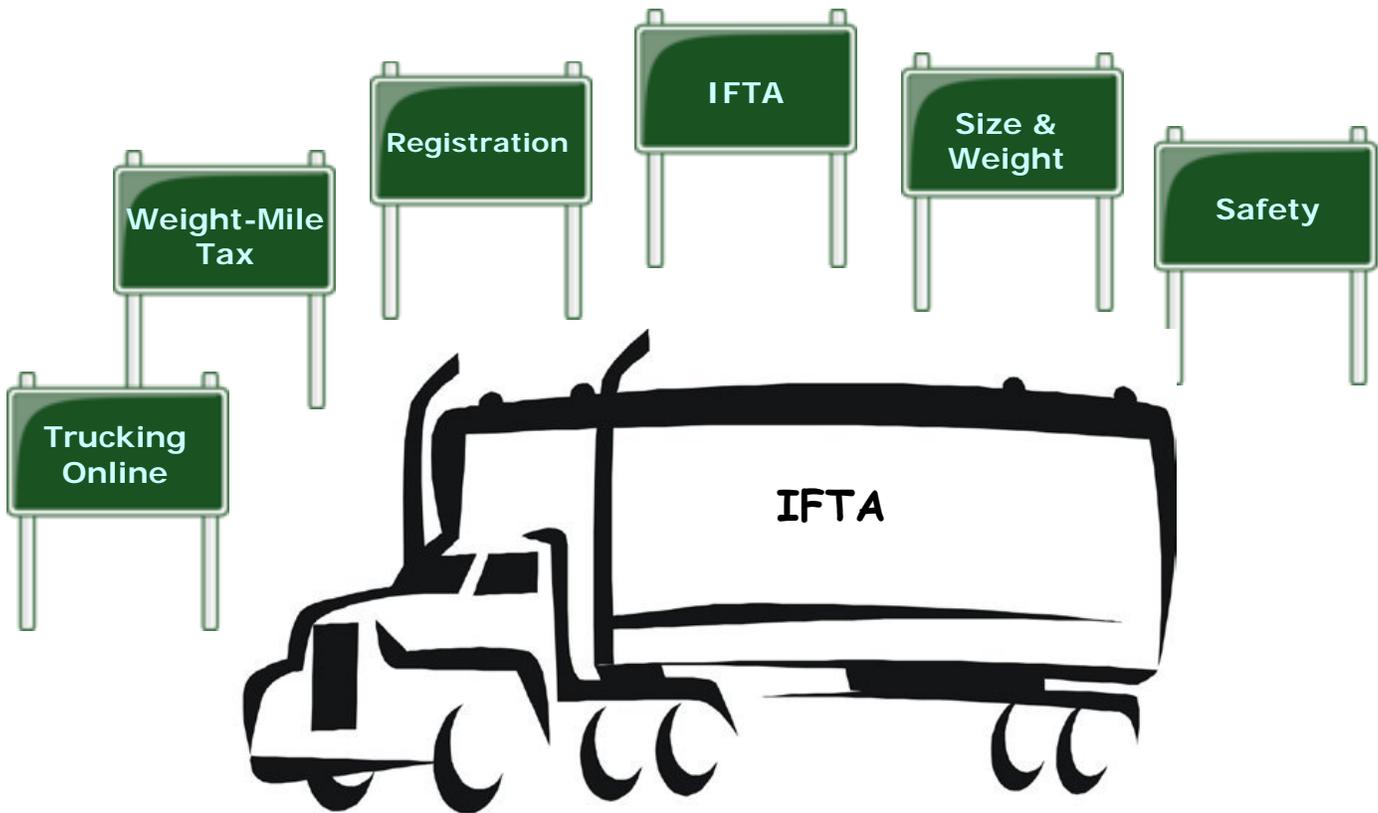
(TK) Solo Truck - A motor vehicle designed and used to haul property, and NOT used to pull a trailer.



(HF) Fixed Load Vehicle - A vehicle with a gross weight and lightweight that are the same.

Motor Carrier Education Manual

State of Oregon
Department of Transportation
Motor Carrier Transportation Division



Trucking companies must have knowledge in all areas of regulations in order to fulfill their regulatory requirements. This material provides concise and relevant information to your business and is provided to you by the Oregon Department of Transportation, Motor Carrier Transportation Division.

This section describes **IFTA**.

Amy Ramsdell, Administrator
November 2016

INTERNATIONAL FUEL TAX AGREEMENT – Application, License, Decals

What is IFTA

The International Fuel Tax Agreement (IFTA) is an agreement between member jurisdictions to simplify the reporting of motor fuel use taxes. One tax return is filed for fuel consumed in all member jurisdictions. The State of Oregon implemented its IFTA program in 1994. It is administered by the Motor Carrier Transportation Division (MCTD) of the Oregon Department of Transportation (ODOT).

Each jurisdiction assigns its own tax rates to the various types of fuel. Each jurisdiction may define what constitutes taxable activity and what is tax-exempt. For more information, motor carriers are encouraged to contact those jurisdictions in which they intend to operate. For a complete list of the member jurisdictions, contact the MCTD IFTA Unit, or access the IFTA, Inc. web site at www.iftach.org for jurisdiction contact information.

Definitions

Applicant

A person in whose name the uniform application for licensing is filed with Oregon for the purpose of motor fuel tax reporting under the provisions of the IFTA.

Base Jurisdiction

The member jurisdiction where qualified motor vehicles are based for vehicle registration purposes; and

Where operational control and records are maintained or can be made available; and

Where some travel is accrued by qualified motor vehicles within the fleet. The commissioners of affected jurisdictions may allow consolidation of fleets based in two or more jurisdictions.

Farm Rate

To qualify for the Farm rate for your IFTA license, more than half of the vehicles you operate under IFTA must have Oregon farm registration plates. Use the following chart to determine if you qualify for the Farm rate.

Total number of IFTA-Qualified vehicles.	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Number of those vehicles that must be farm-plated in order to qualify for the farm rate.	1	2	2	3	3	4	4	5	5	6	6	7	7	8	8	9	9	10	10	11

INTERNATIONAL FUEL TAX AGREEMENT – Application, License, Decals

In-Jurisdiction Distance	The total number of miles operated by a licensee’s qualified motor vehicles within a jurisdiction. In-Jurisdiction miles do not include miles operated on a fuel tax trip permit or miles exempted from fuel taxation by a jurisdiction.
Jurisdiction	A state of the United States, the District of Columbia, a province or territory of Canada, or a state of the United Mexican States.
Lessee	The party acquiring the use of equipment with or without a driver from another.
Lessor	The party granting the use of equipment with or without a driver to another.
Licensee	A person who holds an uncanceled Agreement license issued by the base jurisdiction.
License Fee	Oregon IFTA License Fee is determined by the number of vehicles being operated under IFTA. Carriers qualifying for the farm rate will pay a fixed amount, regardless of the number of vehicles operated under IFTA as long as more than half of those IFTA qualified vehicles are Oregon farm-plated.
Motor Fuels	All fuels placed in the supply tank of qualified motor vehicles.
Person	An individual, corporation, partnership, association, trust, or other entity.
Qualified Motor Vehicle	A motor vehicle used, designed, or maintained for transportation of persons or property and: <ul style="list-style-type: none">• Having two axles and gross vehicle weight or registered gross vehicle weight exceeding 26,000 pounds; or• Having three or more axles regardless of weight; or• Is used in combination, when the weight of such combination exceeds 26,000 pounds gross vehicle or registered gross vehicle weight. Qualified Motor Vehicle does not include recreational vehicles.

INTERNATIONAL FUEL TAX AGREEMENT – Application, License, Decals

Recreational Vehicle Vehicles such as motor homes, pickup trucks with attached campers, and buses when used exclusively for personal pleasure by an individual. In order to qualify as a recreational vehicle, the vehicle shall not be used in connection with any business endeavor.

Reporting Period A period of time consistent with the calendar quarterly periods of January 1 - March 31, April 1 – June 30, July 1 – September 30, and October 1 – December 31.

Total Distance All miles traveled during the reporting period by every qualified vehicle in the licensee’s fleet, regardless of whether the miles are considered taxable by a jurisdiction.

Weight The maximum weight of the loaded vehicle or combination of vehicles during the registration period.

Application Any person who is based in a member jurisdiction and operates a qualified motor vehicle(s) in two or more member jurisdictions is required to obtain an IFTA license unless an election is made to satisfy motor fuels use tax obligations by purchasing a temporary fuel tax permit on a trip-by-trip basis.

To obtain an Oregon-based IFTA license, you must fully complete an “Oregon Application for IRP and/or IFTA – Schedule A” (Form 735-9908). You may apply for both IFTA and IRP (International Registration Plan) using the same application.

IFTA forms are available at the MCTD web site:

www.OregonTruckingOnline.com

✓ Click on FORMS tab

Or

✓ Call the Oregon IFTA Unit at 503-373-1634

Oregon as the Base Jurisdiction A carrier must qualify as an Oregon-based carrier in order to obtain Oregon IFTA credentials. In order to base a fleet in Oregon, a motor carrier must have:

a) An “established place of business” in Oregon, which

INTERNATIONAL FUEL TAX AGREEMENT – Application, License, Decals

means a physical structure owned, leased, or rented by the fleet registrant. The physical structure must be open during normal business hours and have located within it:

- A. A person in the permanent employment of the registrant conducting the registrant’s trucking-related business.
 - B. The operational records of the fleet and their maintenance (unless such records can be made available).
- b) Mileage accrued in Oregon by the fleet.
 - c) Corporations, LLCs, etc. must also meet requirements with the Oregon Corporation Division, 255 Capitol St NE, Ste 151, Salem, OR 97310, phone number 503-986-2200.

Exception: A carrier based in a jurisdiction that is not a member of IFTA may apply to Oregon for a license. If accepted, the carrier agrees to make operational records available for audit in Oregon, or pay reasonable per diem travel expenses for auditors to audit records located outside of Oregon.

License

As your base jurisdiction, Oregon will issue one IFTA license to the qualified applicant. The licensee is required to make copies of the IFTA license so that one copy can be carried in each qualified motor vehicle. A vehicle will not be considered to be operating under IFTA unless there is a copy of the license in the vehicle. Failure to display a copy of the IFTA license may subject the vehicle operator to the purchase of a fuel use trip permit or citation or both. The IFTA license is valid for the current calendar year, and expires each December 31.

Change of Address

Notify MCTD when there is a change of address or telephone number.

There is no fee for these changes. Carriers who have signed up to use Oregon’s Trucking Online, may also change their company’s address on line, using: <http://www.OregonTruckingOnline.com>

Change of Ownership

If there is a change in ownership of the licensee, you must submit a new application, with payment, for a new IFTA license for the new entity. The IFTA account for the original entity should be closed if it is no longer operating. A separate license fee is required for each entity if they both operate under IFTA during the same calendar year. Examples of ownership changes include, but are not limited to, the following:

INTERNATIONAL FUEL TAX AGREEMENT – Application, License, Decals

- Individual to Partnership
- Partnership to Individual
- Individual to Corporation
- Partnership to Corporation
- Partnership to LLC
- Corporation to LLC

In most cases, a new Federal Employer Identification Number (FEIN) is required by the Internal Revenue Service, and must be included on the Oregon IFTA license application.

Renewal

Current IFTA licensees will be sent a renewal application each year for a new IFTA license and decals. For most motor carrier's the IRP and IFTA renewals will be combined. You may opt to renew IFTA separately by contacting the Oregon IFTA unit at 503-373-1634.

If there has been a change in ownership, you may use the renewal application to close the IFTA account for the original entity, and to request an application form for credentials for the new entity. You will also need to complete a new Application for Motor Carrier Permit (Form 735-9075) with the new ownership information.

The grace period for operating with IFTA decals from the previous year is from January 1 through February of the renewal year. The grace period is only for carriers who are renewing and is to allow time for carriers to place the new year's credentials in vehicles. If you do not renew your IFTA license by December 31, you may be subject to citation if you operate in other jurisdictions on decals from the previous year during the grace period.

Application for Oregon IRP and/or IFTA

You may obtain an Oregon Application for IRP and/or IFTA – Schedule A License (Form 735-9908) by calling the IFTA Unit at (503) 373-1634 or download the application from the MCTD web site at:

All MCTD forms are available at the MCTD web site:

www.OregonTruckingOnline.com

- ✓ Click on FORMS tab
- Or
- ✓ Call the Oregon IFTA Unit at 503-373-1634

INTERNATIONAL FUEL TAX AGREEMENT – Application, License, Decals

- Indicate what type of credentials you are applying for, IRP (International Registration Plan) and/or IFTA (International Fuel Tax Agreement).
- Indicate the effective date of the application. This will be your IFTA liability date and you will owe tax returns from this date forward.
- Indicate whether this is a new account, reactivation of a closed or cancelled account, new fleet (IRP), address change, or ownership change. There is no fee for a name change if the ownership has not changed, or for an address or telephone number change. If the ownership has changed (for example, from an individual to a partnership or corporation), check the Ownership Change box and provide information requested about the previous account.
- Enter your MCTD Account Number. If requesting a new account, leave blank. If you do not already have a MCTD account with Oregon, you must also complete the Application for Motor Carrier Account (Form 735-9075) and an MCTD account number will be assigned. Submit this form along with your IRP/IFTA Application.
- Enter your Federal Employer Identification Number (FEIN). If you do not have a FEIN and you are operating as an individual owner; please obtain one by contacting the Internal Revenue Service.
- Enter your Oregon Farm ID Number, if applying for IFTA Farm Rate or Prorated Farm Plates. To qualify for the IFTA Farm rate for your IFTA license, more than half of the vehicles you operate under IFTA must have Oregon farm registration plates.
- Enter any previous Oregon account number, if applicable.
- Name of Individual Owner, Partners, Corporation, or LLC – enter legal name. If a partnership, all partners must be listed.
- DBA – if operating under a different name, enter assumed business name (must be on file with Oregon Secretary of State Corporation Division).

INTERNATIONAL FUEL TAX AGREEMENT – Application, License, Decals

- Address and Phone – enter the location address and location phone number. Location address can not be a PO Box or Drop Box address.
- Contact Name, Phone, and Email Address – enter the name, phone, and email address of the person to contact regarding this application and IRP and/or IFTA transactions on this account.

NEW ACCOUNTS/FLEETS IRP:

- Mailing address – enter mailing address if different from location address.
- Indicate if previously registered in another jurisdiction and provide jurisdiction name and IRP account number.
- If all vehicles on the account will be exempt from Oregon’s weight/mile tax, indicate reason so qualified.
- Drug Consortium Name – enter name of consortium, “In-House” if maintaining your own program, or “Exempt” if you have no vehicles that require a CDL to operate.

NEW ACCOUNTS/IFTA Section:

- Mailing address – enter mailing address if different from location address.
- Indicate if an IFTA license has ever been obtained from another jurisdiction and provide name of jurisdiction.
- Bulk Fuel Storage – list jurisdiction(s) where you maintain bulk fuel storage or check box for none.
- Enter number of IFTA qualified vehicles for which you need decals.
- Enter license fee from chart below. If applying for both IRP and IFTA, the fees will be calculated on and paid with the IRP Invoice.

INTERNATIONAL FUEL TAX AGREEMENT – Application, License, Decals

# OF VEHICLES	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16 - 20	21 & over
REGULAR FEE	\$280	\$295	\$310	\$325	\$340	\$355	\$370	\$385	\$400	\$415	\$430	\$445	\$460	\$475	\$490	\$525	\$575
FARM FEE	\$50 Flat Fee Note - More than 50% your of IFTA qualified vehicles must be Farm plated																

IRP and IFTA

- Sign and date application.
- To obtain IRP (International Registration Plan) credentials (plates, cabcards and stickers) plates for your vehicles, complete the Apportioned Registration Forms, Schedule B & C and forward to ODOT – MCTD at the address below, or you may fax them to the Oregon Vehicle Registration Unit at 503-378-6643.
- For IFTA Only, return this application and applicable fees to:

Oregon Department of Transportation, MCTD
3930 Fairview Industrial Drive SE
Salem, OR 97302-1166
- After your application has been approved, you will receive an International Fuel Tax Agreement (IFTA) License. Make a copy of the license for each vehicle. You will also receive a pair of decals for each vehicle.
- ODOT will send tax return forms to you during the last month of each reporting period. Returns must be filed even if no tax is due. Penalties will be assessed for late returns, and returns must be accompanied by payment of any tax due to be considered filed.

INTERNATIONAL FUEL TAX AGREEMENT – Application, License, Decals



OREGON DEPARTMENT OF TRANSPORTATION
MOTOR CARRIER TRANSPORTATION DIVISION
3930 FAIRVIEW INDUSTRIAL DRIVE SE
SALEM OR 97302-1166

OREGON APPLICATION FOR IRP AND/OR IFTA INTERNATIONAL REGISTRATION PLAN - SCHEDULE A INTERNATIONAL FUEL TAX AGREEMENT - LICENSE APPLICATION

[Reset](#) [Print](#)

PHONE: IRP (503) 378-6643
IFTA (503) 373-1634
FAX: IRP (503) 378-5765
IFTA (503) 378-8815

NOTE: NAME OR OWNERSHIP CHANGES REQUIRE FORM 735-9075

MCTD ACCOUNT NUMBER	EFFECTIVE DATE	FEDERAL EMPLOYER IDENTIFICATION NUMBER	OREGON FARM NUMBER	PREVIOUS MCTD ACCOUNT NUMBER
NAME OF OWNER, PARTNERS, CORPORATION, OR LLC		BUSINESS PHONE	CONTACT NAME	CONTACT PHONE
DBA - MUST BE ON FILE WITH OREGON CORPORATION DIVISION		FAX NUMBER	Does street address meet Established Place of Business Requirements ? Location must be open and staffed by persons employed by the Applicant (not agent) during regular business hours. <input type="checkbox"/> YES <input type="checkbox"/> NO If NO: Proof of Residency - Schedule R (FORM 735-9914) must be completed and approved.	
CARRIER STREET ADDRESS	CITY	STATE	ZIP	
RECORDS LOCATION ADDRESS	CITY	STATE	ZIP	

<p>IRP ACCOUNT <input type="checkbox"/> NEW FLEET <input type="checkbox"/> RENEW</p> <p>MAILING ADDRESS (IF DIFFERENT FROM ABOVE) <input type="checkbox"/> CHECK IF AGENT ADDRESS FLEET NUMBER</p> <p>CITY STATE ZIP</p> <p>VEHICLES PREVIOUSLY REGISTERED IN ANOTHER JURISDICTION? <input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, WHERE? JURISDICTION: _____ IRP ACCOUNT #: _____</p> <p>TYPE OF OPERATION <input type="checkbox"/> PRIVATE <input type="checkbox"/> FOR HIRE <input type="checkbox"/> ICC EXEMPT <input type="checkbox"/> HOUSEHOLD GOODS IF EXEMPT FROM OREGON WEIGHT/MILE TAX, CHECK REASON. <input type="checkbox"/> UNDER 26,000 POUNDS <input type="checkbox"/> CHARITABLE <input type="checkbox"/> FARM <input type="checkbox"/> OTHER _____</p> <p>PROVIDE NAME OF DRUG AND ALCOHOL TESTING CONSORTIUM IN WHICH YOUR COMPANY IS ENROLLED OR WRITE "IN-HOUSE" IF YOU MAINTAIN YOUR OWN PROGRAM. TESTING PROGRAMS MUST BE IN COMPLIANCE WITH USDOT REQUIREMENTS (49 CFR PART 382). CONSORTIUM NAME _____</p>	<p>IFTA ACCOUNT <input type="checkbox"/> NEW <input type="checkbox"/> RENEW/REACTIVATE</p> <p>MAILING ADDRESS (IF DIFFERENT FROM ABOVE) <input type="checkbox"/> CHECK IF AGENT ADDRESS</p> <p>CITY STATE ZIP</p> <p>PREVIOUS IFTA LICENSE IN ANOTHER JURISDICTION? <input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, WHERE? JURISDICTION: _____ IFTA ACCOUNT #: _____</p> <p>CURRENT STANDING OF IFTA LICENSE IN PRIOR JURISDICTION <input type="checkbox"/> REVOKED <input type="checkbox"/> SUSPENDED <input type="checkbox"/> CANCELLED</p> <p>LIST JURISDICTIONS WHERE YOU MAINTAIN BULK STORAGE OF FUEL _____ IF NONE, CHECK NONE. <input type="checkbox"/> NONE</p> <p>_____ # OF IFTA DECAL PAIRS</p> <p>_____ LICENSE FEE (SEE FEE CHART ON REVERSE)</p> <p>NOTE: DO NOT SEND MONEY WITH APPLICATION IF ALSO APPLYING FOR IRP.</p>
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IF APPLYING FOR AN IFTA LICENSE, I AGREE TO COMPLY WITH THE REPORTING, PAYMENT, RECORD KEEPING, AND LICENSE DISPLAY REQUIREMENTS AS SPECIFIED IN THE INTERNATIONAL FUEL TAX AGREEMENT. I FURTHER AGREE THAT OREGON MAY WITHHOLD ANY REFUNDS DUE IF I AM DELINQUENT ON PAYMENT OF FUEL TAXES DUE ANY MEMBER JURISDICTION. FAILURE TO COMPLY WITH THE PROVISIONS SHALL BE GROUNDS FOR REVOCATION OF MY LICENSE IN ALL MEMBER JURISDICTIONS.

I AM KNOWLEDGEABLE OF THE APPLICABLE FEDERAL MOTOR CARRIER SAFETY REGULATIONS AND HAZARDOUS MATERIALS REGULATIONS OR COMPATIBLE STATE REGULATIONS. I UNDERSTAND THAT ORS 803.375 MAKES IT A CRIME TO KNOWINGLY PROVIDE FALSE INFORMATION RELATED TO A VEHICLE REGISTRATION. ORS 803.385 MAKES IT A CRIME TO AFFIRM OR CERTIFY ANY INFORMATION RELATED TO A VEHICLE REGISTRATION THAT THE PERSON KNOWS TO BE FALSE. EACH OFFENSE IS A CLASS A MISDEMEANOR PUNISHABLE BY A JAIL SENTENCE OF UP TO ONE YEAR, A FINE UP TO \$6,250, OR BOTH. THIS CERTIFICATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

SIGNATURE REQUIREMENTS: OWNER, A PARTNER, CORPORATE OFFICER, MANAGER/MEMBER OF LIMITED LIABILITY COMPANY (LLC), GENERAL PARTNER IN A LIMITED PARTNERSHIP, PARTNER IN A LIMITED LIABILITY PARTNERSHIP, OR AGENT (ATTACH POWER OF ATTORNEY). **FAXED SIGNATURES ARE ACCEPTABLE.**

PRINT NAME	SIGNATURE	TITLE	DATE
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FORM 735-9000 (1-14)

INTERNATIONAL FUEL TAX AGREEMENT – Application, License, Decals

INSTRUCTIONS FOR COMPLETING OREGON APPLICATION FOR IRP AND/OR IFTA

Complete the following fields:

- MCTD ACCOUNT NUMBER – for new account leave blank, all others enter your Oregon MCTD account number.
- EFFECTIVE DATE: The date this account/registration will become active. When applying for IFTA and/or vehicles subject to Oregon's Weight Mile Tax, this will be the tax liability date and the company will owe tax returns from this date forward.
- FEDERAL EMPLOYER IDENTIFICATION NUMBER (FEIN) – enter the FEIN or if applying as an individual owner with no FEIN, enter your social security number.
- OREGON FARM NUMBER – enter if applicable.
- PREVIOUS MCTD ACCOUNT NUMBER – enter any previous Oregon account numbers assigned.
- NAME OF OWNER, PARTNERS, CORPORATION, OR LLC – enter legal name. If a partnership, all partners must be listed.
- CONTACT NAME AND PHONE – enter the name and phone number of the person to contact regarding this application and IRP and/or IFTA transactions on this account. This person must be a company employee or agent, if agent, a current Power of Attorney must be on file with ODOT-MCTD.
- DBA – if operating under a different name, enter assumed business name, must already be on file with ODOT-MCTD.
- Does Street Address meet **Established Place of Business Requirements?** Established Place of Business defined as "a physical structure owned or leased by the Registrant, located in the base jurisdiction, which is open and staffed by persons employed by Registrant (not agent) during business hours." Check box that applies. IF NO - Proof of Residency – Schedule R (FORM 735-9914) must be completed and approved.
- CARRIER STREET ADDRESS – Enter business location address (mailing address is entered below)
- RECORDS LOCATION ADDRESS – Enter address, if different than STREET ADDRESS.

IRP ACCOUNT: Check box for NEW FLEET or RENEW if application is for IRP.

- MAILING ADDRESS (IF DIFFERENT FROM ABOVE) – enter mailing address if different from street address.
- FLEET NUMBER – enter fleet number if Renewal Application, otherwise ODOT-MCTD will assign fleet number.
- VEHICLES PREVIOUSLY REGISTERED IN ANOTHER JURISDICTION? Check box, if YES, provide jurisdiction name and IRP account number.
- TYPE OF OPERATION – check boxes for all types of operation that apply to this fleet. If all vehicles on the account will be exempt from Oregon's weight-mile tax, check box to indicate reason for exemption.
- DRUG CONSORTIUM NAME – enter name of consortium, "In-House" if maintaining your own program, or "Exempt" if you have no vehicles that require a CDL to operate.

IFTA ACCOUNT: Check box for NEW or RENEW/REACTIVATE if application is for IFTA.

