NEW MEXICO PUBLIC REGULATION COMMISSION



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October 22, 2007

The Honorable Mary E. Peters
Secretary, United States Department of Transportation
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 Peters:

Thank you for your continuing participation in the Uniform Carrier Registration process. On behalf of the Board of Directors of the Unified Carrier Registration Plan ("Board") enclosed please find the Board's recommended fees and fee brackets for calendar year 2008 as required under the Unified Carrier Registration Act of 2005 ("UCR Act"). The Board is making its recommendation for 2008 based on two provisions of the UCR Act.

The first fee recommendation provision of the UCR Act states,

The [B]oard shall recommend to the Secretary the initial annual fees to be assessed carriers, leasing companies, brokers, and freight forwarders under the unified carrier registration agreement. In making its recommendation to the Secretary for the level of fees to be assessed in *any* agreement year, and in setting the fee level, the [B]oard and the Secretary shall consider...²

The second fee recommendation provision of the UCR Act states, "[T]he unified carrier registration agreement shall provide the following: . . .[t]he fees shall be determined by the Secretary based upon the recommendation of the [B]oard under subsection (d)(7)."

¹ 49 U.S.C. § 14504a et seq. [Emphasis added].

² 49 U.S.C. § 14504a(d)(7)(A) ³ 49 U.S.C. § 14504a(f)(1)(B).

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That subsection, 49 U.S.C. § 14504a(d)(7), states,

The Secretary shall set the initial annual fees for the next agreement year and any subsequent adjustment of those fees—

(i)within 90 days after receiving the [B]oard's recommendation under subparagraph (A); and

(ii) after notice and opportunity for public comment.4

The Board stands ready and willing to assist you in setting a fee structure for 2008 as soon as possible, acknowledging the statutorily required notice and comment period referenced above, in order to minimize confusion to all parties and loss of revenue to the States caused by a gap between registration years. To that end, enclosed please find "Report of the Revenues and Fees Subcommittee-Recommended 2008 Fee Structure Discussion" including Appendices AAA and BBB (a total of 6 pages), and "Report of the Revenues and Fees Subcommittee-Recommended Fee Structure Discussion" (dated March 23, 2007, and a total of 59 pages including Appendices).

Although the Board in making its 2008 fee recommendation is required to consider, among other things, revenues generated in the previous year and any surplus or shortage from that or prior years to enable participating States to achieve the revenue levels set by the Board, the Board believes it is still too early to ascertain whether the revenues collected in 2007 will equal or approximate the total revenue level recommended by the Board and adopted by the Federal Motor Carrier Safety Administration in its August 24, 2007, final rule establishing initial fees and a fee bracket structure for 2007 for the Unified Carrier Registration Agreement. Principally for that reason, the Board believes that it is reasonable and prudent to leave the fee bracket structure unchanged for 2008.

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

^{4 49} U.S.C. § 14504a(d)(7)(B) [Emphasis added].

⁵ 49 U.S.C. § 14504a(d)(7)(A)(ii). ⁶ 72 Fed. Reg. 48585 (2007)

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Sincerely,

Averso to Esquaeno Avelino A. Gutierrez

Chair, Board of Directors

Unified Carrier Registration Plan

Robert Pitcher by Avelino A. Gutiervez

Robert Pitcher

Vice-Chair, Board of Directors

Unified Carrier Registration Plan

cc:

John H. Hill, Administrator, FMCSA

David H. Hugel, Deputy Administrator, FMCSA

Unified Carrier Registration Plan Board of Directors

On August 30, 2007, the Unified Carrier Registration Board of Directors accepted the recommendation of the Revenues and Fees Subcommittee and approved the fee structure outlined in Proposal A-2 (Appendix AAA) for the 2008 UCR registration year.

To summarize, the Revenue and Fees Subcommittee used the same methodology for the 2008 fee structure as was used to arrive at the fee structure for 2007 (attachment).

Until the states have a full year of experience registering carriers in the UCR Program, it was decided that the identical universe of carriers would be used to set the fees for 2008, as well as the same bracket structure.

In addition, the equilibrium methodology was again used for the 2008 fee structure in that with the fees ranging from \$43 for bracket one up to \$42,292 for bracket six, no company would pay more than \$43 per commercial motor vehicle (CMV) and the most companies would pay in the highest bracket would be \$42.25 per CMV. The most paid per CMV decreases slightly moving from bracket one through to bracket six.

Five million dollars has again been set aside for administrative expenses in 2008, due to the fact that states have only collected 20% of 2007 UCR entitlement dollars and the likelihood of collecting \$5 million for administrative expenses in 2007 becomes more unlikely each day.

A new .5% Reserve (\$592,883) has been added to arrive at a new 2008 entitlement figure of \$119,169,482.

SSRS Revenue	\$92,466,875
UCR Admin/Operations	\$5,000,000
Intrastate Revenue	\$16,109,724
Non-SSRS State Allocation	\$5,000,000
Revenue Target	\$118,576,599
New Reserve Revenue (.5%)	\$592,883
TOTAL	\$119,169,482

The differences for the recommended fees for registration year 2008 versus 2007 are as follows:

- 1. The recommended fee structure sets an entitlement figure for total state participation except for Oregon who has officially opted out of the UCR Program. A total of \$5 million has been set aside for the remaining 10 non-participating states that have until Mid-August of 2008 to join the UCR program (Delaware, Florida, Vermont, New Jersey, Nevada, Wyoming, Maryland, Alaska, Hawaii and Arizona).
- 2. The \$108,576,599 figure noted in Appendix AAA, takes into account all entitlement dollars for the states participating in UCR for 2007 as well as monies for North Carolina, California, Missouri, Minnesota and Pennsylvania who have all submitted UCR Plans to participate in the UCR Program going forward.
- 3. The 2008 entitlement figure for Colorado has been reduced by \$15,600, because it will no longer factor in the 2004 renewal fees for intrastate household goods carrier registrations that were charged to interstate motor carriers.

The UCR Board did consider an alternative fee structure for 2008; Proposal B-2 (Appendix BBB) which used the same methodology as A-2; however, no monies were set aside for the ten states that have yet to submit a plan for UCR participation in 2008.

The Board rejected this proposal because if non-participating states decided to join the program after the fees had been set for 2008, their participation in 2008 would be problematic if entitlement dollars had not been accounted for in the calculations of 2008 fees. The 2008 fees have been calculated to account for total participation; therefore, the likelihood of a shortfall based upon all states participating has been diminished.

It should be noted that after the UCR Board had voted to recommend the fee structure outlined in Proposal A-2 (Appendix AAA); California modified its entitlement figure based on 2004 SSRS revenue figures and renewal fees to \$2,131,710. This represents an increase of \$129,445 over the \$2,002,265 figure earlier provided by California and used to arrive at a total entitlement figure of \$119,169,482 for 2008. It was decided not to modify the fee structure to account for the increase because a reserve factor of \$592,883 had been set aside to account for issues such as this.

2008 State Entitlements Pursuant To the UCR Program Proposal A-2

39 Participating States - Entitlement 10 Non-Participating States - (\$500,000 per State) Administrative Expenses Reserve Factor (.5%)	\$ 5,0	76,599 00,000 00,000 <u>92,883</u>
2008 Target Revenue Amount	\$119,1	69,482
Revenue Generated at 100% Collection Rate	\$119,1	69,808
Surplus	\$	326

Fee Brackets

л	O14) /m	Co	mpanies	Αı	djustment Col	umns	Fe	e Per		(Cost Pe		
# From	CMVs To	No.	%	100%=	Companies	% of	C	ompany	Revenue	Mir	nimum	Ma	ximum
FIOIN	10	110.	, "	Normal	•	Total			=		04.50	<u> </u>	43.00
	2	182,782	50.0%	100%	182,782	50.07%	\$	43_	\$ 7,859,626	\$	21.50	_ _	
			20.0%	100%	72,910	19.97%	\$	128	\$ 9,332,480	\$	25.60	\$	42.67
3	5	72,910				20.03%	4	255	\$ 18,648,150	\$	12.75	\$	42.60
6	20	73,130	20.0%	100%	73,130	1	-				8.88	4	42.29
21	100	27,946	7.7%	100%	27,946	7.65%	\$	888	\$ 24,816,048	<u> </u>			
	<u></u>	7,695	2.1%	100%	7,695	2.11%	\$	4,268	\$ 32,842,260	\$	4.27	\$	42.26
101	1000					.17%	•	42,292	\$ 25,671,244	\$	0.40	\$	42.25
1001	106,771	809	0.2%	75%			Ψ.	72,202		 			
		365,272	100.0%		365,070	100.0%	<u></u>		\$119,169,808	l			

2008 Entitlements

State	SSRS Revenue	Exempt Registrations	Renewable Interstate For-Hire Operating Intrastate	Renewable Interstate Private Operating Intrastate	Broker Registrations	Single Trip Interstate	Total Recorded Revenue
Alabama	2,933,718.00	6,246.00	0.00	0.00	0.00	0.00	\$2,939,964.0
Arkansas	1,817,360.00				0.00	0.00	\$1,817,360.0
California	1,091,464.00		910,801.00				\$2,002,265.0
Colorado	1,783,985.00	17,630.00	-	0.00	0.00	0.00	\$1,801,615.0
Connecticut	3,129,840.00	0.00	0.00	0.00	0.00	0.00	\$3,129,840.0
Georgia	2,581,560.00	78,500.00			0.00	0.00	\$2,660,060.0
Idaho	547,696.68	0.00	0.00	0.00	0.00	0.00	\$547,696.6
Illinois	3,083,064.00	58,264.00	373,940.00		1,725.00	0.00	\$3,516,993.0
Indiana	2,264,863.00	0.00	100,016.00		1,1 20.00		
lowa	432,042.00	42,700.00	0.00				\$2,364,879.0
Kansas	3,948,680.00	14,290.00	0.00	381,320.00	0.00	0.00	\$474,742.0
Kentucky	5,348,980.00	17,000.00		001,020.00	0.00	0.00	\$4,344,290.0
Louisiana	5,795,694.00	197,126.00	0.00	0.00	0.00	0.00	\$5,385,980.00
Maine	1,550,096.00	5,576.00	5.50	0.00	0.00	0.00	\$5,992,820.00
Massachusetts	2,053,714.00	2,550.00	226,623.00	0.00	0.00	0.00	\$1,555,672.00
Michigan	2,631,247.00	9,710.00	4,879,760.00	0.00	0.00	0.00	\$2,282,887.00
Minnesota	1,061,103.30	18,354.00	57,675.00				\$7,520,717.00
Vissouri	2,323,370.00	11,810.00	6,820.00				\$1,137,132.30
Vississippi	4,322,100.00	,	0,020.00				\$2,342,000.00
Viontana	1,049,063.00						\$4,322,100.00
Vebraska	635,970.00	106,004.00	0.00	0.00	0.00	0.00	\$1,049,063.00
New Hampshire	2,273,299.00	0.00	0.00	0.00	0.00	0.00	\$741,974.00
New Mexico	3,292,233.00	0.00	0.00	0.00		0.00	\$2,273,299.00
lew York	4,414,538.00	0.00	0.00	0.00	0.00	0.00	\$3,292,233.00
lorth Carolina	350,438.00	21,569.00	0.00	0.00	0.00	0.00	\$4,414,538.00
lorth Dakota	2,010,434.00	0.00	0.00	0.00	0.00		\$372,007.00
Ohio	2,675,367,74	5,580.00	2,132,930.00	0.00	0.00	0.00	\$2,010,434.00
klahoma	2,122,052.00	4,977.00	330,767.00	0.00	0.00		\$4,813,877.74
ennsylvania	1.00	4,011.00	4,945,526.00	0.00	0.00	0.00	\$2,457,796.00
hode Island	2,144,217.00	1,769.00	139,500.00	0.00			4,945,527.00
outh Carolina	2,411,345.00	8,775.00	139,500.00	0.00	0.00	0.00	\$2,285,486.00
outh Dakota	805,167.00	14,816.00	0.00	0.00			\$2,420,120.00
ennessee	4,734,977.00	24,352.00	0.00	0.00	0.00	35,640.00	\$855,623.00
exas	2,132,501.06	0.00	E96 437 00				\$4,759,329.00
tah	1,861,454.00	0.00	586,127.00	0.00	0.00	0.00	\$2,718,628.06
irginia	4,852,865.00	0.00	0.00	236,954.00	0.00	0.00	\$2,098,408.00
/ashington	2,428,900.00	29 474 00	0.00				4,852,865.00
/est Virginia	1,374,796.00	38,471.00	0.00	0.00	600.00	0.00	\$2,467,971.00
isconsin	2,196,680.00		56,931.03				\$1,431,727.03
Total		700 000 00				·	\$2,196,680.00
i Otal	92,466,874.78 Admin \$\$	706,069.00	14,747,416.03	618,274.00	2,325.00	35,640.00	\$108,576,599 \$5,000,000
		States					\$5,000,000
	Sub-Total						\$118,576,599
	Reserve .5%						\$592,883
	Total 2008	Entitlements					\$119,169,482

2008 State Entitlements Pursuant To the UCR Program Proposal B-2

39 Participating States - Entitlement Administrative Expenses Reserve Factor (.5%)	\$108,576 \$ 5,000 \$ 567	•
2008 Target Revenue Amount	\$114,114	,482
Revenue Generated at 100% Collection Rate	\$114,144	,608
Surplus	\$	126

