

# Motor Carrier Transportation Advisory Committee (MCTAC) Agenda

Thursday, September 10, 2020 | 8:30 a.m. to 10:30 a.m.



[Join Microsoft Teams Meeting](#) 971-277-1965 Conference ID 882496482#

Agenda/Meeting Materials: <https://www.oregon.gov/odot/MCT/Pages/MCTAC.aspx>

Time		Topic		Action	Lead
8:30 – 8:40	10 min	01	Welcome and Meeting Minutes Approval	Decision	All
		<b>Objective:</b> Approve July 2020 meeting minutes			
8:40 – 8:50	10 min	02	Rule Updates	Discussion	Russ Russell
		<b>Objective:</b> Elicit feedback and comment for the following rules: – 740-100-0010 Hours of Service			
8:50-9:20	30 min	03	I-5 Bridge Closure	Informational	R1/Audrey
		<b>Objective:</b> Receive update on the Interstate Bridge closure for the trunnion replacement and bus on shoulder information.			
9:20 – 9:35	15 min	04	2021 Renewal	Informational	Audrey Lawson
		<b>Objective:</b> Discuss communications plans and business operations for this year’s Renewal.			
9:35 – 10:05	30 min	05	2024-2027 STIP Allocation	Discussion	Amy Ramsdell
		<b>Objective:</b> Elicit industry insight into future STIP projects			
10:05 – 10:20	15 min	06	Administrator’s Report	Informational	Amy Ramsdell
		<b>Objective:</b> Receive high-level update on COVID-19 and agency budget.			
10:20 – 10:30	10 min	07	Agenda Build	Discussion	All
		<b>Objective:</b> Identify potential topics for upcoming agendas.			

**Next Meeting:** Ashland Conference Room, Room 230, 3930 Fairview Industrial Drive SE, Salem  
November 12, 8:30 – 10:30 am

**MINUTES**  
**MOTOR CARRIER TRANSPORTATION ADVISORY COMMITTEE MEETING**  
**September 10, 2020**

**Microsoft Teams Attendees:**

Jon Golly – Jon L. Golly, Inc.  
Dave Gray – Glostone Trucking Solutions  
Tara L. Caton – ODOT/CCD  
Andrea Comer – ODOT/CCD  
Amy Ramsdell – ODOT/CCD  
Sven Johnson – ODOT/CCD  
Elisha Brackett – ODOT/CCD  
Debra Martisak – ODOT/Region 1  
Howard Russell – ODOT/CCD  
Jonathan Wilson – FMCSA  
Audrey Lawson – ODOT/CCD  
Jocelyn Blake – AOC  
Anthony Barghini – ODOT/CCD

**July MCTAC Minutes**

Dave Gray motioned to approve the July minutes and Howard Russell seconded. The minutes were unanimously approved.

**Rule Updates . . . Howard Russell**  
**(See Attachment A)**

**740-100-010: Adoption of Federal Safety Regulations.** As of September 29, 2020, the new federal Hours of Service Rules will be in effect. Oregon will be adhering to them immediately. The attached rule language has been updated to reflect adoption of the rules in effect as of September 29, 2020.

Dave Gray motioned to approve moving the rule forward in process. The motion was seconded, and passed unanimously by the group.

**I-5 Bridge Closure . . . Audrey Lawson**

The Interstate Bridge closure is expected to begin September 12, 2020, and will last through September 20 for the trunnion (drawbridge mechanism) replacement. All three northbound lanes will be closed and southbound will convert to dual direction traffic. We will be closing the CCD Portland Bridge office September 14-18 while the replacement is installed. Any carriers needing assistance who normally use our Portland Bridge office should call our Salem office. Registration: 503 378-6699; OD Permits: 503 373-0000.

\*UPDATE – the bridge closure was postponed to September 19-27, 2020, to keep the highway system as clear as possible for wildfire evacuees. The CCD Portland Bridge office will be closed Sept. 21-25.

A pilot project to allow buses to drive on the shoulder on I-205 during the busier times of the day will be running in conjunction with the Interstate Bridge closure.

The area is expected to be congested during the nine-day closure. Users are advised to avoid the area as much as possible.

## **2021 Renewal Update . . . Audrey Lawson**

The renewal process will be different this year due to COVID-19 and social distancing efforts. We are working by appointment only for our in-person customer interactions. Outreach efforts are underway now and the plan is to release renewals as early as possible so carriers can begin their preparation early.

