

# MCTAC Agenda

March 8, 2018

Time: 8:30 a.m.

Location:

Motor Carrier Transportation Division

3930 Fairview Industrial Drive S.E.

Salem, Oregon 97302

2<sup>ND</sup> Floor Ashland Conference Room

Join Me: <https://join.me/mctd.admin>

Conference line: 1-888-204-5984; access code 1401540##

Facilitator: Ed Scrivner

Minutes Approval: February 8, 2018

- I. Transportation Safety Division Updates . . . Troy Costales
  - Distracted Driving
  - Speed Program
- II. Fuels Tax Credits . . . Sven Johnson
- III. Mobility Map update . . . Christy Jordan & Audrey Lawson
- IV. Legislative update . . . Amy Joyce
- V. ODOT Strategic Business Plan . . . Amy Ramsdell
- VI. Administrator's Report . . . Amy Ramsdell
  - ◆ Phone update
  - ◆ FYI – Work Zone Pilot Meeting March 30 @8am – ODOT Materials Lab
  - ◆ Agenda Build – April
    - Superload Harmonization update
    - Truck Parking Study Phase 2
    - Data Q's & Crash Reports

**MINUTES**  
**MOTOR CARRIER TRANSPORTATION ADVISORY COMMITTEE MEETING**  
**March 08, 2018**

**Attendees:**

Ed Scrivner – ODOT/MCTD  
Amy – Ramsdell – ODOT/MCTD  
Tara Caton – ODOT/MCTD  
Andrea Comer – ODOT/MCTD  
Kim Toews – ODOT/MCTD  
Dave Gray – Glostone Trucking Solutions  
Mark Richardson – Omega Morgan  
Jess Brown – ODOT/MCTD  
Howard Russell – ODOT/MCTD  
Bob Hooker – Knife River  
Steve Duvall – OSP  
Donny Callahan – Gerlock Towing/OTTA  
Troy Costales – ODOT/TSD  
Bob Russell – OTA  
Sven Johnson – ODOT/MCTD  
Scott Hartwell – Riverbend Materials  
Amy Joyce – ODOT/Government Relations  
Jana Jarvis – OTA  
Audrey Lawson – ODOT/MCTD  
Christy Jordan – ODOT/MCTD  
David Rios – FMCSA

**Phone:**

Kristan Mitchell  
David Jostad

**Facilitator:** W. Ed Scrivner

**Minutes Approval: February 8, 2018**

- ◆ Bob Hooker motioned to approve the February 8, 2018 MCTAC minutes and Bob Russell seconded the motion. The minutes were approved unanimously.

**Agenda Amendment – Proposed Rulemaking FMCSR (See Attached)**

- ◆ Last month we discussed the annual readoption of the OAR adopting the Federal Safety Regulations. Language edits relating to ELDs and intrastate transportation were requested. We have brought the rule back here with those edits for final approval. After review, there were no public comments. Bob Russell moved to

approve the rule and Mark Richardson seconded the motion. The motion passed unanimously.

Also reviewed last month were the OARs readopting the federal Out-of-Service Criteria. The only changes to these were to update the year to 2018. David Ulmer moved to approve and Bob Russell seconded the motion. The motion passed unanimously.

### **Transportation Safety Division Updates . . . Troy Costales**

**(See Attach. A)**

#### **◆ Speed Program**

When investigating fatal crashes, we don't necessarily know all causal factors until several months after the fact, when the reports are completed. In late 2016, there was a significant increase in fatal crashes relating to seatbelts, speed, and/or impairment. An average of 105 speed-related crashes occurred in 2016. As a result, we have focused on targeted enforcement to reduce speeding and are allocating \$500,000 in federal highway safety funds to the program.

Beginning in early 2017, fund distribution was allocated based on 2011-2015 top ten speed related serious injury and fatal crash data. Counties with state highways, county, and city roads with high incidents receive funding. In terms of raw numbers, Washington County has the most dangerous state highways, followed by Lane County. Clackamas and Jackson counties have the most dangerous county roads. Portland and Salem (Marion County section) are the cities with the highest incidents.

Bob Russell asked if the population and/or Vehicle Miles Travelled were considered when evaluating the crash data.

Fatal crashes declined in 2017 so we believe our efforts had an effect. So far in 2018, crashes are up slightly over the same time period last year. We will continue to track the data moving forward. Spring and early summer are usually the peak seasons for these incidents.

Our law enforcement partners reached out using social media to advise the public that they were conducting speed checks and to raise awareness. The community expressed positive feedback for these efforts.

Jana Jarvis asked if this program is interacting with Vision Zero. Troy answered that the Vision Zero program and others like it stem from the 2016 highway plan. Troy's office funded them and ODOT personnel are involved in each one.

David Jostad asked why speed limits were raised in the rural portions of Deschutes County if speed is the main factor to injury and fatal crashes. Troy answered that it was a legislative choice between movement and safety risk. The increased speed request received enough votes to move forward. There were safeguards built into the program. Data will continue to be evaluated. If crash numbers increase in areas

where speed limits were raised, then the OTC could choose to roll the speeds back, which has already occurred in some locations.

◆ **Distracted Driving**

HB4116 (<https://olis.leg.state.or.us/liz/2018R1/Downloads/MeasureDocument/HB4116>) is the amendment to the distracted driving bill. Its purpose is to clarify concerns raised in 2015-2016 about how the law passed in 2017 (HB2597) was applied. Under the original law, law enforcement officers had to be able to see active talking/texting use in order to pull the driver over. The distracted driving task force sub team worked on the legislative language as a way to address enforcement issues and change the norms around the acceptability of driving with cells phones, tablets, etc. HB4116 differentiated between one way communication devices and two way radio/cb type devices. Language was added that cleared up the definition of a motor carrier and requires motor carriers to follow the federal rules under 49 U.S.C. 31137.

**Fuels Tax Credits . . . Sven Johnson**

◆ **(See Attach. B)**

MCTD's latest legislative concept involves moving away from the Oregon Weight Receipt and Tax Identifier (OWRATI) credential. Cashiers at retail fueling stations must enter the weight receipt information or plate number before they will sell fuel ex-tax. Most of them key in the plate number, use a fuel card, or both. If drivers pay the tax, then there is a statute in rule allowing them to claim the credit on their mileage report as long as they provide acceptable documentation of fuel tax paid. MCTD's Audit department reviews all fuel tax credit requests.