Fee Brackets

#	CMVs	Co	mpanies	Ad	djustment Coli	umns	Fe	e Per		Cost P	er CMV
From	To	No.	%	100%=	Companies	% of	Co	ompany	Revenue	Minimum	Maximum
				Normal		Total			404.000	<u> </u>	e 44.00
n	2	182,782	50.0%	100%	182,782	50.07%	\$	41	\$ 7,494,062	\$ 20.50	\$ 41.00
- 3	5	72,910	20.0%	100%	72,910	19.97%	\$	122	\$ 8,895,020	\$ 24.40	\$ 40.67
6	20	73,130	20.0%	100%	73,130	20.03%	\$	244	\$ 17,843,720	\$ 12.20	\$ 40.67
			7.7%	100%	27,946	7.65%	S	853	\$ 23,837,938	\$ 8.53	\$ 40.62
21	100	27,946	L	1	7,695	2.11%	\$	4.092	\$ 31,487,940	\$ 4.09	\$ 40.51
101	1000	7,695	2.1%	100%	<u> </u>		+		\$ 24,585,928		\$ 40.46
1001	106,771	809	0.2%	75%		.17%	P	40,504		ψ 0.50	ψ 40.40
		365,272	100.0%		365,070	100.0%	<u>L</u>		\$114,144,608	<u> </u>	

2008 Entitlements

State	SSRS Revenue	Exempt Registrations	Renewable Interstate For-Hire Operating Intrastate	Renewable Interstate Private Operating Intrastate	Broker Registrations	Single Trip Interstate	Total Recorded Revenue
Alabama	2,933,718.00	6,246.00	0.00	0.00	0.00	0.00	\$2,020,004
Arkansas	1,817,360.00				0.00	0.00	·,,
California	1,091,464.00		910,801.00				\$1,817,360.0
Colorado	1,783,985.00	17,630.00		0.00	0.00	0.00	\$2,002,265.0
Connecticut	3,129,840.00	0.00	0.00	0.00	0.00	0.00	, ., ,
Georgia	2,581,560.00	78,500.00			0.00	0.00	\$3,129,840.0 \$2,660,060.0
ldaho	547,696.68	0.00	0.00	0.00	0.00	0.00	
Illinois	3,083,064.00	58,264.00	373,940.00		1,725.00	0.00	\$547,696.6
Indiana	2,264,863.00	0.00	100,016.00		·,·		\$3,516,993.0
lowa	432,042.00	42,700.00	0.00				\$2,364,879.0
Kansas	3,948,680.00	14,290.00	0.00	381,320.00	0.00	0.00	\$474,742.0
Kentucky	5,348,980.00	17,000.00		,	0.00	0.00	\$4,344,290.0
Louisiana	5,795,694.00	197,126.00	0.00	0.00	0.00	0.00	\$5,365,980.0
Maine	1,550,096.00	5,576.00		0.00	0.00	0.00	\$5,992,820.0
Massachusetts	2,053,714.00	2,550.00	226,623.00	0.00	0.00	0.00	\$1,555,672.0
Michigan	2,631,247.00	9,710.00	4,879,760.00	0.00	0.00	0.00	\$2,282,887.0
Minnesota	1,061,103.30	18,354.00	57,675.00				\$7,520,717.0
Missouri	2,323,370.00	11,810.00	6,820.00				\$1,137,132.3
Mississippi	4,322,100.00	,	0,020.00				\$2,342,000.0
Montana	1,049,063.00						\$4,322,100.00
Vebraska	635,970,00	106,004.00	0.00	0.00			\$1,049,063.00
New Hampshire	2,273,299.00	0.00		0.00	0.00	0.00	\$741,974.00
New Mexico	3,292,233.00	0.00	0.00	0.00	0.00	0.00	\$2,273,299.00
lew York	4,414,538.00	0.00	0.00	0.00	0.00	0.00	\$3,292,233.00
North Carolina	350,438.00	21,569.00	0.00	0.00	0.00	0.00	\$4,414,538.00
Vorth Dakota	2,010,434.00	0.00	0.00				\$372,007.00
Ohio	2,675,367.74	5,580.00	0.00	0.00	0.00	0.00	\$2,010,434.00
klahoma	2,122,052.00	3,360.00 4,977.00	2,132,930.00				\$4,813,877.74
ennsylvania	1.00	4,311.00	330,767.00	0.00	0.00	0.00	\$2,457,796.00
hode Island	2,144,217.00	4 760 00	4,945,526.00				4,945,527.00
outh Carolina	2,411,345.00	1,769.00	139,500.00	0.00	0.00	0.00	\$2,285,486.00
outh Dakota	805,167.00	8,775.00					\$2,420,120.00
ennessee	1	14,816.00	0.00	0.00	0.00	35,640.00	\$855,623.00
exas	4,734,977.00	24,352.00					\$4,759,329.00
tah	2,132,501.06	0.00	586,127.00	0.00	0.00	0.00	\$2,718,628.06
irginia	1,861,454.00	0.00	0.00	236,954.00	0.00	0.00	\$2,098,408.00
/ashington	4,852,865.00	.					4,852,865.00
	2,428,900.00	38,471.00	0.00	0.00	600.00	0.00	\$2,467,971.00
est Virginia	1,374,796.00		56,931.03				\$1,431,727.03
isconsin	2,196,680.00		···				\$2,196,680.00
Total	92,466,874.78	706,069.00	14,747,416.03	618,274.00	2,325.00	35,640.00	\$108,576,599
	Admin \$\$				-		\$5,000,000
	Sub-Total						\$113,576,599
	Reserve .5%						\$567,883
	Total 2008 Entitlements						\$114,114,482

INTRODUCTION

This report supplements the Committee's first report dated December 5, 2006, attached as Appendix AA, and previously forwarded to the U.S. Department of Transportation and Federal Motor Carrier Safety Administration by letter dated, December 6, 2006, from Avelino Gutierrez, UCR Board Chair, and Robert Pitcher, UCR Board Vice-Chair.

Since June, the Revenue and Fee Committee used a fee setting methodology based on "PowerUnits" that companies report in federal databases as follows:

	Line Londonnes of State Transportation Specialists (NCSTS)
June 2006	PowerPoint presented to the National Conference of State Transportation Specialists (NCSTS)
	and first UCR Board Meeting.
October 2006	PowerPoint and recommended fee structures presented to UCR Board at the October Board
	The committee received no diestions of committee received no diestions of committee and
	FMCSA. On October 16, 2006, we provided a copy of this PowerPoint to Shamion wason,
	TA CCC A via a mail at her request
December 5, 2006	"Power Units" analysis and fee recommendation presented to UCR Board at December Board
D000111001 5, 2000	meeting in Chicago.
December 6, 2006	LICE Roard recommends fees to USDOT and FMCSA.
December 27, 2006	EMCS A asked for additional support and justification by undated letter from William Quade.
	to 1 with EMCSA staff regarding questions on proposed methodology.
January 23, 2007	FMCSA staff asked UCR Board for further clarification concerning fees based on using
February 15, 2007	"Power Unit" data only.
	TION Developments to EMCSA
February 22, 2007	FMCSA informs the Board that Towed Units need to be included in order for rulemaking to
February 26, 2007	1
	begin.
March 15, 2007	UCR Board adopted fee structure based on Power Units and Towed Units.
March 23, 2007	UCR Board recommends fees to USDOT and FMCSA.

The Revenue and Fees Subcommittee considered the following variables:

- Participating Jurisdictions
- Revenue Requirement Including Administrative Costs
- Company Population Including problems with data and recommended treatment.
- Company Distribution
- Fee Bracket Structure (4 6 Brackets)
- Fee Structure Comparison to SSRS Fees
- Fee Relationship Between Brackets

PARTICIPATING JURISDICTIONS

Thirty-seven participating jurisdictions. No change from the December 5, 2006, report.

Alabama	Indiana	Michigan	New Mexico	South Carolina	West Virginia
Arkansas	Iowa	Minnesota	New York	South Dakota	Wisconsin
Colorado	Kansas	Missouri	North Dakota	Tennessee	TT IDOURDIN
Connecticut	Kentucky	Mississippi	Ohio	Texas	
Georgia	Louisiana	Montana	Oklahoma	Utah	
Idaho	Maine	Nebraska	Oregon	Virginia	
Illinois	Massachusetts	New Hampshire	Rhode Island	Washington	

REVENUE ENTITLEMENTS

No change in revenue entitlement from December 5, 2006, report.

TOTAL	\$107,306,262
New Reserve Revenue (.5%)	\$533,862
Revenue Target	\$106,772,400
Non-SSRS State Allocation	\$500,000
Intrastate Revenue	\$10,247,428
UCR Admin/Operations	\$5,000,000
SSRS Revenue	\$91,024,972

The subcommittee agreed to add \$533,862 (.5 percent) Reserve Revenue to offset the risk of faulty data introduced by using trailer data, as discussed in detail in the "Company Population" section. Total target revenue increases to \$107,306,262.

COMPANY POPULATION

The company population used in this recommendation is different from the company population considered in the December 5, 2006, report.

	<u>December 5, 2006</u>	March 23, 2007
Company Population	344,964	365,071

At the advice of FMCSA staff, we considered current data for carriers updating their MCS-150 entries. We defined active interstate carriers as those who updated their MCS-150 census file within the past 12 months, had a roadside inspection within the past 12 months or were involved in an accident within the past 12 months. FMCSA staff provided data for carriers that met the criteria for MCS-150 updates, inspections and accidents for the period February 1, 2006, through February 26, 2007, a database of 362,177 companies. We filtered that data to eliminate February 2006 data to fix a 12-month period, resulting in a database of 350,698 companies. We then reviewed the database of freight forwarders and brokers provided from the L & I System and filtered out those entities that resided in the both the MCMIS and L & I System. We added the 14,575 filtered population of freight forwarders and brokers to the motor carrier population, resulting in a new population of 365,273 active interstate companies, freight forwards and brokers for the Revenue and Fees Subcommittee to continue its work in developing a fee bracket structure for the UCR Agreement.

		<u>FLEET</u>
MCMIS Database	Approx.	730,000
Database	**	
	Data (2/1/06 - 2/26/07 - 13 months)	
Filters	Active	
	Interstate Carrier	
	Entity – Carrier or Both	
	Accident Date $> = 02/01/2006$	
	Inspection Date >=02/01/2006	\undersigned
	MCS150 Update >= 02/01/2006	
Revenue &	Fees	
Committee	(Adj. for 12 months)	362,177
Filters	Accident Date $> = 03/01/2006$	
	Inspection Date >= 03/01/2006	(11,479)
	MCS150 Update >= 03/01/2006	350,698
Brokers & Fr. Fwd.	Original FMCSA Estimate 19,000	
	Entities w/ USDOT No. (4,425)	14,575
	TOTAL CARRIERS	365,273

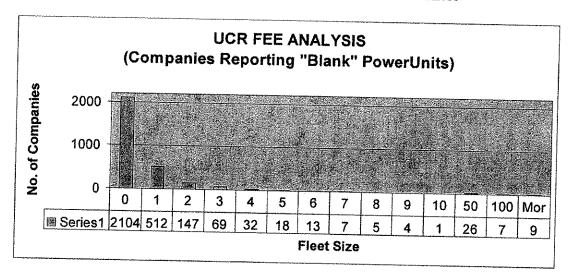
DATA PROBLEMS - MCMIS POWERUNITS

State telephone surveys of carriers registered in the MCMIS database disclosed unreliable data as discussed in detail in the December 5, 2006, report. The Revenue and Fees Subcommittee agreed to use an 85% "Reliability Factor" for Bracket 6 companies to offset the risk of using faulty data.

LEGAL NAME	USDOT#	STATE	# POWER UNITS	# DRIVERS
HAROLD HILL	1063676	WV	81,000	<u> </u>
EDUARDO JUAREZ	1330149	CA	80,000	100
PATCHEN MOTORSPORTS	1360813	MN	75.001	100

"Towed" units are recorded in two additional fields: "TRAILERS" and "HMTANKTRAILERS." Data entered in these fields raise additional questions regarding data reliability.