Customers will be encouraged to fax their renewal packets in to staff so we have time to work through the data prior to an in-person appointment. The cancellation process will be delayed and the renewal season extended. Per statute, as long as renewal payments are made by December 31, 2020, a grace period is allowed until March 2, 2021.

As the December deadline approaches, we can see which carriers haven't yet renewed and reach out to them directly. We will also be reaching out to third party agents. We are hoping to release renewals during the second week of October. They will be available online to print once we release them, so carriers don't have to wait until they get paper copies in the mail and can instead print them off and begin completing them sooner.

The PRISM compatibility project has revealed that we have approximately 800 carriers in our system that need to update their information, since the information filed with us is different than that in the federal database. The MCS150 needs to be updated if the information in the federal database is outdated. If it's our information that is incorrect, carriers just need to provide updated information for our system so the two databases match. We will work to inform carriers who need to update their information.

## **2024-2027 STIP Allocation . . . Amy Ramsdell**

### **(See Attachment B)**

The [Oregon Transportation Commission](#) is working to increase public outreach by requesting stakeholder group input on how to best allocate funds in the 2024-2027 Statewide Transportation Improvement Program (STIP). The Oregon Highway Plan priority list is:

1. Protect the existing system (Fix it)
2. Improve efficiency and capacity of existing highway facilities
3. Add capacity to the existing system
4. Add new facilities to the system

We try hard to preserve and fix existing roadways and structures in order to extend the life of the system as much as possible. Priority is given to high use areas and those that connect most communities.

The Commission would like to know what this body's highest priorities are.

The funding categories are:

- Enhance Highway – highway projects that expand or enhance the transportation system
- Fix-it – projects that maintain or fix the state highway system
- Safety – projects focused on reducing fatal and serious injury crashes on Oregon's roads
- Non-Highway – Bicycle, pedestrian, public transportation, and transportation options projects and programs
- Local Programs – funding to local governments for priority projects
- Other Functions – workforce development, planning and data collection and administrative programs using federal resources

Fix-it and Enhancement are the two highest priorities for Industry stakeholders present. They suggested investment in technologies that enhance existing systems, like the intelligent transportation system, data collection, and connected vehicles. In addition, investing in fixing or enhancing bridge capacity to remove weight restrictions, particularly in rural areas, would help to move goods more efficiently. Funding to non-highway programs are the lowest priority for the stakeholders present. Basic needs should be prioritized over concepts, i.e. focus on the people and the products and where they need to go. Another suggestion was investing in basic safety like a lighted interchange, which costs about 1/5<sup>th</sup> of a recent roundabout project. Five lighted interchanges could have been completed for the cost of one roundabout.

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

Utility haulers want to amend the length limit in rule, preferably before the November MCTAC meeting. The group agreed to review the proposed rule change offline and vote on the rule amendment via email.

As of today, CCD is still able to maintain services at our headquarters location. Staff have been impacted by the wildfires and evacuations, and we are running on less than optimal numbers. If we reach critical staffing levels at individual locations, we might need to alter services or shut down. Ashland Port-of-Entry is one of these locations. The agency is trying to get information out as soon as possible. Hours of Service have been waived and we are minimizing enforcement. Our staff may be called on to assist with manning barricades on closed roadways. FMCSA has been asked to ensure continuation of our Hours-of-Service waiver.

### **Agenda Build**

The next MCTAC meeting is scheduled for November 12, 2020, and will be another virtual / teleconference format.

Suggested topics for future meetings include:

- PRISM update/overview
- DMV update, (obtaining plates, title transactions, etc. has become a very slow process)

Please email any other suggested topics to [Tara.L.Caton@odot.state.or.us](mailto:Tara.L.Caton@odot.state.or.us).

Meeting adjourned at 10:10 a.m.

# **Attachment**

A

## **Chapter 740**

### **Department of Transportation, Motor Carrier Transportation Division**

#### **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, 2020] Sept 29, 2020**, 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(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) 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) 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.

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

(k) The provisions of subsections (g) through (j) 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:** 823.011, 825.232, ORS 184.619, 825.252

**Statutes/Other Implemented:** ORS 825.210, 825.250, 825.252

# **Attachment**

B

# Development of the 2024-2027 Statewide Transportation Improvement Program

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August 2020

A worker in a blue safety suit and hard hat is positioned on a blue lift bucket, working on a steel bridge structure. The background is a dense forest of green trees. The entire image has a blue tint.