Fuel purchased at a retail station (Chevron, Pilot, Space Age, etc.) can be purchased using cash, a credit card (Visa/MasterCard) or a fuel card. Fuel purchased at a retail station, but listed on a fuel statement is sold by the retailer. The form of payment does not matter, the retailer is the legal seller of the fuel. At the time of sale the retailer determines if the individual sale is ex-tax or tax paid. If the fuel is purchased with a fuel card, the information on the fuel statement regarding the tax status of the sale may or may not be correct. Statements from card lock locations do not always match.

An Exemption Certificate is a form a motor carrier can complete and provide their fuel vendor, so the Seller is not legally obligated to collect tax on cardlock or fleet fueling purchases. The Exemption Certificate only applies to diesel fuel purchased at cardlocks or through fleet fueling in Oregon and only exempts Oregon State tax. Audit is doing a lot of education and outreach to encouraging them to get an exemption certificate on file.

B20 is biodiesel fuel made with 20% cooking oil. No tax is paid on it so it should not be sold by retailers with tax.

We have seen up to 500 carriers claiming fuel tax credits each month, though it's averaging around 100 per month currently. We have sent out GovDelivery email blasts about fuel tax credits in the past, but are trying to do a more targeted outreach effort.

Just like scale crossing data, Audit uses fuel sales data to verify the reporting of weight mile tax and fuel credits claimed. We started receiving an excel spreadsheet from Pilot rather than old fuel slips. We also started requiring fuel sellers with more than 100 transactions to file reports electronically. We now get data from the Fuels Tax Group, approximately 110-120,000 transactions each month.

### **Mobility Map update . . . Christy Jordan & Audrey Lawson**

- ◆ Mobility is working to develop a color-coded Mobility map to track status of current projects and restriction limits. We aren't quite there yet, but have an extensive Excel spreadsheet in the meanwhile. The project tracking map developed by Region 2 doesn't quite fit our needs. The concept of a map has gone from a 'nice to have' to a 'need' and it's now on the current approved project list.

Amy noted that one-off databases are problematic; part of our strategic business plan's transparency requirements is to review and consolidate databases so that we have one central repository for data. Chris Wright is our new GIS Manager and is heading up that project. We need one source of information. Our stakeholders need to see what the load restrictions are.

### **Legislative update . . . Amy Joyce**

Amy Joyce provided a brief recap of bills that passed in the last legislative session.

HB4116 – Distracted Driving

HB4062 – Changes to DMV fees

HB4063 – Creates a 31 member autonomous vehicle task force. The group will report to the legislature in September.

HB4055 – hit and run statutes

HB4059 – follow up to HB2017; it's a mix of technical fixes and policy changes. 4059 rolled back several heavy vehicle fees – RUAF increase rolled back in 2020; variance, weight receipt, removes requirement for a highway cost allocation study at local level; small change modifying definition of following too closely.

HB2017 saw the Joint Transportation Committee which continued through the current session. The intent is to continue as a joint committee moving forward.

Flat taxes roll back in 2020. All others remain the same.

### **ODOT Strategic Business Plan . . . Amy Ramsdell**

- ◆ The Department's Strategic Business Plan is a five year guide for the agency to keep us aligned and focused. It provides a common set of priorities that help us decide what to take on and what we don't at the corporate level. We must be able to successfully deliver on our core responsibilities. We've adjusted our mission and values as part of this effort so that we are working together as one ODOT rather than locked within silos.

**ODOT's Mission:** ODOT provides a safe and reliable multimodal transportation system that connects people and helps Oregon's communities and economy thrive.

**Values:**

- Integrity
- Safety
- Equity
- Excellence
- Unity

ODOT's strategic priorities are:

- Unify and Align ODOT Operational Governance
- Optimize & Modernize Technology & Data
- Build a Qualified & Diverse Workforce for Today & the Future
- Strengthen Strategic Investment Decision Making.

The Implementation Plan is scheduled to roll out in late spring or early summer.

New initiatives are on a strategic pause across the agency for 90 days in order to make sure everyone has the necessary resources and to evaluate overall benefits. MCTD is working on our project priority list to provide to the agency taskforce.

We discussed the Continuous Improvement Advisory Committee at the last MCTAC meeting. We are waiting to see what comes out of that working group.

### **Administrator's Report . . . Amy Ramsdell**

- ◆ **Phone update** – We were successful in negotiating a system rollover date out to April. Staff are starting training today so they are familiar with the new user interface. Testing and training will occur right up until the implementation date.

- ◆ **FYI – Work Zone Pilot Meeting March 16th @8am – ODOT Materials Lab**, if we need additional discussion, there will be another meeting on March 30<sup>th</sup>. Once projects are identified, they will go through the Mobility Committee.
  
- ◆ **Agenda Build – April**
  - **Superload Harmonization update**
  - **Truck Parking Study Phase 2** (TDD is working on scoping work for Phase 2)
  - **Data Q's & Crash Reports**

Bob suggested a safety update with information OTA could use to educate drivers. He would like to see VMT taken into consideration and possibly discussion about truck safety corridors.

Amy suggested having someone attend who can explain how speed zones are set.

Bob indicated OTA members are looking for data geared to industry to make it more useful...causes of truck accidents are different that causes of other types of accidents. It requires a different look.

Adjourned at 10 am.