- MAILING ADDRESS – enter mailing address if different from street address.
- PREVIOUS IFTA LICENSE IN ANOTHER JURISDICTION? If yes, provide jurisdiction name and account number.
- CURRENT STANDING OF IFTA LICENSE IN PRIOR JURISDICTION: If previous IFTA, select status.
- LIST JURISDICTION WHERE YOU MAINTAIN BULK STORAGE OF FUEL: IF NONE, CHECK NONE.
- # OF IFTA DECAL PAIRS: Enter number of IFTA qualified vehicles for which you need decals.
- LICENSE FEE: Enter license fee from chart below.

NUMBER OF VEHICLES	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16 - 20	21 & over
REGULAR FEE	\$280	\$295	\$310	\$325	\$340	\$355	\$370	\$385	\$400	\$415	\$430	\$445	\$460	\$475	\$490	\$525	\$575
FARM FEE	\$50 Flat Fee Note - More than 50% of your IFTA qualified vehicles must be Farm plated																

IRP and IFTA

- Print name, sign, and date application. Return application and any applicable fees to ODOT-MCTD, PO Box 5330, Salem, OR 97304-0330.

INTERNATIONAL FUEL TAX AGREEMENT – Application, License, Decals

Placement of Decals The qualified applicant will be issued a set of two IFTA decals for each qualified motor vehicle in the fleet. The IFTA decals must be placed on the exterior portion of both sides of the cab. In the case of transporters, manufacturers, dealers, or drive-away operations, the decals need not be permanently affixed, but may be temporarily displayed in a visible manner on both sides of the cab. Failure to display IFTA decals in the required locations may subject the vehicle operator to the purchase of a fuel use trip permit or citation or both. The IFTA decals are issued annually, and are not vehicle-specific.

A 30-day temporary decal permit will be issued to a carrier on request when an IFTA license is issued, when the carrier is adding a new vehicle. The permit is vehicle-specific, and must be carried in each vehicle listed on the permit, along with a copy of the current valid Oregon IFTA license, until the new decals are placed on the vehicle. The following information is required for each vehicle to be listed on the temporary decal permit: unit number, year, make and vehicle identification number.

Your IFTA license and IFTA decals qualify you to operate in all member jurisdictions without further licensing or identification requirements in regard to motor fuel use taxes. Motor carriers should contact jurisdictions in which they intend to operate for any other requirements of those jurisdictions. For a complete list of the member jurisdictions, see the IFTA Jurisdiction List on the back cover of the IFTA Handbook, contact the MCTD IFTA Unit, or access the IFTA, Inc. web site at www.iftach.org for jurisdiction contact information.

To obtain additional IFTA decals throughout the year, contact the IFTA Unit at (503) 373-1634, Monday through Friday, 8:00 a.m. to 5:00 p.m. Be sure to have your Oregon account number ready when you call. Ordering more decals may increase the amount of your annual license fee, and the additional amount must be paid before the decals will be issued.

Carriers who have signed up for Trucking Online, may also order replacement decals on MCTD's web site:

www.OregonTruckingOnline.com

Many IFTA transactions are available Oregon's Trucking Online with more transactions planned in the near future. Sign up today!

INTERNATIONAL FUEL TAX AGREEMENT – Record Keeping Requirements

Record Keeping and Audit Every carrier with an IFTA license is required to maintain records that substantiate what is reported on their IFTA Quarterly or Annual Tax Return. Carriers must keep operational records for a period of four (4) years from the due date of each return or the filing date, whichever is later. The required records include Distance Records, Fuel Records, and Bulk Fuel Records (if applicable), and must be recapped in monthly summaries. The following must be presented to Oregon Department of Transportation auditors upon request:

- Distance Records**
- Date of trip (starting and ending);
 - Trip origin and destination;
 - Route of travel;
 - Beginning and ending odometer or hubometer reading of the trip;
 - Total trip miles;
 - Intermediate trip stops
 - Miles by jurisdiction;
 - Unit number or vehicle identification number;
 - Vehicle fleet number; and
 - Licensee's name

- Fuel Records**
- Purchaser's name
 - Seller's name and address
 - Date of purchase
 - Fuel type
 - Price per gallon
 - Unit number
 - Number of gallons received
 - Separate totals must be compiled for each fuel type, and retail fuel purchased must be accounted for separately from bulk fuel purchases.

Tax Credits To obtain credit on the tax return for tax-paid purchases on a jurisdictional basis, the licensee must keep the following records:

- Receipt; or
- Invoice; or
- Credit card receipt; or

INTERNATIONAL FUEL TAX AGREEMENT – Record Keeping Requirements

- Automated vendor-generated invoice or transaction listing; or
- Microfilm/microfiche of the receipt or invoice that shows evidence of the purchase and that tax was paid.

Receipts that have been altered or indicate erasures are not accepted for tax-paid credit. Receipts must identify the vehicle by the plate or unit number. An acceptable receipt or invoice taken as credit must include the following:

- Date of purchase;
- Seller's name and address;
- Number of gallons purchased;
- Fuel type;
- Price per gallon or total amount of sale;
- Unit number; and
- Purchaser's name (In the case of a lessee/lessor agreement, receipts will be accepted in either name, provided a legal connection could be made to the reporting party for that purchase.)

Bulk Fuel Records (if applicable)

- Date of withdrawal
- Number of gallons
- Fuel type
- Unit number
- Purchase and inventory records to substantiate that tax was paid

Bulk fuel inventory reconciliations must be maintained, and records must distinguish fuel placed in qualified vehicles from other uses.

Failure to maintain the above records may result in disallowance of tax-paid credits claimed on the IFTA tax returns, assessing fleet miles per gallon to 4.0 mpg, or both. Receipts that have been altered or indicate erasures are not accepted for tax-paid credits unless the licensee can demonstrate that the receipt is valid.

Oregon Administrative Rule 740-200-0040, IFTA web site:
<http://www.iftach.org/>

INTERNATIONAL FUEL TAX AGREEMENT – Tax Return Checklist

Tax Returns

After you receive your IFTA license, the IFTA Unit will send you the “International Fuel Tax Agreement Tax Return” (Form 735-9740) each quarter which you must complete and file with payment of any tax that is due. You must list on the tax return form all operations in member jurisdictions. The IFTA tax return is to be used only by the motor carrier whose name is printed on it. If the business name, location, or mailing address is not correct, mark through the incorrect information and print the correct information.

When the IFTA Unit mails each quarterly IFTA tax return, a fuel tax rate schedule and filing instructions will be included. The rate schedule will provide the current fuel tax rates for each fuel type by jurisdiction that must be used when completing the quarterly IFTA tax return. Any credits or balances due from prior periods will be pre-printed on the return. **Credits should be verified by contacting the IFTA Unit before being deducted from current amounts due.**

If you do not receive a quarterly IFTA tax return, you may either call the IFTA Unit at (503) 373-1634 or download a tax return form from

the MCTD web site at:

<http://www.OregonTruckingOnline.com>

✓ Click on FORMS tab

Oregon’s IFTA tax return allows a licensee to report all fuel types and jurisdictions on one form. ODOT staff cannot perform calculations for you on your returns.

Who Must File

Every Oregon-based motor carrier issued a license under the International Fuel Tax Agreement is required to file an IFTA tax return (Form 735-9740).

If your IFTA license is revoked, you are still required to file returns for all periods your account remains open. Filing a return does not authorize operation in other jurisdictions. Operation in member jurisdictions without valid credentials is illegal and cause for citation, fines, and penalties.

Qualified Motor Vehicles

All vehicles in the licensee’s fleet bearing an Oregon IFTA decal must be included on the IFTA tax return, including vehicles bearing Oregon IFTA decals that did not leave Oregon during the reporting period. Qualifying motor vehicle means a motor vehicle:

INTERNATIONAL FUEL TAX AGREEMENT – Tax Return Checklist

1. Having two axles and a gross vehicle weight or registered gross vehicle weight exceeding 26,000 pounds; or
2. Having three or more axles regardless of weight; or
3. Used in combination when the weight of such combination exceeds 26,000 pounds gross vehicle weight.

Due Dates

IFTA tax returns, properly signed and accompanied by a check or money order **payable to Oregon Department of Transportation (ODOT/IFTA)**, are due the last day of the month immediately following the end of each reporting period. Tax returns must be postmarked on or before the due date to be considered on time. **Tax returns must be filed even if there is no tax due, there were Oregon operations only, or there were no operations for the reporting period.**

QUARTER	DUE DATE	QUARTER	DUE DATE
1 st Quarter	April 30	3 rd Quarter	October 31
2 nd Quarter	July 31	4 th Quarter	January 31

If the due date falls on a weekend or holiday, the tax return is due the next business day.

Where to File

Mail completed IFTA tax returns to:

Motor Carrier Transportation Division
3930 Fairview Industrial Drive SE
Salem, OR 97302-1166

IFTA tax returns can be filed using
www.OregonTruckingOnline.com
Sign up today!

Please note that IFTA forms and payments must not be submitted to the IFTA Unit through DMV offices. Leaving IFTA tax returns or payments at a DMV office will cause a delay in filing, possibly resulting in penalty and interest charges.

Penalties and Interest

IFTA returns not filed by the due date will be assessed a penalty of \$50 or 10% of the total amount of tax due, whichever is greater. Interest will also be assessed at the rate of one percent per month, or partial month, for each jurisdiction for which tax is due.

INTERNATIONAL FUEL TAX AGREEMENT – Tax Return Checklist

Amended Returns If it becomes necessary to correct a previously filed return, please make a copy of the original return filed, write “AMENDED” at the top of the form, and make the necessary changes next to the incorrect figures.

An explanation of the changes must accompany the amended return. An amended return may be subject to a late penalty charge and interest if amended after the due date.

Computer-Generated Tax Returns

If you wish to use your own computer-generated version of the tax return, or one supplied by a software developer or reporting service you must first obtain written approval by sending a sample of the form to:

Motor Carrier Transportation Division
IFTA System Administrator
3930 Fairview Industrial Drive SE
Salem OR 97302-1166

Oregon IFTA encourages the use of computer-generated tax return forms because they are usually easier for the carrier to use, can often accommodate additional lines for a jurisdiction when necessary, and sometimes automate calculations, which decreases the number of errors in tax returns filed. The arrangement of the form should be similar to that of our standard form, placing information in the same general area and order.

The following items must be included in the form:

1. Name and mailing address of the base jurisdiction:
OREGON DEPARTMENT OF TRANSPORTATION
MOTOR CARRIER TRANSPORTATION DIVISION
3930 FAIRVIEW INDUSTRIAL DRIVE SE
SALEM OR 97302-1166
2. The type of return being filed (IFTA TAX RETURN).
3. The quarter for which the return is being filed.
4. The date the return is due.
5. The IFTA license number (Federal Employer Identification Number).
6. The Oregon Taxpayer ID (Oregon tax file number).
7. The name and address of the licensee filing the return.
8. A space to indicate no operations or Oregon operations only.

INTERNATIONAL FUEL TAX AGREEMENT – Tax Return Checklist

9. Totals for Oregon miles, IFTA jurisdiction miles, and non-IFTA jurisdiction miles should be listed by fuel type as well as the total miles traveled.
10. Total fuel used in all jurisdictions for each fuel type.
11. The average fleet MPG for each fuel type should be calculated to two decimal places.
12. Provision for reporting alternative fuels, if used.

13. The headings on the columns should conform to the headings on the Oregon IFTA Tax Return form, and be in the same order.
14. Oregon miles should be listed as a jurisdiction line in the body of the tax return and should be included in the totals of IFTA jurisdiction miles.
15. Surcharges should be identified as such.
16. Separate columns for “TAX DUE” (before interest is added), “INTEREST DUE” and “TOTAL DUE”.
17. Totals for all columns.
18. A space for penalty for late filing.
19. A space for the total remittance of the return.
20. A space for a signature of the person filing the return.
21. A space for the title of the person filing the return.
22. A space for the date of the submitted return.
23. A space for the phone number of the person filing the return.

Tax Return Instructions

When completing your IFTA tax return, read and follow the instructions mailed with the return each quarter.

Minimum Required Information

The following information is the MINIMUM required for the IFTA tax return to be accepted:

- Quarter and year of return;
- IFTA license number;
- Oregon Taxpayer ID number;
- Name and address of taxpayer;
- Return **with no operations** or Oregon operations only:
 - √ Check appropriate box;
- Return **with operations**:
 - √ Fuel/miles summary columns 1 through 6 completed;

INTERNATIONAL FUEL TAX AGREEMENT – Tax Return Checklist

and

- √ Columns A through G completed for a minimum of one (1) jurisdiction
- Signature and date

Calculation Guidelines

CONVERT metric fuel and distance measurements to gallons and miles using the following factors:

1 liter	=	0.2642 gallons
1 kilometer	=	0.62137 miles

ROUND all miles and gallons in columns 1 through 5 to the nearest whole number:

525.5	=	526
525.4	=	525

Return Header

Generally, the header of the IFTA tax return will be pre-printed with the appropriate report and motor carrier information. However, if completing a blank tax return form, ensure the following information is correctly entered:

- Reporting period;
- Return due date;
- IFTA License No.; and
- Oregon Taxpayer ID No.

To view the IFTA tax return form visit our website.

<http://www.odot.state.or.us/forms/motcarr/reg/9740.pdf>

Fuel/Miles Summary

Fuel Type

Most carriers will use only the diesel or gasoline lines provided. If any of your IFTA-qualified vehicles use a type of fuel other than diesel or gasoline, such as propane, methanol, etc., list the fuel as “OTHER” in this column. If all lines are full, place additional information on a separate sheet of paper and include in TOTALS.

Not every jurisdiction taxes fuel other than diesel. To determine if gasoline or any fuel other than diesel is taxed in the IFTA jurisdictions in which you operate, see the tax rate table that is included with the tax return mailed to you each quarter. Tax rate tables are different each quarter due to changes in fuels taxed and tax rates in member jurisdictions. It is important to use the tax rate table for the quarter

INTERNATIONAL FUEL TAX AGREEMENT – Tax Return Checklist

you are reporting. Be sure to read any footnotes for the jurisdiction in question.

If fuel is used in any IFTA jurisdiction in which it is taxed, list it for all jurisdictions in which it is used by IFTA-qualified vehicles, whether taxed or not. This information is necessary to determine the MPG and to calculate the tax for the jurisdiction in which it is taxed. Do not list a fuel anywhere on the tax return if it is not taxed in any IFTA jurisdictions in which you operated.

**Column 1
IFTA Jurisdiction
Miles**

Enter the total number of miles traveled in all IFTA jurisdictions, including trip permit miles and off-road miles for **IFTA** jurisdictions (include any miles traveled in Oregon). The **TOTAL** of this column must be the same as the **GRAND TOTAL** of Column C.

**Column 2
Non-IFTA
Jurisdiction Miles**

Enter the total number of miles traveled in all non-IFTA; jurisdictions including off-road miles for **non-IFTA** jurisdictions (do not include any miles traveled in Oregon): ALASKA; HAWAII; WASHINGTON, D.C.; NORTHWEST TERRITORY; YUKON TERRITORY; or any other jurisdiction not listed on the return form.

**Column 3
Total Miles**

For each fuel type listed, add the figures across in Columns 1 through 3, and enter the total in Column 4. Add the figures down in Columns 1 through 3, and enter each total at the bottom of the column.

**Column 4
Total Gallons**

For each fuel type, enter the total of all gallons used in all jurisdictions in which you traveled, including Oregon. Report all fuel placed in the supply tank of a qualified motor vehicle.

**Column 5
Average Fleet
MPG**

Calculate the miles per gallon (MPG) by dividing the number in Column 3 by the number in Column 4. *Carry this calculation to three decimal places, then round to two decimal places. For example, show 5.255 as 5.26, and show 5.254 as 5.25.* Enter the result in Column 5 for each fuel type.

**Jurisdiction
Information**

**Column A
Jurisdiction**

Listing of all IFTA member jurisdictions. If there are two lines for a jurisdiction on the tax rate table, with a date included on one of the lines, it means the tax rate changed during the quarter, so there is a “split rate” for that jurisdiction. For example, British Columbia had a split rate for the 1st Quarter 2003 with one tax rate for diesel in January and February, and with a different tax rate for diesel beginning March 1. Forms are not always modified to accommodate split rates because they are in effect for one quarter only. You may

INTERNATIONAL FUEL TAX AGREEMENT – Tax Return Checklist

use a line for a jurisdiction where you did not operate (crossing out the original jurisdiction code listed and writing in the jurisdiction code you need to use) or place additional information on a separate sheet of paper. Be sure to include information for each column (A through K), and to include the figures from this line when calculating totals on the return form.

Column B Fuel Type

Using the codes below, enter the fuel type you are reporting on this line. If you use more than one fuel type in a jurisdiction, you may either use a line for a jurisdiction where you did not operate (crossing out the original jurisdiction code listed and writing in the jurisdiction code you need to use) or place additional information on a separate sheet of paper. Be sure to include information for each column (A through K), and to include the figures from this line when calculating totals on the return form.

CODE	FUEL TYPE
D	Diesel/Biodiesel
G	Gasoline
P	Propane
GH	Gasohol
LNG	Liquid Natural Gas
CNG	Compressed Nat. Gas
E	Ethanol
M	Methanol
E85	E-85
M85	M-85
A55	A55

Column C Total Miles in Jurisdiction

Enter the total miles traveled in each jurisdiction for each fuel type listed. Include off-road miles and permit miles. **The GRAND TOTAL of this column must be the same as in Column 1.**

Column D Taxable Miles in Jurisdiction

Enter the taxable miles traveled in each IFTA jurisdiction. Do not include off-road non-taxable miles or fuel tax permit miles in this column. For the mileage to be deductible, the trip permit must

INTERNATIONAL FUEL TAX AGREEMENT – Tax Return Checklist

indicate it is for fuel tax. Mileage operated on a registration trip permit or any other type of trip permit that is not for fuel tax cannot be deducted as non-taxable on the IFTA tax return.

Off-road miles means any of the miles operated in an IFTA jurisdiction that are considered off-road non-taxable miles by that jurisdiction. Many jurisdictions do not have mileage exemptions. Contact the jurisdiction directly to learn if any of your operations are not taxable.

Additional information for specific jurisdictions are in the footnotes at the bottom of the tax rate table that is included with the tax return mailed to you each quarter. Some exemptions may not be taken on the IFTA tax return form, and must be applied for directly to the jurisdiction. Failure to retain distance records may result in lowering the Average Fleet MPG to 4.0 MPG at time of audit.

Column E Taxable Gallons

Divide the amount in Column D by the Average Fleet Miles per Gallon from Column 5 for each fuel type. Round to the nearest whole gallon. *For example, 525.5 should be shown as 526 and 525.4 should be shown as 525.* Failure to retain fuel records may result in lowering the Average Fleet MPG to 4.0 MPG at time of audit.

Column F Tax Paid Gallons

Enter the number of gallons purchased in that jurisdiction, including **ALL** fuel purchased in Oregon during this reporting period on which fuel tax has been paid. Round to the nearest whole gallon. Purchases **MUST** be supported by invoices from the vendor and retained in your records. Do **not** send invoices or receipts with your IFTA tax return. Failure to retain original vendor invoices may result in credit being disallowed at time of audit.

Column G Net Taxable Gallons

Subtract the Tax Paid Gallons (Column F) from the Taxable Gallons (Column E). If the Tax Paid Gallons in Column F are greater than the Taxable Gallons in Column E, enter the credit figure in brackets. *For example, [732].*

Column H Tax Rate

Enter the tax rate from the tax rate tables provided with the return.

Column I Tax Due or [Credit]

Multiply the Net Taxable Gallons (Column G) by the rate (Column H). Enter this amount in dollars and cents, with credit amounts in brackets.

Column J Interest Due

If this return is filed late, interest is due to each jurisdiction where there is tax due. (A return is late if not postmarked on or before the

INTERNATIONAL FUEL TAX AGREEMENT – Tax Return Checklist

last day of the month following the quarter covered by the return, and accompanied by payment of any tax due.) The interest rate is available quarterly with the mailing of the IFTA Tax Return.

**Column K
Total Due or
[Credit]**

Total the amounts in Columns I and J. Enter credit amounts in brackets.

Surcharge

Currently, Indiana, Kentucky and Virginia levy a surcharge. If you have traveled in any of these states, use the second line titled SURCHARGE to calculate your surcharge. Multiply the Taxable Gallons (Column E) by the surcharge tax rate found on the enclosed tax rate sheet. Do not deduct any amounts related to the purchase of fuel from the Surcharge amount.

**Subtotals
(Front Page)**

Total the amounts down in each of the columns on the front of the tax form: add amounts due and subtract credits. Enter the totals on the SUBTOTALS line for the front page.

**Subtotals
(Back Page)**

Total the amounts down in each of the columns on the back of the tax form: add amounts due and subtract credits. Enter the totals on the SUBTOTALS line for the back page. Bring forward the subtotals for the back page to the appropriate line on the front page.

Grand Totals

Add the amounts in each column of the SUBTOTALS lines and enter the totals on the GRAND TOTALS line.

**Box 6
Total Fuel Tax
And Interest Due
Or [Credit]**

Enter the GRAND TOTAL amount for Column K.

**Box 7
Previous Balance
Due**

Any balance due currently on your account will be printed. Previous balances could be the result of partial payments, mathematical or clerical errors, penalties, or interest relating to prior returns. Add this amount of other amounts due and include in your payment. If you believe you have paid the previous balance due or that it is incorrect, call the IFTA Unit at 503-373-1634.

**Box 8
Previous Credit**

Any credits currently on your account will be printed. **Do not** pay this amount. Before subtracting this credit from what you owe, verify the credit is valid and has not already been refunded or used. You may verify a credit by calling the IFTA Unit at 503-373-1634. All adjustments are subject to audit.

**Box 9
Penalty**

Enter 10% of the total amount of Column I or \$50, whichever is **greater** if the return is late. If the date this return is mailed (as

INTERNATIONAL FUEL TAX AGREEMENT – Tax Return Checklist

determined by the postmark date on the envelope) or presented at an ODOT office that accepts IFTA transactions, is after the due date, the return is late and your account will be assessed a penalty. The amount of the penalty is 10% of the amount of the Grand Total of Column I or \$50, whichever is more. Even if the total amount of tax in Column I is a credit, or the return reported no operations or Oregon-only operations, the penalty of \$50 is assessed. The penalty is assessed not for owing tax but because the return is late.

**Box 10
Reinstatement
Fee**

If your account is revoked and you need to reinstate, include a \$25 reinstatement fee. You must satisfy all causes of the revocation and pay the \$25 reinstatement fee before the account can be reinstated. Your IFTA license is not valid until then. Payment of the reinstatement fee alone will not be sufficient for reinstating the account if deficiencies on the account have not been met. If your account is revoked and you have questions about requirements for reinstatement, call the IFTA Unit at 503-373-1634.

**Box 11
Total Balance
Due or [Credit]**

If the amount on this line is a balance due, attach payment. **Penalty and interest will be assessed on tax returns where incorrect calculations result in underpayment.**

**Tax Return
Checklist**

To prevent processing delays, please take the time to carefully check your tax return.

<input type="checkbox"/>	Are the numbers entered from your records accurate?
<input type="checkbox"/>	Have you completed the Fuel/Miles summary? This section must be completed if you did not check the “ <u>No-operations</u> ” or the “ <u>Oregon-operations-only</u> ” box.
<input type="checkbox"/>	Have you included miles in column 2? If so, make sure the mileage is for operations in jurisdictions that are <u>not</u> listed in Column A and the mileage is <u>not</u> for operations in Oregon.
<input type="checkbox"/>	Do the figures in Columns 1 and 2 add up to the figure in Column 3?
<input type="checkbox"/>	Have you entered the total number of gallons in Column 4? Are any other required fields blank?
<input type="checkbox"/>	Check the figures you entered in Columns 1 through 4 and check your calculations.
<input type="checkbox"/>	Does the Average Fleet MPG in Column 5 fall within the range of 3 to 11 miles per gallon that is the average for most IFTA-qualified vehicles? If not, check your calculations for accuracy. If the calculations are correct, include with your return an explanation for the MPG being higher or lower than the expected range.