# OTC Investment Strategy

# OTC Investment Strategy 2020 Update

- » Reassess needs gap and resulting impacts on system based on post-HB 2017 funding levels
- » Lay out investment strategies across programs
- » Inform Commission decisions regarding program funding allocations for the 2024-2027 STIP



Oregon State Capitol Building, Salem, Oregon

Oregon Transportation Commission

INVESTMENT STRATEGY  
2020 UPDATE

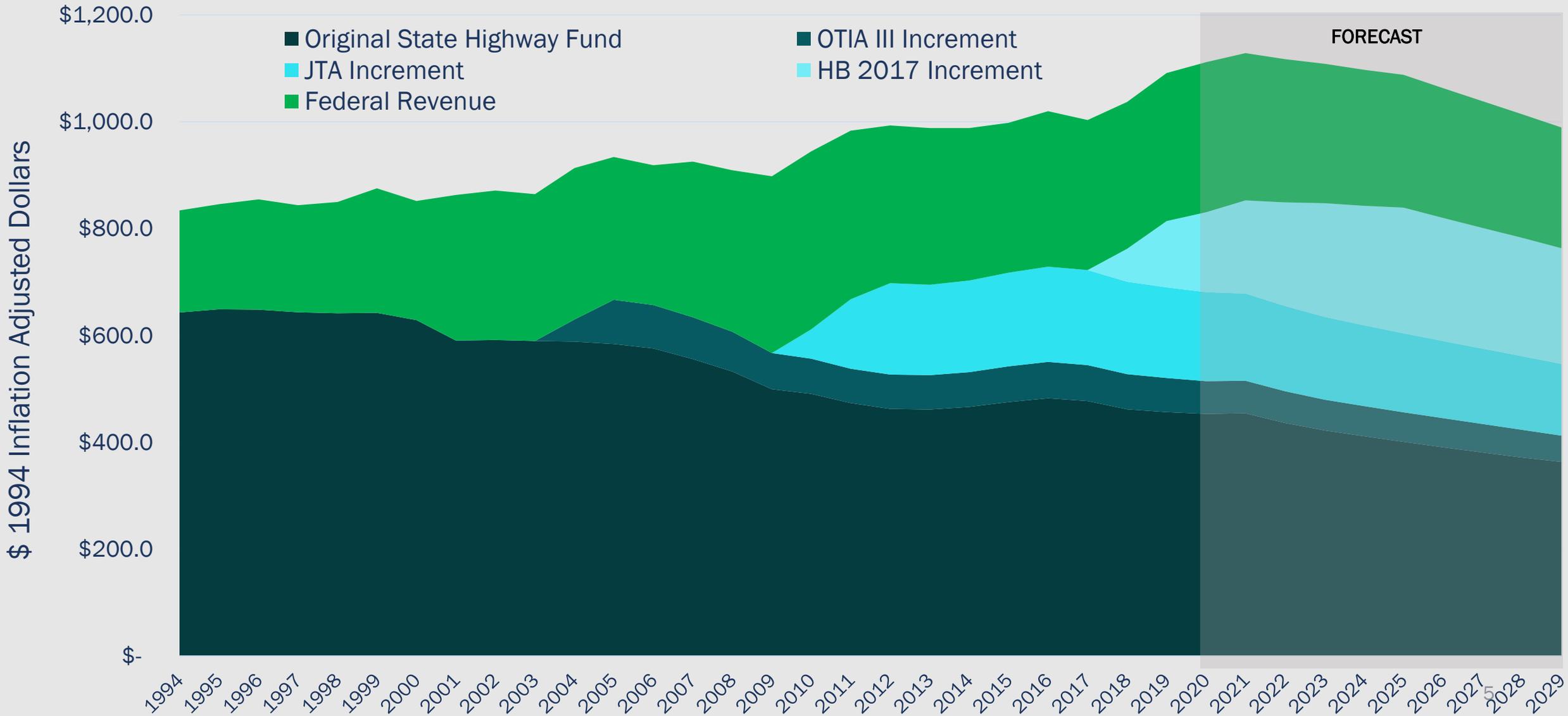


## Investment Strategy Key Conclusions

- Even with the significant investments in HB 2017 the condition and performance of the transportation system will decline over time
- Investment decisions by the OTC will require difficult tradeoff discussions

# Federal and State Highway Funds

Adjusted for Inflation





## Oregon Highway Plan Major Improvements Hierarchy

1. Protect the existing system.
2. Improve efficiency and capacity of existing highway facilities.
3. Add capacity to the existing system.
4. Add new facilities to the system.

