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Message from the Administrator

Oregon is in the midst of tremendous change in the form of historic and unprecedented investments in the range of transportation choices offered to Oregonians, and in the development of new methods for financing those investments.

As our transportation system and the funding of our system continue to evolve, so too will the users of our system. Thus, ODOT must ensure that we are organized and able to keep pace with accelerating change and deliver the transportation system of the future.

On Monday, December 16, the Oregon Transportation Commission approved a reorganization of our agency’s divisions.

Rather than having eight division Administrators directed by one Director, we are reorganizing our divisions and their Administrators under four areas guided by our new Assistant Directors. These four areas are Operations; Government and External Relations; Revenue, Finance and Compliance; and Social Equity.

Motor Carrier Transportation Division is now Commerce and Compliance Division (CCD), working under the Assistant Director of Revenue, Finance, and Compliance.

What does this mean for motor carriers? Not much! All of our motor carrier services will continue. Beyond name changes on forms and documents, webpages, and signage for our offices, everything will stay the same for our customers.

Additionally, there are no changes to our online services: Oregon Trucking Online and our Oregon.gov webpages will keep their same web addresses.

Simply put, we will continue to provide the same excellent service to the trucking industry, just as we always have!

In this edition of Motor Carrier News, we provide important updates on topics such as ELDs and the new federal Clearinghouse, along with other news and important reminders.

As always, thank you for reading!

Amy Ramsdell
Administrator
Human trafficking is defined as the “recruitment, transportation, transfer, harboring or receipt” of people by ways such as “force, abduction, fraud or coercion,” according to the National Institute of Justice. People who are trafficked have been taken without their consent, and victims are typically forced into labor or sexual exploitation.

Polaris, a nonprofit organization combating modern slavery, estimates that in 2018 alone, more than 10,000 cases were reported to its National Human Trafficking Hotline, a majority of those being sex trafficking cases. More than 23,000 survivors were identified, most of whom were female. The U.S. Justice Department said it secured more than 500 human trafficking convictions in fiscal year 2018, an increase from the previous year.

Advocates say those numbers alone do not tell the whole story, though, because the issue is largely underreported across America.

Human trafficking is not a subject that people like to think about, especially when it involves children. However, trafficking happens, and it happens in Oregon.

“Human trafficking and the exploitation of minors, sadly, affects every corner of Oregon,” said Oregon Attorney General Ellen Rosenblum at an event for Human Trafficking Awareness Day on January 10th.

At the awareness day event hosted by the Oregon Department of Justice (DOJ), the DOJ and the Oregon Department of Human Services (DHS) released a report on human trafficking in Oregon. The State identified 746 victims of human trafficking across Oregon in the 12-month period between October 2018 and October 2019.

Rosenblum and Rebecca Jones Gaston, director of the DHS Child Welfare Program, honored the efforts of Oregonians who have worked to prevent human trafficking.

Awards were presented to honor those who work to prevent human trafficking, and to raise awareness about Oregon’s current intervention efforts. These awards recognize the work of Oregonians who are taking a trauma-informed and victim-centered approach to trafficking intervention.

“DHS is proud to recognize the efforts of our Lane County and Clackamas Child Welfare awardees for their teamwork and collaboration,” said Jones Gaston.

“Preventing human
trafficking is not just one organization’s goal, it takes everyone to work together to make a difference in this issue, which is why the teamwork and passion exhibited by these awardees is so critical.”

**Truckers: Everyday Heroes**

Because traffickers often exploit the transportation system to move their victims across the country, truckers are at an advantage in spotting signs and making reports. They’re moving in and out of various industries, including rest stops, hotels, motels and restaurants, and, at any given time, there are more professional truckers on the road than law enforcement, according to Truckers Against Trafficking (TAT).

Truckers can play an important role in fighting human trafficking. TAT says that, in the past decade, truckers have made more than 2,000 calls to the National Human Trafficking Hotline, helping to generate more than 600 likely cases and potentially identify more than 1,000 victims. According to Caroline Diemar, Director of the Hotline, TAT trained most of the truckers who called.