INTERNATIONAL FUEL TAX AGREEMENT – Tax Return Checklist

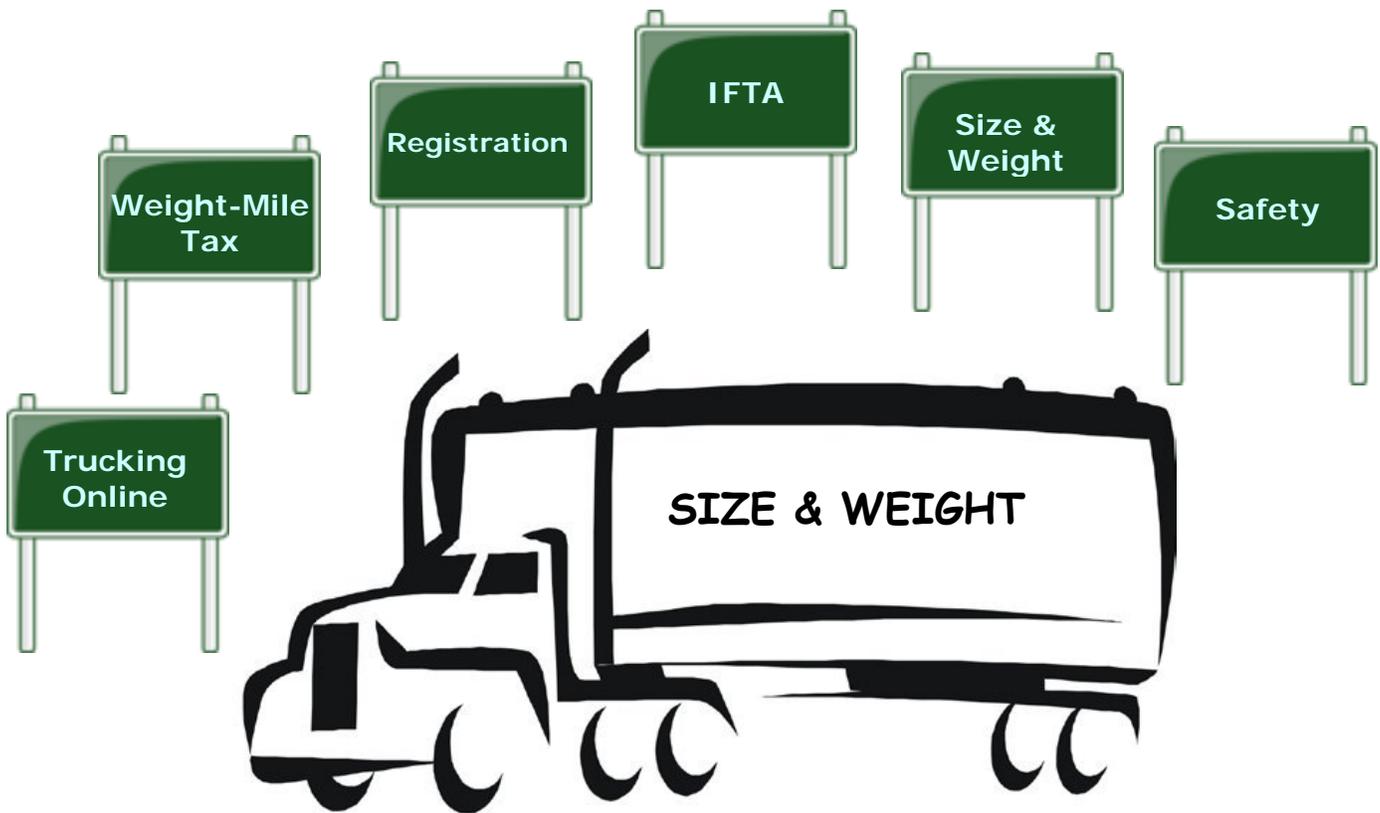
<input type="checkbox"/>	Are figures rounded correctly according to the instructions for the particular column? Rounding for column 5 is different than rounding for columns 1 through 4.
<input type="checkbox"/>	Have you entered information on the correct jurisdiction line? Many abbreviations are easily confused, such as NE for Nebraska and NV for Nevada. You will find the names and abbreviations of IFTA jurisdictions on the back cover of this handbook, and on the tax rate table included with the tax return form mailed to you each quarter. Make sure you are entering information for the jurisdiction on the line with the correct abbreviation in Column A on the tax return form.
<input type="checkbox"/>	Are the totals of Columns E and F the same? If so, check your entries. These two amounts are rarely, if ever, the same.
<input type="checkbox"/>	<p>Have you claimed tax-paid gallons in Column F for a jurisdiction for which no mileage is shown in Column C? If so, check your entries.</p> <ul style="list-style-type: none"> • All miles must be included in the total miles in Column C, even those miles that a jurisdiction regards as non-taxable. Column D is where non-taxable miles will be deducted. • Even if you traveled only a short distance into a jurisdiction for fuel, you must include the mileage in Column C. If you traveled less than one (1) mile, enter one (1) mile.
<input type="checkbox"/>	Have you entered the correct tax rate for the jurisdiction and the quarter you are reporting? Tax rate tables are different each quarter due to changes in fuels taxed and tax rates in member jurisdictions.
<input type="checkbox"/>	<ul style="list-style-type: none"> • Always use the rate table for the quarter you are reporting. • Always check the rate for the jurisdiction you are reporting – it may have changed since your last return.
<input type="checkbox"/>	Are calculations for Columns 3, 5, E, G, I, J, and K complete and correct?
<input type="checkbox"/>	Have you remembered to complete the back of the form?
<input type="checkbox"/>	Have the total amounts been copied from the back page to the front page correctly?

INTERNATIONAL FUEL TAX AGREEMENT – Tax Return Checklist

<input type="checkbox"/>	<p>Does the Grand Total for Column C equal the Total of Column 1? In Column C you are listing all of the miles separately for each jurisdiction that you listed as the total in Column 1, so the totals should be the same. If not:</p> <ul style="list-style-type: none">• Is your addition correct?• Have you included a line for each jurisdiction in which you operated?• Have you included all mileage for all of your IFTA-qualified vehicles, and only those vehicles, in both Column 1 and Column C? (See the definition for “Qualified Motor Vehicle” on page 3).• Have you included all the miles you operate these vehicles in IFTA jurisdictions in these two columns, whether the miles are taxable or not? Non-taxable miles are to be included in Columns 1 and C, and are deducted only in column D.• Have you included all the mileage operated on all fuel types that are required to be included on the tax return?
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Motor Carrier Education Manual

State of Oregon
Department of Transportation
Motor Carrier Transportation Division



Trucking companies must have knowledge in all areas of regulations in order to fulfill their regulatory requirements. This material provides concise and relevant information to your business and is provided to you by the Oregon Department of Transportation, Motor Carrier Transportation Division.

This section describes **Size & Weight**.

Amy Ramsdell, Administrator
November 2016

MOTOR CARRIER TRANSPORTATION DIVISION

Size & Weight Laws

The mission of the Motor Carrier Transportation Division is to promote a safe, efficient, and responsible commercial transportation industry by simplifying compliance, reducing regulatory requirements, wherever appropriate, preserving the infrastructure, enhancing the private/public partnership, fostering effective two-way communication, and delivering superior customer service while recognizing the vital economic interests of the commercial transportation industry.

To help achieve this goal the Motor Carrier Enforcement Unit has:

6 Enforcement Regions which include:

- 6 Ports of Entry Scales – Ashland, Cascade Locks, Klamath Falls, Farewell Bend, Umatilla, and Woodburn
- 1 Registration Field Offices – Portland Bridge
- 81 field Motor Carrier Enforcement staff
- 80 fixed scale locations
- Numerous portable weighing sites

For answers to specific questions, call any of the Field Motor Carrier Enforcement Offices listed on the next page.

Oregon Department of Transportation
Motor Carrier Enforcement
Ports of Entry (POE) and Field Offices

Siskiyou Region

Ashland POE 541-776-6004
I-5 NB Milepost 18
PO Box 666, Ashland 97520-0023
(Coos, Curry, Douglas, Jackson, & Josephine
Counties)

Snake River Region

Farewell Bend POE 541-869-2474
I-84 WB Milepost 353
5920 HWY 30, Huntington 97907
(Baker, Harney, Grant, & Malheur Counties)

Columbia River Region

Cascade Locks POE 541-374-8980
I-84 EB Milepost 44
550 SE Frontage Rd., Cascade Locks 97014
(Clackamas, Hood River, Multnomah, Sherman,
Wasco, & Washington Counties)

Blue Mountain Region

Umatilla POE 541-922-5183
1801 SW HWY 730 E
PO Box 250, Umatilla 97882
(Gilliam, Morrow, Umatilla, Union & Wallowa
Counties)

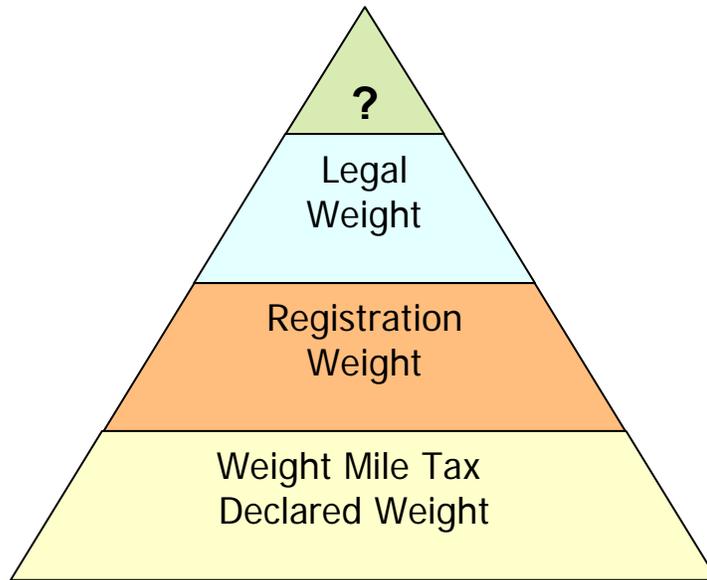
Eastern Cascades Region

Klamath Falls POE 541-883-5701
US HWY 97 NB Milepost 271
4647 HWY 97 N., Klamath Falls 97601
(Crook, Deschutes, Jefferson, Klamath, Lake &
Wheeler Counties)

Willamette Valley Region

Woodburn POE 503-982-0804
I-5 SB Milepost 274
PO Box 245, Woodburn 97071
(Benton, Lane, Lincoln, Linn, Marion, Polk,
Tillamook, & Yamhill Counties)

MOTOR CARRIER TRANSPORTATION DIVISION



Legal Weight vs. Registration Weight vs. Tax Declared Weight

Legal Weight Laws are designed to:

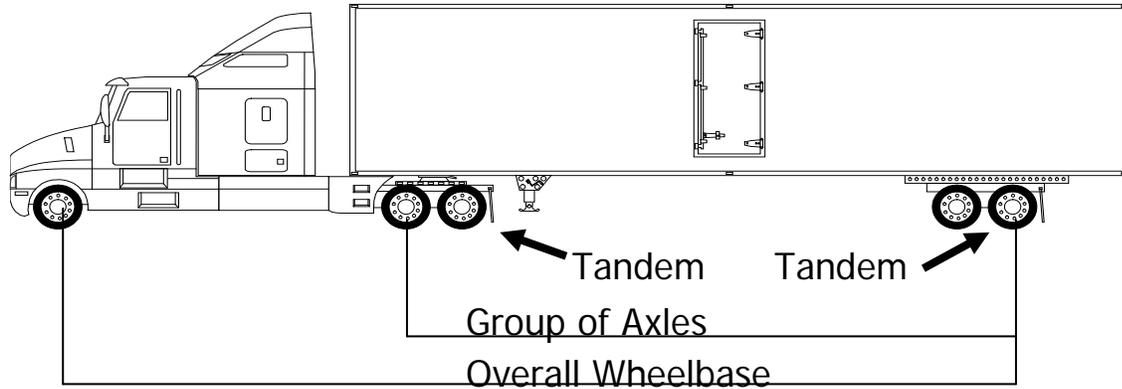
- ❖ Prevent premature highway surface breakdown
- ❖ Reduce highway wear by the use of more axles and longer wheelbases
- ❖ Protect bridges and structures that have restrictions

Legal weight may be different than the Registered or Declared Weight

Legal weight is limited by Oregon Revised Statute (ORS) and Oregon Administrative Rule (OAR). Registered and declared weights are determined by the carrier.

- ❖ Vehicle/Combination limited to **legal weights** allowed by ORS or OAR.
- ❖ Vehicle **registered weight** represents the heaviest weight the vehicle/combination will be for the registration period up to a maximum of 105,500 lbs.
- ❖ Vehicle tax **declared weight** represents the heaviest weight the vehicle/combination will be in a given configuration for the reporting period.

MOTOR CARRIER TRANSPORTATION DIVISION



Definitions

1. **AXLE WEIGHT** - The weight placed on the road by all the wheels of one axle.
2. **DIVISIBLE LOAD** – A load that is reducible by nature or can be readily dismantled.
3. **GROSS WEIGHT** - The total weight placed on the road by a vehicle or combination of vehicles and the load.
4. **GROUP OF AXLES WEIGHT** - The total weight placed on the road by two or more axles spaced more than 8' apart. (Also known as an Inner Bridge)
5. **HIGHWAY VARIANCE PERMIT** – Also known as “variance permit” issued by a road authority allowing vehicles to vary from regulations required by Oregon Revised Statute (ORS) or Oregon Administrative Rule (OAR). The two most common highway variance permits issued by Oregon are:
 - ✓ Extended Weight-Issued to allow weights over 80,000 lbs. with a Divisible Load up to 105,500 lbs.
 - ✓ Heavy Haul-Issued to allow greater weights on a Non-Divisible Load.
6. **LEGAL AXLE LIMIT** – Maximum allowable weights in Oregon, according to Oregon Revised Statute (ORS) 818.010, are allowed the **lower weight** produced by using Table 1, Table 2 or Table 3 Method A or B.
7. **NON-DIVISIBLE LOAD** – A load or vehicle exceeding dimensional or weight limits allowed by ORS or OAR that if separated into smaller loads would compromise the intended use, destroy the value, or make it unusable for its intended purpose.
8. **SUM OF AXLES** – Addition of axle weights allowed by ORS 818.010 Table I and/or Table II.
9. **TANDEM AXLE WEIGHT** - The weight placed on the road by all the wheels of two or more consecutive axles spaced more than 40" but no more than 96" (8 feet) apart (measured from center of axle).
10. **WHEELBASE** - The distance in feet and inches between two or more axles, measured to the nearest foot, 6" being the next larger foot (for determining weight).

MAXIMUM ALLOWABLE WEIGHT OREGON REVISED STATUTES

WITHOUT A HIGHWAY VARIANCE PERMIT

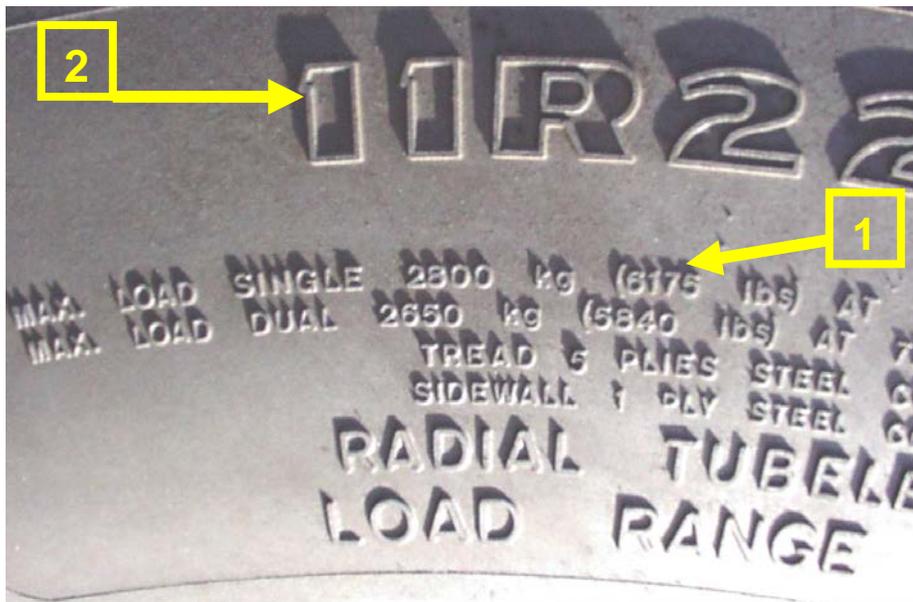
Maximum allowable weights in Oregon, according to Oregon Revised Statute (ORS) 818.010, are allowed the **lower weight** produced by using:

- ☛ Table I,
- ☛ Table II,
- ☛ Table III Method A or B.

TABLE I

Table I has two provisions. **** Allow the lower (lesser) weight of the two. ****

1. Limits legal weight to the manufacturer's side wall tire rating.
2. Limits legal weight to 600 lbs. for the sum of tire width.



1 Steer Axle Example: Side Wall Rating = 6,175 lbs. x 2 Tires = 12,350 lbs.

2 Steer Axle Example: 11" Wide Tire x 600 lbs. x 2 Tires = 13,200 lbs.

**** Only the Side Wall Rating applies when traveling on an Interstate Highway ****

Legal Weight = 12,350 lbs. for an axle with two of these tires.

MOTOR CARRIER TRANSPORTATION DIVISION

METRIC CONVERSION: Divide the metric number by 25.4 and round up to get the equivalent in inches or refer to the chart below.

Metric Tire Size	Tire Width in Inches (rounded to nearest 1/2 inch)	Weight Allowed on 2 Tires
235	9 1/2	11400
245	10	12000
255	10	12000
265	10 1/2	12600
275	11	13200
285	11 1/2	13800
295	12	14400
305	12	14400
315	12 1/2	15000
325	13	15600
335	13 1/2	16200
345	14	16800
355	14	16800
365	14 1/2	17400
375	15	18000
385	15 1/2	18600
395	16	19200
405	16	19200
415	16 1/2	19800
425	17	20400
435	17 1/2	21000
445	18	21600

TABLE II

Table II has three provisions. Maximum allowable weight cannot exceed:

1. 10,000 lbs. on any individual wheel
2. 20,000 lbs. on any axle
3. 34,000 lbs. on any tandem axles

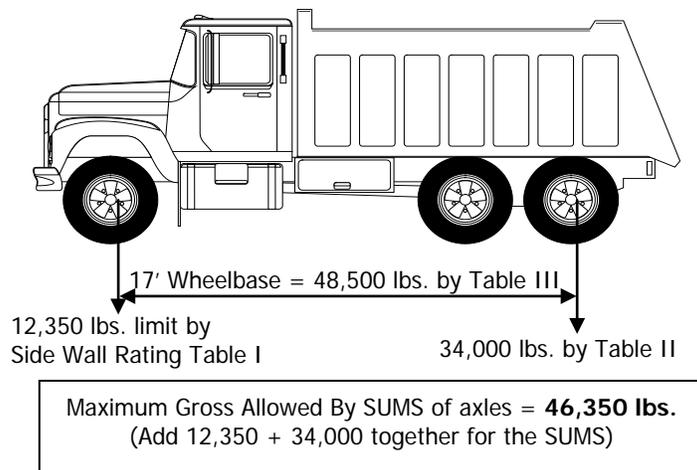
MOTOR CARRIER TRANSPORTATION DIVISION

TABLE III

Table III has two provisions. Maximum allowable weight cannot exceed either:

1. Method A: The **SUMS** of weight allowed on axles, tandems, or groups of axles using Table I or II, or
2. Method B: The group or gross weights allowed using the wheelbase chart listed as "Method B" in ORS 818.010 (3).
 - ✓ This is also known as Permit Weight Table 1, (Limited to 80,000 lbs.)
 - ✓ It can be found on the reverse side of ODOT's Group Map 1 and Route Map 7 or at this web site:
<http://www.odot.state.or.us/forms/motcarr/od/8110.pdf>

Example



1. In this example the gross weight for this vehicle is **limited to 46,350 lbs.** by the sum of the permissible axles.
2. Compare this total to Table III Method B. In this example the gross weight allowed by the wheelbase chart is 48,500 lbs. The legal weight is the lowest weight.

This vehicle's legal gross weight cannot exceed 46,350 lbs. The steer axle cannot weigh more than 12,350 lbs. and the tandem drive axle cannot exceed 34,000 lbs.

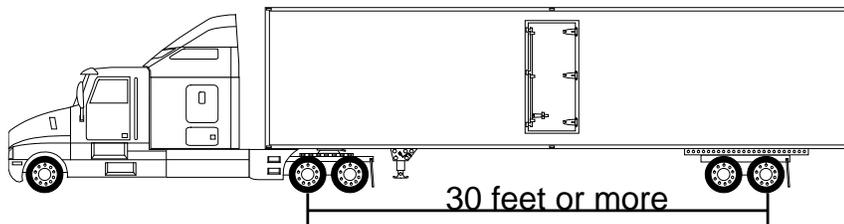
ORS 818.010(3) This statute allows the measurement to increase to the next whole number when the measurement results in a fractional measurement of 6" or more.

Example: 29' 6" becomes 30'

TWO EXCEPTIONS TO ODOT'S PERMIT WEIGHT TABLE 1

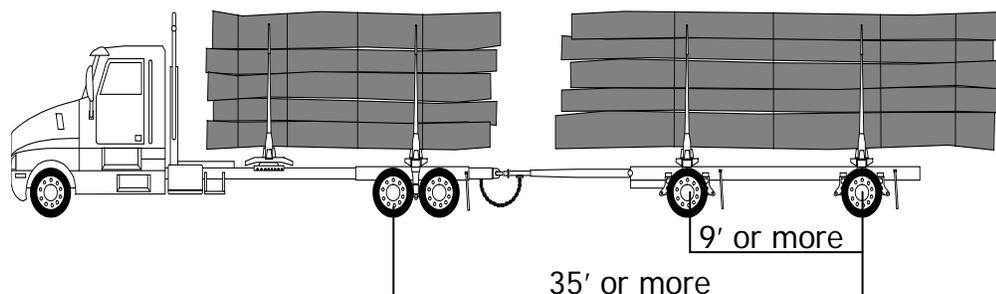
Exception 1: ORS 818.030(8)(a) & (b): “. . . two consecutive sets of tandem axles may have a loaded weight of 34,000 lbs. each . . . providing the distance between the first and last axles of the two sets of tandems axles is at least 30 feet . . .”

- Non-Interstate Highway - No Extended Weight Highway Variance Permit required.
- Interstate Highway – Extended Weight Highway Variance Permit required.
- Any Highway - If wheelbase spacing is 36 feet or more, no Extended Weight Highway Variance Permit required.



Exception 2: ORS 818.030(9): “. . . a group of four axles consisting of a set of tandem axles and two axles spaced nine feet or more apart may have a loaded weight of more than 65,500 lbs. and up to 70,000 lbs. . . . providing the distance between the first and last axles of the group is 35 feet or more.”

- Non-Interstate Highway - No Extended Weight Highway Variance Permit required.
- Interstate Highway – Extended Weight Highway Variance Permit required.
- Any Highway - If wheelbase spacing is 43 feet or more, no Extended Weight Highway Variance Permit required.



Calculating Maximum Weight Limits

Practice using the worksheet on the next page for calculating maximum weight limits:

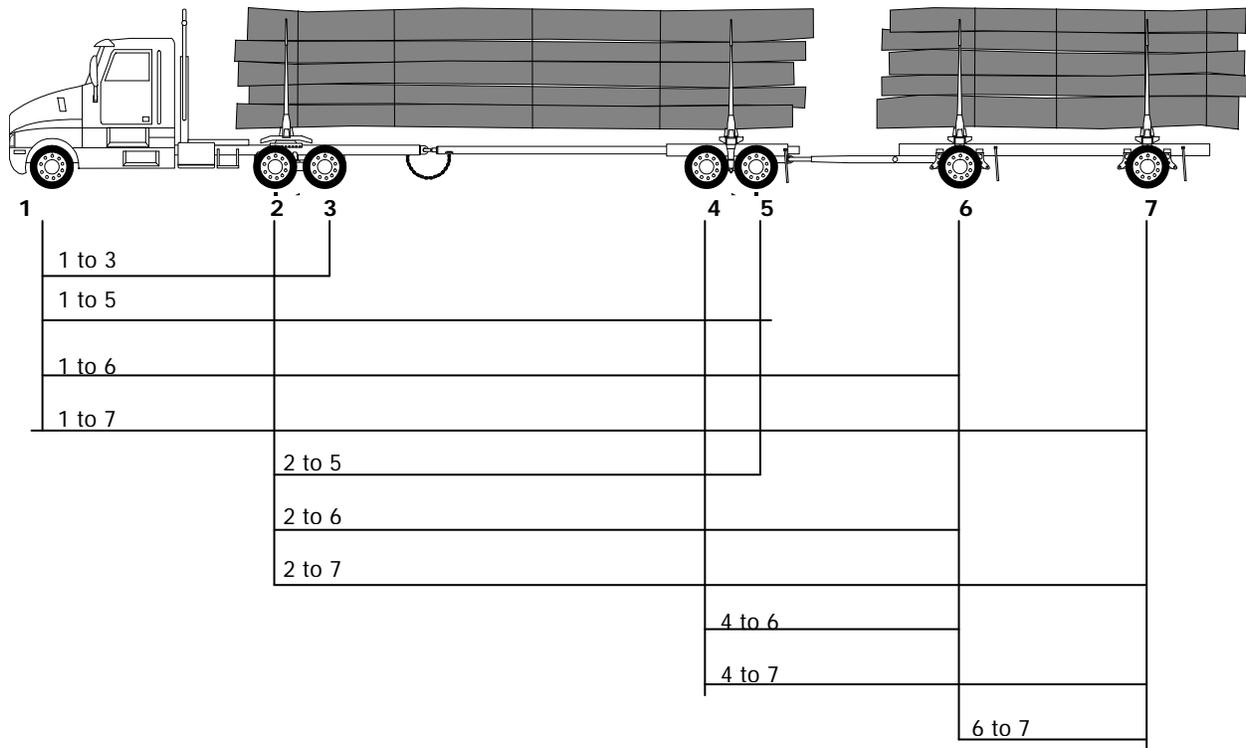
- If vehicles are using ORS 818.010 weights, the maximum gross weight is limited to 80,000 lbs.
- If vehicles are using an Extended Weight Highway Variance Permit the load can be reducible, such as lumber, hay, gravel, or logs. The maximum gross weight is limited to 105,500 lbs.

Instructional hints for using the worksheet:

1. List all axle spacing. (Remember - Measurements of 6" and greater go to next higher foot).
2. List weights by SUMS OF AXLES.
3. List weights by Permit Weight Table 1 or 2 WHEELBASE CHART.
4. Legal weight is the lowest.