# Preservation

- ODOT focuses on Fix-It Priority Corridors that carry high volumes of freight and connect most communities
- Funding is not sufficient resulting in a triage approach
- Maintaining status quo conditions requires more than doubling current funding



# Condition of Key Assets



## Bridges

900 year  
replacement  
cycle



## Pavement

Need \$100m/year  
more to achieve  
sustainable program



## Culverts

1,300 year  
replacement  
cycle

# Safety

- » Oregon averages over 1,800 fatal and serious injury crashes each year
- » Fatal crashes have increased since 2015, and vulnerable user deaths are highest in 27 years
- » All Roads Transportation Safety program uses a data-driven approach to reduce fatalities and serious injuries for all users on all public roads

*Transportation safety vision: No deaths or life-changing injuries on Oregon's transportation system by 2035.*



# Active Transportation

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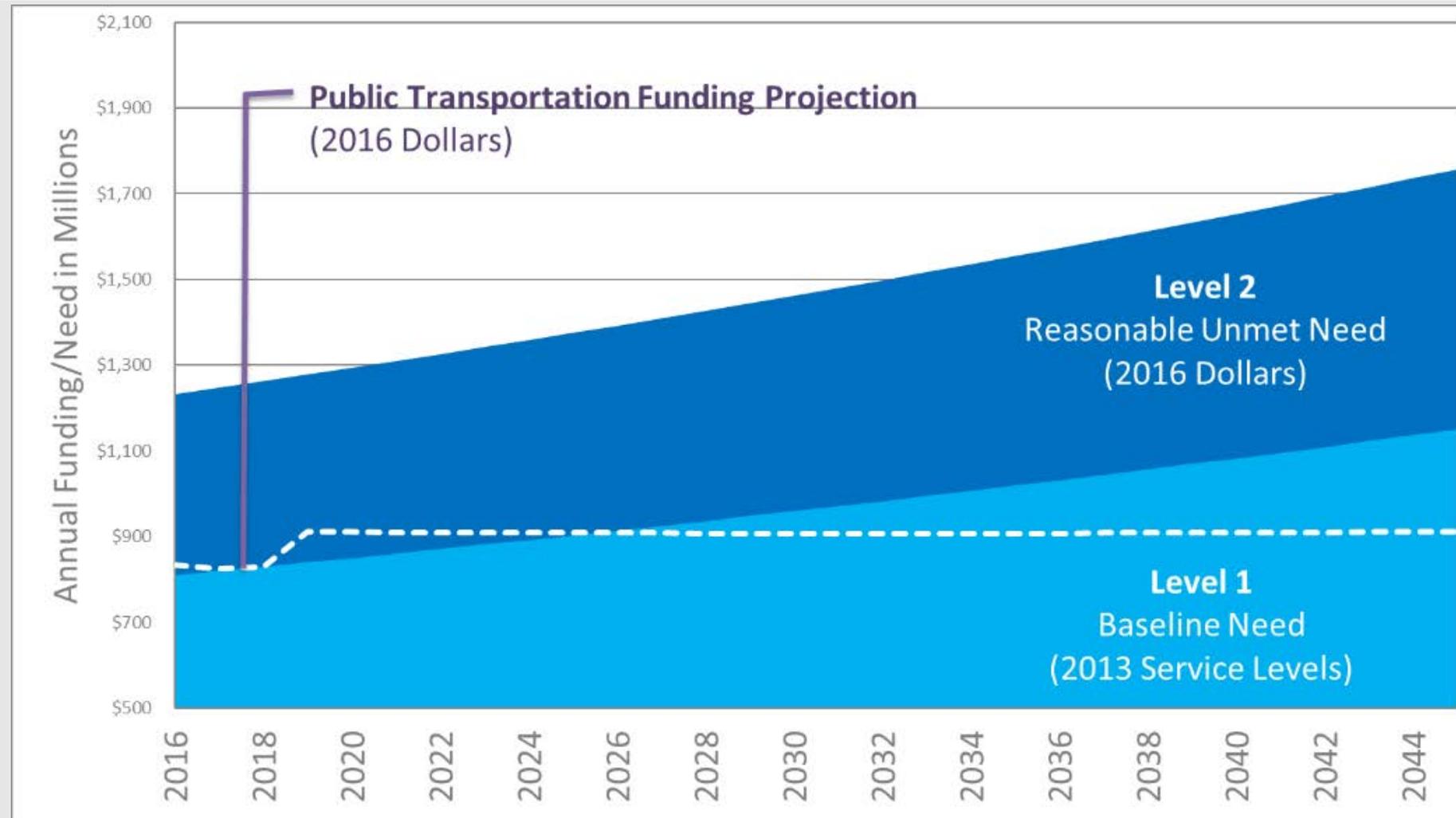
- » 164 years to complete the state system with current funding
- » \$53m/year needed to complete basic network on state highways by 2050
- » Safe Routes to School competitive grant program applications for projects totaling 5 times available funds