Visit TAT online to find more resources, and find for more information on human trafficking and the ways the trucking industry is fighting to save lives.

Look for materials from TAT at our Motor Carrier Salem and Portland Bridge offices. Pick up a sticker for your trucks and show victims that you are an advocate who wants to help!
Oregon Commercial Truck Parking Survey/Study Update

In 2012, federal legislation known as “Jason’s Law” established a “national priority on addressing the shortage of long-term parking for commercial motor vehicles on the National Highway System (NHS)” to improve safety for all system users.

The Oregon Commercial Truck Parking Study (OCTPS) has been analyzing current parking needs by seeking to understand public perceptions about the availability and quality of commercial truck parking in Oregon. The study sought feedback from truck drivers on truck parking issues within key freight corridors of the State, including I-5, I-205, I-84, US 97, OR 22, US 20/26, and OR 58. The study included questions about capacity, safety and convenience, and sought to determine additional truck parking needs. The data collected will help decision makers prioritize projects related to future parking infrastructure.

The online survey was live from June 7 through August 26, 2019. ODOT and the Oregon Trucking Association coordinated to promote the survey, and there was a feature article in the online magazine OverDrive in July. In the end, the survey received 729 responses. The majority of respondents (80%) self-identified as truck drivers.

Most respondents (over 58%) identified the general availability of truck parking in Oregon as “Poor” (39.7%) or “Very Poor” (19.1%). Only 13.5% of respondents held a positive view of parking availability.

Ultimately, respondents identified a general lack of available parking for trucks as a significant issue in Oregon. The deficiency is particularly pronounced near urban areas, but problematic throughout the state. Additionally, parking limitations at rest areas and the difficulty associated with knowing when and where spots are available were problems widely identified by survey takers.

Many respondents also identified problems with delays, both from traffic and loading/unloading, as key in parking troubles.

As far as why drivers stop to look for parking, the most common response was rules and regulations surrounding hours of service. Sixty-percent of respondents said that the number one reason they stop driving is that they are required to do so by hours of service rules, with 75% of respondents identifying this as one of their top-three reasons to stop. In the Portland metro area, “overnight stays waiting for next day deliveries” was the most common reason for stopping there.

You can find the full survey results and the parking demand analysis online at the OCTPS webpage.

The OCTPS Technical Advisory Committee will have their final meeting in March, where they will present their strategies and recommendations based upon the results of the study.

Motor Carrier News will cover the OCTPS final report in our spring issue this May.
The Federal Motor Carrier Safety Administration (FMCSA) issued its final rule in December 2015 requiring the use of electronic logging devices (ELD) to record hours of service (HOS) for commercial drivers operating in interstate commerce.

Initially, Oregon motor carriers conducting intrastate transportation were not required to install and require each of its drivers operating in intrastate commerce to use an ELD to record the drivers’ duty status. That exemption is nearing its end.

The exemption from the ELD mandate that Oregon intrastate carriers currently enjoy will end as of April 1, 2020. After that, drivers operating without a proper ELD will be subject to citation for a violation of ELD rules.

Note: There will be a six-month “soft enforcement” period before drivers are placed out-of-service (OOS) for these violations.

Remember, transitioning to ELDs can be a multi-step process, including selecting a device, contracting with a provider, training drivers and administrative staff and updating software and other equipment.

Do not miss this important deadline!

Updated tax and fee tables took effect January 1, 2020. The updated tables are available online at Oregon Trucking Online in the “Forms” tab, as well as on the Motor Carrier website.

These changes affect Weight-Mile Tax Tables A and B, Flat Fee Rate Tables, the Road Use Assessment Fee (RUAF) Table, the Heavy Motor Vehicle Registration Fee Table, and the Tow/Recovery and Manufactured Structure Toter Registration Fee Table.

New Oregon Tax and Fee Tables

Note: For all carriers who registered their vehicles prior to January 1, the updated tax and fee tables were applied.