MOTOR CARRIER TRANSPORTATION DIVISION

WORKSHEET FOR DETERMINING LEGAL WEIGHTS



****Steer axle is an 11" wide tire with a sidewall rating of 6,600 lbs. = Allowed 13,200 lbs.**

Axle Group	Axle Spacing	Weight By Sums of Axles	Weight by Wheelbase Chart	Legal Weight Allowed
1 to 3	18'	47,200 (13,200 + 34,000)	49,500	47,200
1 to 5	50' 6"	81,200 (13,200 + 68,000)	80,000	80,000
1 to 6	60' 6"	101,200 (81,200 + 20,000)	90,500	90,500
1 to 7	75' 6"	121,200(101,200 + 20,000)	104,500	104,500 **
2 to 5	36' 6"	68,000 (34,000 + 34,000)	68,000 *Exception	68,000
2 to 6	46' 6"	88,000 (68,000 + 20,000)	77,500	77,500
2 to 7	61' 6"	108,000 (68,000 + 40,000)	91,000	91,000 **
4 to 6	14'	54,000 (34,000 + 20,000)	46,500	46,500
4 to 7	29'	74,000 (34,000 + 40,000)	61,500	61,500
6 to 7	15'	40,000 (20,000 + 20,000)	40,000	40,000

****Hint: Maximum Gross is really 104,200 lbs. Use Steer of 13,200 + 91,000 on group 2 to 7.**

To load to the maximum of 104,500 lbs. you would need a larger steer axle tire size.

Maximum Vehicle and Combination Size Limits

HOW LONG CAN MY VEHICLE(S) BE?

Oregon's highway system is divided into three classifications based on the curve radius of the highway, lane width, shoulder width, and the longest vehicle combination that can safely negotiate these curves.

GROUP MAP 1 shows these classifications, listed as Group 1, 2 and 3.

- ♣ Group 1 highways allow the longest combinations and Group 3 the shortest.
- ♣ Back of Group Map 1 lists the different vehicle/combinations legal in Oregon and the length limit each is allowed on Group 1, 2, or 3 highways.
- ♣ <http://www.odot.state.or.us/forms/motcarr/od/8100p1.pdf> and <http://www.odot.state.or.us/forms/motcarr/od/8100p2.pdf> Web site for a copy of the map. Maps are also available at the Ports of Entry and field enforcement offices.

ORS 818.080(1) contains information on the legal length for a **solo vehicle**, including any load. A solo vehicle is limited to 40 feet overall length.

An exception is located in ORS 818.100 (15) & (16) allowing 45 feet overall length for Recreational Vehicles and Motor Vehicle Transporters

OAR 734-071-0005 through 734-071-0060 contains information on legal lengths for **combinations of vehicles**. Group Map 1 reflects these limits.

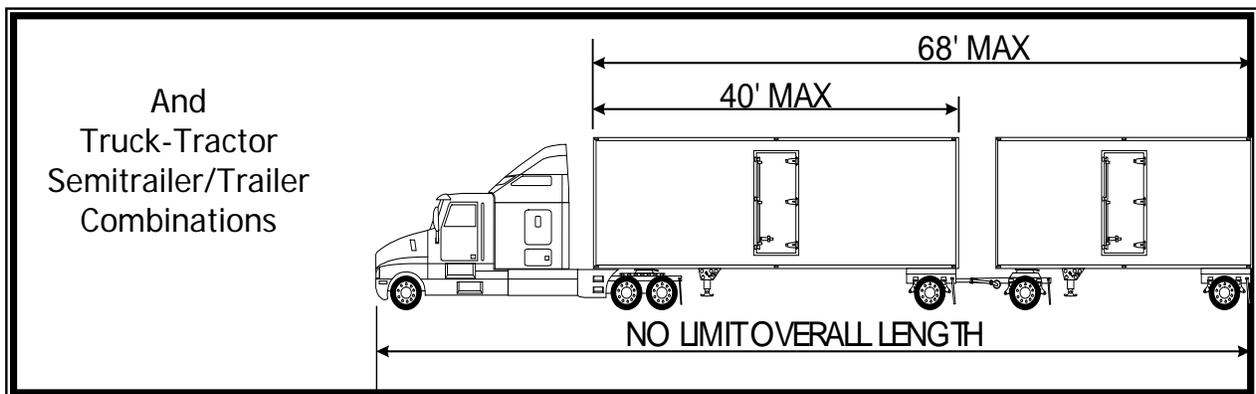
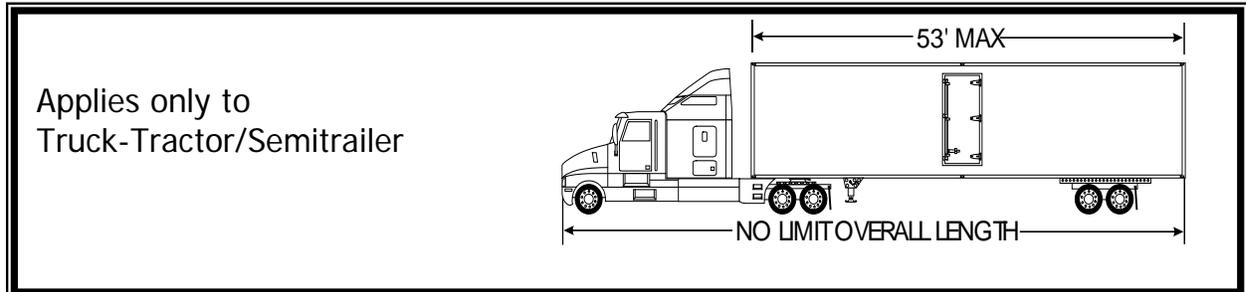
http://arcweb.sos.state.or.us/pages/rules/oars_700/oar_734/734_tofc.html

By OAR, the Department of Transportation has the authority to modify some laws and make exceptions that are less restrictive if they find the vehicle can travel safely without endangering others.

MOTOR CARRIER TRANSPORTATION DIVISION

**Surface Transportation Assistance Act of 1982 (STAA)
Route Map 7**

OAD 734-073-0050 through 734-073-0140 (Division 73)



The Federal Surface Transportation Assistance Act of 1982 (STAA), passed by the US Congress, mandated:

- ✓ States cannot have an overall length restriction on truck-tractor semitrailer or sets of doubles on certain federally funded national network highways.

Limitations:

- ✓ Maximum semitrailer length in Oregon, not to exceed 53 feet. Other states have grandfathered in longer lengths for semitrailers.
- ✓ Trailer length in a set of doubles not to exceed 40 feet.
- ✓ Maximum combined length for two trailers in a set of doubles is 68 feet.
- ✓ There are NO permits and NO exceptions on STAA National Network Highways.

ODOT adopted Administrative Rules and developed ROUTE MAP 7 to address these federal allowances.

Route Map 7 (Continued)

<http://www.odot.state.or.us/forms/motcarr/od/8104.pdf>

Green Routes: Highways included in the STAA National Network. Truck-tractor semitrailer or doubles combinations can travel these routes without any restriction on overall length! Trailer lengths are restricted.

Brown Routes: State routes that have the same allowances as Green Routes.

Purple, Black, and Blue Routes: Truck-tractor semitrailer or doubles combinations can travel these routes, but there is a restriction on the legal overall length allowed and the trailer length.

Red Routes: Truck-tractor semitrailer or doubles combinations can travel these routes, but you must use Group Map 1 to determine the overall and trailer lengths allowed.

Pickup Truck & Trailer (excludes RV's): Route Map 7 allows a greater overall length on Green, Brown, and Purple Routes. Refer to Group Map 1 for other routes.

WHAT IS THE LEGAL WIDTH ALLOWED?

- ✓ 8' 6" Total Outside Width ORS 818.080 (1)

WHAT IS THE LEGAL HEIGHT ALLOWED

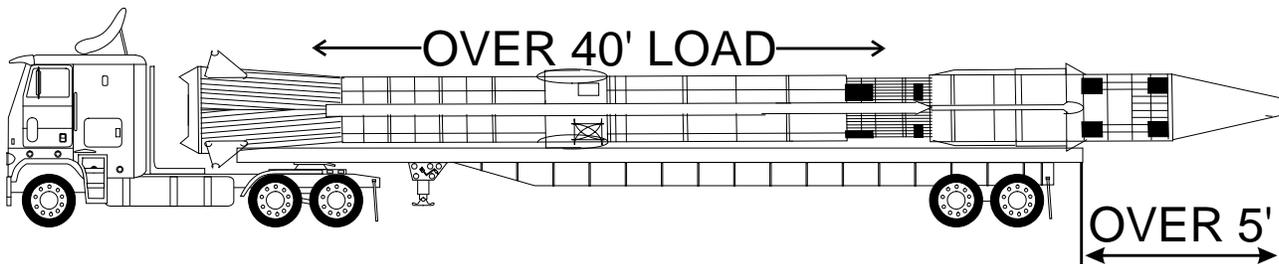
- ✓ 14' High including load ORS 818.080 (1)

MOTOR CARRIER TRANSPORTATION DIVISION

WHAT IS THE LEGAL LOAD LENGTH ALLOWED

- ✓ 40' Load length ORS 818.080 (1)
- ✓ *An exception found in ORS 818.100 (10) allows a longer load length providing the load does not:*
 - ❖ *extend beyond the rear of the semi-trailer by more than five feet;*
 - ❖ *extend forward of the rear of the cab of the towing vehicle; or*
 - ❖ *exceed the length allowed by OAR 734-071-0005 through 734-071-0060.*

Example of the load length exception



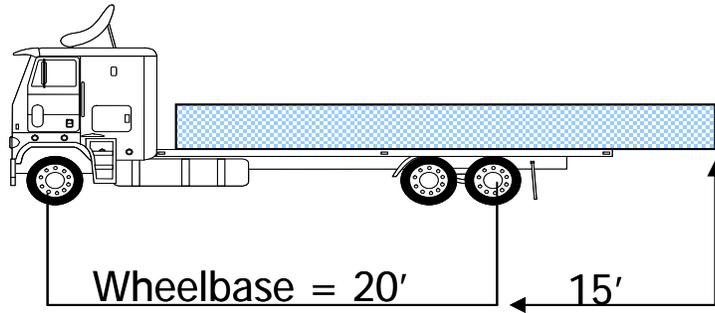
WHAT IS THE LEGAL FRONT OVERHANG ALLOWED

- ✓ Front over hang is 4 feet beyond the front of the vehicle or combination.
ORS 818.080 (2)

WHAT IS THE LEGAL REAR OVERHANG ALLOWED ON A SOLO VEHICLE? ORS 818.080 (2)

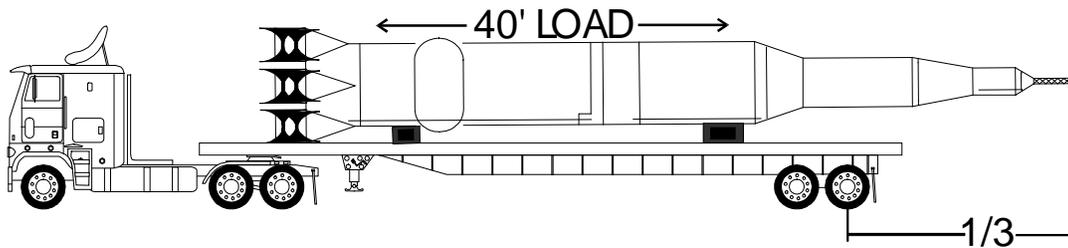
- ✓ A solo vehicle may have up to $\frac{3}{4}$ of its wheelbase as rear overhang.
 - ❖ Remember the 40' overall length for a solo vehicle includes any load.
 - ❖ Rear overhang can be either vehicle or load and is measured from the center of the last axle.

MOTOR CARRIER TRANSPORTATION DIVISION



WHAT IS THE LEGAL REAR OVERHANG ALLOWED ON A COMBINATION OF VEHICLES? ORS 818.080 (2)

- ✓ A combination of vehicles may have up to 1/3 of its wheelbase as rear overhang ORS 818.080 (2).
 - ❖ Rear overhang measured from the center of the last axle
 - ❖ Legal load length of 40' or less
 - ❖ Overall length not to exceed OAR 734-071-0010 Table 1 or Table 2



HIGHWAY VARIANCE PERMITS

Highway Variance Permits may allow a vehicle or combination of vehicles to:

- ❖ Exceed legal width, length, height, weight, or a combination of these.
- ❖ Be in a combination not otherwise allowed (i.e., Jeeps/Boosters)

Two of the most commonly issued permits are for a (1) reducible load that exceeds 80,000 lbs. (Extended Weight Permit), or (2) for a non-reducible load that exceeds statute limits (Heavy Haul Permit).

County and city permits may be required if the movement will be traveling on county or city roads. Permits for various jurisdictions may be able to be combined into one permit.

It is the driver's responsibility to
follow all provisions of the permit !

DURATION OF PERMITS:

1. Continuous or Annual Trip Permit (CTP)
 - ❖ Issued for operations performed on a routine basis
 - ❖ Vehicle(s) and load conform to established width, height, length and weight requirements
 - ❖ Valid for up to one year from date of issuance
2. Single Trip Permits (STP)
 - ❖ Issued on a per trip basis
 - ❖ For one movement over a specified route
 - ❖ Load is **non-divisible** - weight or dimensions do not conform to legal weight or size limits
 - ❖ Valid for up to 10 days from date of issuance

ASSISTANCE

Transportation Permit Application Checklist

For rapid processing of a highway variance permit application, complete the checklist on next page **BEFORE** calling the Over-Dimensional Permit Office.

Obtain your permit **BEFORE**
you move the load.

Need more assistance?

- ❖ Call the Over-Dimensional Permit Office (503-373-0000)
- ❖ Call any Motor Carrier Enforcement District
- ❖ Call any Registration Office

MOTOR CARRIER TRANSPORTATION DIVISION

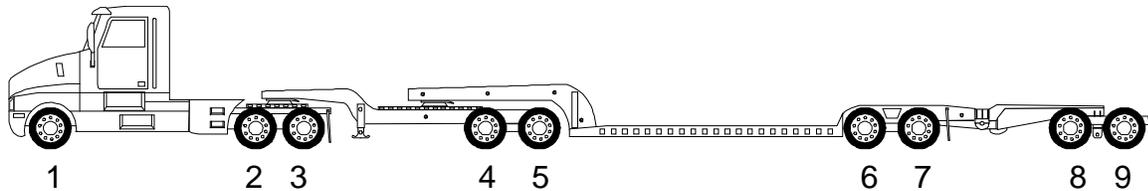
Oregon

HIGHWAY VARIANCE PERMIT APPLICATION CHECKLIST

When a Highway Variance Permit is required for a movement, the following information will be required by the Over-Dimensional Permit Unit before a permit can be issued.

When ready to order your permit, call (503) 373-0000

CARRIER INFORMATION				
COMPANY	ADDRESS		CITY, STATE, ZIP	
CONTACT PERSON	PHONE NUMBER	FILE (ODOT AUTHORITY) NUMBER		
VEHICLE INFORMATION {POWER UNIT}				
YEAR and MAKE	SERIAL or VIN NUMBER	BASE LICENSE PLATE & STATE		
	UNIT NUMBER			
LOAD INFORMATION				
DESCRIPTION of LOAD	LENGTH of LOAD	WIDTH of LOAD	FRONT OVERHANG	REAR OVERHANG
LOADED HEIGHT WHILE IN TRANSIT	OVERALL LENGTH {INCLUDING LOAD}	LENGTH of HAULING EQUIPMENT	LENGTH OF SEMITRAILER	
ROUTE INFORMATION		WEIGHT INFORMATION		
POINT OF ORIGIN		Required only when requesting weights from Permit Tables 3, 4, or 5		
DESTINATION		AXLE SPACING	LOADED WEIGHT PER AXLE, TANDEM AXLE, OR TRIDEM	
REQUESTED ROUTE		1-2		
		2-3		
		3-4		
		4-5		
		5-6		
		6-7		
		7-8		
		8-9		



NOTE: Measurements for weight are from center of axle to center of axle.

MOTOR CARRIER TRANSPORTATION DIVISION

COMPLIANCE

- ❖ Federal Regulations and Oregon law do not allow any weight tolerance.
- ❖ CITATIONS CAN BE ISSUED for ANY weight violation.
- ❖ Legalization may be required prior to allowing the load to proceed.
- ❖ Weight violation base fines are calculated by multiplying the per-pound penalty (as established by Oregon law) by the total number of lbs. overweight.
- ❖ Field Enforcement has Motor Carrier Enforcement Officers dedicated to giving educational presentations at a carrier's location. Contact one of our six Regional Ports of Entry for presentation requests.

SCALE PROTOCOL

Many agencies, including Oregon State Police and sheriffs enforce size and weight laws at state or county scales.

Tips for fewer delays at scales:

- ❖ Some locations have High-Speed Weigh-In-Motion sensors in highway pavement.
- ❖ Trucks participating in the Green Light Program and weighing legal are directed to bypass scale (**Exception: Vehicles operating with a Highway Variance Permit for a Non-Divisible Load must enter an open scale**). For more information, call 503-378-6054.
- ❖ Trucks missing sensors or not in right-hand lane are directed to static scale.

Weighing at static scales.

- ❖ Watch the traffic control light and message read boards.
- ❖ If the light is green, roll across slowly at 3 - 5 miles per hour.
- ❖ If the light is red, STOP and wait for further instructions.

CHAIN LAWS

Oregon does not have a designated time of year requiring the use of chains. Chains are only required to be carried or used when signs requiring them are posted.

Please consult ODOT's Trip check website:

<http://www.tripcheck.com/> for Oregon's winter travel road conditions, chain laws and minimum chain placement requirements.

Please consult ODOT's website:

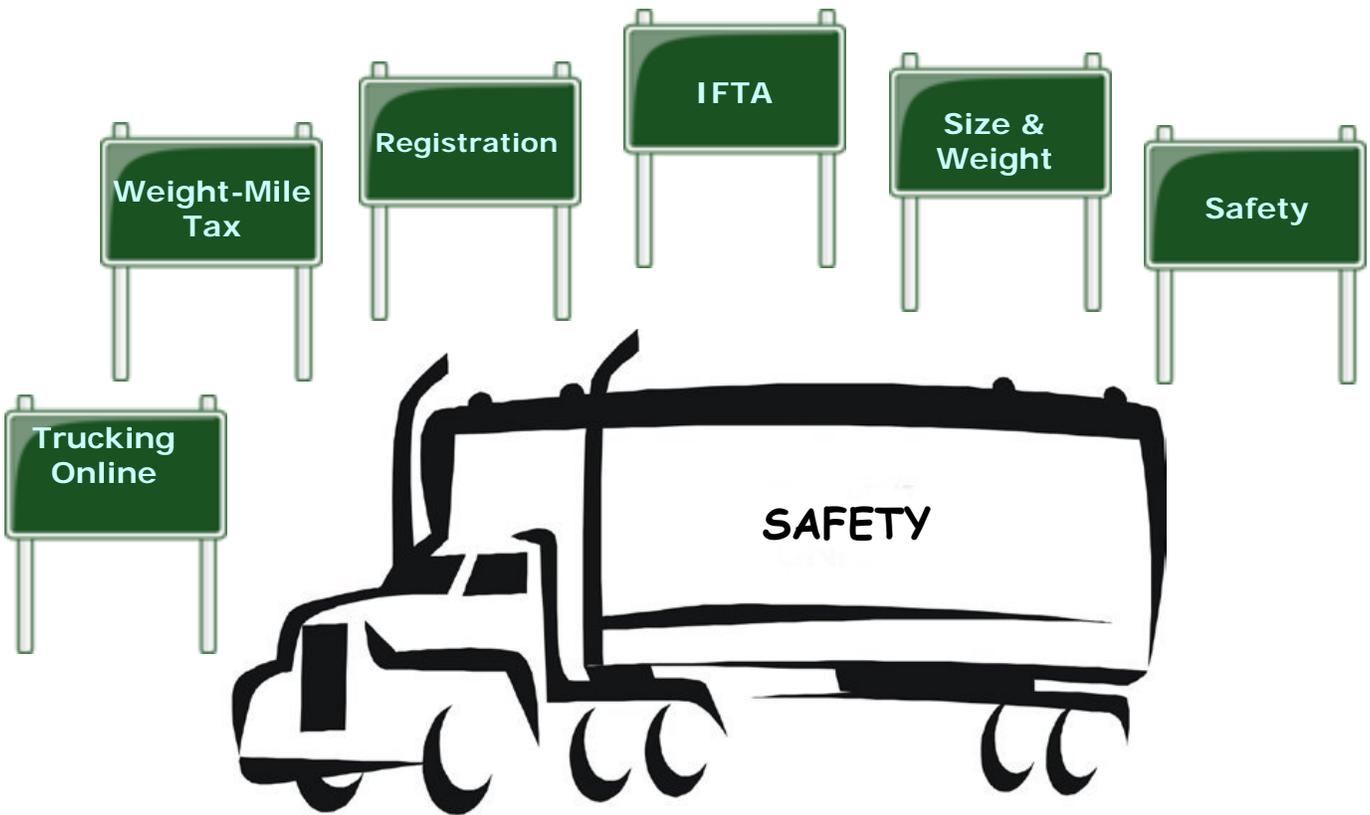
http://arcweb.sos.state.or.us/pages/rules/oars_700/oar_734/734_017.html for Oregon's Administrative Rules regarding chain laws. In 734-017-0012 it states: "When chains or traction tires are required to be carried and the appropriate signs are posted, chains or traction tires of sufficient size and number to comply with Division 17 rules must be in or on the vehicle."

QUESTIONS!

If you have questions, please call before you move your freight. We want to help!

Motor Carrier Education Manual

State of Oregon
Department of Transportation
Motor Carrier Transportation Division



Trucking companies must have knowledge in all areas of regulations in order to fulfill their regulatory requirements. This material provides concise and relevant information to your business and is provided to you by the Oregon Department of Transportation, Motor Carrier Transportation Division.

This section describes **Safety**.

Amy Ramsdell, Administrator
January 2017

MOTOR CARRIER SAFETY

Overview

Every motor carrier and driver in Oregon shares the duty to use our roads and highways responsibly. Every vehicle must be driven and maintained to ensure the safety of all highway users.

The contents of this packet are to provide motor carriers with a basic knowledge of the Federal Motor Carrier Safety Regulations (FMCSR, Parts listed below), the Oregon Revised Statutes (ORS), and the Oregon Administrative Rules (OAR), related to highway safety:

- Parts 40/382-Controlled Substances and Alcohol Use and Testing
- Part 383/ORS 807/809-Commercial Driver's License Standards
- Part 387/OAR 740-Minimum Levels of Financial Responsibility
- Part 390/OAR 740-General Motor Carrier Safety Regulations
- Parts 380/391/OAR 740-Qualifications of Drivers; Long Combination Vehicle Requirements; Entry-Level Driver Requirements
- Part 392-Driving of Commercial Motor Vehicles/USDOT Registration Required
- Part 393-Parts and Accessories Necessary for Safe Operation (includes Cargo Securement)
- Part 395/OAR 740-Hours of Service of Drivers
- Part 396-Inspection, Repair, and Maintenance
- Oregon's Green Light Preclearance System

These contents are only a guide. They are **not** to be used for legal interpretations. It is the responsibility of motor carriers and drivers to become familiar with the regulations.

Additional information can be found on the Internet at:

www.oregon.gov/ODOT/MCT/

The site above provides additional information regarding Oregon registration, safety, and size and weight regulations. This site also contains many motor carrier forms that can be downloaded for use by motor carriers.

www.fmcsa.dot.gov/regulations

This site contains additional motor carrier information provided by the United States Department of Transportation, Federal Motor Carrier Safety Administration (FMCSA).

MOTOR CARRIER SAFETY

PARTS 40/382 – Controlled Substances and Alcohol Use and Testing

Applicability 382.103

Drivers required to have a commercial driver's license (CDL) under Part 383 are subject to the controlled substances and alcohol testing rules. This requirement includes the following interstate and intrastate truck and bus operations:

- For-hire and private companies.
- Federal, State, local, and tribal governments.
- Church and civic organizations.
- Farmers and custom harvesters.
- Commercial driver staffing agencies.

Exemptions:

- Drivers exempt from commercial driver's license requirements by their issuing state.
- Most farmers; see section on Farm Vehicle Drivers - CDL.
- Active duty military personnel.

DEFINITIONS

Refusal to submit to a test 40.191 / 40.261 / 382.107

Refusal to submit means that a driver:

- Fails to appear for a test (except a pre-employment test) within a reasonable time.
- Fails to remain at the testing site until the test is completed.
- Fails to provide a sufficient amount of urine for a drug test, or breath specimen for an alcohol test, when there is no medical explanation for the failure.
- Fails or declines to take a second test when required.
- Fails to undergo a medical evaluation as part of a verification process.
- Fails to cooperate with any part of the testing process.
- Provides a urine sample determined to be adulterated or substituted.

MOTOR CARRIER SAFETY

PARTS 40/382 – Controlled Substances and Alcohol Use and Testing

Safety-sensitive function 382.107

Safety-sensitive function means all time from the time a driver begins to work or is ready to work until the time the driver is relieved from work and all responsibility for work. Safety-sensitive functions shall include all time:

- At a plant, terminal, facility, or other property of a motor carrier or shipper.
- Waiting to be dispatched, unless the driver has been relieved from duty by the motor carrier.
- Inspecting, servicing, or obtaining assistance for a CMV.
- Driving a CMV.
- In or upon any CMV, except time spent resting in a sleeper berth.
- Loading or unloading a CMV. Performing any other functions related to loading or unloading, including supervising, attending the CMV, or taking care of shipping documents.

TYPES OF ALCOHOL AND CONTROLLED SUBSTANCES TESTS

Pre-employment 382.301

No employer shall allow a driver, who the employer intends to hire or use, to perform a safety-sensitive function until the driver has received a negative controlled substances test result.