# Public Transportation

Creation of the Statewide Transportation Improvement Fund met only a portion of the need

Source: Oregon Public Transportation Plan



# Multimodal Freight: Connect Oregon

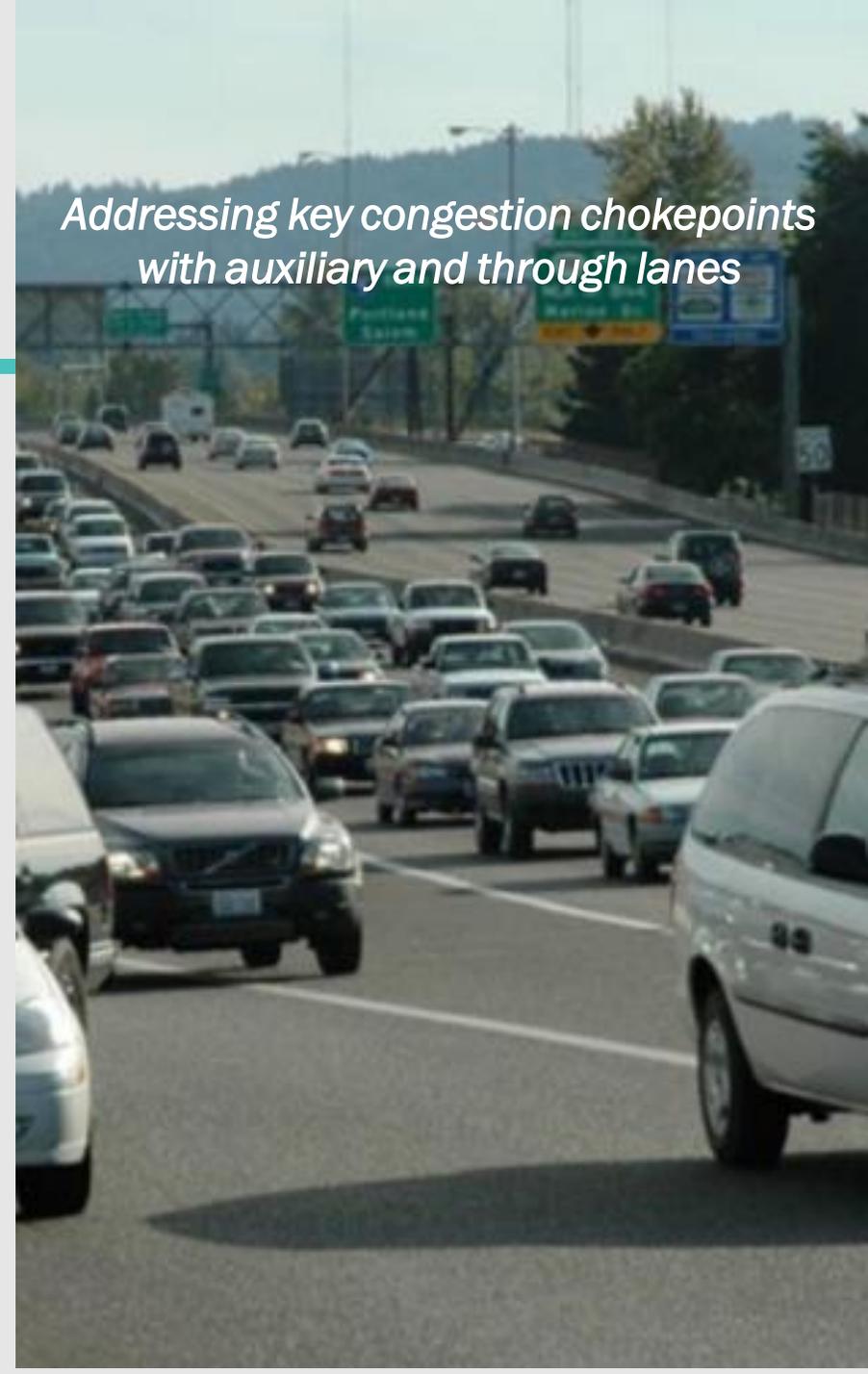
- Rail and marine projects have limited funding sources
- Connect Oregon's dedicated funding of \$11m/year is a fraction of the \$35m/year average from 2006-2017