2,104 Companies Reported "Blank" PowerUnits and "Zero" Trailers

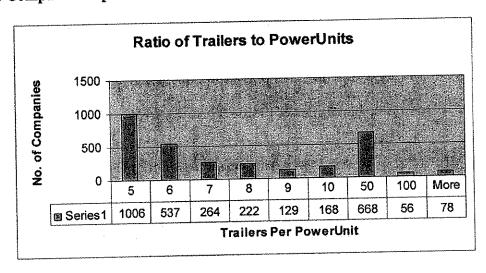


<u>USDOT #</u> 00000431	LEGALNAME AFCO METALS INC	TRAILERS	POWER <u>UNITS</u>	HMTANK TRAILERS	<u> </u>
	NICHOLS ALUMINUM RUCKDASHEL TRUCKING EARL J BERT CYURS & TERRY LEROY SAGE	0		0 0 0	(0) (0) (0)
00001752	BERT CTURS & TERRY LEROY SAGE	0		0	(1)

850 Companies Reported "Blank" PowerUnits, with Trailers

			POWER	HMTANK	
USDOT#	LEGALNAME	TRAILERS	<u>UNITS</u>	TRAILERS	Harright.
00294871	MOUNTAIN WEST CORPORATION	8,658		0	24/58
00254671	D G LOGISTICS LLC	5,100		0	3, 1010)
00288843	UPS SUPPLY CHAIN SOLUTIONS INC	1,371		0	
00329906	WHITE CIRCLE TRUCK RENTAL INC	675		0	\$ (\$ \land \$ \land \text{\$ \land \text

3,128 Companies Reported Trailer to PowerUnits Ratios > 4



USDOT#	POWERUNITS	FLEET	RATIO OF TRAILER TO POWER UNITS
01439078	1	15,001	15,000
00396625	1	10,002	
00251323	4	12,024	3,005
01358347	1	1,121	1,120

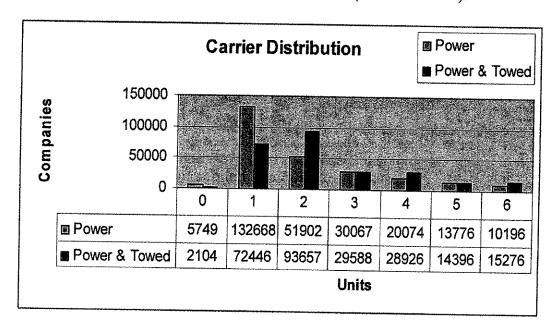
Data Adjustments

The Revenue and Fees Committee agreed to make the following adjustments to address the concerns regarding data reliability:

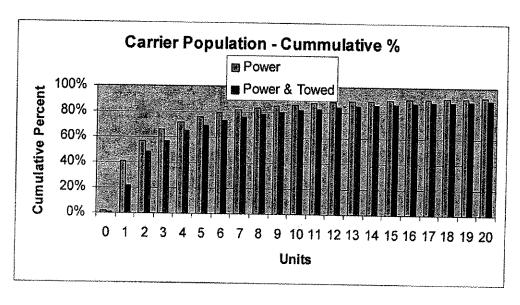
- 1. Use a 75% "Reliability Factor" for Bracket 6 companies.
- 2. Include a .5% Revenue Reserve

COMPANY DISTRIBUTION

Adding "Towed" units significantly changed the company distribution at the low end, but not in regards to the general characteristics. As expected, adding "Towed" vehicles "PowerUnits" moved some company to higher fee brackets. The effect is to "flatten" the distribution at the low end as companies shift right to higher fee brackets. You also see the mode shifts from one unit (Power only) to two units (Power & Towed).



The following graph shows that, on a cumulative basis, the two distributions are very similar as they approach 20 Units.



FEE BRACKET STRUCTURE

No change in the number of fee brackets. The December 5, 2006, report stated the committee concluded that the number and spread of companies required all six fee brackets. The revised company population and spread are both greater than the original PowerUnits data, so we again conclude that we must use all six fee brackets.

m vr ti out.	No. OF COMPANIES 344.964	MAXIMUM UNITS 54.900
PowerUnits Only	344,504	34,200
PowerUnits & Towed Units	365,071	106,771

The initial analysis showed over 46% of the company population has zero or one power unit. Adding trailers to the distribution, the most compelling statistic is that 50% of the population has zero to two commercial motor vehicles. The challenge now is to create six fee brackets ranging from zero commercial motor vehicles up to 106,771 commercial motor vehicles. Review of the carrier distribution does not present any apparent "natural" break points.

The subcommittee agreed to propose two different bracket structures: one fee structure based on the first fee bracket set at "zero to one" units and the second fee structure based on the first fee bracket set at "zero to two" units. The subcommittee then agreed that a "high end" bracket was appropriate, and we agreed to retain the original "high end" bracket of 1001 and greater units. Further analysis showed that 70% of the industry reported having five or fewer commercial motor vehicles, and we agreed to set the second bracket at "two to five" or "three to five" units depending on the final decision regarding the first bracket. The subcommittee then agreed that the three remaining brackets needed to build a bridge between six and 1000 units that would allow for a natural progression of the fees. We agreed to the following six brackets:

	Units		Units	
Bracket 1	0	1	0	2
Bracket 2	2	5	3	5
Bracket 3	6	20	6	20
Bracket 4	21	100	21	100
Bracket 5	101	1,000	101	1,000
Bracket 6	1,001		1,001	

FEES

As stated previously in the "Revenue Entitlements" section, the target revenue entitlement figure with administrative costs and reserve factor stands at \$107,306,262. SAFETEA-LU requires that we set fees on a company basis, using the company's fleet size, instead of per vehicle. However, the subcommittee agreed to be cognizant of the

minimum and maximum amount per vehicle a company would pay within each bracket. The subcommittee also agreed that the maximum dollar amount paid per vehicle within a subsequent bracket would be no more per vehicle than the maximum paid per vehicle in the previous bracket. Simply stated, if the maximum paid per vehicle in the one vehicle bracket was one dollar the maximum amount per vehicle in the tow to six brackets should be no more than one dollar per vehicle.

Several states conducted a survey of the average fees previously paid under SSRS by operators with one power unit. The Revenue and Fees Subcommittee used that data as a benchmark to compare possible UCR Fees to actual SSRS fees. The survey concluded that operators with one power unit paid between \$70 per power unit in Idaho and \$166 per power unit in Tennessee.

In addition, both Missouri and North Dakota provided data regarding the average SSRS fees currently paid by carriers associated with all six of the brackets in the case of Missouri and the first five brackets in the case of North Dakota (ND does not have carriers with over 1000 power units paying SSRS fees).

	AVERAGE SSRS	FEES
No. of POWER UNITS	FROM	TO
1	\$114	\$119
2-5	\$271	\$366
6 - 20	\$785	\$1,220
21 – 100	\$3,444	\$8,059
101 – 1000	\$19,420	\$42,394
1001 55,000	\$321,782	,

Excel spreadsheet model that allowed members of the committee to "plug in" various bracket configurations and fee schedule assumptions. The model automatically calculates the number of companies in each bracket (distribution); the revenues generated by each bracket; total revenues; and any revenue reserve or deficit from the target revenue. Virtually hundreds of iterations and permutations were constructed and considered by subcommittee members before arriving at a final fee structure.

Based on several rounds of intense deliberations and spirited debate, the subcommittee agreed to recommend to the UCR Board two fee structures with a "zero to one" vehicle bracket and two fee structures with a "zero to two" vehicle bracket. The fees ranged from a low of \$39 for the lowest vehicle bracket to a high of \$37,500 for the 1001 or greater vehicle bracket. The first five bracket groups were calculated at a 100% "reliability" rate, while the sixth bracket was calculated at a 75% "reliability" rate to account for the result of the subcommittee's in-depth analysis of the 810 companies in the population with more than 1000 power units. That analysis resulted in a high degree of certainty that only 608 companies meet the criteria of actually being an interstate motor carrier with more than 1000 commercial motor vehicles subject to the fees pursuant to the UCR Agreement.

	11	nits	Scenario	Scenario	Scenario D - 1		Scenari	o D - 2
Block	From	To	A - 1	A - 2	Calculated	Adjusted	Calculated	Adjusted
		0	\$50.00	\$65.00	\$38.00	\$39.00	\$38.35	\$39.00
		1	\$50.00	\$65.00	\$38.00	\$39.00	\$38.35	\$39.00
		2	\$100.00	\$65.00	\$75.99	\$77.00	\$38.35	\$39.00
	3	5	\$100.00	\$115.00	\$75.99	\$77.00	\$115.06	\$116.00
В3	6	20	\$230.00	\$230.00	\$227.97	\$229.00	\$230.12	\$231.00
B4	21	100	\$805.00	\$775.00	\$797.91	\$797.00	\$805.42	\$806.00
B5	101	1,000	\$3,420.00	\$3,550.00	\$3,837.54	\$3,800.00	\$3,873.66	\$3,840.00
B6	1.001	200,000	\$33,900.00	\$35,000.00	\$37,500.00	\$37,500.00	\$37,500.00	\$37,500.00

UCR BOARD ADOPTION

On March 15, 2007, via telephonic conference, the UCR Board of Directors (Board) discussed the four options presented by the Revenue & Fees Subcommittee. The Board first decided that, because 50% of the carrier population has between zero and two commercial motor vehicles, that they would consider the two proposals with the "zero to two" vehicle bracket. The Board then debated the merits of the two remaining proposals and chose "Scenario D -2 – Adjusted," the proposal that set the lowest proposed fee (\$39) in the "zero to two" vehicle bracket. The Board is now preparing to submit its report and recommended fee structure to the FMCSA for its consideration and regulatory review.

ADOPTED BY UCR BOARD 3rd REVISED Fee Structure and Fees March 15, 2007

REV	ENL	JΕ
-----	-----	----

 SSRS Revenue
 \$ 91,024,972

 UCR Admin/Operations
 \$ 5,000,000

 Intrastate Revenue
 \$ 10,247,428

 Non-SSRS State Allocation
 \$ 500,000

 Revenue Target
 \$ 106,772,400

Source:

State Rev. Entitlement Tab - Survey Estimate

State Rev. Entitlement Tab - Survey

(Oregon @ \$500,000)

FEE CALCULATION

Proposed B Fee Committee Scenario: D - 2 - Adjusted Date: 3/15/2007 Highlighted Cells Can Be Changeds (1998)

Yellow - Recommend You Change These Cells

Green - Recommend You Do NOT Change These Cells

		Adjustment Co	umn			
Block From To	Companies No. %	<u>%</u> (100% = Normal) Compar	ies % of Total	Fee Per Company	Revenue	Cost Per Unit Minimum Maximum
Brokers (FMCSA Estimate) Fr. Fwd. (FMCSA Estimate)	10,000 4,575	100% 10, 100% 4,	000 075			
81 0 2 82 3 5 83 6 20 84 21 100 85 101 1,000 66 1,001 200,000 Total	14,575 \$\begin{array}{cccccccccccccccccccccccccccccccccccc	100% 182, 100% 72, 100% 73, 100% 73, 100% 27,5 100% 7,6 75% 6	82 50.07% 10 19.97% 30 20.03% 46 7.65% 95 2.11% 08 0.17%	\$ 39.00 \$ 116.00 \$ 231.00 \$ 806.00 \$ 3,840.00 \$ 37,500.00	\$7,128,498 \$8,457,560 \$16,893,030 \$22,524,476 \$29,548,800 \$22,800,000 \$107,352,364	\$ 19.50 \$ 39.00 \$ 23.20 \$ 38.67 \$ 11.55 \$ 38.50 \$ 8.06 \$ 38.38 \$ 3.84 \$ 38.02 \$ 0.19 \$ 37.46

Target Revenue \$106,772,400

RESERVE - PROJECTED \$579,964

RESERVE TARGET \$533,862

0.50%

CONCLUSION

The Revenue and Fee Subcommittee commits to working closely with the FMCSA and to answer any questions regarding our process, models, etc. We are hopeful that this report serves as an important nexus for the analysis needed for the upcoming rulemaking.

In my role as the Chairman of the Revenue and Fee Subcommittee, I thank everyone who participated in this difficult task to craft yet another agreement on the recommended fee structure. The Revenue and Fee Subcommittee, as well as the UCR Board, include representatives from state agencies as well as members and representatives of small, medium and large motor carriers (Appendix BB).

Representatives have their own concerns and interests that form their perspectives and positions. That resulted in frank and, at times, spirited debate. The subcommittee members worked long and hard on these issues. The UCR Board's majority vote to adopt this fee structure and subsequent recommendation to the USDOT is a testament to the dedication, commitment and hard work of the members to move the Unified Carrier Registration program forward in a positive and responsible manner. We hope that the FMCSA will find this proposal satisfies the UCR Board's obligations and immediately start the "90 day clock" to set the fees.

Please direct any questions concerning this report to Bill Leonard, Chairman of the Revenues and Fees Subcommittee at (518) 457-6500 or by e-mail to wleonard@dot.state.ny.us.

APPENDIX AA

Introduction

The Unified Carrier Registration Board of Directors tasked the Revenues and Fees Subcommittee (Appendix A) with recommending a fee bracket structure to the full board which would represent replacement revenues for the soon to be sunsetted Single State Registration System (SSRS), as well as revenues that were generated by states in the form of intrastate carrier renewal fees and administrative costs of the Unified Carrier Registration Plan.

The Revenue and Fees Subcommittee took the following variables into consideration in order to perform their assignment:

- · Participating Jurisdictions
- Revenue Requirement
- Administrative Costs
- Carrier Population
- Fee Bracket Structure (4 6 Brackets)
- Carrier Distribution
- Fee Structure Comparison to SSRS Fees
- Fee Relationship Between Brackets

Participating Jurisdictions

In order for a state to participate, the Board of Directors concluded that language in the federal transportation legislation passed in the summer of 2005, "the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users" (SAFETEA-LU) required participating states to submit a plan to the Federal Motor Carrier Safety Administration (FMCSA) with their intent to participate in 2007. The states are required to affirm that they have or will have the legal authority, resources, and qualified personnel necessary to administer the agreement in accordance with the guidelines and procedures set forth by the Board of Directors of the Unified Carrier Registration Act. The statute also requires that states demonstrate that an amount at least equal to the revenue derived by the states from the Unified Carrier Registration Agreement shall be used for motor carrier safety programs, enforcement, or administration of the UCR plan.

The Board of Directors set a deadline of November 1, 2006 for the submission of plans by the states to FMCSA. All Single State Registration System (SSRS) states will participate in 2007, except for California and North Carolina, and of the twelve non-participating SSRS states, only Oregon has agreed to participate.

Therefore, the list of participating states is as follows:

States Participating in the UCR Plan in 2007

Alabama	Indiana	Michigan	New Mexico	South Carolina	West Virginia
Arkansas	lowa	Minnesota	New York	South Dakota	Wisconsin
Colorado	Kansas	Missouri	North Dakota	Tennessee	
Connecticut	Kentucky	Mississippi	Ohio	Texas	
Georgia	Louisiana	Montana	Oklahoma	Utah	
Idaho	Maine	Nebraska	Oregon	Virginia	
Illinois	Massachusetts	New Hampshire	Rhode Island	Washington	<u> </u>

Revenue Entitlements

SAFETEA-LU provides for states to receive a portion of the revenues generated under the UCR Agreement equivalent to those revenues received for the SSRS registration year 2004. In addition, SSRS states are entitled to annual renewal registration fees assessed motor carriers involved in exempt, for-hire and private operations within the state for the 2004 registration year.