Post-accident 382.303

If a driver is involved in an accident resulting in a fatality, or is cited for a moving traffic violation in connection with an injury or tow-away accident, the employer shall require the driver to submit, as soon as practicable, to controlled substances and alcohol testing. If the driver is not tested for alcohol within *two hours* of the accident, the employer is required to continue attempting to test, but prepare a report explaining the reasons why the test was not promptly administered. If an alcohol test has not been administered within *eight hours* or a controlled substances test within *32 hours* of the accident, the employer shall cease all attempts to test and prepare a report describing the reasons why the test was not promptly administered.

MOTOR CARRIER SAFETY

PARTS 40/382 – Controlled Substances and Alcohol Use and Testing

Random 382.305

Companies are to randomly test a number of drivers equal to **10 percent** of the average number of driver positions per year for alcohol testing and **50 percent** for controlled substances. All testing is to be unannounced and reasonably spread throughout the calendar year. All drivers must be scientifically selected for testing and have an equal chance of being selected. A driver shall only be tested for alcohol immediately prior to, during, or immediately after performing a safety-sensitive function.

Reasonable suspicion 382.307

A driver is required to submit to an alcohol and/or controlled substances test when a properly trained company official or supervisor has observed and documented the driver's behavior that may indicate alcohol or controlled substance abuse. The company official or supervisor must have received two hours of training on abuse recognition, as prescribed by 382.603, prior to requiring a reasonable suspicion test.

Return-to-duty / Follow-up 40.305 / 40.307

Return-to-duty and follow-up tests are conducted when a driver, who has violated the prohibited controlled substances or alcohol conduct standards, returns to performing safety-sensitive functions. See PROHIBITIONS below.

PROHIBITIONS

Subpart B - Prohibitions 382.201 - 382.215

The following are identified as Subpart B – Prohibitions:

- Performing a safety-sensitive function while having an alcohol concentration of 0.04 or greater.
- Using alcohol while performing a safety-sensitive function.
- Performing a safety-sensitive function within 4 hours after using alcohol.
- Using alcohol within 8 hours following an accident, before taking a DOT-required post-accident alcohol test.
- Refusing to take a DOT-required alcohol or controlled substances test.
- Using controlled substances while performing a safety-sensitive function.
- Performing a safety-sensitive function after testing positive or adulterating or substituting a test specimen for controlled substances.

MOTOR CARRIER SAFETY

PARTS 40/382 – Controlled Substances and Alcohol Use and Testing

A driver who has violated a Subpart B prohibition cannot perform any safety-sensitive duties until that driver has completed a Substance Abuse Professional (SAP) evaluation, referral, and education/treatment process. The first step in this process is a SAP evaluation.

EVALUATION AND TESTING

SAP Evaluation
382.503 /
40.281 - 40.313

The Substance Abuse Professional conducts face-to-face evaluations of the driver to determine what education and/or treatment program is required.

Return-to-Duty
Test
382.309 / 40.305

Upon completion of the education and/or treatment program prescribed by the SAP, the driver must take a return-to-duty test for controlled substances and/or alcohol with a negative test result, before the driver can return to safety-sensitive duties.

Follow-up Testing
382.311 /
40.307 / 40.309

The driver must take at least *six* unannounced follow-up tests for controlled substances and/or alcohol in the first 12 months of safety-sensitive duties, above and beyond any random testing requirements. The SAP may prescribe more follow-up tests during the first 12 months and/or subsequent to that.

Other alcohol-
related conduct
382.505

A driver found to have an alcohol concentration between 0.02 and 0.04 shall not perform safety-sensitive functions for at least 24 hours.

MOTOR CARRIER SAFETY

PARTS 40/382 – Controlled Substances and Alcohol Use and Testing

RECORD RETENTION

Retention of records 382.401

An employer shall maintain all records related the controlled substances and alcohol program in a secure location with limited access, made available within two business days to any authorized government personnel. The records shall be kept on file based on the following retention periods:

Five years:

- All records related to any violations of the controlled substances or alcohol standards described in Subpart B.
Examples: positive test results, SAP evaluations.
- Records related to the administration of the program.

Two years: Records related to the collection process.

One year: Negative and canceled test results.

Indefinite period: Training records.

COMPANY POLICY

Company Policy 382.601

Every motor carrier shall provide each driver with educational materials on controlled substances and alcohol that include, but are not limited to:

- Which drivers are subject to the requirements, and who is responsible for providing information.
- What behavior is prohibited and what constitutes a refusal to test.
- The circumstances and time period under which a driver will be tested and the procedures involved. What constitutes a safety-sensitive function.
- The consequences for drivers who have violated the testing requirements.
- Information concerning the effects of alcohol misuse and controlled substances abuse on health, work, and personal life. *
- The signs and symptoms of alcohol or controlled substances problems.

* *See also Driver Wellness training in Parts 380.500 to 380.513.*

MOTOR CARRIER SAFETY

PART 383/ORS 807/809 - Commercial Driver's License Standards

The licensing provisions in Part 383 are intended to help reduce accidents by setting standards that:

- Require commercial drivers to be properly qualified and to hold a single valid operator's license; and
- Disqualify drivers who do not operate *Commercial Motor Vehicles (CMV)* safely.

DEFINITIONS

Commercial Motor Vehicle 383.5 *Commercial motor vehicle (CMV)* means a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle is a:

- Combination Vehicle (Group A) – Has a gross combination weight rating (GCWR) or gross combination weight of **26,001 pounds** or more, whichever is greater, inclusive of a towed unit(s) with a gross vehicle weight rating (GVWR) or gross vehicle weight of more than **10,000 pounds**, whichever is greater; or
- Heavy Straight Vehicle (Group B) - Has a gross vehicle weight rating (GVWR) or gross vehicle weight of **26,001 pounds** or more, whichever is greater; or
- Small Vehicle (Group C) - Is designed to transport **16 passengers** or more, including the driver; or
- Small Vehicle (Group C) - Is of any size and used to transport **hazardous materials** requiring placarding.

Note: *The above definition of CMV pertains to Part 383 (Commercial Driver's License), Part 380 (Entry-Level Driver Training) and Part 382 (Controlled Substances and Alcohol Testing) only.*

Gross Combination Weight Rating 383.5 *Gross combination weight rating (GCWR)* is the greater of:
(1) A value specified by the manufacturer of the power unit, if such value is displayed on the FMVSS certification label, or
(2) The sum of the gross vehicle weight ratings (GVWRs) or the gross vehicle weights (GVWs) of the power unit and the towed unit(s), or any combination thereof, that produces the highest value.
Exception: The CGWR of the power unit will not be used to define a commercial motor vehicle when the power unit is not towing another vehicle.

Gross Vehicle Weight Rating 383.5 *Gross vehicle weight rating (GVWR)* is the value specified by the manufacturer as the loaded weight of a single vehicle.

MOTOR CARRIER SAFETY

PART 383/ORS 807/809 - Commercial Driver's License Standards

COMMERCIAL DRIVER'S LICENSE (CDL) CLASSES, ENDORSEMENTS, AND RESTRICTIONS

CDL Classes 383.5 / 383.91 / ORS 807.031

There are three classes of CDL: *Class A CDL* allows the driver to operate Group A, Group B, and Group C vehicles. *Class B CDL* allows drivers to operate Group B and Group C vehicles. *Class C CDL* allows drivers to operate Group C vehicles. Vehicle Groups:

- GROUP A--Gross combination weight rating (GCWR) or actual weight (GCW) of **26,001 or more pounds**, whichever is greater, inclusive of a towed unit(s) with a gross vehicle weight rating (GVWR) or gross vehicle weight (GVW) of more than **10,000 pounds**, whichever is greater.
- GROUP B--GVWR or actual weight of **26,001 or more pounds** (whichever is greater), (may tow a trailer up to 10,000 pounds).
- GROUP C--GCWR, GVWR or actual weight up to 26,000 pounds, designed to transport **16 or more passengers**, including the driver.
- GROUP C--GCWR, GVWR or actual weight up to 26,000 pounds, transporting **hazardous materials** requiring placarding.

Endorsements 383.93 / ORS 807.035

In addition to basic CDL tests, drivers who operate specialized commercial motor vehicles must pass additional tests to obtain the following endorsements on their CDL's:

T—Double/triple trailers

P—Passenger

N—Tank vehicle

H—Hazardous materials

X—Combination of tank vehicle and hazardous materials

S—School bus

Tank Vehicle 383.5

A *tank vehicle* is any commercial motor vehicle that is designed to transport any liquid or gaseous materials within a tank or tanks having an individual rated capacity of more than 119 gallons and an aggregate rated capacity of 1,000 gallons or more that is either permanently or temporarily attached to the vehicle or the chassis. A commercial motor vehicle transporting an *empty* storage container tank, not designed for transportation, with a rated capacity of 1,000 gallons or more that is temporarily attached to a flatbed trailer is not considered a tank vehicle.

MOTOR CARRIER SAFETY

PART 383/ORS 807/809 - Commercial Driver's License Standards

**Hazardous
Materials
383.141 /
OAR 735-062-0190**

To obtain a hazardous materials endorsement, or renew a hazardous materials endorsement, individuals must pass a Transportation Security Administration security screening process. For further information, visit the DMV Web site at:

www.oregon.gov/odot/dmv/driverid/cdlendrest.shtml

**Air Brake
Restriction
383.95**

If an individual fails the air brake section of the knowledge test, or performs the skills test in a vehicle not equipped with air brakes, his/her CDL will indicate the license holder may not operate a CMV equipped with air brakes.

A driver who passes the knowledge and skills tests, and has no air brake restriction, qualifies as an air brake inspector. See 396.25.

Note: For the purposes of the skills test and the license restriction, air brakes include any braking system that operates fully or partially on the air brake principal.

**Farm Vehicle
Driver – CDL
383.3(h)**

Drivers of “covered farm vehicles” are exempt from CDL requirements if:

- ✓ The driver operates anywhere within the state the vehicle is registered, or
- ✓ The driver operates outside the state where the vehicle is registered, and stays within 150 air-miles of the home farm or ranch.

Covered Farm Vehicle means a straight truck or articulated vehicle that:

- Is operated in interstate or intrastate commerce; and
- Is operated by a farm or ranch owner, or employee or family member of the farm or ranch owner; and
- Transports agricultural commodities, livestock, or machinery or supplies to or from a farm or ranch; and
- Is equipped with a license plate or designator, issued by the state of registration, for identification as a farm vehicle; and
- Does NOT transport hazardous materials requiring placards.

MOTOR CARRIER SAFETY

PART 383/ORS 807/809 - Commercial Driver's License Standards

Oregon Farm Endorsements ORS 807.035

A farmer who operates a commercial motor vehicle in intrastate commerce that does not fall under the definition of “covered farm vehicle” (i.e. hauling hazardous materials requiring placards) is not required to hold a CDL if the CMV is:

- Controlled or operated by the farmer;
- Used to transport agricultural products, farm machinery, or farm supplies to or from the farm;
- Not used in for-hire operations;
- Operated within 150 miles of the farm; AND
- Not used in triple-trailer combinations.

Rather than a CDL, a farmer may obtain one of the following:

- Class A Farm Endorsement (shown as a Y on the license) - same vehicle combination as that allowed for a Class A CDL.
- Class B Farm Endorsement (shown as a Z on the license) - same vehicle(s) as that allowed for a Class B CDL.

A farmer with a farm endorsement may also transport the following without requiring an additional endorsement:

- Double trailers
- Tank vehicle
- Hazardous materials – if placarded in accordance with applicable laws

Oregon Classes and Exemptions ORS 807

Because the CDL is a state-issued license, check with the appropriate state officials regarding particular license classes and specific exemptions. For other classes and exemptions for Oregon drivers, see ORS 807.020 to 807.036.

MOTOR CARRIER SAFETY

PART 383/ORS 807/809 - Commercial Driver's License Standards

CONVICTIONS, SUSPENSIONS, AND DISQUALIFICATION

**Employer
Responsibility:
383.37 / 383.51 /
391.15**

No employer shall knowingly allow or require a driver to drive a CMV whose license is suspended, revoked, or cancelled, or who has been disqualified to drive a CMV.

**Driver
Responsibility:
Notification of
Convictions
383.31**

When a driver who holds a CDL is convicted of violating, in any vehicle or in any State, a law relating to motor vehicle traffic control (other than a parking violation), that driver must notify both his/her *employer* and the *State* from which his/her CDL is issued of the violation(s) within 30 days of the conviction. This notification must be in writing and must include the following information:

- Driver's full name;
- Driver's license number;
- Date of conviction;
- Details about the offense, including any resulting suspension, revocation, or cancellation of driving privileges;
- Indication of whether the violation happened in a CMV;
- Location of offense; and
- Driver's signature.

**Driver
Responsibility:
Notification of
Suspensions
383.33 / 391.15**

A driver must notify his/her employer before the end of the business day following the day the driver receives notice of suspension, revocation, cancellation, loss of privilege, or disqualification from any state or jurisdiction.

**Commercial
Driver's License
Information
System (CDLIS)**

The CDLIS enables the States to exchange information about the driving records and driver's licenses of CMV drivers. This helps ensure that only one license is issued to a driver and that drivers currently disqualified are prevented from obtaining a CDL.

Employers have access to the CDLIS clearing-house through their State's vehicle licensing agency.

MOTOR CARRIER SAFETY

PART 383/ORS 807/809 - Commercial Driver's License Standards

DISQUALIFICATION TABLES (1-4)

Table 1:
Major Offenses
383.51 / 391.15

Major offenses include:

- Driving *any* vehicle while under the influence of alcohol or controlled substances.
 - Having an alcohol concentration of 0.04 or greater while operating a CMV.
 - Refusing to take an alcohol test as required by a state or jurisdiction under its implied consent laws defined in 383.72.
 - Transportation, possession, or unlawful use of controlled substances while on duty.
 - Leaving the scene of an accident while operating *any* vehicle.
 - Using *any* vehicle to commit a felony.
 - Driving a CMV while suspended, when the suspension was the result of a CMV violation.
 - Causing a fatality through negligent operation of a CMV.
-
- **First conviction** - One year disqualification.
 - **First conviction while transporting hazardous materials** - Three year disqualification.
 - **Subsequent convictions** - Lifetime disqualification.

Penalties
383.51 / 391.15
ORS 809.413

A driver convicted of a felony for using *any* vehicle for manufacturing, distributing, or dispensing controlled substances is disqualified for life, and is not eligible for reinstatement.

Table 2:
Serious Traffic Violations
383.51

Serious traffic violations include:

- Speeding 15 mph or more above the posted speed limit in *any* vehicle.
- Reckless driving, improper or erratic lane changes, or following too closely in *any* vehicle.
- Traffic offenses linked to fatalities in *any* vehicle.
- Driving a CMV without the proper class of CDL and/or endorsements.
- Driving a CMV without a CDL in possession.

MOTOR CARRIER SAFETY

PART 383/ORS 807/809 - Commercial Driver's License Standards

Penalties
383.51 /
ORS 809.413

- **Second conviction within three years** – 60 day disqualification.
- **Third or subsequent conviction within three years** – 120 day disqualification.

Table 3:
Railroad Crossing
Violations
383.51

Railroad crossing violations while operating a CMV include: *

- Failing to slow down or stop at or before a railroad crossing when required.
- Failing to drive completely through a crossing when required.
- Failing to negotiate a crossing because of insufficient undercarriage clearance.

* *See also Parts 392.10 and 392.11.*

Penalties
383.51 / 383.53

- **First conviction** – 60 day disqualification.
- **Second conviction within three years** – 120 day disqualification.
- **Third or subsequent conviction within three years** – One year disqualification.

An employer who knowingly allows or requires a driver to commit a railroad crossing violation may be subject to a civil penalty of \$10,000.

Table 4:
Violations of Out-
of-Service Orders
383.51 / 391.15 /
ORS 809.413

During a CVSA inspection, a driver and/or CMV can be placed out-of-service for certain safety-related deficiencies or defects. The driver is in ***violation of the out-of-service order*** if the driver operates the CMV before the driver is allowed to do so.

Penalties
383.51 / 383.53 /
391.15 /
ORS 809.413

- **First conviction** – 90 day to one year disqualification.
- **Second conviction within ten years** – One to five year disqualification.
- **Third or subsequent conviction within ten years** – Three to five year disqualification.

MOTOR CARRIER SAFETY
PART 383/ORS 807/809 - Commercial Driver's License Standards

Hazardous Materials / Passengers:

- **First conviction** - 180 day to two year disqualification.
- **Second or subsequent conviction within ten years** – Three to five year disqualification.

A driver who operates a CMV in violation of an out-of-service order shall also be subject to a civil penalty of \$1,100 to \$2,750. An employer who knowingly allows or requires a driver to violate an out-of-service order shall be subject to a civil penalty of \$2,750 to \$11,000.

MOTOR CARRIER SAFETY

PART 387/OAR 740 – Minimum Levels of Financial Responsibility

Definitions
387.5

Financial responsibility means having insurance policies or surety bonds sufficient to satisfy the minimum public liability requirements.

Public liability means liability for bodily injury, property damage, and environmental restoration.

Requirements for Financial Responsibility
Part 387 / OAR 740

All motor carriers must have at least the minimum amount of public liability insurance required by law. The amount of insurance and the required insurance forms are prescribed in both Part 387 and the Oregon Administrative Rules (OAR's).

OAR 740:
Level and Proof of Liability Insurance

The OAR's require each motor carrier operating one or more vehicles **over 26,000 lbs. intrastate** in Oregon to maintain at least **\$750,000** of public liability insurance. A current **Form "E"**, issued by an insurer, must be on file with the Oregon Department of Transportation (ODOT) to prove the motor carrier meets this requirement (740-040-0010 & 0020).

Part 387:
Levels and Proof of Liability Insurance

Part 387 also requires certain motor carriers to maintain minimum levels of public liability insurance as shown in the table below (387.9, 387.33):

Classification		Minimum Applicability	Minimum Liability
Non-HazMat	Interstate for-hire	10,000 lbs. GVWR	\$750,000
Hazardous Materials	Explosives (1.1, 1.2, 1.3)	None	\$5,000,000
	Poison-Inhalation, Hazard Zone A (2.3, 6.1)		
	Radioactive Materials, HRCQ (Class 7)		
	Hazardous Substances	In bulk *	
	Compressed Gas (2.1, 2.2)		
	Intrastate in bulk * or Interstate	10,000 lbs. GVWR	\$1,000,000
Passenger	Interstate for-hire	7-15 passenger	\$1,500,000
		16 passenger	\$5,000,000

* *In bulk* – over 3,500 water gallons.

MOTOR CARRIER SAFETY

PART 387/OAR 740 - Minimum Levels of Financial Responsibility

These motor carriers must have proof of the minimum level of insurance at the company's principal place of business (387.7, 387.31).

Proof shall consist of one of the following:

- Form **MCS 90** (**MCS-90B** for passenger carriers) – Insurance endorsement issued by an insurer.
- Form **MCS-82** (**MCS-82B** for passenger carriers) – Surety bond issued by a surety.
- Written authorization of the I.C.C. authorizing carrier to *self-insure*.

MOTOR CARRIER SAFETY

PART 390/OAR 740 – General Federal Motor Carrier Safety Regulations

General Applicability 390.3

The Federal Motor Carrier Safety Regulations (FMCSR) apply to all employers, employees, and commercial motor vehicles transporting property or passengers in interstate or intrastate commerce.

Exceptions to General Applicability:

- School bus operations directly related to school functions.
- Transportation performed by governmental agencies. Fire and rescue vehicles used during emergencies. Hearse and ambulance services.*
- Certain intrastate farm operations. See ORS 825.024.
- Noncommercial transportation.

* See also **emergency exception** under 390.5 (*Definitions: Direct Assistance, Emergency, Emergency relief*), 390.23, and 390.25.

Farm Vehicle Drivers 390.39

Drivers of “covered farm vehicles” are exempt from Federal Motor Carrier Safety Regulation Parts 382 (Drug and Alcohol Testing), 383 (CDL), 391 Subpart E (Physical Qualifications and Examinations), 395 (Hours of Service), and 396 (Inspection Repair and Maintenance) requirements if:

- The GVW/GVWR of the vehicle is 26,001 lbs. or less.
- The GVW/GVWR of the vehicle is greater than 26,001 lbs when:
 - ✓ The driver operates anywhere within the state the vehicle is registered, or
 - ✓ The driver operates outside the state where the vehicle is registered, and stays within 150 air-miles of the home farm or ranch.

Covered Farm Vehicle means a vehicle that:

- Is operated in interstate or intrastate commerce; and
- Is operated by a farm or ranch owner, or employee or family member of the farm or ranch owner; and
- Transports agricultural commodities, livestock, or machinery or supplies to or from a farm or ranch; and
- Is equipped with a license plate or designator, issued by the state of registration, for identification as a farm vehicle; and
- Does NOT transport hazardous materials requiring placards.

MOTOR CARRIER SAFETY

PART 390/OAR 740 - General Federal Motor Carrier Safety Regulations

DEFINITIONS

- Commercial Motor Vehicle 390.5** *Commercial motor vehicle (CMV)* is any self-propelled or towed motor vehicle used on a highway in commerce to transport passengers or property when the vehicle:
- Has a gross vehicle weight rating (GVWR), gross combination weight rating (GCWR), or actual weight of **10,001 or more pounds**; or
 - Is designed or used to transport more than **8 passengers**, including the driver, for compensation; or
 - Is designed or used to transport more than **15 passengers**, including the driver, and is not used to transport passenger for compensation; or
 - Is used to transport **hazardous materials** requiring placarding.

Note: *The above definition of CMV pertains to Parts 390 through 397.*

- Gross Combination Weight Rating 390.5** *Gross combination weight rating (GCWR)* is the greater of:
- (1) A value specified by the manufacturer of the power unit, if such value is displayed on the FMVSS certification label, or
 - (2) The sum of the gross vehicle weight ratings (GVWRs) or the gross vehicle weights (GVWs) of the power unit and the towed unit(s), or any combination thereof, that produces the highest value. Exception: The CGWR of the power unit will not be used to define a commercial motor vehicle when the power unit is not towing another vehicle.

- Gross Vehicle Weight Rating 390.5** *Gross vehicle weight rating (GVWR)* is the value specified by the manufacturer as the loaded weight of a single motor vehicle.

- Interstate Commerce 390.5** *Interstate Commerce* is trade, traffic, or transportation in the United States –
- Between a place in a State and a place outside of such State (including a place outside of the United States); or
 - Between two places in a State through another State or a place outside of the United States; or
 - Between two places in a State as part of trade, traffic, transportation originating or terminating outside the State or the United States.

MOTOR CARRIER SAFETY

PART 390/OAR 740 - General Federal Motor Carrier Safety Regulations

Driveaway-towaway operation 390.5

Driveaway-towaway operation means transporting an unladen vehicle with at least one set of wheels on the ground:

- Between a manufacturer, dealership, purchaser, or repair shop, or
- By means of a saddle-mount or tow-bar.

ACCIDENT REGISTER AND REPORTING

Accident 390.5 / OAR 740-100-0020

An *accident* is an occurrence involving a commercial motor vehicle operating on a highway in interstate or intrastate commerce that results in at least one of the following:

- A *fatality*.
- Bodily injury to a person who, as a result of the *injury*, immediately receives medical treatment away from the scene of the accident.
- Disabling damage to one or more motor vehicles requiring the vehicle(s) to be *towed* or otherwise transported from the scene by a tow truck or other vehicle.

MOTOR CARRIER SAFETY

PART 390/OAR 740 - General Federal Motor Carrier Safety Regulations

**Accident Register
390.15** Motor carriers must maintain an accident register for three years after the date of each accident. The accident register must contain at least the following information:

- Date and place of accident
- Driver's name
- Number of injuries and fatalities
- Hazardous materials (other than fuel) released, if any
- Copies of all accident reports required by governmental entities or insurers.

**Accident Reporting
OAR 740-100-0020** Accidents occurring in Oregon must be reported to ODOT within 30 days. However, fatal accidents occurring in Oregon must be reported to ODOT as soon as possible (next business day).

Accidents shall be reported on DMV Form 735-0032 or may be reported online. For information go to:

www.oregon.gov/odot/mct/safety.shtml

Select "Crash Reports & Stats". You may also call (503) 986-3507. Fax (503) 986-4249.

Note: For DMV reporting requirements, visit the DMV Web site at:

www.oregon.gov/odot/dmv/driverid/accidentreport.shtml

MOTOR CARRIER SAFETY

PART 390/OAR 740 - General Federal Motor Carrier Safety Regulations

VEHICLE IDENTIFICATION

Marking of CMV's 390.21 / OAR 740-100-0010(2)(b) Every self-propelled CMV operated by a motor carrier must be marked on **BOTH** sides of the vehicle, with the following:

- The motor carrier's legal name or a single trade name, as listed on the motor carrier identification report.
- The motor carrier's USDOT number.

Note: External identification is not required on vehicles 26,000 lbs. or less GCWR and operated in private intrastate carriage, except when transporting placarded hazardous materials or over 15 passengers. However, the motor carrier is still be required to have a USDOT number if operating CMV's as defined in 390.5.

A USDOT number may be obtained by applying online at:

<https://portal.fmcsa.dot.gov/UrsRegistrationWizard/>

MOTOR CARRIER SAFETY

PARTS 380/391/OAR 740 – Qualification of Drivers; Long Combination Vehicle Requirements; Entry-Level Driver Requirements

Motor carriers must ensure that all drivers of commercial motor vehicles meet the minimum qualifications specified in Part 391.