# Modernization

- Congestion growing in Portland and other metro areas of state due to population and economic growth
- Most modernization projects come from legislative earmarks; very little discretionary money in recent STIPs

*Addressing key congestion chokepoints with auxiliary and through lanes*





# STIP Development

# What is a STIP?

Capital Program Funds  
Federal and State Funds

State-Funded  
Multimodal  
Grant  
Programs

Maintaining  
and Operating  
the System

Revenue/  
Program/  
Administrative  
Functions



# STIP Phases



**Funding Allocation**  
2020



**Project Selection**  
2021-2022

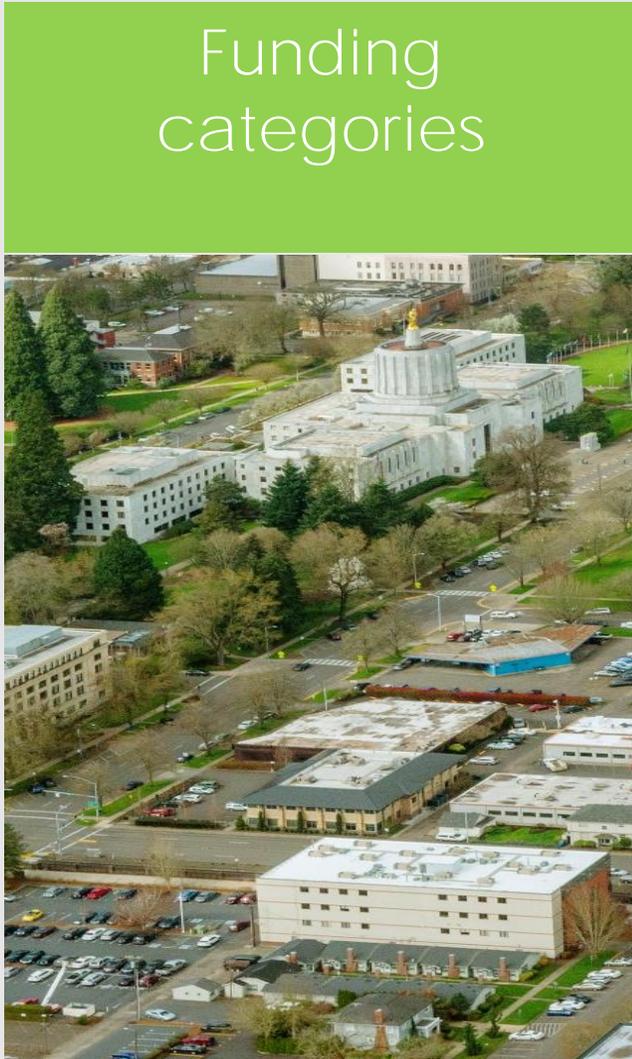


**Public Review/Approval**  
2023

# OTC Timeline for Funding Allocation

July 2020

Funding categories