In March of 2006, the Revenue and Fees Subcommittee of the National Conference of State Transportation Specialist (NCSTS) contacted the SSRS states asking them to provide 2004 revenue figures in order to begin the process of developing a nationwide entitlement figure for the replacement revenues needed under the UCR Agreement (Appendix B). Over the course of 2006, the Revenue and Fees Subcommittee of the NCSTS and subsequently the Revenue and Fees Subcommittee of the UCR Board of Directors continued to work with the states to assess and refine the revenue entitlement figures so that a dollar amount could be set as a target figure for the total revenues required for the 2007 UCR registration year (Appendix C). The SSRS states that agreed to participate under the UCR Agreement were then asked to certify the entitlement figure in order to arrive at a set entitlement figure (Appendices D). As previously stated, the Chairman of the UCR Board of Directors wrote to the nonparticipating SSRS states asking if any wished to participate in the UCR for registration year 2007 and only Oregon agreed to participate. SAFETEA-LU caps the maximum entitlement figure for non-participating SSRS states at \$500,000 per year, and therefore, \$500,000 was added to the total entitlement figure. The summary of the state entitlement figures can be found in Appendix E.

<u>Administrative Costs</u>

SAFETEA-LU provides for the administrative costs of the UCR Agreement to be eligible for inclusion in the total entitlement figures to pay for the administrative expenses of the Board which would include, but not be limited to, meeting costs

as well as start up costs of a web based registration system which will allow the motor carrier industry to register on-line as well as pay fees required under the UCR Agreement. In addition, included in the administrative fees would be costs of a "Repository" for the administration of the Board and a "Depository" for the revenues generated under the UCR Program to be distributed among the participating states. The Board of Directors agreed to budget \$5,000,000 for administrative expenses for the first year of the UCR Program (Appendix F). This sets the national target entitlement figure with administrative expenses at \$106,772,400 for 2007 (Appendix E).

Carrier Population

Individuals and companies that are subject to the UCR Agreement include all forhire, private and exempt motor carriers that operate commercial motor vehicles in interstate commerce. This includes carriers from Canada, Mexico or any other country operating within the borders of the United States. Freight forwarders, brokers and leasing companies involved in interstate commerce are also subject to fees pursuant to the UCR Agreement; however, these groups are subject to the fees associated with the lowest fee bracket.

The most comprehensive databases that contain the entities that are subject to the UCR Agreement reside with the FMCSA. The Motor Carrier Management Information System (MCMIS) and the License and Insurance System (L & I) house the known universe of the motor carrier industry (MCMIS) and brokers and freight forwarders (L & I) that are also subject to the UCR Agreement.

Carriers that operate commercial motor vehicles in interstate commerce are required to register with the FMCSA by providing carrier census data and acquiring a USDOT number. This carrier census data resides in MCMIS while similar information on brokers and freight forwarders can be found in the L & I System.

With few exceptions, this on-line registry system is a user based system; that is there are limited edit checks and the accuracy of the data provided is only as reliable as the customer entering the information. Carriers are required to update their census data every 24 months; however, if a carrier ceases operations there is no systematic follow-up to ensure that its census file is amended to "inactive". Subsequently, the number of active interstate carriers in the MCMIS database is somewhat inflated as compared to the actual number of carriers actively involved in interstate commerce.

Recognizing these challenges, determining the actual population of entities that would be subject to the UCR Agreement becomes somewhat problematic. In order to increase the likelihood of success in determining accurate population

March 23, 2007

strata, carrier surveys were instituted to then assign a more realistic percentage to the universe of carriers residing in MCMIS that are actively operating in interstate commerce (Appendices G & H).

Based upon the results of those surveys, the Revenue and Fees Subcommittee initially assigned a "Reliability" percentage to the active interstate carrier population in MCMIS and L & I System and, to address concerns regarding the state's ability to actually collect fees, then assigned a "Collection" percentage to that data set. This approach was controversial because it factored in a percentage of assumed "non-compliance" to set fees at a level sufficient to collect the target entitlement figure.

The subcommittee therefore agreed on a different approach which would allow for a "hard number" of carriers that could easily be audited while allowing for a conservative universe of interstate carriers. The subcommittee discussed various options, and agreed to start with the MCMIS database and "filter" or "screen" that data to reasonably identify active carriers. We agreed to focus on interstate carriers that have had some roadside or audit activity within the past 30 month period (e.g. roadside inspections, reportable crashes or a safety review). To that subset, we added 19,000 (FMCSA estimate) active brokers and freight forwarders from the L & I System to arrive at a universe of 345,005 entities for the Revenue and Fees Subcommittee to continue its work in developing a fee bracket structure for the UCR Agreement (Appendix I).

Fee Bracket Structure (4 - 6 Brackets)

The number of power units reported by the motor carrier industry was then analyzed to determine the number of brackets to be used (between four and six) pursuant to SAFETEA-LU. The Revenue and Fees Subcommittee determined rather quickly that, with a universe of 345,005 entities ranging from a low of 1 power unit to a maximum of 55,000 power units that six brackets would be needed to arrive at any degree of equity among the progressive fee brackets.

Carrier Distribution

From this database of 345,000 entities, an analysis of the distribution of power units was performed to determine apparent spikes in the number of power units so that the number and frequency of the fee brackets by power units could be ascertained (Appendix J). From this analysis, the most compelling power unit statistic was that 46% of the 345,000 entities had only one power unit. With this realization, the full Board of Directors instructed the Revenue and Fees Subcommittee to use six fee brackets with the first bracket being a one vehicle only bracket. The challenge would now be to create five additional fee brackets

ranging from 2 power units up to 55,000 power units when after analysis of the power unit frequency distribution, there appeared to be no apparent breaks whereby fee brackets could be set (Appendix J).

The subcommittee agreed that a "high end" bracket was appropriate, therefore, a fee bracket of 1001 power units or greater was created so that now two brackets were set; a one power unit bracket and a 1001 or greater bracket. Further analysis concluded that over 80% of the industry reported having 5 or less power units, therefore it was appropriate to include a bracket representing this industry segment. The subcommittee then agreed that the three remaining brackets needed to build a bridge between 6 and 1000 power units which would allow for a natural progression of the fees. From this work, the following six brackets were created:

Number of	Power Units	Number of Power Units		
Bracket 1	1	Bracket 4	21 - 100	
Bracket 2	2- 5	Bracket 5	101 - 1000	
Bracket 3	6 - 20	Bracket 6	1001 - 55,000	

Fees

As stated previously in the "Revenue Entitlements" section, the target revenue entitlement figure with administrative costs stands at \$106,772,400. SAFETEA-LU provides for the fees to be based upon a carrier's fleet size versus a per vehicle basis. However, the subcommittee agreed to be cognizant of the minimum and maximum amount per vehicle a carrier would pay within each bracket. The subcommittee also agreed that the maximum dollar amount paid per vehicle within a subsequent bracket would be no more per vehicle than the maximum paid per vehicle in the previous bracket. Simply stated, if the maximum paid per vehicle in the one vehicle bracket was one dollar the maximum amount per vehicle in the 2 to 5 bracket should be no more than one dollar per vehicle.

Several states conducted a survey of the average fees currently paid under SSRS by one power unit operators to provide the Revenue and Fees Subcommittee with a benchmark figure to compare possible UCR Fees to actual SSRS fees. The survey concluded that one power unit operators paid between \$70 per power unit in Idaho to \$166 per power unit in Tennessee (Appendix K).

In addition, both Missouri (Appendix L) and North Dakota (Appendix M) provided data regarding the average SSRS fees currently paid by carriers associated with all six of the brackets in the case of Missouri and the first five brackets in the case of North Dakota (ND does not have carriers with over 1000 power units paying SSRS fees). A summary of the data is shown below:

Number of Power Units	Avg. SSRS Fees				
1	\$114 - \$119				
2-5	\$271 - \$366				
6 – 20	\$785 - \$1220				
21 – 100	\$3444 - \$8059				
101 – 1000	\$19,420 - \$42,394				
1001 - 55,000	\$321,782				

Eugene Eckhardt, a member of the Revenue and Fees Subcommittee constructed an "intereractive" Excel spreadsheet model that allowed members of the committee to "plug in" various bracket configurations and fee schedule assumptions. The model automatically calculates the number of carriers in each bracket (distribution); the revenues generated by each bracket; total revenues; and any surplus or deficit from the \$106,772,400 target figure (Appendix N). Virtually hundreds of iterations and permutations were constructed and considered by subcommittee members before arriving at a final fee structure.

Based on several rounds of intense deliberations and spirited debate, the subcommittee agreed to recommend the fee structure illustrated in Appendix N to the full Board of Directors. The fees range from a low of \$75 for the one vehicle bracket to a high of \$37,500 for the 1001 or greater vehicle bracket. The first five bracket groups were calculated at a 100% "reliability" rate, while the sixth bracket was calculated at an 85% accuracy rate to account for the result of the subcommittee's in depth analysis of the 272 entries in the MCMIS database with more than 1000 power units. That analysis resulted in a high degree of certainty that only 231 entities meet the criteria of actually being an interstate motor carrier with more than 1000 power units subject to the fees pursuant to the UCR Agreement.

With a 100% compliance rate, this fee structure would generate \$106,990,680 in revenues in comparison to the \$106,772,400 target figure; a surplus of \$218,260 for the UCR registration year 2007.

Summary of Process

A PowerPoint presentation was shown to the UCR Board on October 11, 2006, representing an overview of the analysis performed to date (Appendix O). On October 16, 2006, a copy of this PowerPoint was provided to Shannon Watson of FMCSA via e-mail, at her request.

UCR Board Adoption

On November 20, 2006, via telephonic conference, the Board of Directors voted unanimously to accept the recommendation of Revenue and Fees Subcommittee and to submit the recommended fee structure to the FMCSA for its consideration and regulatory review.

Conclusion

The Revenue and Fee Subcommittee commits to working closely with the FMCSA and to answer any questions regarding our process, models, etc., and we are hopeful that this report serves as an important nexus for the analysis needed for the upcoming rulemaking.

In my role as the Chairman of the Revenue and Fee Subcommittee, I thank everyone who participated in this difficult task to craft an agreement on the recommended fee structure. Both the UCR Board and the Revenue and Fee Subcommittee include representatives from state agencies as well as members and representatives of small, medium and large motor carriers (Appendix A).

Each has their own concerns and interests that form their perspectives and positions. That resulted in frank and, at times, spirited debate. The subcommittee members worked long and hard on these issues. The UCR Board's unanimous vote to adopt this fee structure and subsequent recommendation to the USDOT is a testament to the dedication, commitment and hard work of the members to move the Unified Carrier Registration program forward in a positive and responsible manner.

Any questions concerning this report may be directed to Bill Leonard, Chairman of the Revenues and Fees Subcommittee at (518) 457-6500 or by e-mail to wleonard@dot.state.ny.us.

APPENDIX A

Revenue and Fees Subcommittee

Rick Craig Owner- Operator Independent Drivers Association

Gene Eckhardt Washington Utilities and Transportation Commission

John Jabas Frozen Food Express Industries

Tom Klingman United Parcel Service

Frank LaQua North Dakota Department of Transportation

Dave Lazarides Illinois Commerce Commission

Bill Leonard, Chair New York Department of Transportation

Bob Pitcher American Trucking Association

Tony Portonova Connecticut Department of Motor Vehicles

Richard Schweitzer National Private Truck Council

Bob Voltmann Transportation Intermediaries Association

APPENDIX B

President Ronald Hicks Alabama PSC (334) 242-9959 Vice President Sandy Bowling Indiana DOR (317) 615-7285

Treasurer Terry Willert Colorado PUC (303) 894-2850

Secretary Robert Morris West Virginia PSC (304) 340-0427

National Conference of State Transportation Specialists





Executive Committee

Past Presidents
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WV PSC (304) 340-0474

ALFRED P. AGLER OH PUC (614) 466-3191

WILLIAM DEBORD KY TC (502) 564-4540 BARBARA HAGUE

MODOT (573) 751-7128 AVELINO GUTIERREZ

NM PRC (505) 827-4565 LYNNE JONES OK CC (405) 522-5285

Elected
JOHN CANTY
OH PUC (614) 466-0351

WILLIAM WITHERS LA PSC (225) 342-1420

EUGENE ECKHARDT WA UTC (360) 664-1249

DAVID LAZARIDES IL CC (217) 782-9228

WILLIAM LEONARD NY DOT (518) 457-2019

DAVID FINDLAY SC DMV (803) 896-2687

DAVID LOUCKS PA PUC (570) 963-4590

MIKE HOEME KS CC (785) 271-3333

GAIL SOARES MA DTE (617) 305-3692

MARK BREINER NE PSC (402) 471-0226

Appointed DAN G. KING STB (202) 565-1588

VACANT FMCSA

AN IMPORTANT NOTICE CONCERNING YOUR SSRS FUNDING

Dear State Partners:

With the passage of the highway bill, the Single State Registration System (SSRS) is being sunsetted and replaced with the Uniform Carrier Registration (UCR). In order for the states to receive funding levels realized under the SSRS, as well as any additional fees assessed interstate carriers, the replacement UCR program needs to be in place by the Fall of 2006.

Therefore, it is imperative that states calculate the fees collected for calendar year 2004 and forward this information to the NCSTS Fees and Revenue Committee as soon as possible. Attached is a worksheet to assist you in determining the fees.