2020 Legislative Session

The Legislative Assembly convened on Monday, February 3rd. The Oregon Legislative Information system (OLIS) allows you to keep up with scheduled committee meetings and track bills throughout the session.

Look for a full recap of the legislative session in our next edition of Motor Carrier News.
FMCSA Clearinghouse System “Good to Go”

The Drug and Alcohol Clearinghouse (DACH) is a secure online database that gives employers, the Federal Motor Carrier Safety Administration (FMCSA), state driver licensing agencies (SDLAs), and state law enforcement personnel real-time information about commercial driver’s license (CDL) and commercial learner’s permit (CLP) holders’ drug and alcohol program violations.

Though the Clearinghouse has suffered through technical difficulties in its early stages, as of January 22nd, FMCSA has reported that all system issues with the Clearinghouse have been resolved.

Instructions specific to each user’s role in the Clearinghouse are available, along with answers to FAQs.

In partnership with CleanFleet, we provided a step-by-step guide with tips for Clearinghouse registration in the fall edition of the Motor Carrier News.

You can sign up for FMCSA news online, and we will continue to communicate updates when helpful.

Cannabidiol products, known as CBD products, have become popular for relieving stress, pain and other ailments.

The Food and Drug Administration (FDA) and U.S. Department of Transportation (USDOT) have issued a warning about their use. Currently, these products are not regulated and may contain more than the 0.3% of Tetrahydrocannabinol (THC) allowed under the Controlled Substances Act.

What does this mean for motor carriers and their drivers?

CBD products with more than 0.3% THC can cause a positive drug test. The USDOT’s Drug and Alcohol Testing Regulation, Part 40, does not allow THC levels above 0.3% for any reason, even if from over-the-counter CBD products. If a driver tests positive, they will be required to see a Substance Abuse Professional, take a return to duty test, and complete at least six follow-up tests. There are no exceptions.
Annual OD Permits

Permits to exceed the legal dimensions are required for movement of oversize loads in Oregon.

An annual OD permit may be available to allow exceeding legal dimensions or weights for one year for approved routes (including county roads), dimensions and weights.

Rather than getting a single trip permit many times throughout the year, you can save time and money with one annual permit for those recurring over-dimension trips.

For questions regarding what oversize loads qualify for annual permits, please call 503-373-0000.

Annual OD permits are available at Oregon Trucking Online, and from the following third party agents:

• Oregon Trucking Associations: 888-293-0005
• A Work Safe Service: 503-391-9363
• Clackamas County Motor Carrier: 503-742-4770
• Lane County Transportation Permits: 541-682-6902
• Marion County Public Works: 503-584-7710

Self-Issue Permit Program

The Self-Issue Permit Program (SIPP) allows certified carriers to issue their own single-trip over-dimension permits without prior analysis by ODOT staff. Self-issuance of single-trip permits saves time and money, protects the traveling public and protects the highway system and infrastructure from potential damage.

If your application is approved, each representative that is self-issuing permits must attend a training session.

Classes are available at our Salem headquarters and by video conference.

To attend by video conference, a telephone to a toll-free number and internet access are required.

Our 2020 SIPP Training Classes are at 9am on the following dates (Note: A minimum of five participants is required.):

• Tuesday, March 10
• Tuesday, May 12
• Tuesday, July 14
• Wednesday, September 2
• Wednesday, November 4

For more information on SIPP certification and the application process, including requirements for approval, please visit the SIPP program.
All motor carriers operating in Oregon must maintain records of their motor vehicle operations for a period of three years, and must produce these records for inspection upon request. If operating under the International Registration Plan and International Fuel Tax Agreement, carriers must maintain all records pertaining to such operations as required by IRP and IFTA.

A motor carrier should view good recordkeeping as a way to save time and money. Maintaining good records allows auditors to verify the accuracy of operations, including taxes and fees paid by a motor carrier. Without adequate records, carriers may face additional fees and penalties.