Changes are made through Track Changes

740-100-0010

Adoption of Federal Safety Regulations

(1) Except as provided in section (4) of this rule, the rules and regulations adopted by the United States Department of Transportation contained in Title 49, Code of Federal Regulations (CFR), Parts 40 (Procedures For Transportation Workplace Drug and Alcohol Testing Programs), 380 (Special Training Requirements), 382 (Controlled Substances and Alcohol Use and Testing), 383 (Commercial Driver's License Standards Requirements and Penalties), 385 (Safety Fitness Procedures), 387 (Minimum Levels of Financial Responsibility for Motor Carriers), 390 (Federal Motor Carrier Safety Regulations: General), 391 (Qualification of Drivers), 392 (Driving of Motor Vehicles), 393 (Parts and Accessories Necessary for Safe Operation), 395 (Hours of Service of Drivers), 396 (Inspection, Repair and Maintenance), 398 (Transportation of Migrant Workers), 399 (Employee Safety and Health Standards) and all amendments thereto in effect April 1, ~~2017~~2018, are adopted and prescribed by the Department of Transportation (ODOT) to be observed by carriers conducting operations in interstate commerce, subject to ORS Chapter 823 and 825.

(2) The provisions of section (1) of this rule as adopted are prescribed by the Department to be observed by carriers conducting operations in intrastate commerce, subject to ORS Chapter 823 and 825, except:

(a) Relating to Part 385:

(A) The provisions of Part 385.1(b), 385.13(b), 385.13(c), 385.13(d)(3), 385.301 through 385.337 and Appendix A to Part 385 do not apply to a motor carrier operating exclusively in intrastate commerce.

(B) With reference to Part 385.13(a), 385.19(c) and 385.19(d), current intrastate safety rating information is available from ODOT only by telephone at (503) 378-6963.

(C) With reference to Part 385.15 and 385.17, requests for administrative review of an intrastate safety rating or requests for a change to a proposed or final intrastate safety rating based on corrective actions must be submitted in writing to the ODOT Motor Carrier Transportation Division, 3930 Fairview Industrial Drive SE, Salem OR 97302.

(D) With reference to Appendix B of Part 385, a final intrastate safety rating will be determined by the Department and the motor carrier to whom the rating applies will be notified in writing of its intrastate safety rating.

(E) In addition to the violations described in the List of Acute and Critical Violations in Appendix B of Part 385, the Department will include the following violations in a determination of an intrastate or an interstate safety rating:

(i) Financial responsibility requirements in OAR 740-040-0010 (critical) and 740-040-0020 (acute); and

(ii) Intrastate drivers hours-of-service requirements found in OAR 740-100-0010(2)(i) (critical).

(b) The provisions of Part 387 will apply to intrastate motor carriers only when transporting hazardous materials, hazardous substances or hazardous wastes.

(c) With reference to Part 390.21, external identification requirements do not apply to vehicles operated exclusively in intrastate private carriage provided that neither the gross vehicle weight, the gross vehicle weight rating, the gross combination weight or the gross combination weight rating exceeds 26,000 pounds, except those vehicles transporting hazardous materials of a type

or quantity requiring placarding or passenger vehicles designed or used to transport more than 15 passengers including the driver.

(d) The rules in Part 391.11(b)(1) regarding the minimum age for a commercial motor vehicle operator do not apply to a driver engaged in intrastate commerce. A driver engaged in intrastate commerce must be at least 18 years old.

(e) The rules in Part 391 (except Part 391.11(b)(2), English Speaking Driver, Part 391.11(b)(5), Valid Operator's License and Part 391.15, Disqualification of Drivers) do not apply to a driver who is employed by a private carrier engaged in intrastate commerce and:

(A) Does not drive a motor vehicle with a gross vehicle weight, gross vehicle weight rating, gross combination weight or gross combination weight rating of 26,001 pounds or more; and

(B) Does not transport hazardous materials of a type or quantity requiring the vehicle to be marked or placarded in accordance with Title 49, CFR, Part 177.823; or

(C) Does not operate a passenger vehicle designed or used to transport 16 or more passengers, including the driver.

(f) Notwithstanding Parts 391.41 to 391.49 (Subpart E — Physical Qualifications and Examinations) the Department may issue a waiver of physical disqualification to a commercial vehicle driver who has met the conditions established by the Driver and Motor Vehicle Services Division.

(g) With reference to Part 395.1(k), the planting and harvesting period in Oregon begins on January 1 and ends December 31 of each year.

(h) With reference to Part 395.1(e)(1), motor carriers conducting intrastate transportation of property may not require or permit any driver used by it to exceed 12 hours driving following ten consecutive hours off-duty;

~~(h)~~ (i) With reference to Part 395.1(g), motor carriers conducting intrastate transportation of property may not require or permit any driver used by it to drive a commercial motor vehicle, nor may any such driver:

(A) Exceed 12 hours driving following ten consecutive hours off-duty;

(B) Drive for any period beyond the 16th hour after coming on-duty following ten consecutive hours off-duty;

~~(i)~~ (j) With reference to Part 395.1(e)(2) and Part 395.3, a motor carrier conducting intrastate transportation of property may not require or permit any driver used by it to drive a commercial motor vehicle, nor may any such driver:

(A) Exceed 12 hours driving following ten consecutive hours off-duty;

(B) Drive for any period beyond the 16th hour after coming on-duty following ten consecutive hours off-duty;

(C) Drive for any period following 70 hours on-duty in any seven consecutive days if the employing motor carrier does not operate commercial motor vehicles every day of the week, however, any period of seven consecutive days may end with the beginning of any off-duty period of 34 or more consecutive hours; or

(D) Drive for any period following 80 hours on-duty in any eight consecutive days if the employing motor carrier operates commercial motor vehicles every day of the week, however, any period of eight consecutive days may end with the beginning of any off-duty period of 34 or more consecutive hours.

(k) With reference to Part 395.8(a)(1)(i), a motor carrier conducting intrastate transportation is not required to install and require each of its drivers, operating in intrastate commerce, to use an electronic logging device to record the drivers duty status.

~~(L)~~ The provisions of subsections (g) through ~~(k)~~ of this section are not applicable to the transportation of hazardous materials of a type or quantity requiring placarding. A motor carrier transporting hazardous materials of a type or quantity requiring placarding must comply with Part 395.

(3) The intracity operation exemption adopted by the US Department of Transportation found in Part 391.62 is not adopted and prescribed.

(4) Wherever reference is made in Title 49 of the CFR as adopted by this rule to a federal entity, including but not limited to “Federal Highway Administrator,” “Regional Director,” “Special Agent of the Federal Highway Administration” or the “Federal Motor Carrier Safety Administration,” it will be construed to mean the Oregon Department of Transportation or a person authorized by the Oregon Department of Transportation to act on its behalf.