To summarize how the fees are to be calculated, each state is eligible to receive the total SSRS fees due for calendar year 2004 (these fees include SSRS fees collected and kept by the jurisdiction as well as SSRS fees collected by other jurisdictions and forwarded to your state for calendar year 2004 – these fees do not include fees collected for disbursement to the other states).

Also, in determining the total amount jurisdictions are due, include any additional fees assessed interstate carriers (regulated and exempt) for operating within or through your state for calendar year 2004. Fees not eligible for collection through UCR include fees assessed to solely intrastate carrier operations within your jurisdiction. States may continue to collect these intrastate fees; however, the process for collecting these fees needs to be separate and apart from the UCR program.

The Fees and Revenue Committee request the worksheet be completed no later than March 31, 2006 and e-mailed to Bill Leonard at wleonard@dot.state.ny.us. If you have any questions or concerns, please contact one of the following committee members:

David Lazarides, IL CC (217) 782-9228; dlazarid@icc.illinois.gov

Eugene Eckhardt, WA UTC (360) 664-1249; geckhard@wutc.wa.gov

William Leonard, NY DOT (518) 457-2019; wleonard@dot.state.ny.us

Thank you for your cooperation and attention to this matter which will benefit all jurisdictions in our successful implementation of the UCR program.

APPENDIX B

Unified Carrier Registration Survey

The Unified Carrier Registration (UCR) program will replace the Single State Registration System (SSRS) effective January 1, 2007. The National Conference of State Transportation Specialists (NSCST) is gathering information to help implement UCR. This information will help us identify how much revenue the UCR program needs to collect nationwide to ensure that each state receives its revenue entitlement.

If you have questions about this survey, please contact:

David Lazarides, IL CC (217) 782-9228; dlazarid@icc.illinois.gov

Eugene Eckhardt, WA UTC (360) 664-1249; geckhard@wutc.wa.gov

William Leonard, NY DOT (518) 457-2019; wleonard@dot.state.ny.us

1. Your state's entitlement revenue is calculated using calendar year 2004 data. Please report the amount of money that your state received.

2004 SSRS Revenue	\$
2004 Exempt Registrations	\$
2004 Renewable Fee – Interstate for-hire that operates intrastate	\$
2004 Renewable Fee - Interstate private that operates intrastate	\$
2004 Broker Registrations	\$

20	04 Renewable Fee – Interstate private tha	t operates intrastate	3
20	04 Broker Registrations		\$
·	hat month does your state start its renewal	l registration program?	?
w. **.	11011011011 0000 y 0 111 0 1110 1 1 1 1		
3. Do	es your state use SSRS funds to pay expe	enses for your renewal	registration
progra	am on a calendar year basis? We are tryin	g to assess the impact	to states that need
UCR	entitlement money to pay renewal registra	ation program adminis	tration expenses
before	e January 1, 2007. (Circle one.)		
	Yes.		
	No. Please enter your fiscal year:	to	*
from	ease provide a breakdown of the SSRS repeatriers (not received from other states), but tial cash flow problems.	gistration revenue you by month. This will he	r state collected lp us analyze
Conta	act: Name		
	Telephone	•	
	Email		
	State		·
	Agency		The state of the s

APPENDIX C

THE UNIFIED CARRIER REGISTRATION ACT IMPORTANT NOTICE STATE CERTIFICATION OF REPLACEMENT REVENUE

Dear State Partners:

On behalf of the Unified Carrier Registration (UCR) Board of Directors, thank you for your assistance in determining the states' revenue entitlements pursuant to the UCR Plan.

I am hopeful that from all of your hard work to date our next request will become a much less painful exercise. After you provided the Revenue & Fees Committee with the initial draft dollar amount for your state, we then asked you to continue your review and provide us with an updated figure. Many jurisdictions took this opportunity to modify their initial antiflement amounts. Please be sure that any modifications made were calculated correctly by reviewing the replacement fee discussion described in detail below.

In order for the Board to take the next step in recommending appropriate fee levels under the UCR, we request that your state now verify and affirm the total entitlement collars for your jurisdiction. Attached are the latest figures you provided along with a certification document for your 2004 entitlement revenue. It is importance that all jurisdictions provide a "hard" dollar amount by August 18, 2006, in order for the Board to do its work in implementing the UCR Act.

To summarize how replacement fees are to be calculated, each state that elects to participate in the UCRA is eligible to receive only the total Single State Registration System (SSRS) fees due for your jurisdiction for the SSRS registration year 2004. This means that for virtually all jurisdictions the largest percentage of SSRS 2004 dollars were collected in the last quarter of calendar year 2003. Similarly, most of the revenues collected in the last quarter of calendar year 2004 would represent renewals for SSRS registration year 2005 and; therefore, not included in the calculation of UCR entitlement revenues. In addition to collecting SSRS registration year 2004 fees throughout calendar year 2004, some jurisdictions may have collected a small percentage of 2004 SSRS fees in calendar year 2005 as a result of carrier audits. These additional 2004 SSRS fees would be included in your SSRS replacement revenue total.

The total registration year 2004 SSRS dollars include registration year 2004 SSRS fees collected and kept by the jurisdiction as well as SSRS dollars collected by other jurisdictions and forwarded to your state for SSRS registration year 2004 (lotal revenues do not include fees collected for disbursement to the other jurisdictions).

In determining the total amount of replacement revenue states are entitled to; also include any additional renewal free assessed interstate carriers (private, for-hire and/or exempt) for operations within or through your state for program year 2004. The amount of replacement revenue for your state for these additional free assessed interstate carriers (private, for-hire and/or exempt) should be less than the total free collected from all carriers for your intrastate program.

August 2, 2006

Page I of 2

APPENDIX C

Lees not eligible for replacement and collection through UCR include fees assessed to solely intrestate carrier operations within your state. States may continue to unlied those intrastate fees; however, the process for collecting these fees must be separate and apart from the UCR Plan.

It should also be noted that states may continue to charge application floes for new and/or amended intrastate authority applications filed by interstate carriers of all types.

The Board of Directors request the attached certification be completed as soon as possible but no later than August 18, 2006. Please mail the signed certification to:

William Leonard New York Department of Transportation 50 Wolff Road IND 53 Albany, NY 12232

I ask that you please e-mail me your figures as well so we can begin to compile the numbers as soon as possible; whemproved do to state trying. If you have any questions or correctus, please contact one of the following committee members:

William Leonard, NY DOT (518) 457-2019; wiconardigidot.state.ny.us

Eugene Eckhardt, WA UTC (360) 664-1249; geekhard@wute.wa.gov

David Lazarides, T. CC (217) 782-9228: dlazarid@icc.illinois.gov

The Board reserves the right to further investigate any jurisdiction's replacement revenue figures that appear askew or possibly in error.

Thank you for your cooperation and attention to this matter which will benefit the participating states as well as the motor carrier industry in our successful implementation of the UCR Plan.

Sincerely.

William B. Leonard, Chairman Revenue & Fees Committee UCR Beard of Directors

August 2, 2006

Page I of 2

APPENDIX D

Unified Carrier Registration Plan - State Certification

(Please review the accompanying letter of explanation prior to filling out this form)

The Unified Carrier Registration (UCR) Plan will replace the Single State Registration System (SSRS) after the latter is repealed effective January 1, 2007. The UCR Board of Directors is gathering revenue information to implement the UCR Plan. This data will be used to determine the total nationwide entitlement dollars for the states which will then be used by the Board to recommend an appropriate fee structure to the Secretary of Transportation.

If you have questions concerning this certification, please contact:

William Leonard, NY DOT (518) 457-2019; wleonard@dot.state.ny.us

Eugene Eckhardt, WA UTC (360) 664-1249; geckhard@wutc.wa.gov

David Lazarides, IL CC (217) 782-9228; dlazarid@icc.illinois.gov

Your state's entitlement revenue is calculated using the SSRS 2004 Registration Year. Please report the amount of entitlement dollars for your jurisdiction.

2004 SSRS Revenue - For Your State Only	8
2004 Exempt Registrations - For Your State Only	\$
2004 Renewal Fee - Interstate For-Hire That Operates Intrastate	Ŝ
2004 Renewal Fee - Interstate Private That Operates Intrastate	\$
2004 Broker Registrations	\$
2004 Other Interstate Carrier Revenue (Please Explain In Detail)	\$
2004 Total Replacement Entitlement Revenue	S

Contact:	Name
	Telephone
	Email
	State
	Agency
I affirm that entitlement r	the information provided represents an accurate assessment of the evenue pursuant to the Unified Carrier Registration Plan.
	Signature
	Date

APPENDIX E

(CY 2004)		,		Т	Renewable	····	T	
					Interstate	Broker	Single	
	CY 2004	Exempt		1	Private	Registrati	Trip	Total Recorded
State	SSRS Revenue	Registrations	Renewable Interstat	e For-Hire	Operating	ons	Interstate	Revenue
	00, 00 . 00 . 00		Operating intra		Intrastate	GIS	III III III III III III III III III II	
Al-b	2,933,718.00	6,246,00		0.00	0.00	0.00	0.00	\$2,939,964.00
Alabama	1,817,360.00							\$1,817,360.00
Arkansas	1,817,300.00	l NA I	NA	1	NA	NA	NA	NA
California	1	,		15,600.00	0.00	0.00	0.00	\$1,817,215.00
Colorado	1,783,985.00			0.00	0.00	0.00	0.00	\$3,129,840.00
Connecticut	3,129,840.00			0.50	4,			\$2,660,060.00
Georgia	2,581,560.00			0.00	0.00	0.00	0.00	\$547,696.68
ldaho	547,696.68			373,940.00	0.00	1,725.00	• • • • • • • • • • • • • • • • • • • •	\$3,516,993.00
Illinois	3,083,064.00					1,1 20.00		\$2,364,879.00
Indiana	2,264,863.00			100,016.00				\$474,742.00
lowa	432,042.00				224 220 00	0.00	0.00	\$4,344,290.00
Kansas	3,948,680.00			0.00	381,320.00	0.00	0.00	\$5,365,980.00
Kentucky	5,348,980.00				0.00		0.00	\$5,992,820.00
Louisiana	5,795,694.00) 197,126.00		0.00	0.00	0.00	0.00	\$1,555,672.00
Maine	1,550,096.00	5,576.00						
Massachusetts	2,053,714.00	2,550.00		226,623.00	0.00	0.00	0.00	\$2,282,887.00
Michigan	2,631,247.00	9,710.00	4	,879,760.00				\$7,520,717.00
Minnesota	1,061,103.30			57,675.00				\$1,137,132.30
Missouri	2,323,370.00			6,820.00				\$2,342,000.00
Mississippi	4,322,100.00	•						\$4,322,100.00
Montana	1,049,063.00							\$1,049,063.00
Nebraska	635,970.00		1	0.00	0.00	0.00	0.00	\$741,974.00
	2.273.299.00			0.00	0.00	0.00	0.00	\$2,273,299.00
New Hampshire	1			0.00	0.00	0.00	0.00	\$3,292,233.00
New Mexico	3,292,233.00			0.00		0.00	0.00	\$4,414,538.00
New York	4,414,538.00	l NA	I NA	0.00	l NA	l NA	NA	NA
North Carolina	NA NA		1	0.00			0.00	\$2,010,434.00
North Dakota	2,010,434.0	•	_	2,132,930.00				\$4,813,877.74
Ohio	2,675,367.7		•'	330,767.00		0.00	0.00	\$2,457,796.00
Oklahoma	2,122,052.0			139,500.00		-		\$2,285,486.00
Rhode Island	2,144,217.0			139,500.00	0.00	, 0.00	0.00	\$2,420,120.00
South Carolina	2,411,345.0			0.00	0.00		35,640.00	***
South Dakota	805,167.0			0.00	0.00) <u>().</u> 00	1 30,040.00	\$4,759,329.00
Tennessee	4,734,977.0	0 24,352.00)					
Texas	2,132,501.0			586,127.00				
Utah	1,861,454.0	0.00)	0.00	236,954.0	0.00	0.00	
Virginia	4,852,865.0							\$4,852,865.00
Washington	2,428,900.0)	0.00		0 600.00	0.00	
West Virginia	1,374,796.0	-		56,931.03	;			\$1,431,727.03
Wisconsin	2.196.680.0							\$2,196,680.00
	Total 91,024,971.7)	8,906,689.03	618,274.0	0 2,325.00	35,640.00	\$101,272,399.81
	(ACC) C (ACC) (ACC)			-				

 Oregon
 \$500,000
 \$500,000

 Total State Entitlement - 2007
 \$101,772,399,81

 Add Adm. Costs
 \$5,000,000
 \$5,000,000

 Total UCR Revenue Targer - 2007
 \$106,772,399,81

APPENDIX F

UCR Administration Costs

Systems Programming Costs	\$2,000,000
Credit Card Operating Expense	\$1,500,000
Industry Outreach / Communications	\$650,000
Help Desk / Assistance	\$250,000
Travel	\$100,000
Depository	<u>\$500,000</u>
TOTAL	\$5,000,000

APPENDIX G

MCMIS DATABASE ANALYSIS

BACKGROUND

One of the initial tasks of the United Carrier Registration (UCR) Revenue & Fees Committee was to determine the universe of carriers subject to the UCR Plan. It became apparent from the onset that the Federal Motor Carrier Safety Administration's (FMCSA) Motor Carrier Management Information System (MCMIS) contains the most comprehensive universe of motor carriers. One of the major challenges in using the MCMIS database is that the carrier census data is provided by the user with a limited number of edit checks. This means that motor carriers are responsible for providing current census information every 24 months by updating an MCS-150 form either by filling out a hard copy and sending it in via mail or entering the data themselves electronically. An initial analysis was conducted of active interstate motor carriers with 1000 power units or more. That analysis demonstrated that eight of the top ten carriers ranked by number of power units were incorrect. A total of 55 out of 283 were suspect. It was clear that further analysis was needed to determine the accuracy of the information contained in the MCMIS database. Below is a sample of the top ten active interstate motor carriers based from a Safetynet census file created from the MCMIS database in December of 2005.