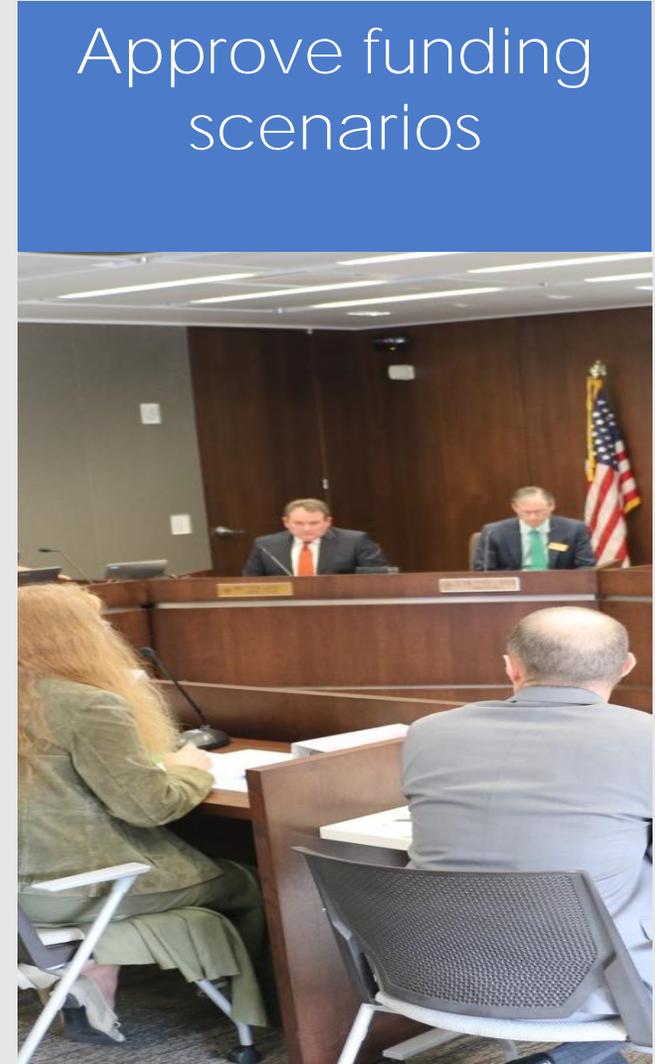
August to  
November 2020

Develop and  
review funding  
scenarios



December 2020

Approve funding  
scenarios



# 2024 – 2027 Program Funding Categories

## Enhance Highway

Highway projects that expand or enhance the transportation system

## Fix-it

Projects that maintain or fix the state highway system

## Safety

Projects focused on reducing fatal and serious injury crashes on Oregon's roads

## Non-Highway

Bicycle, pedestrian, public transportation and transportation options projects & programs

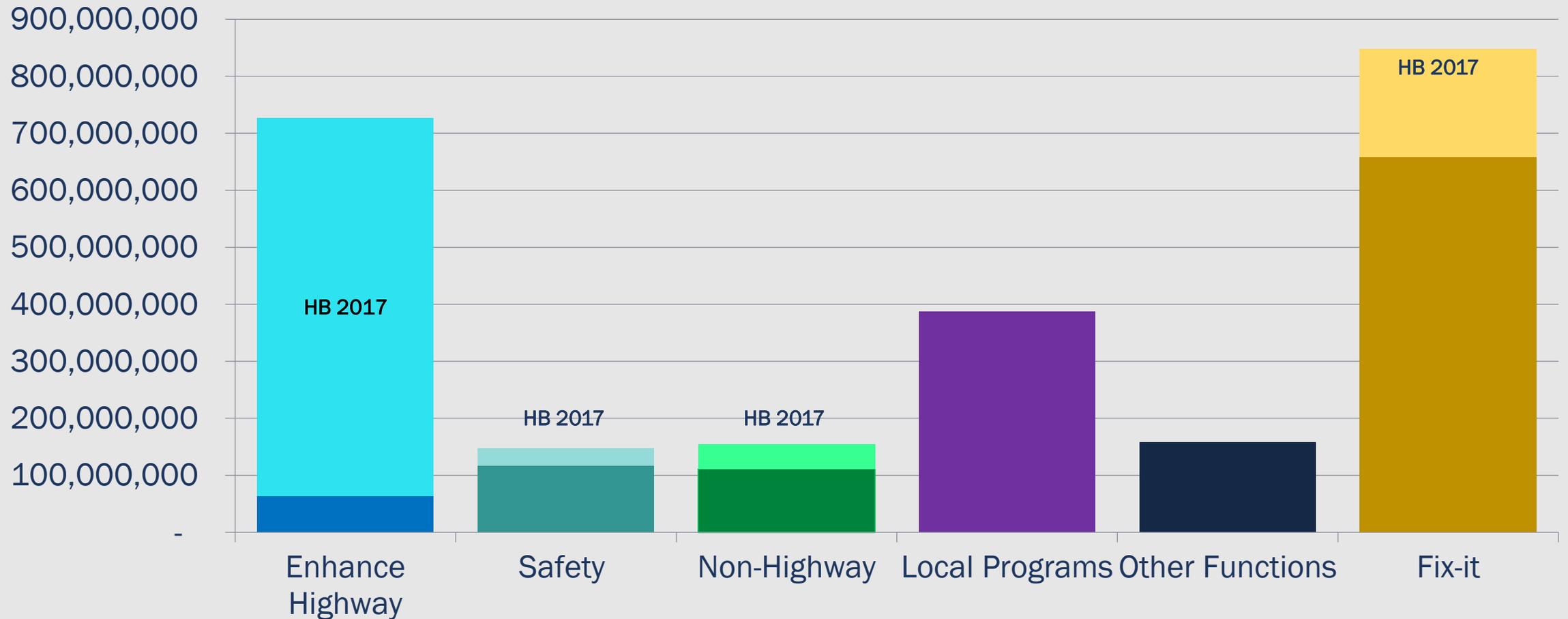
## Local Programs

Funding to local governments for priority projects

## Other Functions

Workforce development, planning and data collection and administrative programs using federal resources