General Driver Requirements 391.11

A driver must meet the following requirements:

- Be in good health and physically able to perform all duties of a driver.
- Be at least 21 years of age for interstate commerce, or 18 years of age for intrastate commerce.
- Speak and read English well enough to converse with the general public, understand highway traffic signs and signals, respond to official questions, and be able to make legible entries on reports and records.
- Be able to drive the vehicle safely.
- Know how to safely load and properly block, brace, and secure the cargo.
- Have only one valid operator's license.

Driver Qualification File 391.51

Every motor carrier must have a qualification file for each driver employed. The file must include:

• **APPLICATION FOR EMPLOYMENT (391.21, 383.35)**

Besides basic driver information as outlined in 391.21, the employment application shall include detailed information of all license suspensions, and a **3-year** history of moving violations, accidents, and employers (**10-year** employer history for CDL drivers). The driver-applicant must sign the application certifying its accuracy.

• **INQUIRY TO STATE AGENCIES (391.23)**

Within 30 days of hire, the motor carrier must obtain the driver's driving record, both personal and employment-related, for the preceding **three years**. The inquiry must be made to all states where the driver was licensed.

• **ANNUAL REVIEW OF DRIVING RECORD (391.25)**

At least once every 12 months, the motor carrier must obtain and review the driver's driving record, both personal and employment-related.

Note: Convictions, accidents, and suspensions from a driver's driving record may automatically be obtained through the Oregon DMV's Automated Reporting System (ARS). For information, visit the DMV Web site at: www.oregon.gov/ODOT/DMV/records/business.shtml#ars

MOTOR CARRIER SAFETY
PARTS 380/391/OAR 740 - Qualification of Drivers;
Long Combination Vehicle Requirements; Entry-Level Driver Requirements

• **ANNUAL DRIVER'S CERTIFICATION OF VIOLATIONS (391.27)**

At least once every 12 months, the motor carrier must require each driver to provide a list of all moving violations for the previous 12 months. Drivers who have provided information required by 383.31 need not repeat that information in this annual list of violations.

• **ROAD TEST (391.31, 391.33)**

The driver must successfully complete a road test and be issued a certificate, or provide the motor carrier with a copy of the driver's CDL or previous certificate showing that the driver has already completed a road test. However, a copy of the CDL alone is not sufficient for any driver required to have a double/triple trailer or tank vehicle endorsement.

• **LCV DRIVER CERTIFICATE (380.401)**

The LCV (Longer Combination Vehicle) driver must successfully complete LCV driver training and be issued a Driver-Training Certificate. For more information see LCV Training below.

• **ENTRY-LEVEL DRIVER CERTIFICATE (380.509, 380.511)**

The entry-level driver must successfully complete entry-level driver training and be issued a training certificate. For more information see Entry-Level Training below.

• **MEDICAL EXAMINATION (391.41 - 391.49)**

The driver must pass a physical examination conducted by a licensed health care professional* every two years. The driver is then issued a Medical Examiner's Certificate. A copy of the Medical Certificate must be kept in the Driver Qualification File. If a driver is operating under a medical variance or has a Skills Performance Evaluation Certificate (SPE), those documents must also be included in the Driver Qualification File.

CDL drivers: Must submit a copy of the Medical Examiner's Certificate to the State Department of Motor Vehicles (DMV). CDL holders are not required to carry the Medical Certificate once the Certificate is posted to the driving record.

Non-CDL drivers: Must carry the Medical Certificate while operating a CMV as defined in Part 390.5.

Note: For drivers who hold a CDL - After January 30, 2015, the medical exam certificate will suffice in the Driver Qualification file for up to 15 days from the date the certificate was issued. After 15 days, proof of medical exam certification must be met by obtaining a copy of the CDLIS motor vehicle record.

*The health care professional must be listed on the National Registry of Certified Medical Examiners. A note must be placed in the Driver Qualification File relating to verification of that listing. Approved health care professionals are listed on the Federal Motor Carrier Safety Administration website:

www.fmcsa.dot.gov/medical/driver-medical-requirements/national-registry-certified-medical-examiners

MOTOR CARRIER SAFETY

PARTS 380/391/OAR 740 - Qualification of Drivers; Long Combination Vehicle Requirements; Entry-Level Driver Requirements

Physical Requirements 391.41

A driver is physically qualified to driver if that driver:

- Has no loss or major impairment of a foot, leg, hand, or arm, or has been granted a Skill Performance Evaluation (SPE) Certificate under 391.49 (interstate operations), or waiver of physical disqualification under OAR 740-100-0010(2)(f) (intrastate operations).
- Has no clinical diagnosis of diabetes requiring insulin for control.
- Has no clinical diagnosis of any disqualifying heart disease.
- Has no clinical diagnosis of high blood pressure likely to interfere with CMV operation.
- Has no clinical diagnosis of epilepsy.
- Has 20/40 vision or better with corrected lenses. Can recognize traffic signal colors.
- Has enough hearing to perceive a forced whisper.
- Has no drug or alcohol abuse problems.
- Has no other physical or mental disorder likely to interfere with CMV operations.

Medical Waivers 391.49 / OAR 740-100- 0010(2)(f)

A driver unable to pass a physical examination may be eligible for an interstate SPE Certificate granted by FMCSA (503-399-5774), or an intrastate waiver of physical disqualification granted by ODOT (503-945-0891).

Driver Investigation History File 391.53

Every motor carrier must have an investigation file for each driver that includes the driver's *Safety Performance History*. Within 30 days of hire, the motor carrier must contact the previous employers within the past three years to obtain and verify the information listed below. Previous employers are required to release the information. A written record must be kept of all contact results. The file must be considered confidential and only be allowed limited access.

<ul style="list-style-type: none">• DRIVER IDENTIFICATION / EMPLOYMENT VERIFICATION (391.23)
<p>The motor carrier must obtain general employment data about the driver, such as name, date of birth, starting and ending dates, and job responsibilities.</p>
<ul style="list-style-type: none">• ACCIDENT HISTORY (391.23)
<p>The motor carrier must inquire about all accidents the driver was involved in, and obtain all accident information listed in 390.15(b).</p>

MOTOR CARRIER SAFETY

PARTS 380/391/OAR 740 - Qualification of Drivers; Long Combination Vehicle Requirements; Entry-Level Driver Requirements

• **DRUG/ALCOHOL HISTORY (40.25, 391.23)**

The motor carrier must obtain information about whether the driver had any drug/alcohol violations and whether the driver completed a rehabilitation program. This information must only be obtained from employers where the applicant drove CDL-required vehicles, and must only be made with the driver's written authorization.

The motor carrier must also ask the applicant about all positive pre-employment tests or refusals for motor carriers within the last **two years** who did not hire the driver.

Note: Records of positive drug tests may also be obtained from the Oregon DMV, with the driver's written permission. For information, visit the DMV Web site at:

www.oregon.gov/ODOT/DMV/records/business.shtml#drug

Limited Exemptions

The following specific conditions and types of drivers are exempt from certain Part 391 requirements:

Drivers employed before January 1, 1971 (391.61)

A driver who has been a regular employee of a motor carrier for a continuous period that began before January 1, 1971, is exempt from:

- Application for employment.
- Employment verification.
- Initial inquiry to state agencies.
- Road test.

Multiple-employer drivers (391.63)

If a motor carrier employs a driver who is employed as a driver by more than one motor carrier, the motor carrier must have:

- Driver's name and social security number.
- License number, state, and type of license.
- Medical examiner's certificate.
- Road test or equivalent.
- Controlled substances / alcohol program requirements.

Drivers furnished by other motor carriers (391.65)

A motor carrier using a driver regularly employed by another motor carrier must contact the other motor carrier and obtain a signed certificate verifying the driver's name and signature, the driver's qualifications, and the expiration date of the medical examiner's certificate. The driver must still meet the controlled substances / alcohol program requirements.

MOTOR CARRIER SAFETY

PARTS 380/391/OAR 740 - Qualification of Drivers; Long Combination Vehicle Requirements; Entry-Level Driver Requirements

Private intrastate carriers (OAR 740-100-0010(2)(e))

A driver who is employed by a private intrastate carrier is exempt from most of Part 391 if the driver operates a CMV that is 26,000 lbs. or less GVWR, and is not transporting placarded hazardous materials. The driver must still have a valid driver's license and be able to speak English.

LONGER COMBINATION VEHICLE (LCV) TRAINING REQUIREMENTS

Definition 380.105	<i>Longer combination vehicle (LCV)</i> is any combination of a truck-tractor and two or more trailers with a gross vehicle weight (GVW) greater than 80,000 pounds.
Driver Requirements 380.107 / 380.203 / 380.205	A driver who wishes to operate an LCV shall first complete an LCV driver-training program. To qualify for the training program, the driver must have a: <ul style="list-style-type: none">• Class A CDL with a double/triple trailer endorsement; and• Clean driving record for the previous 6 months operating a vehicle combination requiring a Class A CDL.
Driver-Training Certificate 380.401	Each driver who completes the LCV driver training shall be issued a certificate. A copy of the certificate shall be maintained in the driver's qualification file.
Driver-Instructor Requirements 380.301 / 380.303	LCV driver training may only be given by a qualified driver-instructor. The qualifications required are based on whether the driver-instructor is a <i>classroom instructor</i> or <i>skills instructor</i> .
LCV Driver- Instructor Qualification File 391.55	A motor carrier must have a qualification file for each LCV driver-instructor it employs or uses. The file must include: <ul style="list-style-type: none">• Proof of the instructor's qualifications; and• A copy of the instructor's CDL with the appropriate endorsement(s). <p><u>Note:</u> For further information on the LCV driver training requirements, see 380.101 through 380.401.</p>

MOTOR CARRIER SAFETY
PARTS 380/391/OAR 740 - Qualification of Drivers;
Long Combination Vehicle Requirements; Entry-Level Driver Requirements

ENTRY-LEVEL DRIVER TRAINING REQUIREMENTS

Definition
380.502

Entry-level driver is a driver with less than one year of experience driving a CMV with a CDL.

Requirements
380.503

All entry-level drivers subject to the CDL requirements of Part 383 must receive entry-level driver training. The training must include instructions in the following four areas:

- Driver qualification requirements
- Hours of service
- Driver wellness *
- Whistleblower protection

* *See also company policy requirements under Part 382.601.*

Training
Certificate
380.509 / 380.513

Each driver who completes the entry-level driver training shall be issued a certificate. A copy of the certificate shall be maintained in the driver's qualification file.

Note: *For further information on the entry-level driver training requirements, see 380.500 through 380.513.*

MOTOR CARRIER SAFETY

PART 392 – Driving of Motor Vehicles

Illness or Fatigue **392.3**

No driver may drive a CMV when the driver's ability or alertness is impaired by fatigue, illness, or any other cause that makes it unsafe to drive the vehicle.

Drugs and Other Substances **392.4 / 382.213 / 382.215**

No driver shall be on duty and possess, be under the influence of, or use:

- Any Schedule I drug listed in 21 CFR 1308.11.
- Amphetamines (including "pep pills" and "bennies").
- Narcotics.
- Any other substance that makes driving unsafe.

Alcohol **392.5 / 382.201 - 382.207**

A driver is forbidden to use or be under the influence of alcohol while driving, being on duty, or within 4 hours of going on duty. A driver is forbidden to possess an alcoholic beverage while driving or being on duty, unless it is a manifested part of the shipment.

Railroad Crossings **392.10 / 392.11 / 392.12**

Drivers of CMV's transporting certain hazardous materials or passengers are required to stop before crossing railroad tracks. Also, those drivers may not shift gears while crossing the tracks. All other drivers must slow down when crossing. Additionally, all drivers must ensure that before they drive onto railroad tracks they have enough space to drive completely through the crossing without stopping.

Unauthorized Passenger **392.60**

Unless authorized in writing by the motor carrier, no driver shall transport any person on any CMV other than a bus. The written authorization need not be carried in the vehicle.

Radar Detectors **392.71**

No driver shall use a radar detector or drive a CMV equipped with one.

Texting **392.80**

No driver shall engage in texting while driving. *

Cell Phones **392.82**

No driver shall use a hand-held mobile telephone while driving *

* For purposes of this section only (texting/cell phones), driving means operating a commercial motor vehicle with the motor running, including while temporarily stationary because of traffic, a traffic control device, or other momentary delays. Driving does not include operating a commercial motor vehicle with or without the motor running when the driver has moved the vehicle to the side of, or off, a highway, as defined in FMCSR 390.5, and halted in a location where the vehicle can safely remain stationary.

MOTOR CARRIER SAFETY

PART 392 – Driving of Motor Vehicles

USDOT Registration 392.9b

Prior to operating your CMV, you must register with the US Department of Transportation. You must obtain, and keep active, a USDOT number.

Identification Reports 390.19

To apply for a USDOT number, and register with the USDOT apply at Federal Motor Carrier Safety Administration website:

<https://portal.fmcsa.dot.gov/UrsRegistrationWizard/>

You must update your USDOT number every two years.

MOTOR CARRIER SAFETY

PART 393 – Parts and Accessories Necessary for Safe Operation

Every CMV must be equipped with certain standard equipment. Other optional equipment or accessories are permitted only if these items do not decrease the operational safety of the vehicle.

Note: See also the periodic inspection items and standards prescribed in Appendix G to Subchapter B.

BRAKES

Brake Systems **393.40 / 393.41**

CMV's must be equipped with the following brake systems which must meet the braking requirements of FMCSR Part 393 and/or Federal Motor Vehicle Safety Standards (FMVSS) Part 571, as applicable:

- Service brakes
- Parking brakes
- Emergency brakes

Brakes on all Wheels **393.42 / 393.48**

Every CMV must be equipped with brakes acting on all wheels, with the following exceptions:

- Trucks and truck tractors with three or more axles, manufactured before July 25, 1980, are not required to have steering axle brakes. However, the vehicle must meet the braking requirements of 393.52.
- Vehicles being towed in a driveaway-towaway operation. However, the combination must meet the requirements of 393.52.
- Any trailer with a gross weight of 3,000 pounds or less, provided the trailer weight does not exceed 40 percent of the weight of the power unit.
- Three-axle dollies, steered by a co-driver (tillerman), are not required to have steering axle brakes.
- Loaded housemoving dollies, and specialized trailers and dollies transporting furnaces, reactors, and similar vehicles, provided the combination does not exceed 20 mph. However, the combination must be able to stop within 40 ft.

Breakaway and Emergency Braking **393.43**

Every power unit and its trailer must be equipped with the following emergency braking systems:

Power unit -

- **Tractor protection:** The power unit must have adequate service brakes to stop the power unit in the event of a trailer breakaway.

MOTOR CARRIER SAFETY

PART 393 – Parts and Accessories Necessary for Safe Operation

- **Trailer emergency brakes:** Each power unit with air brakes must have both a manual and an automatic system for setting the emergency brakes on a trailer with air brakes. *

Trailer -

Breakaway: Every trailer must be equipped with brakes that apply automatically if the trailer breaks away from the power unit. *

* *Does not apply to driveaway-towaway operations.*

Brake Components

All brake components, including those identified below, must be installed, maintained, and protected to prevent leaks and to ensure proper functioning of the brake systems.

- Brake tubing and hoses – 393.45
- Brake chambers, slack adjusters, linings/pads, drums/rotors – 393.47
- Reservoirs – 393.50

Brake Warning Devices and Gauges 393.51

Buses, trucks, and truck tractors must be equipped with a signal that provides a warning to the driver when a failure occurs in the vehicle's service brake system. This signal requirement covers hydraulic brake systems, air brake systems, vacuum brake systems, and hydraulic brakes applied or assisted by air or vacuum.

Automatic Brake Adjusters and Adjustment Indicators 393.53

The following CMV's must be equipped with automatic brake adjusters:

- Hydraulic-braked vehicles manufactured on or after October 20, 1993.
- Air-braked vehicles manufactured on or after October 20, 1994. Must also have brake adjustment indicators.

Antilock Brake Systems (ABS) 393.55

The following CMV's must be equipped with antilock brake systems: *

- Truck-tractors manufactured on or after March 1, 1997.
- All other vehicles with air brakes manufactured on or after March 1, 1998.
- Hydraulic-braked trucks and buses manufactured on or after March 1, 1999.

Each antilock brake system must include ABS malfunction indicators.

* *Does not apply to driveaway-towaway operations.*

MOTOR CARRIER SAFETY

PART 393 – Parts and Accessories Necessary for Safe Operation

COUPLING DEVICES

General Requirements
393.70

Coupling devices, including fifth wheel assemblies, drawbars/tow-bars and drawbar eyes, pintle hooks, turntables, safety devices, and saddle-mounts*, must be properly secured and allow for proper alignment between the towing vehicle and the towed vehicle. Coupling devices must be free of excessive wear and cracks. No securement bolts or rivets are allowed to be loose or missing.

* See 393.71 for driveaway-towaway (saddle-mount) operations.

Fifth Wheel Assemblies
393.70(b)

- Every fifth wheel assembly must have a *locking device* to prevent separation or excessive play of the upper and lower halves of the fifth wheel. The locking device shall apply automatically on coupling.
- The upper and lower fifth wheel halves must be located to allow for equal *weight distribution* on the axles of the towed and towing vehicles.

Full Trailers
393.70(c)

- The tow-bar used to tow a full trailer must have a *locking device* to prevent separation of the towed and towing vehicles.
- The *tow-bar eye* and *pintle hook* must not have excessive play, nor be repaired by welding.

Safety Devices
393.70(d)

Every full trailer and converter dolly must have safety device(s) to prevent separation of the towed and towing vehicles in the event of a tow-bar failure. The safety devices must meet the following requirements:

- Must not be attached to the pintle hook or other attachment device.
- Must have an ultimate breaking strength equal to the weight of the towed vehicle.
- Must prevent the tow-bar from dropping to the ground in case the tow-bar fails or becomes disconnected. The safety device must not have excess slack.

Number of safety devices:

Hinged/swiveled tow-bar, full trailer or converter dolly: Must have one of the following:

- *Two separate chains/cables* running along both sides of the tow-bar.

MOTOR CARRIER SAFETY

PART 393 – Parts and Accessories Necessary for Safe Operation

- A *bridle ('Y') system*, with two attachments at the towed vehicle, and one attachment at the towing vehicle. When a single cable is used, a thimble and twin-base cable clamps shall be used to form the front bridle eye.
- *Two pairs of chains/cables*. One pair from the towed vehicle to the rear of the tow-bar. The other pair from the towing vehicle to the front of the tow-bar.
 - The chains/cables must extend beyond any bolts, rivets, etc. used to connect structural members of the tow-bar.
 - For an extendible tow-bar, a stop must be used to prevent separation of the movable part of the tow-bar.

Fixed tow-bar, converter dolly: A single chain/cable may be used down the centerline of the tow-bar. The device may be attached to any location along the tow-bar.

EMERGENCY EQUIPMENT

**Emergency
Equipment
392.8 / 393.95**

CMV's must carry the following emergency equipment:

- Fire extinguisher.
- Spare fuses.
- Warning devices for stopped vehicles.

**Fire Extinguishers
393.95**

Fire extinguishers must be securely mounted and readily accessible. Each extinguisher must have a gauge or other indicator that shows whether the extinguisher is fully charged and a label displaying one of the following Underwriters' Laboratories (UL) ratings:

- One extinguisher - 5 B:C or more.
- Two extinguishers - 4 B:C or more each.
- One extinguisher - 10 B:C or more, if the vehicle is transporting placarded hazardous materials.

Note: Does not apply to vehicles towed in driveway-towaway operations.

MOTOR CARRIER SAFETY

PART 393 – Parts and Accessories Necessary for Safe Operation

Warning Devices for Stopped Vehicles 392.22 / 392.24 / 392.25 / 393.95

CMV's must be equipped with one of the following types of warning devices:

- Three reflective triangles.
- At least six fusees or three liquid-burning flares, *except* for vehicles transporting explosives (1.1, 1.2, 1.3), flammable liquid (3) or flammable gas (2.1) in cargo tanks, or compressed gas as a fuel.

Placement of Warning Devices: The three warning devices must be placed as follows (except where special rules apply):

- One on the traffic side, ten feet from the vehicle, in the direction of approaching traffic.
- One 100 feet away from the vehicle in the center of the traffic lane or shoulder where the vehicle is stopped, in the direction of approaching traffic.
- One 100 feet away from the vehicle in the center of the traffic lane or shoulder where the vehicle is stopped, in the direction away from approaching traffic.

Hazard Warning Flashers 392.22

A CMV stopped upon a highway or shoulder must activate the vehicle's hazard warning flashers immediately. The driver must leave the flashers on until the warning devices are in place. The flashers must again be used while the warning devices are being picked up before the movement of the vehicle.

FUEL SYSTEM

General Requirements 393.65

Each fuel system must meet the following requirements: *

- Fuel systems, including fuel tanks and fuel lines, must be properly secured in a workmanlike manner, and be free of leaks.
- No part of the system may extend beyond the widest part of the vehicle.
- No part of the fuel system of a *bus* may be located within or above the passenger compartment.

* See 393.69 for propane systems.

MOTOR CARRIER SAFETY

PART 393 – Parts and Accessories Necessary for Safe Operation

Fuel Lines **393.65**

Each fuel line must be located so that:

- The lines do not extend more than 2 inches below the fuel tanks unless the lines are enclosed in a protective housing. Diesel fuel crossover, return, and withdrawal lines which extend below the bottom of the tank must be protected.
- The lines do not extend between a towed vehicle and the towing unit while the combination is in motion.

Fuel Tanks **393.65 / 393.67**

Fuel tanks must meet the following requirements: *

- No part of a fuel tank may be located forward of the front axle of a power unit, or extend beyond the widest part of the vehicle.
- Fuel spilled while fueling must not contact the exhaust or electrical system.
- Fill pipe openings must be located outside the passenger compartment and sealed with a tightly fitted cap.

Drains and bottom fittings:

- Must not extend more than $\frac{3}{4}$ of an inch below the bottom of the fuel tank.
- Must be protected against damage from impact.

* See 393.68 for natural gas containers.

LIGHTS

General Requirements **393.11 / 571.108**

FMCSR Part 393.11 and FMVSS Part 571.108 specify the required color, position, and types of lamps and reflectors for CMV's. Requirements are also found in:

- Hazard warning signals – 393.19
- Clearance lamps – 393.22
- Turn signals – 393.22
- Head lamps – 393.24
- Stop lamps – 393.25
- Driveaway-towaway operations – 393.17

Must be Operable **393.9**

All required lamps shall be capable of being operated at all times.

MOTOR CARRIER SAFETY

PART 393 – Parts and Accessories Necessary for Safe Operation

Lamp Mounting and Visibility 392.33 / 393.9 / 393.25

All lamps must be permanently and securely mounted to the vehicle or projecting load. The lamps must be visible under normal conditions.

Conspicuity Systems 393.11 / 393.13 / 393.26

Certain vehicles must have retroreflective sheeting or reflex reflectors to make them more visible to other motorists under conditions of reduced visibility.

MISCELLANEOUS PARTS AND ACCESSORIES

Cab and Body Components 393.203

Cab and body components must meet the following requirements:

- *Cab doors and door parts* shall not be missing or broken. Doors shall not sag or be wired shut or secured in the closed position to prevent opening.
- *Bolts or brackets securing the cab* or the body of the vehicle to the frame shall not be loose, broken, or missing.
- *Hood* must be securely fastened.
- *Seats* must be securely mounted.
- *Front bumper* must not be missing, loosely attached, or protruding beyond the confines of the vehicle so as to create a hazard.

Exhaust Systems 393.83 / 393.84

Exhaust systems must meet the following requirements:

- The exhaust system and discharge must be located where they are not likely to damage the electrical wiring, the fuel supply, nor any combustible part of the vehicle.
- The discharge from the exhaust system must not be located immediately below the fuel tank or the fuel tank filler pipe.
- The exhaust system may not be temporarily repaired with patch or wrap material.
- The exhaust pipe and mufflers must be securely fastened to the vehicle.
- The exhaust system may not leak or discharge at any point forward of or directly below the driver or sleeper compartment. Floors must be substantially constructed and free of holes that allow entrance of fumes and gases.

MOTOR CARRIER SAFETY

PART 393 – Parts and Accessories Necessary for Safe Operation

Location of discharge:

Trucks and truck tractors: Must discharge at a location to the rear of the cab, or above and near the rear of the cab.

Buses, gasoline-powered: Must discharge at or within 6 inches forward of the rearmost part of the bus.

Buses, other fuels: Must discharge either:

- At or within 15 inches forward of the rearmost part of the bus, or
- To the rear of all doors or windows designed to be open (not including emergency exits).

Frames 393.201

Frames, crossmembers, and securement devices (bolts, etc.) shall not be cracked, loose, sagging, broken, or missing. No holes shall be drilled in the top or bottom rail flanges, nor shall any welding be done on the frame or chassis, except as specified by the manufacturer.

Rear End Protection 393.86

Every CMV must be equipped with a rear impact guard, bumper, or other device that prevents the under ride of another vehicle. The impact guard must be substantially constructed and attached to the vehicle. The dimensions and locations required are based on the date the impact guard was manufactured. *

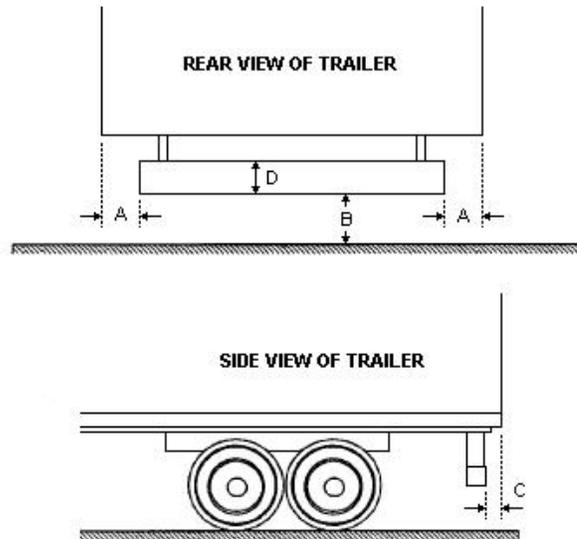
* Does not apply to truck-tractors (390.5), pole trailers (390.5), pulpwood trailers (393.5), low chassis vehicles (393.5), special purpose vehicles (393.5), wheels back vehicles (393.5), and driveaway-towaway operations (390.5).