			# Power	
LEGAL NAME	<u>USDOTNUM</u>	<u>State</u>	<u>Units</u>	#Drivers
HAROLD HILL	01063676	. <u>₩</u> V, *	81,000	a Maritina
EDUARDO JUAREZ	01330149	CA	80,000	100
PATCHEN MOTORSPORTS	01360813	MN.	75,001	<u>. 1</u>
COLLIN TRANSPORT	01158926	MA L	59,705	1
UNITED PARCEL SERVICE INC	00021800	IL	54,900	63,667
BRIAN OVERTON INDEPENDENT OPERATOR *	, 01059936, -	• TX 🕰	40,000	12.00
LAIDLAW TRANSIT INC	00711716	IL	39,893	36,500
RYDER TRS INC	100663122	CO.	32,001	
RALI TRUCKING COMPANY	01377941	<u>NJ</u>	31,816	asa, I
ROLLINS LEASING CORP	00330015	DE	30,000	

A more in depth analysis of the MCMIS database was needed going forward; therefore, it was determined that the most efficient method for the Revenue & Fees Committee to analyze the MCMIS data fairly quickly was to conduct a phone survey. For the purposes of the UCR Plan, three questions were asked when conducting the survey:

- 1- "Are you still in business?"
- 2- "Does your business ever travel out of state?"
- 3- "How many power units do you own or have on long term lease?"

METHODOLOGY

In order to conduct the survey, a "snapshot" was taken of the MCMIS database on December 12, 2005. This contained 712,837 interstate entities. Below is a table of interstate entities broken down by power unit subsets, which were extracted from the Safetynet census file.

National Commercial Vehicle Census Information Active Carriers - Interstate Only Distribution by Carriers and Number of Power Units

Pwer Unit		%Total	#Power	%Total	Avg
<u>Groupings</u>	#Carriers	Carriers	Units	Pus	Pus/Carrier
>5000	45	0.0%	904,723	19.4%	20,105
>1000 and <=5000	234	0.0%	442,460	9.5%	1,891
>100 and <=100	3691	0.5%	916,291	19.6%	248
>20 and <=100	19,445	2.7%	789,075	16.9%	41
>5 and <=20	69,329	9.7%	690.124	14.8%	10
<=5	538,242	75.5%	925.815	19.8%	2
No Power Units	81,851	11.5%	,	10.070	4
Totals	712,837	100.0%	4,668,488	100.0%	7
As of 12/12/2005	•		,,000,100	100.076	/

The data was placed in an Access database with an electronic form created for survey distributor's ease. The form consisted of a USDOT number, legal name, State of domicile, number of power units and the three survey questions. The form was write-protected so that the only information that could be manipulated was the data entered from the survey questions. Answers to the survey questions were coded numerically so that they could be easily sorted and queried when needed.

Question one had eight possible answers:

- 1 In business
- 2 Not in business
- 3 No one answered
- 4 Phone disconnected
- 5 Wrong number
- 6 Person refused to cooperate/unable to answer questions
- 7 No number listed in MCMIS
- 8 DOT number not active

Question two had two possible answers:

- 1 Interstate operations (even infrequent)
- 2 Intrastate operations (solely)

Question three was the result of the respondent's answer concerning the number of power units.

Since the database came in numeric order based on the DOT number, the interstate carriers were sorted in an alphabetical ascending order so as not to skew the DOT numbers from oldest to newest. Systematic sampling was used on the population by selecting the first motor carrier at random and then a specific interval (e.g. every 1000^{th} motor carrier was selected there after). Along with the Access form, www.Safersys.org was used to obtain the phone number of each carrier and to compare the number of power units listed in MCMIS versus the motor carrier's response to the number of power unit question.

Interstate carriers that did not answer were called a minimum of three times at different times of day in order to attempt contact. It was noted by the survey administrator if the voice mail or answering machine stated the business name as part of the recorded message.

QUALIFIED CONTACT

For the purposes of the survey a qualified contact fell into one of five categories:

- 1. Currently in business;
- 2. No longer in business;
- 3. No one answered phone (Still in business according to voice mail/answering machine);
- 4. Phone disconnected; or
- 5. Person unable to answer questions or refused to cooperate.

SURVEY RESULTS

A total of 1,517 interstate motor carriers were sampled throughout the duration of the survey. Of that total, 1002 or 66.05% of the motor carriers sampled were considered to be qualified; 515 or 33.95% were considered to be non-qualified.

When broken down into the different categories, both qualified and non-qualified contact attempts can be characterized into the following results:

- Of the motor carriers that stated they were in business; 24.5% (372) responded that they conducted interstate business;
- 4.09% (62) said they were in business but never left the state (solely intrastate operations);
- 12.4% (188) of the motor carriers were in business but were unable to answer all of the questions or refused to cooperate;
- 3.63% (55) of the motor carriers responded that they were no longer in business;
- 18.33% (278) of the motor carriers there was no answer;

- However, 3.63% (55) had voice mail or answering machine that indicated the business name;
- 17.8% (270) of the total had phone numbers that were disconnected;
- 8.7% (132) had wrong numbers listed;
- 9.76% of the total accounted for motor carriers that did not have a phone number listed in MCMIS or a fax number was listed as a phone number;
- 0.791% (12) had inactive USDOT numbers at the time of the survey.

The table below is a breakdown of the survey results.

MCMIS Telephone Survey: Raw Numbers (January - April 2006)											
Qualified			·····								
Currently in Business											
Interstate	372	24.50%									
Intrastate Only	62	4.09%									
Unable to Answer Questions/Person Refused to Cooperate	188	12.40%									
No Longer in Business	55	3.63%									
No One Answered (Still in Business According to	55	3.63%									
Answering Machine/Voice Mail)											
Phone Disconnected	270	17.80%									
Sub-Total	1002	66.05%									
Non – Qualified											
Wrong Number	122	0.700/									
•	132	8.70%									
No One Answered (Excluding Answering Mach./VM in Business Indication)	223	14.70%									
No Number Listed in MCMIS or a Fax Number Listed	148	9.76%									
DOT Number Not Active in Safer	12	0.79%									
Sub-Total	515	33.95%									
Total	1517	100.0%									

For the purposes of this study, the following categories were grouped as in business:

- Currently in business (Interstate)
- Unable to answer questions/Person refused to cooperate; and
- No one answered (Still in business according to voice mail or answering machine)

The last category is weighted at 80% as being in business based on the response to the survey questions when call backs were contacted. Approximately 20% were out of business when the answering machine or voice mail indicated the business during the call back process.

The following categories were grouped as not involved in interstate operations:

• No longer in business

- Phone disconnected
- In business (Intrastate)

The remaining categories were considered to be unqualified due to the fact that no conclusions could be drawn and the categories had no contact. (See note at the end of this discussion).

There were 991 motor carriers that were considered for analysis purposes. Out of the 991 motor carriers:

- 37.5% (372) were in business and conducted interstate business;
- 6.26% (62) were in business but conducted intrastate business;
- 5.55% (55) motor carriers were no longer in business;
- 55 were in business according to the answering machine or voice mail but did not answer the phone during the three attempts made to contact the motor carrier. Once the 55 were weighted at 80%; 4.44% (44) were considered to be in business;
- 27.25% (270) of the motor carriers had phones disconnected;
- 18.97% (188) of the total accounted for a person unable to answer all of the questions or refused to cooperate.

When the categories were compiled into Interstate Operations and Out of Business/Solely Intrastate Operations, we concluded the following:

- 60.95% (604) were In Business (Interstate Operations)
- 39.05% (387) were Out of Business or Operating Solely Intrastate

Below is a table of the categories used for the summary.

MCMIS Telephone Survey Results (January - April 2006)

Tota	ıl 991	100.0%
Sub-Tota	ıl 387	39.05%
Phone Disconnected	270	27.25%
No Longer in Business	55	5.55%
Currently in Business/Intrastate	62	6.25%
Out of Business/Solely Intrastate Operations		
*Number was weighted at 0.80 Sub-Tota	ıl 604	60.95%
VM/Ans. Machine	- 1 -1	07.7770
No One Answered: Still in Business According to	44*	04.44%
Person Refused to Cooperate/Unable to answer Questions	188	18.97%
Currently in business/Interstate	372	37.54%
Currently In Business		

In conclusion, it is apparent that the number of active interstate motor carriers is much less than the current number of active interstate motor carriers residing in MCMIS. Based on the results of our phone survey, a liberal estimation of the percentage of motor carriers currently operating in interstate commerce is approximately 61% of the current population of active interstate carriers in MCMIS.

If we assume that a large percentage of the 223 motor carriers that we were unsuccessful in contacting after a minimum of three phone calls are not currently involved in interstate commerce, the percentage of active interstate motor carriers would decrease from the 61% based on qualified contacts to approximately 55% being involved in interstate commerce.

APPENDIX H

Background

A survey of motor carriers that were listed in the Federal Motor Carrier Safety Administration's (FMCSA) Motor Carrier Management Information System (MCMIS) database as interstate carriers was conducted to assess its accuracy. Based on the survey criteria, it was determined that 60% of the interstate motor carriers contained in MCMIS were in business. To determine this, a "snapshot" of the MCMIS database was taken on December 12, 2005. The file contained approximately 712,000 (712,837) interstate motor carriers. Interstate motor carriers that had more than 100 power units totaled 3,970. When sampled, 14 out of the available 3,970 were surveyed. Under the criteria used for the survey, 12 out of 14 are considered to be a qualified contact. Of the 14 surveyed, none represented motor carriers in the top two brackets (>1000 and ≤ 5000 and >5000). Below are the results of motor carriers with power units greater than 100.

MCMIS Telephone Survey: Greater than 100 power units (January - April 2006)

Power Unit Groups	In Bus	Not in Bus	No Answer	Phone Disconnect	Wrong Phone #	Unable to Answer	No Phone # listed in MCMIS	DOT # Not active in Safer	Total Response	% of Total Response
>5000	0	0	0	0	0	0	0	0	0	0.00%
>1000 and ≤5000	0	0	0	0	0	0	0	0	. 0	0.00%
>100 and ≤1000	7	0	0	2	2	3	0	0	14	0.92%

In order to better assess the motor carriers that have greater than 100 power units, a survey was conducted in three states; Illinois, New York, and Washington. From the MCMIS snapshot created on 12/12/05, motor carriers having more than 100 power units domiciled in Illinois was 208, New York was 121, and Washington was 70.

Methodology

Due to the relatively small numbers for each state, attempts were made to contact every motor carrier. When contacted, the same three questions were asked when conducting this survey as was asked when conducting the nation-wide survey:

- 1 Are you still in business?
- 2 Do you ever travel out of state for business?
- 3 How many power units do you own or have on long term lease?

Answers to the survey questions one and two were coded numerically so that they could be easily sorted and queried when needed.

Question one had eight possible answers:

- 1 In Business
- 2 Not in business
- 3 No one answered
- 4 Phone disconnected
- 5 Wrong answer
- 6 Person refused to cooperate/unable to answer questions
- 7 No number listed in MCMIS
- 8 DOT number not active

Question two had two possible answers:

- 1 Interstate
- 2 Intrastate

Question three was the result of the respondent's answer based on the number of power units.

Spreadsheets were made up of each state's motor carriers that had more than 100 power units and then sent to the respective state representative conducting the survey. Once the survey was completed, the results were sent back and tabulated.

Qualified Contact

For the purposes of the survey, a qualified contact fell under five categories: Currently in business; No longer in business; No one answered phone (Still in business according to voice mail/answering machine); Phone disconnected; and Person refused to cooperate or unable to answer questions.

Survey Results

New York State had a total of 121 interstate carriers that had greater than 100 power units. A total of 105 or 86.8% interstate motor carriers were contacted. 74.4% (90) of the 121 motor carriers were in business and traveling out of state. 1.65% (2) indicated that they were in business but did not leave the state. 0.826% (1) was still in business but, was unable to answer all of the questions. 9.92% (12) of the 121 indicated that they were no longer in business. A total of 13.2% (16) of New York's interstate carriers with more than 100 power units were not contacted due to various reasons. 6.61% (8) had disconnected phones. 4.96% (6) had a wrong number listed in MCMIS. 0.826% (1) had a fax number listed rather than a phone number in their MCMIS file. 0.826% (1) had a DOT number that was not active at the time of the survey.

+100 Power Unit Motor Carrier Survey: New York Raw Numbers (April 2006)

Contacts		
Currently in Business		
Interstate	90	74.4%
Intrastate Only	2	1.65%
Person Refused to Cooperate/Unable to answer Questions	1	.826%
No longer in Business	12	9.92%
Sub-Total	105	86.8%
No Contact		
No one answered	0	0%
Phone Disconnected	8	6.61%
Wrong Number	6	4.96%
No number listed in MCMIS or a fax number listed	1	.826%
DOT Number not Active in Safer	1	.826%
Sub-Total	16	13.2%
Total	121	100%

Washington had a total of 70 interstate carriers that had more than 100 power units. 71.5% (50) of the 70 were contacted for the survey. 62.9% (44) were in business and were traveling interstate. 4.29% (3) were in business but, unable to answer all of the questions. 4.29% (3) indicated that they were no longer in business. 28.6% (20) of the Washington interstate motor carriers were not contacted due to various reasons. 21.4% (15) did not answer the phone but, were still in business according to the voice mail or answering machine. 2.86% (2) of the motor carriers had disconnected phones. 1.43% (1) had the wrong phone number listed in MCMIS. 2.86% (2) had no number or a fax number was listed as the phone number in MCMIS.