(5) Copies of the federal regulations referred to in this rule are available from ODOT Motor Carrier Transportation Division or may be accessed on the Federal Motor Carrier Safety Administration website, [www.fmcsa.dot.gov](http://www.fmcsa.dot.gov).

Statutory/Other Authority: ORS 184.616, 184.619, 823.011, 825.232 & 825.252

Statutes/Other Implemented: ORS 825.210, 825.250 & 825.252

740-100-0065

North American Standard Administrative Out-of-Service Criteria

The North American Standard Administrative Out-of-Service Criteria, as recognized by USDOT, in effect April 1, ~~2017~~2018, is adopted and incorporated into this rule. Inspection violations identified in the Out-of-Service Criteria may be subject to out-of-service action. Condition(s) categorized as “Out-of-Service” must not be allowed to continue in commerce until the condition(s) is/are corrected and the shipment complies with Title 49, CFR. If at the discretion of the inspector, it is less hazardous to the public to relocate the vehicle, it will be towed, transported, or escorted to a safe location only at the direction of an official authority.

Statutory/Other Authority: ORS 184.616, 184.619, 823.011, 825.232 & 825.252

Statutes/Other Implemented: ORS 825.210 & 825.252

740-100-0070

North American Standard Vehicle Out-of-Service Criteria

The North American Standard Vehicle Out-of-Service Criteria, as recognized by USDOT, in effect April 1, ~~2017~~2018, is adopted by and incorporated into this rule. Inspection violations identified in the Out-of-Service Criteria may be subject to one or more of the following:

(1) Out-of-Service Condition: When any motor vehicle by reason of its mechanical condition or loading, is determined to be so unsafe as to likely cause an accident or breakdown or when such conditions would likely contribute to loss of control of the vehicle by the driver, said vehicle must be placed out-of-service. No motor carrier shall permit or require nor shall any person operate any motor vehicle declared and marked “out-of-service” until all required repairs of violations which resulted in the out-of-service condition have been completed. If, at the discretion of the inspector, it is less hazardous to the public to relocate the vehicle, it will be towed, transported or escorted only at the direction of an official authority.

(2) Other: Violations other than out-of-service conditions detected during the inspection process will not preclude the completion of the current trip or dispatch. However, such violations must be corrected or repaired prior to redispach.

Statutory/Other Authority: ORS 184.616, 184.619, 823.011, 825.232 & 825.252  
Statutes/Other Implemented: ORS 825.250 & 825.252

740-100-0080

#### North American Standard Hazardous Material Out-of-Service Criteria

The North American Standard Hazardous Materials Out-of-Service Criteria, as recognized by USDOT, in effect April 1, ~~2017~~2018, is adopted and incorporated in this rule. Inspection violations identified in the Out-of-Service Criteria may be subject to out-of-service action. Condition(s) categorized as “Out-of-Service” must not be allowed to continue in commerce until the condition(s) is/are corrected and the shipment complies with Title 49, CFR. If at the discretion of the inspector, it is less hazardous to the public to relocate the vehicle, it will be towed, transported or escorted to a safe location only at the direction of an official authority.  
Statutory/Other Authority: ORS 184.616, 184.619, 823.011, 825.232 & 825.252  
Statutes/Other Implemented: ORS 825.250, 825.258 & 825.260

740-100-0085

#### North American Standard Out-of-Service Criteria for Commercial Highway Vehicles Transporting Transuranics and Highway Route Controlled Quantities of Radioactive Materials

The North American Standard Out-of-Service Criteria Out-of-Service Criteria for Commercial Highway Vehicles Transporting Transuranics and Highway Route Controlled Quantities of Radioactive Materials, as recognized by USDOT, in effect April 1, ~~2017~~2018, is adopted and incorporated in this rule. Inspection violations identified in the Out-of-Service Criteria may be subject to out-of-service action. Condition(s) categorized as “Out-of-Service” must not be allowed to continue in commerce until the condition(s) is/are corrected and the shipment complies with Title 49, CFR. If at the discretion of the inspector, it is less hazardous to the public to relocate the vehicle, it will be towed, transported or escorted to a safe location only at the direction of an official authority.  
Statutory/Other Authority: ORS 184.616, 184.619, 823.011, 825.232 & 825.252  
Statutes/Other Implemented: ORS 825.250, 825.258 & 825.260

740-100-0090

#### North American Standard Driver Out-of-Service Criteria

(1) Except for any content that conflicts with requirements of section (2) of this rule, the North American Standard Driver Out-of-Service Criteria, as recognized by USDOT in effect April 1, ~~2017~~2018, is adopted and incorporated by reference. Inspection violations identified in the Out-of-Service Criteria may be subject to one or both of the following:

- (a) Out-of-Service Violation: Drivers with violations under this category must not operate a commercial motor vehicle for a specified period of time or for some violations until a required condition is met.
- (b) Other: Violations other than out-of-service violations require no immediate action by the driver or motor carrier. The carrier must certify in accordance with the terms contained on the inspection document and return it to the Department of Transportation within 15 days.

(2) Drivers found to be disqualified in this state or any other jurisdiction, as specified in 49 CFR 391.15 will be placed Out-of-Service until re-qualification is established.  
Statutory/Other Authority: ORS 184.616, 184.619, 823.011, 825.232 & 825.252  
Statutes/Other Implemented: ORS 825.250 & 825.252

740-110-0010

Adoption of United States Department of Transportation Hazardous Materials Regulations

(1) Any person subject to ORS Chapter 825 who transports a hazardous material and any person subject to 823.061 who causes to be transported a hazardous material must comply with the rules and regulations governing the transportation of hazardous materials as prescribed by the United States Department of Transportation in Title 49, Code of Federal Regulations, Part 397 and such portions of Parts 107-178 and 180 as are applicable and amendments thereto, in effect on April 1, ~~2017~~2018.

(2) Copies of the federal regulations referred to in this rule are available from ODOT, Motor Carrier Transportation Division or may be accessed on the Federal Motor Carrier Safety Administration website, [www.fmcsa.dot.gov](http://www.fmcsa.dot.gov).