# 2021 - 2024 STIP Levels



# 2024 – 2027 Public and Stakeholder Engagement

- Advisory committee engagement
- Monthly public updates
- Survey on spending priorities
- Online open house on funding scenarios
- Ongoing public comment opportunities



# Applying a Climate Lens to STIP Decisions

DESIRED OUTCOMES   EVALUATION CRITERIA	STATUS QUID	OPTION 1: PRESERVATION & SAFETY FOCUS	OPTION 2: CONGESTION RELIEF FOCUS	OPTION 3: TRANSPORTATION OPTIONS FOCUS
» <b>System Stewardship:</b> asset management – meet performance targets re: bridge, pavement and other transportation infrastructure conditions	●	●	●	●
» <b>Safety:</b> The transportation system is safe and secure for users across all modes. Includes design and engineering, education, enforcement, and evaluation, but also emergency response, disaster resilience, operational security, and perception of security.	●	●	●	●
» <b>Health:</b> Transportation infrastructure and choices have a positive impact on personal and public health, such as increased physical activity associated with walking or biking, or the impact of decreased vehicle pollutants on chronic disease. The desired health outcomes would also include increased access to medical services.	●	●	●	●
» <b>Access &amp; Mobility:</b> Transportation users are able to travel between destinations with relative ease. Ease of movement is achieved by keeping the system free of impediments, less congested, and more reliable. The system provides the opportunity for people to connect to important destinations such as jobs, housing, education, services, and social and recreational opportunities or other modes of transportation via the transportation network.	●	●	●	●
» <b>Equity:</b> Transportation system provides opportunities and choices for people of all ages, abilities, and incomes in urban, suburban, and rural areas across the state to reach their destinations and to access transportation options, assuring transportation disadvantaged populations are served. It is also about guiding ODOT's interactions with the public and stakeholders to ensure a meaningful two-way dialogue to inform decisions. Includes Title VI and Environmental Justice	●	●	●	●



## Stage 1

Inform the development of program funding scenarios

## Stage 2

Inform the identification and selection of projects

## Stage 3

Account for and report on the climate impacts of the draft and final STIP

# OTC/ODOT Strategic Action Plan Priorities



## Equity

*Prioritize diversity, equity, and inclusion by identifying and addressing systemic barriers to ensure all Oregonians benefit from transportation services and investments.*



## Modern Transportation System

*Build, maintain, and operate a modern, multimodal transportation system to serve all Oregonians, address climate change, and help Oregon communities and economies thrive.*



## Sufficient and Reliable Funding

*Seek sufficient and reliable funding to support a modern transportation system and a fiscally sound ODOT.*



# Modern Transportation System

*Build, maintain, and operate a modern, multimodal transportation system to serve all Oregonians, address climate change, and help Oregon communities and economies thrive.*

- **Preservation and Stewardship:** Preserve, maintain, and operate Oregon's multimodal transportation system and achieve a cleaner environment.
- **Safety:** Prevent traffic fatalities and serious injuries and ensure the safety of system users and transportation workers.
- **Accessibility, Mobility and Climate Change:** Provide greater transportation access and a broader range of mobility options for Oregonians and address climate change.
- **Congestion Relief:** Invest in a comprehensive congestion management strategy for the Portland metropolitan region to benefit all Oregonians. Implement system and operational innovations to reduce traffic congestion throughout Oregon.
- **Project Delivery:** Develop practical solutions to transportation problems in order to address community needs and ensure system reliability and resiliency.
- **Innovative Technologies:** Invest in and integrate technologies to improve transportation services and operations throughout Oregon.

# Questions for Advisory Committees

## To Inform OTC Discussion in September

- What are the highest priority transportation needs for funding statewide, and how should the OTC allocate funding between modes of transportation and categories of funding to meet the state's goals?
- How should the OTC allocate funding among Fix-It, Safety, and Highway Enhance programs to meet statewide goals and needs?
- How should the OTC target non-highway spending to address statewide goals and needs?
- Given that transportation system needs exceed available funding, how would you recommend the OTC make tradeoffs when deciding how to allocate limited funding?



A worker in a red safety suit and hard hat is positioned on a blue lift bucket, working on a steel bridge structure. The background is a dense forest of green trees. The scene is overlaid with a semi-transparent blue filter.

# Discussion