The Commerce and Compliance Division has a motor carrier’s guide to recordkeeping with detailed information answering questions such as:

- What information should I keep?
- How do I record all that information?
- How long do I keep records?
- Who is going to look at those records?

Sven Johnson, Motor Carrier Audit and Compliance Manager, says there are three mistakes that carriers most commonly make.

First, carriers do not maintain records for the minimum of three years. Often, they keep records for six months - in accordance with the Federal Hours of Service rules - and disregard the tax and registration recordkeeping requirements.

This is not good! Remember to keep your WMT records for three years, and your IFTA/IRP records for 5.5 years!

Second, carriers often claim exempt miles without proper documentation.

Remember, to claim exempt miles you must keep records of beginning and ending odometer readings, 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 for the exempt portion of those trips may be applied to the total number of trips.

These trip records are documents you should keep for three years.

Finally, third, carriers often report at the incorrect tax rate.

Sometimes this happens when we have tax rate changes, like the changes that just took effect on January 1.

However, sometimes carriers simply report at the wrong rate for the weight/configuration that they operated the vehicle in.

Remember, you can always find our current weight tables and rates online.
Motor Carrier Crash Report Filing

CCD identified 30 motor carriers that failed to submit the required Motor Carrier Crash Report form to the Department. Of those 30 Final Orders issued, all were fined Civil Monetary Penalties.

Safety and Enforcement Report

From October 2019 through December 2019, the Oregon Motor Carrier Safety-Complaint Resolution work group finalized a total of 273 Final Orders, with 75 receiving Civil Monetary Penalty fines.

Safety Violations

The Final Orders issued contain violations of safety, hazardous materials, and/or violation(s) of an out-of-service order or a combination of the three. Violations are found during a Safety Compliance Review conducted by a Safety Investigator.

There were 62 motor carriers who received a Compliance Review. Of those, 59 safety cases received findings (listed below), and 23 were fined Civil Monetary Penalties.

- Don Moss Enterprises
- Moffit Bros Construction, LLC
- MCV Transport
- SandR Trucking
- Todd Kalebaugh Trucking
- Brandon Deatley Trucking, LLC
- Miller Timber Services, Inc.
- Windswept Trucking, Inc.
- Spud Smith Trucking, Inc.
- Sinai Transport, LLC
- RA Gray Construction, LLC
- Hanging Rock Excavation and Construction
- Juniper Fuel, Inc.
- BLS Transport, LLC
- Mick Trucking, LLC
- Two Bros and Jack Company, LLC
- Jackson and Son Distributors, Inc.
- First Call Oil Company
- Universal Auto Haul, LLC
- BTV Express, Inc.
- Montejo Trucking, LLC
- Epsilon Express, LLC
- AAA Assets and Holding, LLC
- Pendleton Sanitary Service, Inc.
- AI Transportation, LLC
- Pepsi Cola Bottling Company
- 4 Lee’s Excavation
- Powersport Services NW, LLC
- Mike O’Neill Trucking, Inc.
- Parker Concrete, Inc.
- Fallon Logging Co, Inc.
- Thompson’s Sanitary Service, Inc.
- Fox Harvesting of Oregon, Inc.
- Barroto Transportation, LLC
- New World Trucking, LLC
- Rudnick Electric Signs, LLC
- Pacific AG Carriers, LLC
- SKN Lumber, Inc.
- CandT Excavation
- M2 Construction
- Chavarria Construction, Inc.
- NES Trucking, LLC
- Space Age Fuel, Inc.
- NW Metal Fabricators, Inc.
- A1 Industrial Supply, LLC
- Madrigal Transportation, LLC
- LG Trucking LLC
- Silverline Transportation, LLC
- Red Bark, Inc.
- Country Bark, Inc.
- Tres Monarcas Trucking, LLC
- JK Transportation
- GMRS, Inc.
- EEZ Trucking, Inc.
- Atlantic Transport, LLC
- Escalante Trucking
- Rose City Logistics Corp.
- Timothy Staten
- Jenks Trucking, LLC

Motor Carrier Crash Report Filing

CCD identified 30 motor carriers that failed to submit the required Motor Carrier Crash Report form to the Department. Of those 30 Final Orders issued, all were fined Civil Monetary Penalties.
Other Safety Violations
A total of 181 Final Orders were issued for failure to return a signed copy certifying that violations listed on the Driver/Vehicle Examination Report have been corrected. Of the 181 Final Orders issued, 22 were fined Civil Monetary Penalties.