Statutory/Other Authority: ORS 184.616, 184.619, 823.011, 823.061 & 825.258

Statutes/Other Implemented: ORS 823.061 & 825.258



# Oregon Traffic Safety Performance Plan Annual Report

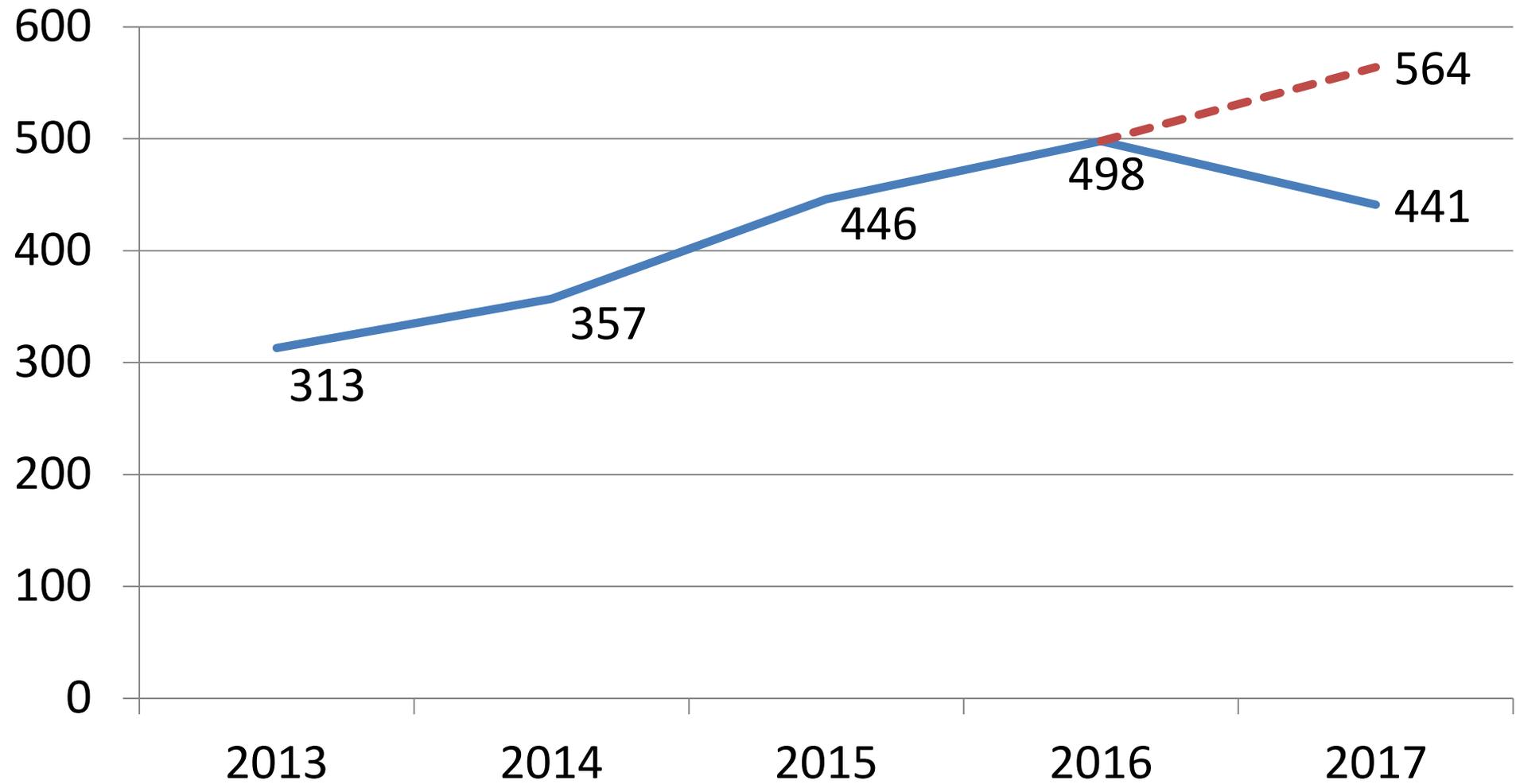
Troy Costales

ODOT – TSD Administrator

February 15, 2018



# Fatalities on Oregon Roads



# Oregon Transportation Safety Speed Program

# OREGON Transportation Safety Action Plan 2016

***Action 6.3.7*** –  
Conduct targeted  
enforcement to reduce  
speeding.



OREGON.GOV

 Oregon  
Department  
of Transportation



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OREGON  
TRAFFIC SAFETY  
PERFORMANCE PLAN

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Fiscal Year 2018

*Federal Version Report*



# Goals for Reducing Speed-Related Fatalities and Injuries

By 2020, Oregon will . . .