Impact Guard Measurements	Code ¹	Manufactured before 1/26/98 ²	Manufactured on or after 1/26/98 ³
Width	A	18" max.	4" max.
Height	B	30" max.	22" max.
Rear Surface	C	24" max.	12" max.
Cross-Sectional Vertical Height	D	n/a	3.94" min.

MOTOR CARRIER SAFETY

PART 393 – Parts and Accessories Necessary for Safe Operation

- ¹ Letters correspond with the measurements labeled in the figures below.
- ² Impact guard required only when the height from the ground to the vehicle chassis is greater than 30” when the vehicle is empty.
- ³ Impact guard must be labeled under specifications in 393.86(a)(6) / 571.223.



Seat Belts **392.16 / 393.93 /** **ORS 811.210 /** **815.055**

CMV's must be equipped with seats, seat belt assemblies, and seat belt anchorages as specified in FMVSS Part 571. A driver must not drive before correctly restraining him/herself. Seat belts are also required for passengers riding in property-carrying vehicles when passengers are sitting in a seat where seat belt assemblies have been installed.

Sleeper Berths **393.76**

Sleeper berths must meet minimum dimension requirements. They must not be installed in or on a trailer and must be located in or adjacent to the cab. An exit doorway or opening must be at least 18 inches high by 36 inches wide, and must lead directly into the cab.

Each sleeper berth must be equipped with an adequate mattress, bed clothing, and blankets. The sleeper berth must be properly ventilated and located so as to protect occupants against exhaust heat, fumes, fuel leaks, dust, and rain. A means must be provided to prevent ejection of the occupants from the sleeper berth during vehicle deceleration.

MOTOR CARRIER SAFETY

PART 393 – Parts and Accessories Necessary for Safe Operation

Steering System 393.209

Steering systems must be in proper working order, including the following:

- *Steering wheel* must be properly secured and not have any cracked or missing spokes. The steering wheel shall turn freely in both directions.
- *Steering wheel lash (free play)* must not exceed certain parameters.
- *Steering column* must be securely fastened.
- *Steering gear box* must be securely attached and not cracked. The pitman arm must not be loose on the steering gear output shaft. The yolk-coupling of the steering column must not be loose on the steering gear input shaft.
- *Attachments*, including ball and socket joints, universal joints, clamps, bolts, and nuts, shall not be worn, loose, or welded.
- *Tie rods and drag links* shall not be worn or bent.
- *Power steering systems* must not have loose or broken parts; frayed, cracked, or slipping belts; leaks; or insufficient fluid in the reservoir.

Suspension System 393.207

Suspension systems must be structurally sound and in proper working order, including the following:

- *Axles* must be in proper alignment, and no positioning part shall be cracked, broken, loose, or missing.
- *Adjustable axles* must have locking pins in place.
- *Leaf springs* must not be cracked, broken, missing, nor shifted out of position.
- *Coil springs* must not be cracked or broken.
- *Torsion bars* must not be cracked or broken.
- *Air suspensions* must support the vehicle in a level position, and must not leak.

Tires 393.75

Tires used on CMV's must meet specific safety standards. No tire may have any of the following defects:

- Body ply or belt material cut or otherwise exposed through the tread or sidewall.

MOTOR CARRIER SAFETY

PART 393 – Parts and Accessories Necessary for Safe Operation

- Tread or sidewall separation.
- Flat or audible leak.
- Have less than the minimum tread depth:
 - Front axle: 4/32 inch minimum.
 - Other axles: 2/32 inch minimum.
- Carry a weight greater than the rated capacity for that tire. This includes an underinflated tire.
- Mounted or inflated so that it comes in contact with any part of the vehicle, including an adjacent tire.
- *Front axle:*
 - Regrooved tires on trucks or truck tractors which have a load-carrying capacity equal to or greater than 4,920 lbs.
 - Mixing bias and radial tires on the same axle.
 - Regrooved, recapped, or retreaded tires on buses.

Wheels **393.205**

Wheels must meet the following conditions:

- *Wheels, rims, and hubs* shall not be cracked or broken.
- *Stud or bolt holes* shall not be elongated (out of round).
- *Nuts or bolts* shall not be missing or loose.
- *Lock or side rings* shall not be bent, broken, cracked or improperly seated.

Windshields **393.60 / 393.78 /** **393.79**

A vehicle's windshield (includes both left and right sides, if split windshield) must be free of discoloration, intersecting cracks, and damage greater than ¾ inch in diameter. The wipers and the defroster must be in proper working order.

Affected area:

Lowest: Top of the steering wheel.

Highest: 2 inches below top of the windshield.

Sides: 1 inch from left and right sides of each windshield.

MOTOR CARRIER SAFETY

PART 393 – Cargo Securement

CARGO SECUREMENT

General Requirement
393.100 / 393.106

The cargo loaded on a CMV must be contained or secured to prevent the load from leaking, blowing, falling from the vehicle, or shifting to an extent that would affect the vehicle's stability. Cargo likely to roll must be restrained by chocks, cradles, or other devices to prevent rolling.

Securement System Standards
393.104 / 393.112

All securement devices and systems (tiedowns, anchor points, walls, stakes, chocks, etc.) must be in good working order, properly secured, and free of damage that would adversely affect the cargo securement. Tiedowns must meet certain manufacturing standards. Edge protection (*defined in 393.5*) must be used wherever a tiedown would be subject to abrasion or cutting.

Cargo Inspection
392.9

The driver must ensure that the cargo is properly distributed and secured. Accessory equipment (tarps, tailgate, spare tire, etc.) must also be secured. The driver must examine and adjust/change the cargo securement, as necessary:

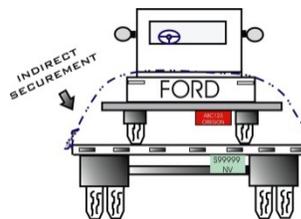
- Before driving.
- Within the first 50 miles.
- At the next change of duty status, after 3 hours of driving, or after driving 150 miles, whichever occurs first.

Working Load Limit
393.5 / 393.102 /
393.106 / 393.108

Working load limit (WLL) is the maximum load that may be applied to a component of a cargo securement system during normal service. The securement devices must have an *aggregate WLL (defined in 393.5)* capable of preventing cargo movement in the forward, rearward, sideways, and vertical directions. The WLL of a tiedown is determined by the manufacturer's markings or, if not available, by the WLL tables in 393.108.

Indirect Securement

The tiedown goes from an anchor point on the vehicle, through, over, or around the cargo and attaches to another anchor point on the *other side* of the vehicle.



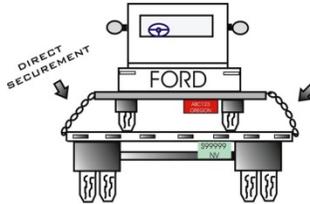
The assigned WLL is the entire WLL determined by the manufacturer's marking or by the WLL tables.

MOTOR CARRIER SAFETY

PART 393 – Cargo Securement

Direct Securement

- The tiedown goes from an anchor point on the vehicle to an attachment point on the cargo, or
- The tiedown goes from an anchor point on the vehicle, through, over, or around the cargo and attaches to another anchor point on the *same side* of the vehicle.



The assigned WLL is **one-half** of the WLL determined by the manufacturer's marking or by the WLL tables.

The assigned *aggregate* WLL of all devices used to secure cargo must be at least one-half times the **weight** of the cargo. For example, if the cargo weighs 30,000 lbs., the assigned *aggregate* WLL of all devices used to secure the cargo must be at least 15,000 lbs.

General Provisions **393.110**

The number of tiedowns required to secure cargo is also dependent on the **length** of the cargo.

If no front end structure or cargo to prevent forward movement:

Length of Cargo	Weight of Cargo	Minimum Number of Tiedowns
5 ft. or less	1,100 lbs. or less	1
	Over 1,100 lbs.	2
Over 5 ft. up to 10 ft.	n/a	2
Over 10 ft.	n/a	2 tiedowns for first 10 ft., plus - 1 tiedown for each extra 10 ft. length or fraction thereof. <i>Example: 25 ft. = 4 tiedowns.</i>

MOTOR CARRIER SAFETY

PART 393 – Cargo Securement

With front end structure or cargo to prevent forward movement: *

One tiedown for each 10 ft. length or fraction thereof.

Example: 25 ft. = 3 tiedowns.

* *See 393.114 for front end structure requirements.*

Special Purpose Vehicles 393.5 / 393.110

The length requirements of 393.110 do not apply to vehicles transporting cargo which, because of its design, size, shape, or weight, must be secured by special methods. However, the cargo must be properly secured.

Examples: Crane booms, trusses, boats.

Commodity- Specific Rules 393.106

Additional rules apply to certain types of cargo, and take precedence over the general requirements. **Bolded** items are described in more detail below.

- **Logs – 393.116**
- **Dressed lumber or similar building products – 393.118**
- Metal coils – 393.120 (*defined in 393.5*)
- Paper rolls – 393.122
- Concrete pipe – 393.124
- **Intermodal containers – 393.126**
- Automobiles, light trucks, and vans – 393.128
- **Heavy vehicles, equipment, and machinery – 393.130**
- **Flattened or crushed vehicles – 393.132**
- Roll-on/roll-off or hook lift containers – 393.134 (*defined in 393.5*)
- Large boulders – 393.136
- **Baled hay and straw**

Logs ¹ 393.116

The following applies to all log loads. However, loads of less than 5 processed logs, and logs that are unitized by banding all the logs together, may be secured under the general requirements of 393.100 to 393.114: ²

- The logs must be solidly packed and cradled with bunks or stakes (**A**) to prevent the logs from rolling.
- The outer bottom logs (**B**) must rest solidly against the bunks or stakes.

MOTOR CARRIER SAFETY

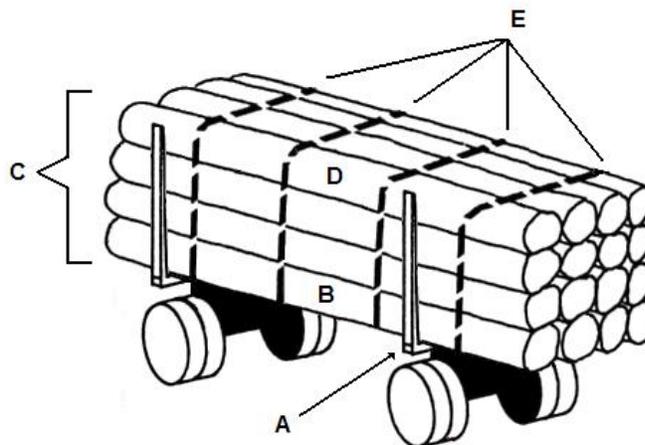
PART 393 – Cargo Securement

- Each outside log (**C**) must have one end touching a bunk or stake, and the other end touching, or at least extending beyond, the other bunk or stake.
- The center of each highest outside log (**D**) must be below the top of each bunk or stake.
- The logs must be secured by *two* tiedowns or wrappers with the following exceptions:
 - Log truck/pole trailers: When any logs rise above the bunks, *two* additional wrappers are required.
 - Logs 27 feet or longer: OR OSHA rule OAR 437-007-1010 requires *four* evenly-spaced wrappers (**E**).
 - Shortwood loaded lengthwise: Allowed *one* tiedown/wrapper for any middle stack blocked in the front and rear by structures or other shortwood stacks.³
- The aggregate WLL of all tiedowns/wrappers used to secure the logs loaded on a flatbed or frame vehicle (*defined in 393.5*) must be at least **1/6** times the total weight of the logs.

¹ “Logs” include round processed wood (e.g., utility poles, peeler cores).

² See 393.116 for additional rules for pole trailers and shortwood logs loaded crosswise.

³ “Shortwood” - logs up to 16 feet in length (393.5).



MOTOR CARRIER SAFETY

PART 393 – Cargo Securement

**Dressed Lumber or
Similar Building
Products
393.118**

Bundles one or two tiers high

Bundles must be secured with tiedowns over the **top tier**.

Bundles three or more tiers high

Bundles require tiedowns over the **top tier**, **plus one** of the following:

- *Stakes* on the vehicle sides to prevent lateral movement; or
- *Blocking* or *friction devices* between tiers to prevent lateral movement; or
- *Tiedowns over the middle tier*. If more than 3 tiers, the maximum height of the middle tier that is secured may not exceed 6 feet above the deck of the vehicle; or *
- *Tiedowns over the second tier* from the bottom; or *
- *Tiedowns over each tier*; or
- Loaded in a *sided vehicle* (defined in 393.5) or *container* of adequate strength (*does not include curtain vans or tautliners*).

Note: *All tiedowns required above must be secured under the general requirements of 393.100 to 393.114. At least two tiedowns are required for bundles two or more tiers high and longer than 5 ft.*

Note: *393.118 does not apply to non-bundles such as glue-laminated beams. Glue-laminated beams must be secured with tiedowns over the top tier under the general requirements of 393.100 to 393.114. (note updated 10/26/09. 393.118 applies to load of veneer)*

* Note: *Spacers are allowed under the specifications in 393.118(d)(3).*

MOTOR CARRIER SAFETY

PART 393 – Cargo Securement

Intermodal Containers 393.126

Container chassis vehicle (defined in 393.5)

- Each container must be secured to the chassis with securement devices or integral locking devices at all lower corners that cannot come open while the vehicle is in transit. The front and rear of the container must be secured independently.
- The securement devices must not allow the container to shift in any direction more than ½ inch.

Loaded container on non-chassis vehicle

- All lower corners of the container must rest upon the vehicle.
- The container must be secured by *one* of the following:
 - Chains, wire ropes, or locking devices fixed to all lower corners, or
 - Crossed chains fixed to all upper corners.
- The container must be secured to the vehicle with devices that cannot come open while the vehicle is in transit. The front and rear of the container must be secured independently.

Empty container on non-chassis vehicle

The container need not have all lower corners resting on the vehicle, provided:

- The container is balanced on the vehicle.
- The container does not overhang more than 5 feet at the front or rear of the vehicle, and does not interfere with the vehicle's maneuverability.
- The container is secured to prevent shifting in any direction.

MOTOR CARRIER SAFETY

PART 393 – Cargo Securement

Heavy Vehicles, Equipment, and Machinery 393.130

The following applies to vehicles, equipment, and machinery individually weighing 10,000 lbs. or more. Loads less than 10,000 lbs. may be secured according to the general requirements of 393.100 to 393.114, or 393.128:

- Equipment with crawler tracks or wheels must be secured with at least four tiedowns, attached as close as possible to the front and rear of the vehicle. *
- Accessory equipment (e.g., shovels, buckets) must be lowered and secured to the vehicle, or lowered and locked in place to prevent shifting during transport.
- Articulated vehicles must be restrained to prevent articulation while in transit.

* *The following securement arrangements are also permitted:*

Two individual tiedowns sharing one anchor point on the equipment, or one anchor point on the vehicle, as long as the anchor point is strong enough.



A single chain used as two tiedowns when the chain acts independently on each side of the equipment. Each side of the tiedown must have two attachment points and one adjustment mechanism.



MOTOR CARRIER SAFETY

PART 393 – Cargo Securement

Flattened or Crushed Vehicles 393.132

- Synthetic webbing is not allowed for securing the vehicles, except that webbing may be used to connect wire rope or chain to anchor points on the CMV. However, the webbing may not come in contact with the flattened or crushed vehicles.
- Containment walls, if used, must extend to the full height of the load, and must block against cargo movement.
- The containment system must prevent liquids from leaking, and loose vehicle parts from falling, from the flattened or crushed vehicles.
- There are four options for securement:

Containment Walls	Tiedowns Per Vehicle Stack
All 4 sides	0
3: front, rear, and one side	2
2: front and rear	3
none	4

MOTOR CARRIER SAFETY

PART 393 – Cargo Securement

**Baled Hay and
Straw
393.102(c):
FMCSA
Memorandum**

The following meets or exceeds the performance requirements of the FMCSR. Tiedowns are exempt from the aggregate WLL found in 393.106(d), provided they meet the WLL requirements below.

Bale Placement

Loads must be well-balanced and positioned on the vehicle so the load is stable without tiedowns.

Small bales (see first diagram below)

- *Sides of load:* Outside bales must not be placed in the same direction in more than two successive tiers (**A**), except one bale above and below a tier, up to three tiers in succession (**B**).
- Bales in the top tier must be loaded crosswise to the vehicle (**C**).
- No bale must be loaded vertically.

Big bales

Sides of load: Outside bales must not be placed in the same direction in more than three successive tiers.

Load projection

No bales may extend beyond the vehicle bed between a truck and trailer, or semi-trailer and trailer. No bales may extend more than one-third the bale length beyond the rear of the bed surface on a single vehicle or the last vehicle in a combination of vehicles. Bales may extend over the truck cab provided they are supported, interlocked with other bales, and do not obstruct the driver's view.

Longitudinal Tiedowns

The load must be unitized with two longitudinal tiedowns, each having a minimum WLL of 2,100 lbs., and secured with a tightening device (**F**, **I**). The tiedowns must be applied over V-boards (**E**), or big bales may use the alternate method below.

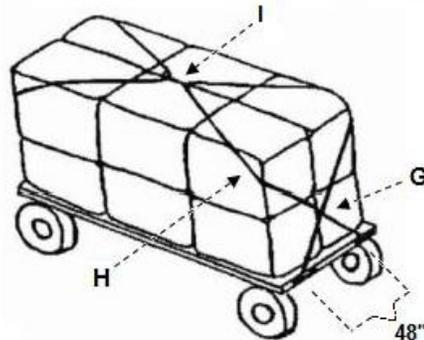
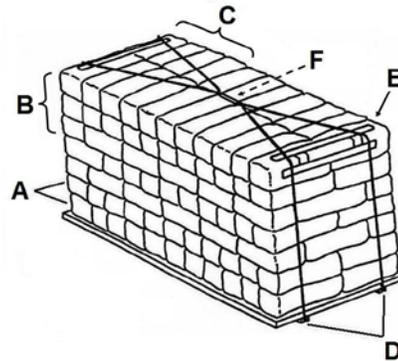
MOTOR CARRIER SAFETY

PART 393 – Cargo Securement

With V-Boards

(big or small bales)

Two tiedowns must be anchored at the front and rear near the corners (**D**), extended over the top, and crossed or connected with a tightening device at the center (**F**).



Alternate securement (big bales)

Two tiedowns must be anchored at the front and rear of the load at least 48 in. apart, crossed at the front and rear (**G**), passed to the outside around the upper corners of the load (**H**), and connected with a tightening device at the top center (**I**).

Lateral Tiedowns

Each tiedown must have a minimum WLL of 4,000 lbs. Multiple tiedowns may be substituted, provided each has a minimum WLL of 625 lbs., with a combined WLL of 4,000 lbs. or more. Tiedowns less than 2 inches in width or diameter must include V-boards.

Vehicles 32 feet or less in length

One tiedown shall be placed in the center of the length of the vehicle.

Vehicles greater than 32 feet in length

Two tiedowns shall be positioned at one-third and two-thirds the length of the vehicle.

Note: Bales not unitized by longitudinal tiedowns must be secured according to the general cargo securement requirements of FMCSR, 393.100-114.

Note: For further information, visit ODOT's website at: www.oregon.gov/ODOT/MCT/docs/HaySecurement.pdf.

MOTOR CARRIER SAFETY

PART 395/OAR 740 – Hours of Service of Drivers

The hours of service rules apply to all motor carriers and drivers, with some exceptions found in Part 395.1, and intrastate exceptions found in OAR 740-100-0010(2).

DEFINITIONS

**Driving Time
395.2**

Driving time means all time spent at the driving controls of a CMV in operation. This includes time behind the wheel waiting to load or unload, and delays on impassable highways.

**Off-Duty Time
395.2**

These conditions must be met before any time can be considered *off-duty time*:

1. The driver must be relieved of all duty and responsibility for the vehicle, its accessories, and any cargo or passengers being transported.
2. The duration of relief must be a finite period of sufficient duration to ensure fatigue is significantly reduced.
3. The driver must be at liberty to pursue activities of his/her own choosing, and be allowed to leave the premises where the CMV is located. However, the driver may elect to rest in a parked CMV, as long as the driver has no responsibilities during the rest period.

A driver may record as off duty up to 2 hours riding in the passenger seat of a property-carrying vehicle moving on the highway immediately before or after a period of at least 8 consecutive hours in the sleeper berth.

**On Duty Time
395.2**

Generally, *On duty time* means all time from the time a driver begins to work or is ready to work until the time the driver is relieved from work and all responsibility for work. On duty time shall include all time:

- At a plant, terminal, facility, or other property of a motor carrier or shipper, or on public property, waiting to be dispatched, unless the driver has been relieved from duty by the motor carrier.
- Inspecting, servicing, or conditioning any CMV at any time.
- Driving a CMV (*see definition of Driving Time above*).

MOTOR CARRIER SAFETY

PART 395/OAR 740 – Hours of Service of Drivers

- All time loading or unloading a CMV, supervising, or assisting in the loading or unloading, attending a CMV being loaded or unloaded, remaining in readiness to operate the CMV, or in giving or receiving receipts for shipments loaded or unloaded.
- All time repairing, obtaining assistance, or remaining in attendance upon a disabled CMV.
- Taking a controlled substances/alcohol test, including travel to and from the testing facility, when directed by a motor carrier.
- Performing any other work for a motor carrier.
- Performing any compensated work for a person who is not a motor carrier.
- All time in or on a commercial motor vehicle, other than:
 - Time spent resting in or on a parked vehicle. (However, drivers who haul certain Class 1 explosives must log attendance time as on-duty time);
 - Time spent resting in a sleeper berth; orUp to 2 hours riding in the passenger seat of a moving property-carrying CMV immediately before or after 8 consecutive hours in the sleeper berth.

DRIVER'S RECORD OF DUTY STATUS

**Driver's Record of
Duty Status
395.8**

Every driver shall prepare a record of duty status (driver's daily log) in his/her own handwriting for each 24-hour period, unless operating under an exemption.

The driver's log must be kept current to the *last change of duty status*. The driver must have the current day's log plus the previous 7 consecutive days in his/her possession.

The driver must turn in the original log sheet to the motor carrier within 13 days. The logs must be kept on file for at least 6 months. *

Example log sheet (see explanation of trip at the end of 395.8):

MOTOR CARRIER SAFETY

PART 395/OAR 740 – Hours of Service of Drivers

DRIVER'S DAILY LOG																									
(ONE CALENDAR DAY - 24 HOURS)																									
4-23-2005 <small>(MONTH) (DAY) (YEAR)</small>			270 <small>(MILES DRIVING TODAY)</small>			I certify these entries are true and correct:			TT #12, TR #21 <small>VEHICLE NUMBERS (SHOW EACH UNIT)</small>																
Washington Transportation <small>(NAME OF CARRIER OR CARRIERS)</small>							Washington, D.C. <small>(HOME TERMINAL ADDRESS)</small>																		
Washington, D.C. <small>(MAIN OFFICE ADDRESS)</small>							Washington, D.C. <small>(HOME TERMINAL ADDRESS)</small>																		
MID-NIGHT																									
	1	2	3	4	5	6	7	8	9	10	11	NOON	1	2	3	4	5	6	7	8	9	10	11	TOTAL HOURS	
1: OFF DUTY																								11	
2: SLEEPER BERTH																								1.75	
3: DRIVING																								7.75	
4: ON DUTY (Not Driving)																								3.5	
													Richmond, VA		Fredericksburg, VA		Baltimore, MD		Philadelphia, PA		Cherry Hill, NJ		Newark, NJ		<u>24</u>
REMARKS																									
SHIPPING DOCUMENTS:																									
1673, 1674																									
<small>Shipping Document No.</small>																									
<small>Shipper & Commodity</small>																									

* Retention periods will be greater if the logs are used for other purposes such as tax reporting.

Automatic On-Board Recording Devices (AOBRD) 395.15

Alternatively, motor carriers may require a driver to use an automatic on-board recording device to record the hours of service. The driver must still have in his/her possession the duty status records in automated or written form, for the previous 7 consecutive days. All hard copies of the duty status records must be signed by the driver. Each CMV must also have an information packet which contains: (1) an instruction sheet, and (2) a supply of blank log book forms.

Note: For a device to be used as an automatic on-board recording device it must meet the performance requirements of 395.15(i).

Electronic Logging Device (ELD) 395.20

Beginning December 18, 2017, all drivers required to keep a log book will be required to use an Electronic Logging Device (ELD), or they may continue to use an automatic on-board recording device (AOBRD) if the AOBRD was installed prior to December 18, 2017.

MOTOR CARRIER SAFETY

PART 395/OAR 740 – Hours of Service of Drivers

ELDs must meet very specific requirements as spelled out in FMCSR Part 395, Subpart B. The devices must be registered with FMCSA. To determine if an ELD is registered with FMCSA, refer to www.fmcsa.dot.gov/devices.