Other Violations
The Economic Regulation and Complaint Resolution Unit finalized only one action related to other violations, such as operating in excess of size or weight limits, operating without valid registration credentials, illegally bypassing a weight station, offering or providing unauthorized household goods moving services, or operating in violation of farm registration laws and rules.

That violation was committed by Knife River Materials.

Other Enforcement
Summary of work by Motor Carrier Enforcement Officers for October 2019 through December 2019:

<table>
<thead>
<tr>
<th>Category</th>
<th>OCTOBER 19</th>
<th>NOVEMBER 19</th>
<th>DECEMBER 19</th>
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<tbody>
<tr>
<td>Trucks weighed on static scales</td>
<td>173,624</td>
<td>156,747</td>
<td>178,839</td>
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<tr>
<td>Trucks precleared to pass Green Light weigh stations</td>
<td>207,293</td>
<td>112,396</td>
<td>125,633</td>
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<tr>
<td>Weight-related citations</td>
<td>881</td>
<td>558</td>
<td>632</td>
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<tr>
<td>Weight-related warnings</td>
<td>425</td>
<td>281</td>
<td>350</td>
</tr>
<tr>
<td>Size-related citations</td>
<td>49</td>
<td>42</td>
<td>37</td>
</tr>
<tr>
<td>Size-related warnings</td>
<td>14</td>
<td>12</td>
<td>9</td>
</tr>
<tr>
<td>Trucks required to “legalize” (Correct size and/or weight)</td>
<td>121</td>
<td>83</td>
<td>85</td>
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<tr>
<td>Other Citations</td>
<td>100</td>
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<td>151</td>
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<tr>
<td>Other Warnings</td>
<td>761</td>
<td>828</td>
<td>684</td>
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<tr>
<td>Citations for No Tax / Registration</td>
<td>626</td>
<td>470</td>
<td>543</td>
</tr>
<tr>
<td>Warnings for No Tax / Registration</td>
<td>805</td>
<td>597</td>
<td>709</td>
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<tr>
<td>Total enforcement</td>
<td>3,661</td>
<td>2,904</td>
<td>3,115</td>
</tr>
</tbody>
</table>

*The enforcement actions conducted by city, county, and Oregon State Police officers are not included in the totals listed above.
Oregon Trucking Online allows you to completely manage your account, including paying your taxes, getting your permits, processing your IFTA and IRP transactions, and more. **Sign up today!**

Trucking Online is free, secure, and available 24/7 year round.

When tax rates change, TOL automatically updates for those changes so you don’t have to. Just enter your miles and let TOL do the rest.

There’s no waiting on the phone. Handle your business when you want without waiting.

You can print or save documents directly from your account.

You get instant results, no waiting.

TOL makes things easy and saves you time and money!

To check the current status of Oregon’s [Green Light](#) weigh-in-motion scales, visit our WIM status page online. Information is current, and you can also sign up for email alerts for WIM status changes.
Motor Carrier Renewal and Tax Enrollment Survey

With the passing of HB 2592, effective September 26, 2019, Oregon no longer issues weight receipts to vehicles subject to weight-mile tax. We realized that the paper receipt is no longer necessary for the Department to enforce Oregon’s tax laws, and we found that eliminating the weight receipt would save the trucking industry millions of dollars every year in fees and administrative expenses.

With this survey, we want to hear from motor carriers how well we communicated information about HB 2592 and the renewal/tax enrollment process for 2020. This ten-question survey should only take three minutes to complete, and your responses will help us improve how we communicate important information in the future. Thank you for your time!

https://www.surveymonkey.com/r/renewal_enrollment2020