Decrease fatalities in speed related crashes from **105** to **90**

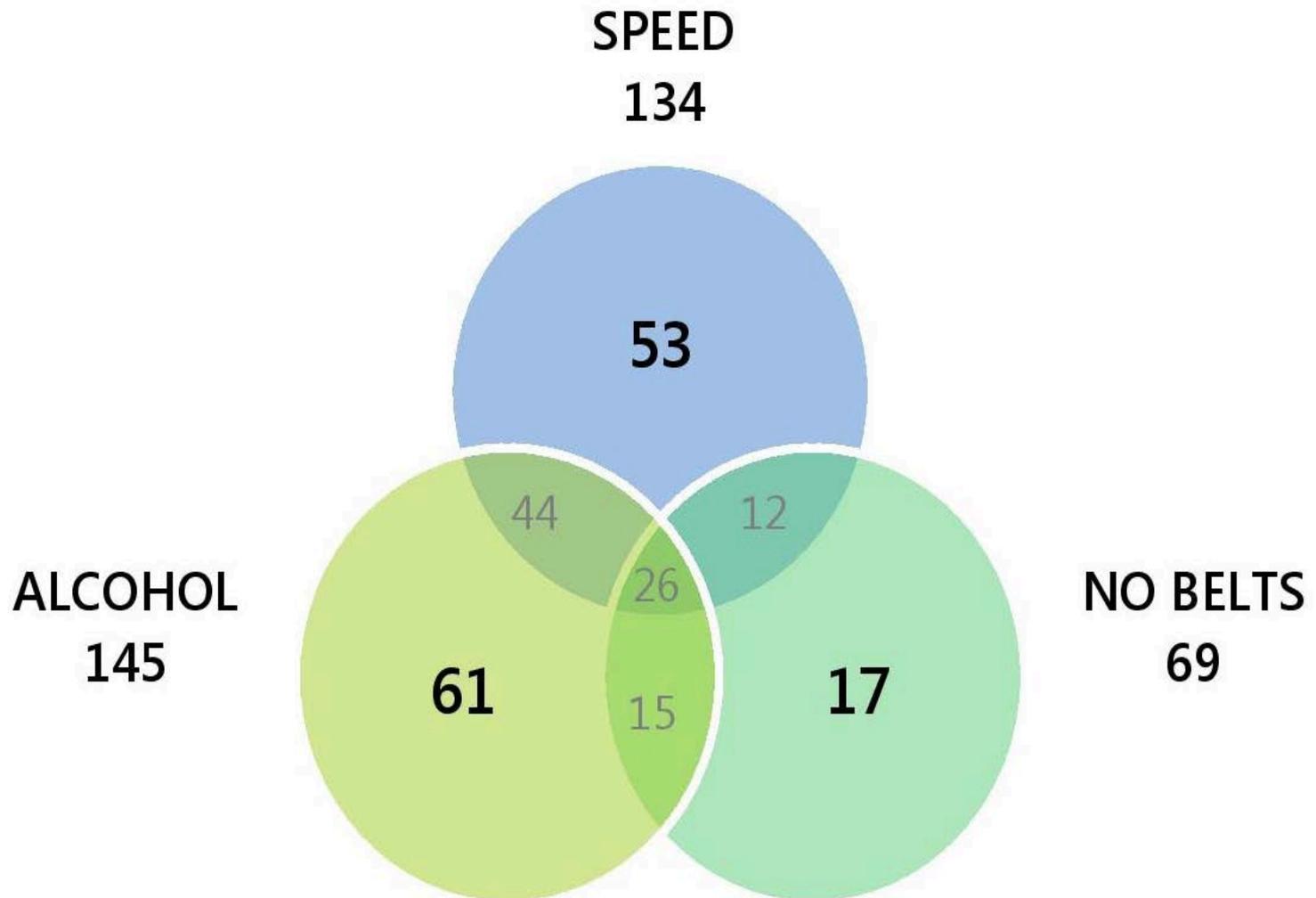


Decrease injuries in speed related crashes from **5,365** to **4,607**



# Oregon Traffic Fatalities Involving Alcohol, Speed and Restraints

Average Per Year, 2013-2015



# February 2017, OTSC dedicates \$500,000 in "402" Funding to Speed Enforcement

## Mission

*To save lives and reduce costs due to crashes and injuries on Oregon roads.*



# Breakdown of Funding

\$500,000 allocated based on 2011 – 2015 Top 10 Speed Related Serious Injury and Fatal Crash Data

