

**Gutierrez, Avelino A., PRC**

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**From:** Gutierrez, Avelino A., PRC  
**Sent:** Wednesday, April 10, 2013 3:49 PM  
**To:** 'Adam Anderson'; 'Angel Oliver'; 'Bill Bronrott'; 'Dave Lazarides'; 'Gene Eckhardt'; 'Jay Gingerich'; 'Jose Rodriguez'; 'Kiyana Chisley'; 'Lee (Woody) Chambers'; 'Mike Hoeme'; 'Neal Murphy'; 'Richard P. Schweitzer'; 'Rick Wood'; 'Robert A. Voltmann'; 'Robert Pitcher'; 'Sandy Bowling'; 'Scott Morris'; 'William Quade'  
**Subject:** Recommended fees for the 2014 UCR registration year  
**Attachments:** legal.sharp@state.nm.us\_20130410\_143720.pdf

UCR Board Members--

Attached please find a scanned copy of the letter mailed today relative to Board recommended fees for the 2014 UCR registration year. Thank you.

--Avelino

Avelino A. Gutierrez

Staff Counsel/Legal Division

New Mexico Public Regulation Commission

(505) 827-4565

# Unified Carrier Registration Agreement

*UCR Board*

*Avelino Gutierrez, Chair*

*Robert Pitcher, Vice-Chair*

April 10, 2013

The Honorable Ray LaHood  
Secretary  
United States Department of Transportation  
1200 New Jersey Ave., S.E.  
Washington, D.C. 20590

SENT VIA FACSIMILE,  
(202) 366-3224, AND  
REGULAR, FIRST CLASS,  
POSTAGE PREPAID MAIL

Dear Secretary LaHood:

Under federal law, the Board of Directors of the Unified Carrier Registration Plan ("Board") is required to recommend to you the level of fees to be assessed in any agreement year.<sup>1</sup> On December 6, 2012, the Board voted<sup>2</sup> to recommend that fees and fee brackets for the 2014 registration year be kept at the same levels as previously set for the 2010, 2011, 2012, and 2013 registration years. In its rulemaking establishing registration fees and a fee bracket structure for the UCR Agreement<sup>3</sup> for the 2010 registration year beginning January 1, 2010,<sup>4</sup> the Federal Motor Carrier Safety Administration ("FMCSA") stated that the federal regulation establishing such fees<sup>5</sup> provides that the fees established by the 2010 rulemaking are applicable for each registration year until a subsequent adjustment in the fees becomes effective.<sup>6</sup> By this letter, the Board desires to make known that it does not want a change in 2010 registration year fees and fee brackets for the 2014 registration year.

Because the Board understands that FMCSA has requested that for each registration year the Board submit a calculation of State and total revenue entitlements, attached please find a table detailing entitlements for 2014. Please note that the entitlement figures for 2014 are the same as those for 2013, 2012, 2011, and 2010. This reflects the Board's belief, without knowing for certain, that no additional participating UCR states will withdraw their state plan for 2013.<sup>7</sup> Although the State of Texas has previously informed the Board that it may ask the Board and FMCSA to increase its entitlement amount, to-date the State of Texas has not made a formal request for such an

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<sup>1</sup> 49 U.S.C. § 14504a(d)(7)(A).

<sup>2</sup> The Board's vote was 10 for, 0 against, 1 abstention, 4 absent

<sup>3</sup> Under 49 U.S.C. § 14504a(a)(8) the terms "unified carrier registration agreement" and "UCR agreement" mean the interstate agreement developed under the unified carrier registration plan governing the collection and distribution of registration and financial responsibility information provided and fees paid by motor carriers, motor private carriers, brokers, freight forwarders, and leasing companies.

<sup>4</sup> 75 FR 21993 (2010).

<sup>5</sup> 49 CFR § 367.20.

<sup>6</sup> 75 FR 22010 (2010).

<sup>7</sup> 49 U.S.C. § 14504a(e)(3) provides that a state may withdraw from the unified carrier registration agreement by withdrawing its state plan.

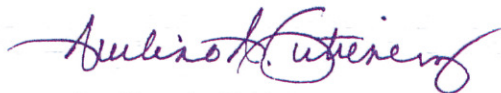
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APRIL 10, 2013  
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increase. Even if such a request is made, and the Board and FMCSA approve the entitlement increase requested by Texas, the Board believes that the total collected for the 2014 registration year could reasonably be expected to not significantly affect the ability to reach the total revenue entitlement amount, including the additional amount requested by Texas.

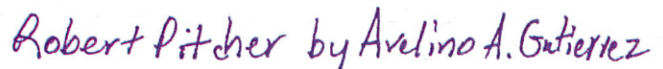
Please note that the \$5,000,000 figure for administrative expenses has not changed because the Board has yet to realize any money for administrative expenses owing to: (1) the language of 49 U.S.C. § 14504a(h)(3)(B) that states that administrative costs are paid only after all states have been paid their revenue entitlements; and, (2) the fact that for the first six registration years, and for most of the seventh, total UCR collections have fallen short of state revenue entitlements.

If you have any questions regarding the Board's recommendation, please contact us. Thank you for your attention to this matter.

Sincerely,



Avelino A. Gutierrez  
Chair, Board of Directors  
Unified Carrier Registration Plan



Robert Pitcher  
Vice-Chair, Board of Directors  
Unified Carrier Registration Plan

cc: Unified Carrier Registration Plan Board of Directors  
Anne S. Ferro, Administrator, FMCSA  
Bill Bronrott, Deputy Administrator, FMCSA  
Jose M. Rodriguez, Transportation Specialist, FMCSA  
Frederic L. Wood, Office of Chief Counsel, FMCSA

State UCR Revenue Entitlements and Final 2014 Revenue Target

State	Total 2014 UCR revenue entitlements
Alabama.....	\$2,939,964.00
Arkansas.....	1,817,360.00
California.....	2,131,710.00
Colorado.....	1,801,615.00
Connecticut.....	3,129,840.00
Georgia.....	2,660,060.00
Idaho.....	547,696.68
Illinois.....	3,516,993.00
Indiana.....	2,364,879.00
Iowa.....	474,742.00
Kansas.....	4,344,290.00
Kentucky.....	5,365,980.00
Louisiana.....	4,063,836.00
Maine.....	1,555,672.00
Massachusetts.....	2,282,887.00
Michigan.....	7,520,717.00
Minnesota.....	1,137,132.30
Missouri.....	2,342,000.00
Mississippi.....	4,322,100.00
Montana.....	1,049,063.00
Nebraska.....	741,974.00
New Hampshire.....	2,273,299.00
New Mexico.....	3,292,233.00
New York.....	4,414,538.00
North Carolina.....	372,007.00
North Dakota.....	2,010,434.00
Ohio.....	4,813,877.74
Oklahoma.....	2,457,796.00
Pennsylvania.....	4,945,527.00
Rhode Island.....	2,285,486.00
South Carolina.....	2,420,120.00
South Dakota.....	855,623.00
Tennessee.....	4,759,329.00
Texas.....	2,718,628.06
Utah.....	2,098,408.00
Virginia.....	4,852,865.00
Washington.....	2,467,971.00
West Virginia.....	1,431,727.03
Wisconsin.....	2,196,680.00
Sub-Total.....	106,777,059.81
Alaska.....	500,000
Delaware.....	500,000
Total State Revenue Entitlement.....	107,777,060
Administrative Expenses.....	5,000,000
Total 2014 Revenue Target.....	112,777,060