There are three exceptions to the requirement to use ELD:

- ✓ Drivers operating vehicles built before model year 2000 as indicated by the power unit VIN may continue to use paper logs.
- ✓ Drivers involved in driveaway-towaway operations where the vehicle being driven is part of the shipment being delivered may continue to use paper logs.
- ✓ Drivers involved in short haul operations (as defined in FMCSR 395.1(e)) may use paper logs as long as they are not required to use paper logs for more than 8 days within any 30-day period.

For more information on Electronic Logging Devices visit the FMCSA website at: www.fmcsa.dot.gov/elds/equipment-registration.

INTERSTATE COMMERCE: PROPERTY

11-Hour Rule
395.3(a)(3)(i)

A driver shall not drive more than 11 hours following 10 consecutive hours off duty (see example below)

Note: *This rule applies even if the time periods extend into the following day.*

Rest Break
395.3(a)(3)(ii)

Driving is not permitted if more than 8 hours have passed since the end of the driver's last off-duty or sleeper-berth period of at least 30 minutes (see example below).

Note: *This rule applies even if the time periods extend into the following day. Drivers who are not required to maintain a driver's log are not required to take the rest break mandated by 395.3.*

14-Hour Rule
395.3(a)(2)

A driver shall not drive beyond the 14th hour after coming on-duty, following 10 consecutive hours off duty.

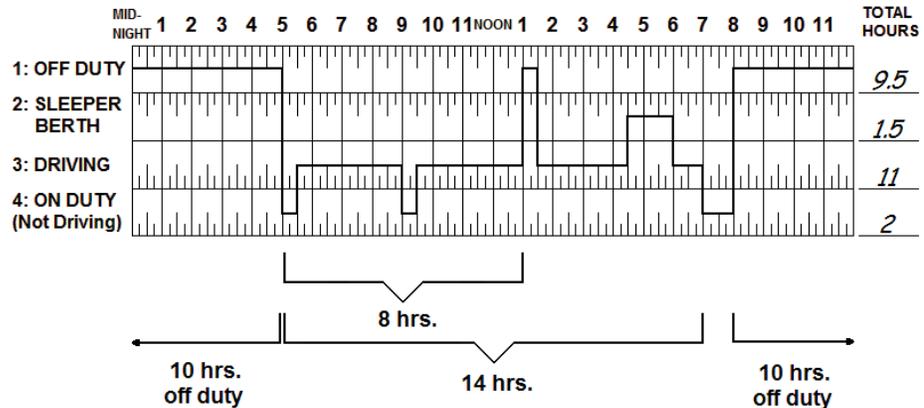
MOTOR CARRIER SAFETY

PART 395/OAR 740 – Hours of Service of Drivers

A driver may be *on duty*, but may not *drive*, after the 14th hour.

The 14 hours includes all time: driving, on duty (not driving), off duty less than 10 hours, and sleeper berth less than 8 hours.

Note: *This rule applies even if the time periods extend into the following day.*



Exception:

**16-Hour
395.1(o)**

A driver is exempt from the 14-hour rule if the driver:

- Was released from duty at the normal work-reporting location for the previous 5 days;
- Returns to the normal work-reporting location and is released from duty within 16 hours; and
- Has not used this exception in the last 6 days, except after a 34-hour restart.

Exception:

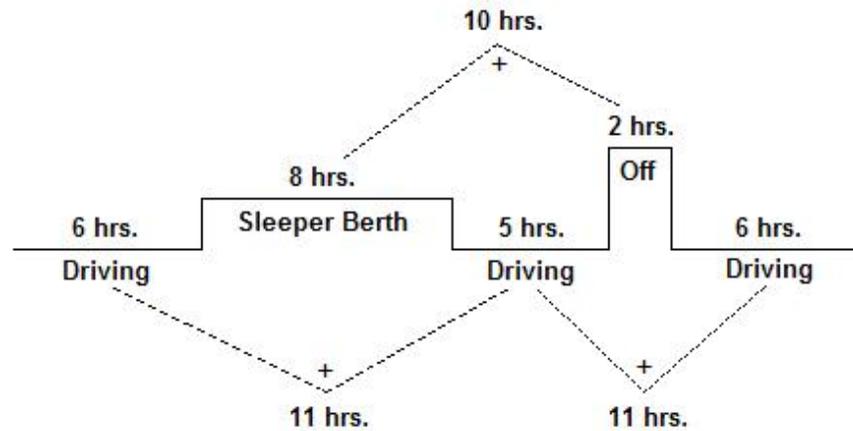
**Sleeper Berth
Provision
395.1(g)(1)**

A driver is allowed to take 10 hours sleeper berth/off duty time in two separate **periods** if:

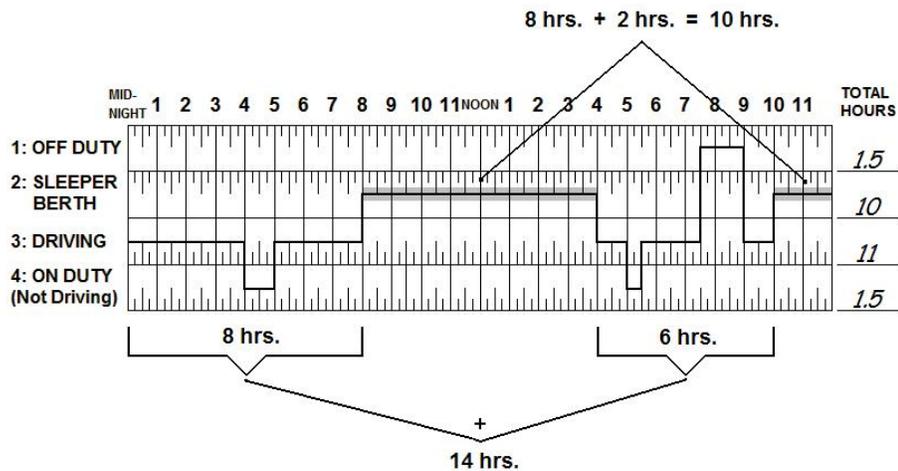
- One **period** is at least 8 but less than 10 hours sleeper berth.
- The other **period** is at least 2 but less than 10 hours sleeper berth, off duty, or both.
- 11-hour rule: The *driving time* just before and after each **period**, when added together, must be no more than 11 hours:

MOTOR CARRIER SAFETY

PART 395/OAR 740 – Hours of Service of Drivers



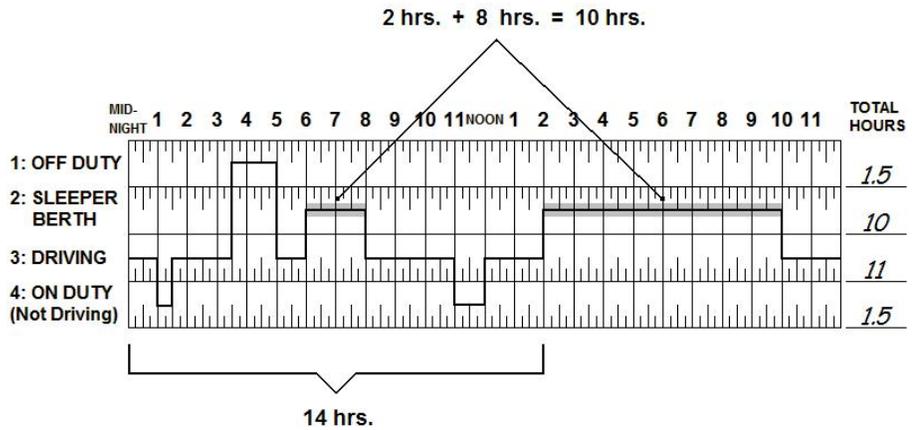
- 14-hour rule: The *total time* just before and after each **period**, when added together, must not result in a driver driving beyond the 14th hour.
 - A **period** of at least 8 hours sleeper berth is not included in the 14 hours:



- A **period** less than 8 hours sleeper berth, or less than 10 hours off duty, is included in the 14 hours:

MOTOR CARRIER SAFETY

PART 395/OAR 740 – Hours of Service of Drivers



- The driver must *continue* using the sleeper berth provision until the driver has taken at least 10 consecutive hours off duty, sleeper berth, or both.

MOTOR CARRIER SAFETY

PART 395/OAR 740 – Hours of Service of Drivers

60 / 70 Hour Rule 395.3(b)

A driver shall not drive after being on duty:

- 60 hours in 7 consecutive days, or
- 70 hours in 8 consecutive days.

A driver may be *on duty*, but may not *drive*, after the 60th or 70th hour.

A motor carrier who:

- *Does not operate CMV's every day of the week*, must use the 60-hour rule.
- *Operates CMV's every day of the week*, can choose either the 60-hour or the 70-hour rule.

The following is an example of a typical 70-hour/8-day recap located on the inside front cover of a log book. Some logs also have recaps along the right hand margin of each log sheet. Neither type of recap is required but is helpful in tracking hours.

DAY OF MO.	HOURS WORKED TODAY (TOTAL OF LINES 3 & 4 ON LOG)	70 HR/8 DAY DRIVERS ONLY		
		A	B	C
LAST 7 DAYS OF PRECEDING MONTH	2	TOTAL HOURS ON-DUTY LAST 7 DAYS	TOTAL HOURS AVAILABLE TOMORROW (70 HOURS MINUS COL. A)	TOTAL HOURS ON-DUTY LAST 8 DAYS
	12			
	13			
	6			
	8			
	8			
	9			
1	12	68	2	70
2	2	58	12	70
3	12	57	13	70
4	13	64	6	70
5	5	61	9	69
6	9	62	8	70

MOTOR CARRIER SAFETY

PART 395/OAR 740 – Hours of Service of Drivers

Exception:
34-Hour Restart
395.3(c)

Drivers may “restart” the 7/8 day period by taking at least 34 consecutive hours off-duty, sleeper berth, or both.

DAY OF MO.	HOURS WORKED TODAY (TOTAL OF LINES 3 & 4 ON LOG)	70 HR/8 DAY DRIVERS ONLY		
		A	B	C
LAST 7 DAYS OF PRECEDING MONTH	2	TOTAL HOURS ON-DUTY LAST 7 DAYS	TOTAL HOURS AVAILABLE TOMORROW (70 HOURS MINUS COL. A)	TOTAL HOURS ON-DUTY LAST 8 DAYS
	12			
	13			
	6			
	8			
	8			
	9			
1	12	68	2	70
2	0	56	14	68
3	12	12		12
4	13	25		25
5	5	30		30
6	9	39		39

24 hours off, plus 10 hours on the following day = 34 hours off duty

Restart 8 day period

MOTOR CARRIER SAFETY

PART 395/OAR 740 – Hours of Service of Drivers

INTRASTATE COMMERCE: PROPERTY

12-Hour Rule
OAR 740-100-
0010(2)(i)(A)

A driver shall not drive more than 12 hours following 10 consecutive hours off duty.

Driving is not permitted if more than 8 hours have passed since the end of the driver's last off-duty or sleeper-berth period of at least 30 minutes.

Note: This rule applies even if the time periods extend into the following day.

16-Hour Rule
OAR 740-100-
0010(2)(i)(B)

A driver shall not drive beyond the 16th hour after coming on-duty, following 10 consecutive hours off duty.

A driver may be *on duty*, but may not *drive*, after the 16th hour.

The 16 hours includes all driving, on duty (not driving), off duty, and sleeper berth less than 8 hours.

Note: This rule applies even if the time periods extend into the following day.

70 / 80 Hour Rule
OAR 740-100-
0010(2)(i)(C) & (D)

A driver shall not drive after being on duty:

- 70 hours in 7 consecutive days, or
- 80 hours in 8 consecutive days.

A driver may be *on duty*, but may not *drive*, after the 70th or 80th hour.

A motor carrier who:

- *Does not operate CMV's every day of the week*, must use the 70-hour rule.
- *Operates CMV's every day of the week*, can choose either the 70-hour or the 80-hour rule.

Note: Drivers may "restart" the 7/8 day period by taking at least 34 consecutive hours off-duty, sleeper berth, or both.

MOTOR CARRIER SAFETY

PART 395/OAR 740 – Hours of Service of Drivers

INTRASTATE EXCEPTIONS

- 7 or 8-Day Period
390.3, Interp' #24** A driver who begins a trip in *interstate* commerce must continue to comply with the *interstate* hours of service regulations for the next 6 or 7 consecutive days, even if the driver operates exclusively *intrastate* during the 6 or 7 days.
- Hazardous
Materials
OAR 740-100-
0010(j)** The intrastate hours of service rules do not apply to drivers transporting hazardous materials requiring placarding. Drivers transporting placarded hazardous materials must comply with the Federal interstate hours of service.

MOTOR CARRIER SAFETY
PART 395/OAR 740 – Hours of Service of Drivers

PROPERTY VS. PASSENGERS

Hours of Service Table Different hours of service regulations apply to the transportation of passengers. The differences are summarized below:

Property		Passengers
Interstate	Intrastate	Interstate and Intrastate
395.3	OAR 740-100-0010(2)(i)	395.5
11 hrs. driving ¹	12 hrs. driving ¹	10 hrs. driving ²
No driving beyond 14 th hr ¹	No driving beyond 16 th hr ¹	No driving after 15 hrs ²
Includes <u>all</u> time		Includes <u>on-duty</u> time only
16-Hour Exception	n/a	n/a
<u>Sleeper Provision</u> 8 hrs. sleeper + 2 hrs. sleeper/off.		<u>Split Sleeper</u> Split 8 hrs. into 2 periods. Each period must be at least 2 hrs. 15 hrs. includes on-duty time only.
2 hrs. counts towards 14 hrs.	2 hrs. counts towards 16 hrs.	
<u>100 Air-Mile Radius Drivers</u> Return/off duty within 12 hrs.		
Non-CDL Exemption		n/a
60 / 70 hrs.	70 / 80 hrs.	60 / 70 hrs.
34-Hour Restart		n/a

¹ Following **10** consecutive hours off duty.

² Following **8** consecutive hours off duty.

MOTOR CARRIER SAFETY

PART 395/OAR 740 – Hours of Service of Drivers

EXCEPTIONS: 24-HOUR RESTART

Construction
395.1(m) / 395.2

Drivers transporting construction materials and equipment may restart their 7/8 day period after taking at least 24 consecutive hours off-duty, if they operate to or from a construction site that is within 50 air-miles of their normal work reporting location.

Note: *Exception not allowed for placarded hazardous materials.*

Well Drilling
395.1(l) / 395.2

Drivers who transport and operate ground water well drilling rigs may restart their 7/8 day period after taking at least 24 consecutive hours off-duty.

Utility
395.1(n) / 395.2

See “OTHER EXCEPTIONS”.

TIME RECORD EXEMPTIONS

Short-Haul
100 Air-Mile
Radius Drivers
395.1(e)(1)

A driver is exempt from completing the driver’s daily log if *all* of the following is true:

- The driver operates within *100 air-miles* of the normal work reporting location.
- The driver returns to the work reporting location and is released from work within *12 hours*.
- The driver completes a *time card* for each day showing:
 - The time the driver reports for duty.
 - The time the driver is released from duty.
 - The total hours on duty.

Note: *The start and stop times for each time card must show AM or PM, or be recorded in military time. Each time card must also include the driver’s name and date. The time cards must be kept on file for at least 6 months, but need not be in the driver’s possession.*

MOTOR CARRIER SAFETY

PART 395/OAR 740 – Hours of Service of Drivers

Short-Haul
Non-CDL Vehicles
395.1(e)(2)

A driver is exempt from completing the driver's daily log if *all* of the following is true:

- The driver operates a *property-carrying CMV not requiring a CDL*.
- The driver operates within *150 air-miles* of the normal work reporting location.
- The driver returns to the work reporting location and is released from work at the end of each day.
- The driver completes a *time card* for each day showing:
 - The time the driver reports for duty.
 - The time the driver is released from duty.
 - The total hours on duty.

Note: *Interstate drivers using this exemption may drive up to the 16th hour on 2 days of each 7-day period. However, any driver using this exemption may not use the 100 air-mile radius exception or sleeper berth provision.*

Occasional Drivers
395.8(j)(2)

A first time or occasional driver must give the motor carrier a signed statement showing the total hours on duty during the last 7 days, and the last time the driver went off duty.

MOTOR CARRIER SAFETY

PART 395/OAR 740 – Hours of Service of Drivers

OTHER EXCEPTIONS

Adverse Driving Conditions
395.1(b) / 395.2

A driver who encounters *adverse driving conditions* and because of those conditions cannot complete a trip in the maximum time allowed, may drive to reach a safe location no more than:

- 13 hours following 10 consecutive hours off duty (property); or
- 12 hours following 8 consecutive hours off duty (passenger).

The *adverse driving conditions* must not have been apparent to the person dispatching the trip. The driver must comply with all other hours of service limits.

Agriculture
395.1(k)

The hours of service regulations do not apply to *any* drivers transporting agricultural or farm commodities, or farm supplies, within 150 air-miles of the farm, the distribution point, or the source of the product.

Agricultural commodity means nonprocessed food, feed, fiber, or livestock.

Farm supplies include machinery or any supplies used on a farm.

Utility
395.1(n) / 395.2

The hours of service regulations do not apply to drivers of ***utility service vehicles*** used to repair and/or maintain public utility services.

Note: See FMCSR 395.2 for definition of utility service vehicle.

Travel Time
395.1(j)

When a driver is traveling, but not driving, at the direction of the motor carrier, such time must be counted as on-duty time, unless the driver goes off duty for at least 10 consecutive hours (property) or 8 consecutive hours (passenger) after arriving at the destination. In that case, the travel time is also considered off duty.

MOTOR CARRIER SAFETY

Part 396 – Maintenance/On-Highway Inspections

General Requirements
396.3 / 396.7

Every motor carrier shall systematically inspect, repair, and maintain all CMV's (power units and trailers) under its control. Vehicles shall not be operated if they are likely to cause an accident or a breakdown.

MAINTENANCE RECORDS

Information Required
396.3(b)

Motor carriers must maintain the following information for every vehicle they have controlled for 30 days or more:

- Description of the vehicle: company number, make, serial number, year, and tire size.
- Routine inspections and maintenance: type and due date.
- All repairs and maintenance: description and date performed.
- For buses: records of tests conducted on pushout windows, emergency doors, and emergency marking lights.

Retention Period
396.3(c)

Maintenance records must be retained for one year at the location where the vehicle is stored, and maintained for six months after the carrier sells the vehicle.

DRIVER INSPECTIONS

Pre-Trip Inspection
392.7 / 396.13

Each driver shall ensure that the following parts and accessories are in good working order:

- Service and parking brakes
- Steering system
- Coupling devices
- Lights and reflectors
- Tires
- Horn
- Windshield wipers
- Rearview mirrors

Note: See also 392.8, emergency equipment, and 392.9, cargo securement. See 396.15 for driveaway-towaway operations.

MOTOR CARRIER SAFETY

Part 396 - Maintenance/On-Highway Inspections

Driver Vehicle Inspection Reports 396.11 / 396.13

At the end of each driving day, the driver shall complete a *Driver Vehicle Inspection Report* that covers all items in the pre-trip inspection (above), *plus* wheels and emergency equipment. The driver shall list any safety-related defects, or those likely to cause a breakdown. Each report shall include *three* signatures by the following individuals:

- Driver – at the end of the driving day, certifying the defects found, or that no defects were discovered.
- Carrier/mechanic – before the next trip, certifying that the defects were repaired.
- Driver – before the next trip, acknowledging that the carrier/mechanic signed for the repairs.

The reports must be kept on file for at least *three months*, but need not be in the driver's possession.

Note: Drivers operating property-carrying vehicles are not required to complete a Driver Vehicle Inspection Report when the driver has neither found nor been made aware of any vehicle defects or deficiencies.

Also: *Driver Vehicle Inspection Reports are not required for driveaway-towaway operations, or for a motor carrier operating only one CMV or CMV combination (power unit with trailers).*

PERIODIC INSPECTIONS

General Requirements 396.17

Every commercial motor vehicle, including each unit in a combination, requires a periodic inspection every 12 months. The inspection must include all items described in the Minimum Periodic Inspection Standards (Part 393, Appendix G). Any defective parts or accessories discovered during the inspection shall be repaired promptly.

Documentation of Inspection 396.17(c) / 396.21

The original or a copy of the periodic inspection report must be retained by the motor carrier for 14 months from the report date. Documentation (report, sticker, or decal) of the most recent periodic inspection must be kept on or in the vehicle.

Inspection Options 396.17 / 396.23

The periodic inspection may be performed by one of the following entities:

- The motor carrier, or
- An outside repair shop

MOTOR CARRIER SAFETY

Part 396 - Maintenance/On-Highway Inspections

Inspector Qualifications 396.19

If the inspector performing the annual inspection is an employee of the motor carrier or the outside repair shop, the carrier must ensure that the inspector is qualified. To be qualified, the inspector must:

- Understand the inspection criteria in Part 393, Appendix G.
- Have the mechanical knowledge and ability necessary to inspect and identify defective components.

Training or Experience: Inspectors must have gained experience or training by *one* of the following:

- Completing a State, Federal, or Canadian training program in commercial motor vehicle safety inspections; or
- Having at least one year of equivalent training, experience, or both.

Documentation of Qualifications: Motor carriers must retain evidence of an inspector's qualifications until one year after the inspector ceases to perform inspections for the carrier.

BRAKE INSPECTIONS

Brake Inspector Qualifications 396.25

Each motor carrier must ensure that any employee responsible for brake inspection, maintenance, or repairs has the mechanical knowledge and ability necessary to perform those tasks.

Training or Experience: Employees must have gained experience or training by *one* of the following:

- Completing a training program sponsored or approved by a State, Federal agency, Canadian Province, or labor union in brake servicing or inspection; or
- Having at least one year of equivalent brake-related training, experience, or both; or
- Passing the CDL air brake inspection test.

Documentation of Qualifications: Motor carriers must retain evidence of a brake inspector's qualifications until one year after the brake inspector ceases to perform inspections for the carrier. However, no evidence is required for a brake inspector who passed the CDL air brake test.

MOTOR CARRIER SAFETY

Part 396 - Maintenance/On-Highway Inspections

ROADSIDE INSPECTIONS

Inspection Report 396.9

Driver Responsibility: A driver who receives an inspection report from an on-highway ODOT-authorized inspector must deliver the report to the motor carrier as soon as possible.

Certification of Repairs: The motor carrier is to examine the inspection report and ensure that any violations or defects noted on the report are corrected before next dispatch. The carrier must sign the report to certify that all violations have been corrected, and return the report to the indicated address within 15 days after the inspection.

Record Retention: A copy of the report must be retained by the motor carrier for 12 months from the date of inspection.

Out-of-Service 395.13 / 396.9(c) / OAR 740-100-0060

A *driver* or commercial *vehicle* placed out-of-service during an on-highway ODOT-authorized inspection must have the out-of-service deficiency or defect corrected as prescribed on the inspection report, before the vehicle may again be operated on the highway.

Your truck may be stopped and inspected by ODOT or law enforcement who have been certified by the Department.

You will be asked to produce certain paperwork during the inspection which includes:

- ✓ Your driver's license
- ✓ Your medical examiner's certificate, if applicable
- ✓ Your medical waiver (Skills Performance Evaluation), if applicable
- ✓ Your record of duty status (paper or electronic logs)
- ✓ Your trip receipts
- ✓ Your shipping/delivery papers or manifest
- ✓ A vehicle registration for each unit
- ✓ Oregon Weight Receipt and Tax Identifier
- ✓ Current annual inspections for each unit

MOTOR CARRIER SAFETY

Green Light Transponder Information

Carrier Savings Oregon's Green Light weigh station preclearance system uses weigh-in-motion scales and transponder systems that allow safe and legal trucks to by-pass weigh stations. Motor carriers that participate in the Green Light system can save travel time and operating costs such as fuel, and wear and tear on their vehicles. Each weigh station by-pass saves about five minutes, plus the \$1.24 per minute it's estimated it costs to operate a heavy truck. While Green Light saves motor carriers time and money, it also increases weigh station capacity.

Transponder Technology Green Light uses the same technology used in weigh station preclearance systems all around the country. Vehicles with Green Light transponders can use them in any other state by enrolling with the state and agreeing to the terms and conditions of its systems.

Locations A total of 24 Oregon weigh stations have the intelligent transportation system. The locations of the sites are as follows:

Interstate 5

Woodburn Port of Entry, Southbound
Woodburn Weigh Station, Northbound
Ashland Port of Entry, Northbound
Ashland Weigh Station, Southbound
Booth Ranch Weigh Station, Southbound
Booth Ranch Weigh Station, Northbound

Interstate 82

Umatilla Port of Entry, Southbound

Interstate 84

Farewell Bend Port of Entry, Westbound
Olds Ferry Weigh Station, Eastbound
La Grande Weigh Station, Eastbound
Emigrant Hill Weigh Station, Westbound
Cascade Locks Port of Entry, Eastbound
Wyeth Weigh Station, Westbound

US Highway 97

Juniper Butte Weigh Station, Northbound
Juniper Butte Weigh Station, Southbound
Bend Weigh Station, Northbound
Klamath Falls Port of Entry, Northbound
Klamath Falls Weigh Station, Southbound

MOTOR CARRIER SAFETY

Green Light Transponder Information

OR Highway 58

Lowell Weigh Station, Westbound

US Highway 30

Rocky Point Weigh Station, Westbound

US Highway 730

Cold Springs, Eastbound

Cold Springs, Westbound

- Cost** The Oregon Department of Transportation is distributing transponders at no cost to companies with trucks that regularly stop at Green Light weigh stations.
- How to Obtain** For more information, contact the Motor Carrier Transportation Division at 503-378-6054 or go to the on-line application found at www.oregontruckingonline.com.