**State Police**

**\$122,540**

**Counties**

**\$200,000**

**Cities**

**\$102,000**

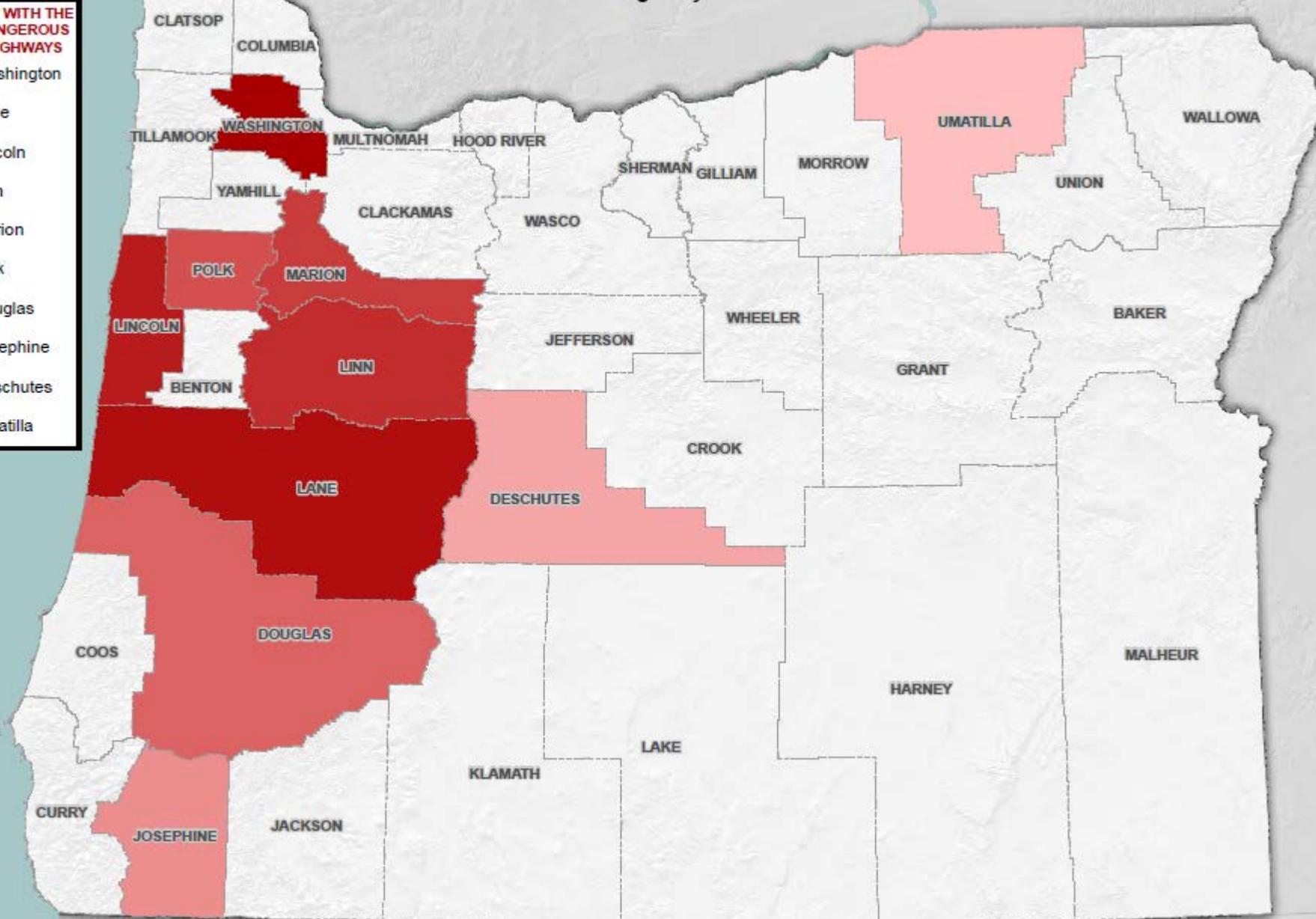


# OREGON'S TEN MOST DANGEROUS COUNTIES

Designated For  
Speed Related Fatal and Serious Injury Crashes 2011-2015  
on State Highways



- COUNTIES WITH THE MOST DANGEROUS STATE HIGHWAYS**
1. Washington
  2. Lane
  3. Lincoln
  4. Linn
  5. Marion
  6. Polk
  7. Douglas
  8. Josephine
  9. Deschutes
  10. Umatilla

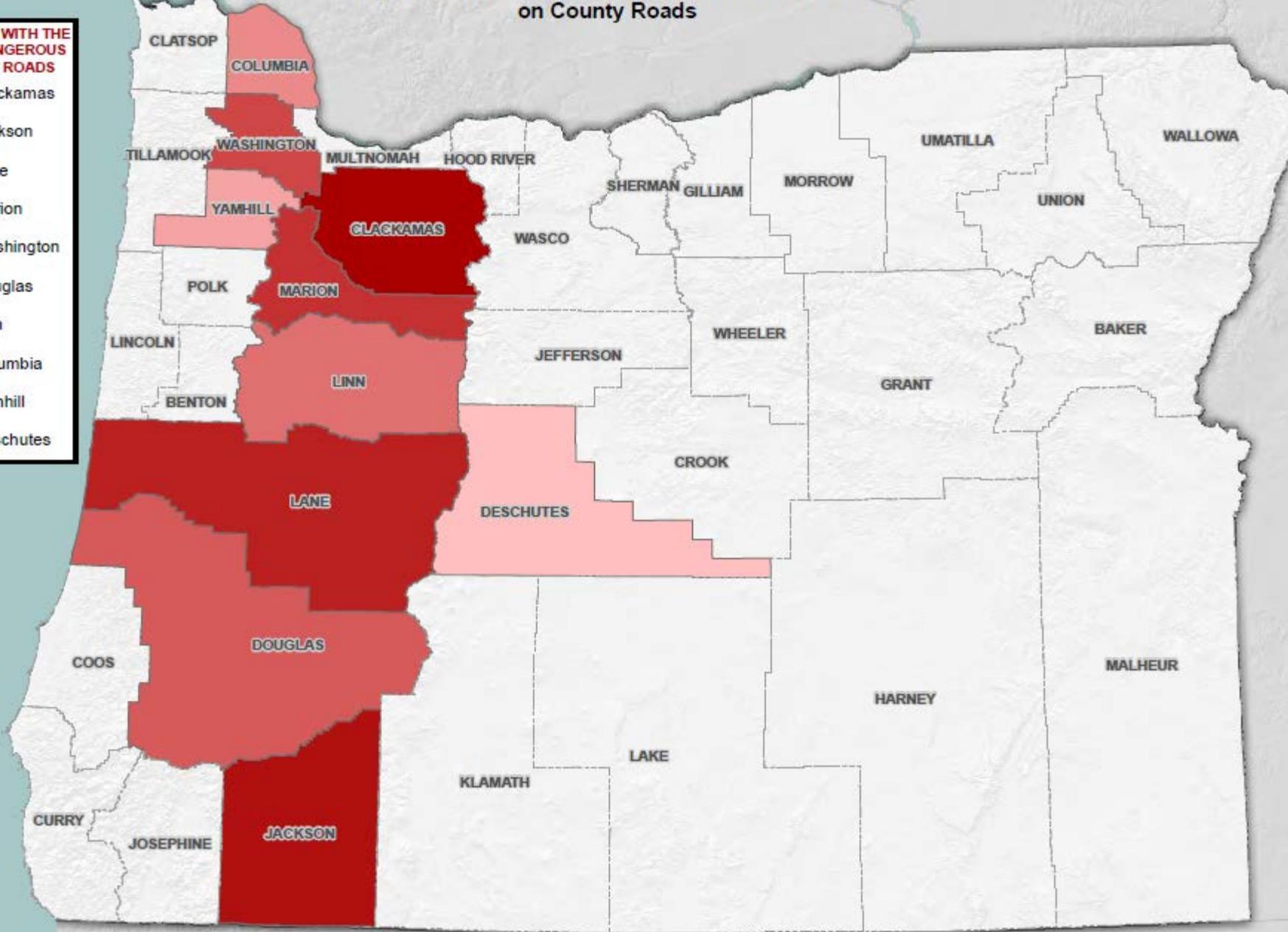


# OREGON'S TEN MOST DANGEROUS COUNTIES

Designated For  
Speed Related Fatal and Serious Injury Crashes 2011-2015  
on County Roads

## COUNTIES WITH THE MOST DANGEROUS COUNTY ROADS

1. Clackamas
2. Jackson
3. Lane
4. Marion
5. Washington
6. Douglas
7. Linn
8. Columbia
9. Yamhill
10. Deschutes





# Enforcement Funds at Work



YamCo Watch

29 mins · 🌐

Look who we found running traffic earlier this morning. This is a friendly reminder to watch your speed. Deputy Wilkinson isn't known for handing out warnings. #YCSO



👍 🗨️ ❤️ You and 53 others

12 Comments 3 Shares



# **Motor Carrier Transportation Division**

## **❖ Fuel Tax Credit Processing**



## **Purchasing Fuel Ex-tax at the pump with an Oregon Credential**





**ORS 825.486 and OAR 740-055-0110  
Claiming Credit for Fuel Taxes Paid on Mileage Reports**

- Acceptable Documentation
  - ✓ Date and location
  - ✓ Name of carrier
  - ✓ Fuel type
  - ✓ OR Weight Receipt or Temp Pass Number
  - ✓ Amount of tax paid



## Where Fuel is Purchased

The four places to purchase fuel are:

- **Retail stations**
- **Cardlock sites**
- **Fleet Fueling or Wet Hose**
- **Bulk fuel**



## Retail Stations

Fuel purchased at a retail station (Chevron, Pilot, Space Age, etc.) can be purchased using cash, a credit card (Visa/MasterCard) or a fuel card.