+100 Power Unit Motor Carrier Survey: Washington	Raw N	umbers (Anril 2006)	
Contacts		<u> </u>	
Currently in Business			
Interstate	44	62.9%	
Intrastate Only	0	0%	
Person Refused to Cooperate/Unable to answer Questions	3	4.29%	
No longer in Business	3	4.29%	
Sub-Total	50	71.5%	
No Contact No one answered(Still in Business accd. to VM/Ans. Machine	15	21.4%	
Phone Disconnected Wrong Number No number listed in MCMIS or a fax number listed DOT Number not Active in Safer Sub-Total	2 1 2 0 20	2.86% 1.43% 2.86% 0% 28.6%	
Total	70	100%	

The combined raw numbers show that a total of 81.2% (155) of the motor carriers from New York State and Washington State were contacted for the analysis. 70.2% (134) were in business and traveling interstate. 1.04% (2) was in business and solely traveling within state borders. 2.09% (4) were in business but were unable to answer questions or refused to cooperate. 7.85% (15) that were contacted were no longer in business. 18.8% of the 191 were not contacted for various reasons. 7.85% (15) did not answer when contact was attempted. The phone was disconnected for 5.24% (10) of the total. 3.66% (7) had wrong numbers. No number was listed or a fax number was listed as the phone number in the MCMIS database for 1.57% (3) of the total. .524% of the total accounted for The DOT number not active at the time of the survey.

+100 Power Unit Motor Carrier Survey: Combined Raw Numbers (April 2006)

Contacts			
Currently in Business		mo 00/	
Interstate	134	70.2%	
Intrastate Only	2	1.04%	
Person Refused to Cooperate/Unable to answer Questions	4	2.09%	
No longer in Business	15	7.85%	
Sub-Total	155	81.2%	
No Contact			
No one answered	15	7.85%	
Phone Disconnected	10	5.24%	
Wrong Number	7	3.66%	
No number listed in MCMIS or a fax number listed	3	1.57%	
DOT Number not Active in Safer	1	0.524%	
Sub-Total	36	18.8%	
Total	191	100%	

When the states are combined, qualified contacts totaled 177 motor carriers. 84.7% of the 177 were in business. 75.7% (134) were in business and traveling interstate. 2.26% (4) were unable to answer questions or refused to cooperate. 15 motor carriers did not answer their phones but did however mention the business on the voice mail or answering machine. This number was weighted at 80% based on the contact rate of the nation-wide interstate survey. This resulted in 12 qualified contacts or 6.78% for the no answered category. 15.3% was found to be out of business based on the criteria. 1.13% (2) was in business but conducting business solely in the state. 8.47% (15) were found to be no longer in business. 5.65% (10) had phones disconnected. Below is a table of qualified contact findings.

+100 Power Unit Motor Carrier Survey Results (April 2006)

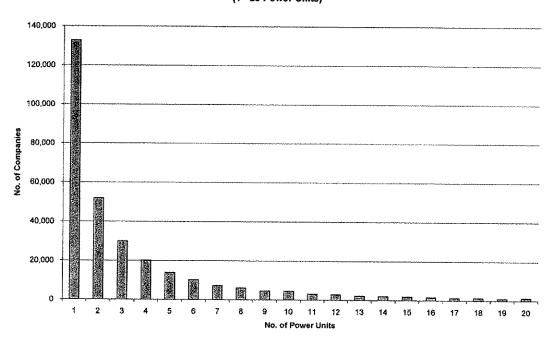
Currently In Business		
Currently in business/Interstate	134	75.7%
Person Refused to Cooperate/Unable to answer Questions No One Answered: Still in Business According to	4	2.26%
VM/Ans. Machine *Number was weighted at 0.80	12*	6.78%
Sub-Total	150	84.7%
Out of Business		
Currently in Business/Intrastate	2	1.13%
No Longer in Business	15	8.47%
Phone Disconnected	10	5.65%
Sub-Total	27	15.3%
Total	177	100%

<u>APPENDIX I</u>

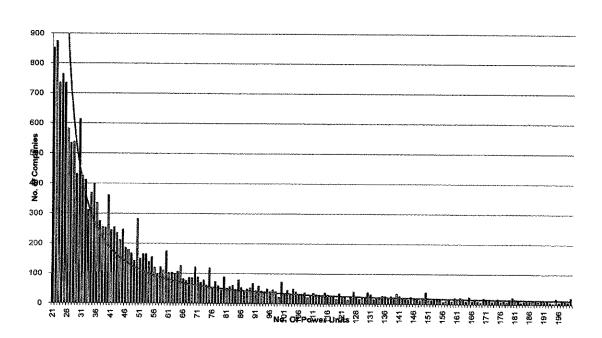
SafetyNet Database - Count by State Address	326,005
Brokers & Fr. Fwd. (FMCSA Estimate)	19,000
Total Companies	345,005

APPENDIX J

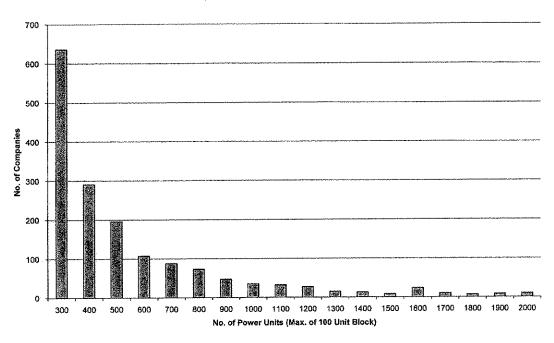
UCR Distribution (1 - 20 Power Units)



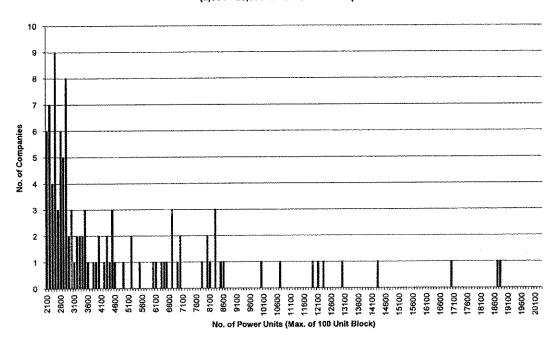
UCR Dstribution (21 - 200 Power Units)



UCR Distribution (201 - 2000 - In 100 Unit Blocks)



UCR Distribution (2,001 - 20,300 in 100-Unit Blocks)



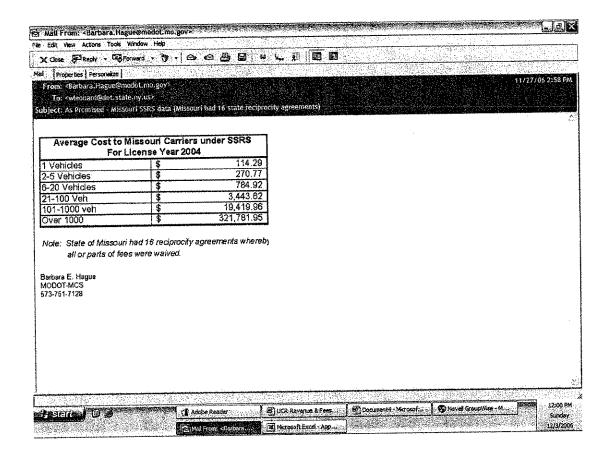
APPENDIX K

Percentage of Accounts with One-Vehicle

Jurisdiction	Percentage	Average Fee
Colorado	57.0 % ¹	
Idaho	30.0 %	\$ 70.00
Iowa	51.2 %	\$ 101.21
Kansas	36.4 %	\$ 111.49
Maine	85.0 %	Not available
Manitoba	31.8 %	\$ 123.69
Minnesota	62.0 %	Not provided
Nebraska	56.4 %	\$ 72.11
North Dakota	54.4 %	\$ 121.91
Saskatchewan	25.0 %	\$ 97.74
South Carolina	25.0 %	Not available
South Dakota	63.0 %	Not Provided
Tennessee	38.7 %	\$ 166.20
Texas	53.0 %	\$ 112.50
Washington	54.7 %	\$ 115.84
Wisconsin	55.6 %	Not provided

¹ This figure was arrived by a sampling.

APPENDIX L



and contraction of the contracti

APPENDIX M

2004 FIGURES FOR MANITOBA, SASKATCHEWAN AND NORTH DAKOTA

TRU	TRUCKS MANITOBA		SASKATCHEWAN	NORTH DAKOTA **		
_	1	\$118.67	\$103.18	\$122.15		
2	5	\$310.90	\$366.42	\$278.84		
6	20	\$1,185.42	\$1,219,81	\$984.54		
21	100	\$5,597.26	\$8,059.13	\$6,435,74		
101	1000	\$42,393.53	\$20,635.60	\$22,976.03		

^{**} North Dakota is not a reciprocity state.

Pursuant to the Unified Carrier Registration Agreement Report of the Revenues and Fees Subcommittee Recommended Fee Structure Discussion

APPENDIX N

FEE CALCULATION

Proposed By: Fee Committee

⋖ Scenario:

Green - Recommend You Do NOT Change These Cells

Yellow - Recommend You Change These Cells Highlighted Cells Can Be Changed 🕟 🖫

			, سم						_	_	~	-		œ						
	:	epice epice	Minimum Maximum						75.00	72.50	70.8	70.24	69.3	37.46						
	;	Cost Per Vehicle	2 <u> </u>						75.00 \$	8	25.	14.75 \$	8	\$ 89.						
	1	8	MILIT						\$ 75	\$ 28	₩ ₩	& 4	₩	⇔						
			Revenue						\$11,806,275	\$16,793,755	\$22,023,075	\$24,038,075	\$23,667,000	\$8,662,500	\$106,990,680	\$106,772,400	\$218,280			
			2																	
		Fee Per	Company						\$75.00	\$145.00	\$425.00	\$1,475.00	\$7,000.00	\$37,500.00		•				
			% of Total						45.63%	33.57%	15.02%	4.72%	%86.0	0.07%	100.00%		(Deficit)	()		
	Adjustment Column		Companies % of Total	5,749	18,000	,000 00,1	132,668	157,417 J	157.417	115,819	51,819	16,297	3,381	231	344,964	Target	Sumlus / (Deficit)			
	Adjust	%	(100% = Normal)	10%	10%	10%	40%		100%	100%	100%	100%	100%	85%					C27)	(2.28) (2.28)
	·	nies	%						45 6%	33.6%	150%	4.7%	1.0%	0.1%	100.0%				ple 4) of Block 4 (cell	of Block 5 (cell
		Companies	Ž	5,749	18,000	000,	132,668	157,417 I	157 417	115.819	51.819	16.297	3381	272	345,005	g	Ploofe:	S. S	blocks (exam the top range	he top range
	11/20/2006	Power Units	Between And	- 2	Brokers (FMCSA Estimate)	Fr. Fwd. (FMCSA Estimate)		•	C	· u	1 «	2 ° €	100 100 100 100 100 100 100 100 100 100	1.001	•	MINIMI IM 4 BLOCKS	To the farmer them 6	CLEAR CAME CALLONS	Choose the No. of blocks (example 4) Enter 100,000 for the top range of Block 4 (cell C27)	Enter 100,001 for the top range of Block 5 (cell C28)
2 5 5	Date:		Block	Blank Power	Brokers (FIM	Fr. Fwd. (FIM	SafetyNet		ă	ž &	2 6	3 &	5 ¥	3 8	Total					

Page 45 of 58

APPENDIX O

UCR PROGRAM

Fee Committee Report
To
UCR Board of Directors

October 11, 2006 Washington, D.C.

UCR Fee Calculation Variables

- Revenue Requirement
- Carrier Population
- Carrier Distribution
- Company Blocks 4 to 6
- Fees

UCR Program Revenue Requirement

		Source:
SSRS Revenue	\$ 92,123,016	UCR State Revenue Entitlement.xls
UCR Admin/Operations	\$ 5,000,000	Estimate
Intrastate Revenue	\$ 10,916,348	UCR State Revenue Entitlement.xls
Non-SSRS State Allocation	\$ 5,000,000	Estimate (10 states @ \$500,000 each)
Revenue Target	\$113,039,363	

Carrier Population

Fees based on MCS-150.

