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Sent: Wednesday, May 14, 2014 10:13 AM
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Subject: UCR provision in GROW AMERICA Act

Dear Avelino:

I wanted to inform you and the other members of the UCR board that the Administration's new proposal to reauthorize federal surface transportation programs (the GROW AMERICA Act) includes provisions that would change the relationship between the U.S. Department of Transportation (DOT) and the Unified Carrier Registration Plan and Agreement.

Section 5502 of the GROW AMERICA Act would amend section 14504a of title 49, United States Code, to restructure and limit DOT's participation in the administration of the UCR Plan and Agreement. This amendment would require the Plan to be operated as a not-for-profit corporation and would clarify that the UCR is not a department, agency or instrumentality of the United States Government.

This proposal would remove the requirement that a representative from DOT be a member of the UCR board and would shift the authority to appoint new members of the board, including the authority to appoint the chairman and the vice chairman, from the Secretary of Transportation to the existing board members. To fill the vacancy left by the representative from DOT, the amendment would require the board to appoint a sixth board member representing the passenger transportation industry.

This section would also extend the UCR board's existing contracting authority so that it may enter into contracts with the United States Government to perform administrative functions required under the UCR agreement. This section would remove the Secretary's authority to set or adjust the annual registration fees and would grant this authority to the board. It would also remove the Secretary's role in administering amended State plans or withdrawals from the UCR plan and grants full responsibility to the board. The amendment would retain the current Federal Advisory Committee Act exemption for the UCR Plan and clarify that it is not subject to the Administrative Procedure Act.

The amendment would permit the board to use revenues for administrative costs prior to collecting the total amount of revenue entitlements of the participating States, but would mandate that the board audit the use of administrative fees once every two years. Finally, the amendments would remove the Secretary's and the Attorney General's role in enforcement.

I will be available to take questions on this matter at the UCR board meeting tomorrow, as well as at the meeting in Seattle that I plan to attend. In the meantime, board members can visit the DOT website for a section-by-section analysis of the GROW AMERICA Act, including SEC. 5502 – UNIFIED CARRIER REGISTRATION PLAN that can be found on Page 48 (<http://www.dot.gov/grow-america/sectional-analysis>).

Sincere best wishes,

Bill

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