Fuel purchased at a retail station, but listed on a fuel statement is sold by the retailer. The form of payment does not matter, the retailer is the legal seller of the fuel.

At the time of sale the retailer determines if the individual sale is ex-tax or tax paid.

If the fuel is purchased with a fuel card, the information on the fuel statement regarding the tax status of the sale may or may not be correct.



## Retail Station

### Example of an ex-tax retail receipt

SPACE AGE TRAVEL CENTER /I-84 AND HWY 207 EXIT 182 /HERMISTON, OR 97838/(541) 4-6254

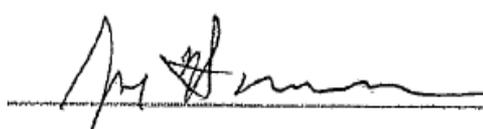
Number: 0900-8545 01/12/2015 Station: 9

Response: Auth# C079366

Pump #	Products	Reefer	Quantity	Unit Cost	Total
3	Diesel 2	N	136.014	2.699	367.10

subtotal = 367.10

sales tax = 0.00

TOTAL = 367.10 Signature: 

Salesperson ID: AUTO/SMARTFUEL

Odometer: 9

Card Number: xxxxxxxxxxxxxxxx -ICR-

Invoice #: 0098545

Fuel Permit #: YAGD81

Billing Company: FUELMAN/GASCARD / GASCARD

THANK YOU! --- THANK YOU!

Information in  
Fuel Permit #  
field makes  
the purchase



## Exemption Certificate

An Exemption Certificate is a form a motor carrier can complete and provide their fuel vendor, so the Seller is not legally obligated to collect tax on cardlock or fleet fueling purchases.

The Exemption Certificate only applies to diesel fuel purchased at cardlocks or through fleet fueling in Oregon and only exempts Oregon State tax.





## Cardlock Site

Fuel purchased at a cardlock site is considered a non-retail purchase. The fuel can only be purchased using a cardlock card issued by a fuel vendor.

A receipt is typically not generated at the time of the sale.

At the time each fuel card is issued the customer decides its preferred tax status; either tax paid or ex-tax. The Seller will then issue cards per the customer's request.

The customer/carrier needs to complete an Exemption Certificate for the Seller to make these sales ex-tax.



## Fleet Fueling **OR** Wet Hose

Fleet fueling or on-site mobile fueling will appear on a fuel statement issued by the seller of the fuel.

The customer/carrier needs to complete an Exemption Certificate for the Seller to make these sales ex-tax.



6  
1  
8  
/  
2  
0  
1  
8



## **Bulk Fuel**

If a carrier maintains a bulk tank they may be purchasing fuel tax paid or ex-tax.



## **Retail - B20 Tax Forgiveness**

Under ORS 319.530(5)(a) from January 1, 2014 to December 31, 2019 diesel fuel blended with at least 20% cooking oil can be sold without tax. This non-taxed fuel is intended to be sold at retail locations; not fleet fueling or bulk sales and is not suppose to be sold to vehicles over 26,000 pounds.

Retailers in the valley including most Safeway locations are selling this B20 fuel. Individual fuel receipts may or may not indicate fuel is a B20 blend. As tax has not been paid on these gallons fuels tax credits will not be allowed.



## Data Collection and Fuel Tax Verification

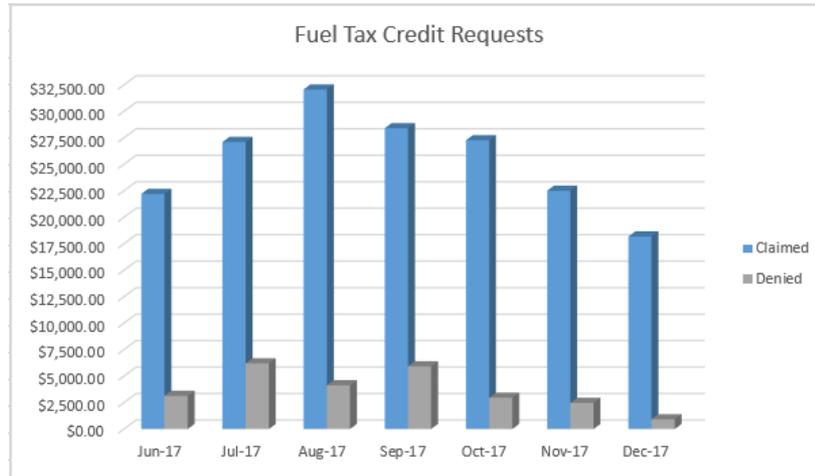
- Electronic Reporting is required by fuel sellers with 100 or more transactions effective July 1, 2015 (OAR 735-176-0160).
- MCTD has access to these reports, including individual transactions.
- This data is used to verify WMT reporting and fuel tax credits claimed.



## Education and Outreach

### Fuel Tax Credit Requests

### Claimed vs. Denied



Period	# of requests	Claimed	Denied
Jun-17	82	\$22,210.27	\$3,130.03
Jul-17	111	\$27,111.27	\$6,205.89
Aug-17	116	\$32,072.61	\$4,128.27
Sep-17	115	\$28,410.44	\$5,927.20
Oct-17	96	\$27,269.82	\$2,959.46
Nov-17	99	\$22,509.97	\$2,466.28
Dec-17	85	\$18,188.03	\$927.77