MCMIS (Motor Carrier Management Information System) Database

MCMIS Database Problems

- Largest Carrier Mr. Hill 80,000 Power Units (One power unit weighing 80,000 lbs.)
- New York DOT Telephone Survey

Companies with < 1,000 vehicles

60%

Companies with >= 1,000 vehicles

85%

· Washington and Illinois Surveys

Alternate Data Sources

AAMVA

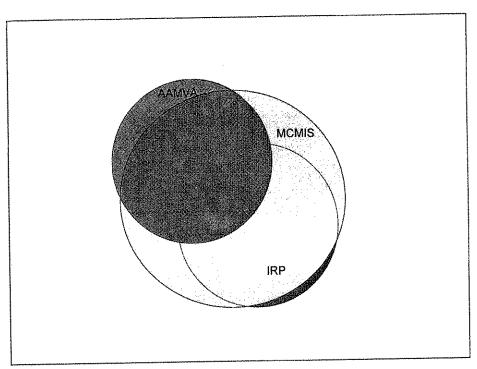
(American Association of Motor Vehicle Administrators)

IRP

(International Registration Plan)

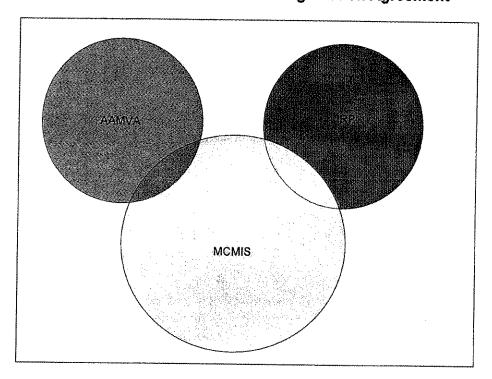
IFTA

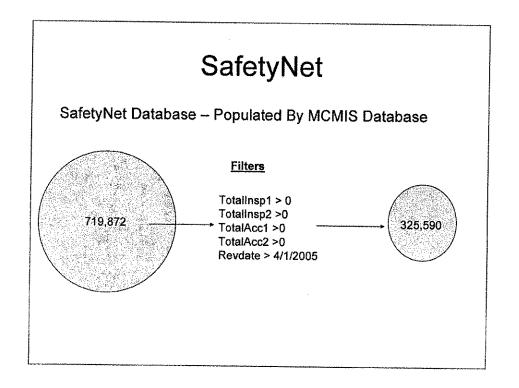
(International Fuel Tax Association)



Data Problems

- AAMVA Inconsistent records:
 - John Smith Trucking, Inc.
 - J. Smith Trucking
 - John Smith Trucking
 - J. Smith, Inc.
- IRP Data available only aggregated by blocks: 1 – 5 Vehicles, etc.
- IFTA Data not appropriate.





SafetyNet Data Tweaks

Adjustments:

- Brokers

Est. 18,000 (FMCSA)

- Freight Forwarders

Est. 1,000 (FMCSA)

Notes:

- Carriers with no PowerUnits

5,488

- Carriers "lost" in the analysis

1,590

 Agreement to adjust blocks of >= 1,000 to reflect known errors in database. 85%

Carrier Population

(Fee Committee Agreement – Subject to Corrections)

Brokers (Estimate)

18,000

Fr. Fwd. (Estimate)

1,000

SafetyNet

Blank Power Units Field

5,488

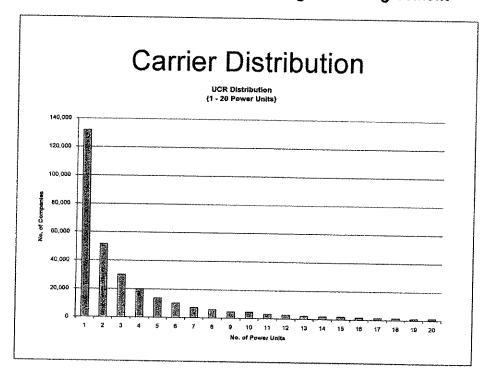
Positive Power Units

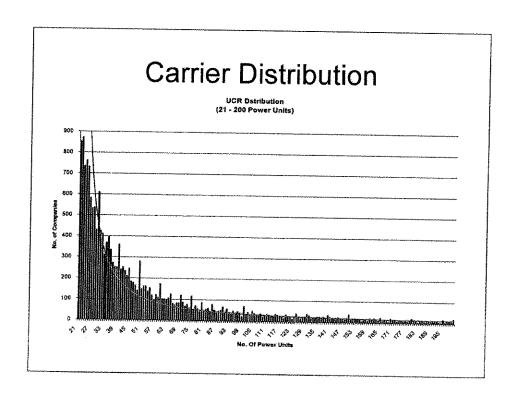
318,512

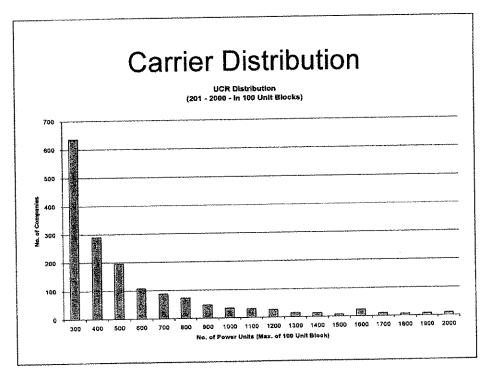
324,000

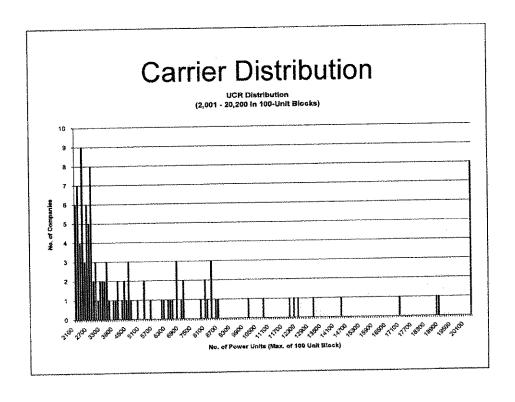
Total Companies

343,000









Company Blocks

Minimum - 4

Maximum - 6

Fee Committee Agreement - 6

Fees

The

\$113,039,363

Question.

		Int	era	ctive	re	e ivi	loue)				
FEE CALC	CULATION								ī			
Scenario:	y: Name (e.g. "John Do Description (e.g. "1"	11.11.1.3.14				Yellow - Re		Change These Cells Do NOT Change These	Cell	•		2
Date:	10/6/2006	N1,775		Adjus	ment Column	1						
	Power Units	Compani	05	% (100% = Normal)	Companies		řea Per Company	Revenue	_	ost Pei muci		
Blank Power Breikers (Est Fr. Fwd. (Est SafetyNet		5,488 18,000 1,800 131,756 156,244		100% 100% 100% 100%	5,488 18,000 1,000 131,756 156,244							
81 82 83	1 1 2 2 3 3	155,244 51,568 29,928	45.6% 15.0% 8.7%	100% 100% 100%	156,244 51,568 29,928	15.03% 8.73%	\$1 \$2 \$3	\$156,244 \$103,136 \$89,784 \$79,888	\$ \$ \$ \$		\$	1.0 1.0 1.0 1.0
84 85 <u>86</u> Total	4 4 5 5 8	19,972 13,704 <u>71,584</u> 343,008	5.8% 4.0% 20.9% 100.0%	100% 100% 100%	19,972 13,704 <u>71,584</u> 343,000	4.00% 20.87%	\$6	\$68,520 \$429,504 \$927,078	\$	1.00	\$	1.0
	MINIMUM 4 BLOCK	5			Target		_	\$113,039,363				
To use fewer than 6 blocks:			Surplus / (Deficit)				(\$112,112,287)					

Block and Fee Options

After playing with the model for many hours, I've come to the conclusion that after you begin with a philosophy of where to begin, whether \$75 or \$150, at the low end, there are not that many ways to get to \$113 million.

Bill Leonard, NYDOT

			Fe	e Sc	en	ari	o A	•		
FEE CALCULA	ATION									
Proposed By: Fe	a Committee	5,000,6					d Cells Can Be		. 23 384 5 15	North Action
Scenario: A	11/2006							Change These Cells Do NOT Change The:		
				Adjus	iment Colum	1				
	Power Units	Compa		14			Fee Per		Cost Par	r Vehicie
<u>Block</u> Blank Power Field	twoon And	N2.	<u>%</u>	(100% = Normal)	Companies	% of Total	Company	Revenue	Minimum)	Maximum
olank rowel rieko Broke <i>r</i> s (Estimate)		5,488 18,000		100% 100%	5,488					
Fr. Fwd. (Estimate		1,000		100%	18,000 1,000					
SafetyNet	1 1	131,766		100%	131,756					
	•	156,244			156,244					
		į.			Ţ					
81	1 3 3	156,244	45.6%	100%	156,244	45.56%	\$80	\$12,499,520	\$ 80.00	\$ 80.00
B2 93	2 5	115,172	33.6%	100%	115,172	33,58%	\$160	\$17,275,800	\$ 30,00	\$ 75.00
33 34	6 20 21 100	51,864 16,271	15.1% 4.7%	100%	51,664	15.06%	\$450	\$23,248,800	4	\$ 75.00
35	101 1 000	3,377	1.0%	100%	16,271 3,377	4.74%	\$1,575	\$25,626,825		\$ 75.00
	1.001	272	0.1%	85%	231	0.98% 0.07%	\$7,500 \$40,000	\$25,327,500		\$ 74.26
Total		343,000	100.0%			100.00%	- 4-10,00g	\$9,240,000 \$113,218,445	\$ U.73	\$ 39.96
MIN	MUM 4 BLOCK	ŝ		1	(arget			\$113,039,383		
Te	use fewer than 6 l	tiocks:		;	Surplus /	(Deficit)	****	\$179,082		
Choose the No. of blocks (example 4)			= 41			,	====	4114144		

		F	-06	2	Sc	ena	aric	٦R			
FEE CAL	CULATION			•	O O	CIT	AI IX	ט			
							Highlight	d Cells Can Be	Changed	7	
Proposed I	By: Fee Committee						*AULTRABORTISCH	The second second	Change These Cells		
Scenario:	8	200							Do NOT Change The		i de i
Date:	10/11/2006										
	Power I Inits	Compa	m)an			stment Colum	<u>g</u>				
Blook	Between And	No.	% %	240	% 9% = Normali	Camandan	% of Total	Fee Per			r Vehicle
	r Field in SafetyNet	5,488	<u></u>	1.02	100%	5,488		Company	Revenue	<u>Minimum</u>	Maximu
Brokers (Es		18,000			100%	18,000					
Fr. Fwd. (Es	stmate)	1,000			100%	1,000					
SafetyNet	1 1	131,756		:	100%	131,756					
		156,244				156,244					
		1				į.					
81	1 1 1	158,244	45.8%		100%	156,244	45,56%	\$100	\$15,624,400	\$ 100.00	\$ 100.0
82 83	2 5	115,172	33.6%		100%	115,172		\$176	\$20,155,100	\$ 35.00	\$ 87.5
84	5 20 21 100	51,564	15.1%		100%	51,664		\$500	\$25,832,000	\$ 25.00	\$ 83.3
35	101 1,000	16,271 3.377	4.7% 1.0%		100%	16,271	4.74%	\$1,500	\$24,496,500		\$ 71.4
86	1.931	272	0.1%	-11	85%	3,377 231	0.98% 0.07%	\$6,000	\$20,262,600		\$ 59.4
Total	1,441	343,000	100.0%		19470	421 342.959		\$30,000	\$6,930,000	\$ 0.55	\$ 29.9
		0.40,000	:00.424			942,355	100.0076		\$113,210,000		
	MINIMUM 4 BLOCK	\$				Target			\$113.039,363		
	To use fewer than 5	blocks.				Surplus /	(Deficit)	-	\$170,637		
	Choose the No. of t	aocks (example	41				/m aat	1000	7110,001		
	Enter 100,000 for R										

		r	- C 6	e Sc	ena	aric				
	cul ATION y, Fee Committee C 10/11/2006				•	Yellow - Re	and the second second	Changed 35 Change These Cells to NOT Change These	Cells	B. p.s.
			_		ment Column	-	Fee Per		Cost Par	r Vehicle
	Power Units	Compa	les %	% (166% = Normal)	Companies	W ad Tatal	Company	Revenue	Minimum'	
Block Blank Power Brokers (Est Fr. Fwd. (Est SafetyNet		No. 5,488 18,000 1,000 246,928 271,416	æ	100% 100% 100% 100%	5,488 18,000 1,000 246,928 271,416			. –		
B 1	1 7 5	271,415	79.1%	100%	271,416	79.14%	\$125	\$33,927,000		\$ 125.00
B2	6 🔑 20	51,664	15.1%	100%	51,684	15.06%	\$600 \$1,600	\$25,832,000 \$24,406,500	\$ 25.00 \$ 15.00	
B3	21 108	16,271	4.7% 1.0%	100% 100%	16,271 3,377	4,74% 0,98%	\$7.000	\$23,639,000	\$ 7.00	
84 85	101 1,000 1,001 5,000	3,377 231	0.1%	85%	198	0.06%	\$16,000	\$3,136,000	\$ 3.20	
<u>86</u>	5,001	41	0.0%	11 4 7 7 7 7 7 7	35	0.01%	\$60,000	\$2,100,000 \$113,040,590	\$ 1.09	\$ 12.00
Total		343,000	100.0%		342,959	100.00%		\$113,540,590		
	MINIMUM 4 BLOCK	\$			Target			\$113,039,363		
		blocks:			Surplus /	Maticity		\$1,137		

UCR SYSTEM State Perspective

Ensure "System" is Whole
Revenue Requirement

Depository / Balancing

What Does the System Mean to Your State?

Donor or Recipient State?

If Recipient State:

What are Cash Flow Requirements?

APPENDIX BB

Revenue and Fees Subcommittee

Rick Craig

Owner- Operator Independent Drivers Association

Gene Eckhardt

Washington Utilities and Transportation Commission

Earl Eisenhart

Transportation Intermediaries Association

John Jabas

Frozen Food Express Industries

Tom Klingman

United Parcel Service

Frank LaQua

North Dakota Department of Transportation

Dave Lazarides

Illinois Commerce Commission

Bill Leonard, Chair

New York Department of Transportation

Bob Pitcher

American Trucking Association

Richard Schweitzer

National Private Truck Council

Bob Voltmann

Transportation Intermediaries Association

		XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX