

Minutes of the Unified Carrier Registration Plan Board of Directors Meeting
Teleconference
May 21, 2007

The twelfth UCR Plan Board of Directors (Board) meeting was called to order by Avelino Gutierrez, Chair, at 11:05 a.m., EDT.

Attendance:

Board of Directors Present - Avellino Gutierrez, Bob Pitcher, Rick Craig, Buddy Covert, Barb Hague, David Hugel, Frank LaQua, Bill Leonard, Angel Oliver, Ruth Skluzacek, Craig Sharkey, Robert Voltmann, and Terry Willert.

Absent – Dave Lazarides and Rich Schweitzer.

Self-introductions were made by others present.

The agenda was reviewed and approved.

The ground rules for the meeting were reviewed.

David Hugel made motion to approve the minutes of eleventh (April 24, 2007) Board meeting. Motion passed unanimously.

Dick Henderson provided an update concerning the UCR, SSRS extension, and other possible legislation.

Dave Hugel provided an update from the Federal Motor Carrier Safety Administration. Rulemaking on the UCR fees will go to Federal Register next week for a 15 day comment period. Significant comments will be addressed in the final rule. The effective date for final rule is not yet known.

Judy Rutledge will retire at the end of month; no replacement has yet been named.

Electronic verification of compliance with the UCR fees will hopefully be provided at June meeting.

The Administrator sent out letters of reappointment to the Board members from the National Conference of State Transportation Specialists.

Bill Leonard, Chair, provided the report of Revenue and Fees Subcommittee. The subcommittee will come to the June meeting with a proposal for outreach to the motor carriers and others subject to the UCR fees, and how a new state can opt into the UCR Agreement.

Avelino Gutierrez provided the report of UCR System Subcommittee. A draft of a letter to be sent to the Texas DOT concerning the UCR on-line registration system was discussed (See Exhibit A). Craig Sharkey made a motion that the letter be finalized and, under Avelino's signature, be sent to the Texas DOT. Motion passed.

Sandy Bowling reported that Indiana will provide its on-line registration system software, written in JAVA, to other states. The UCR System Subcommittee is still looking at using an outside vendor to be up and running prior to fees being established. More info will be provided at the June meeting. The requirements for on-line registration system will be sent to entire UCR email list.

The UCR System Subcommittee will continue to work on these various options for the UCR on-line registration system.

Bob Pitcher, Chair, provided the report of the Industry Advisory Subcommittee. The subcommittee's next meeting will be early morning on June 12, in Indianapolis, prior to the next Board meeting.

Frank LaQua, Chair, provided the report of the Depository Subcommittee. The Request for Proposal was discussed. See Exhibit B. The Board will need to approve the final RFP document at the June meeting.

The Depository Subcommittee will make a presentation at the June meeting regarding notification to motor carriers. Comments on how the notification should be accomplished should be sent to Craig Sharkey and Frank Laqua by the end of May. The subcommittee will continue to work on the formula for distribution of excess funds.

Barbara Hague, Chair, provided the report of the Procedures Subcommittee. Instructions for the registration form and the revised UCR Agreement will be presented at the June meeting.

Terry Willert provided a report on the revisions to the Question and Answer Document. The document will go out for approval at the June meeting.

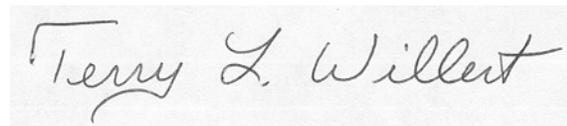
The next Board meeting will be held at the Hilton Indianapolis in Indianapolis, Indiana, on June 11 and 12, 2007. Sandy Bowling gave an update on preparations for the meeting, including that there is teleconference capabilities.

A subsequent Board meeting will be June 28, 11:00 a.m. EDT, by teleconference.

In anticipation of the UCR fees being approved and final preparations being needed to begin fee collections, a face to face Board meeting will be held in late July or early August. Board members were instructed to provide Avelino Gutierrez with their available dates in July and August so that he can schedule the meeting.

Barb Hague advised that Missouri did not get 2007 legislation passed to participate in the UCR Agreement.

Meeting adjourned at 2:15 p.m. EDT.

A handwritten signature in cursive script that reads "Terry L. Willert". The signature is written in dark ink on a light-colored background.

Minutes approved by the UCR Board on June 11, 2007.
Terry L. Willert
UCR Board Acting Secretary

Exhibit A
UCR Plan Board Meeting Minutes
Teleconference
May 21, 2007

First, thank you for all of the time and effort the State of Texas has expended in developing an internet based registration system for the Unified Carrier Registration Agreement as well as all the time spent working with the UCR Systems Subcommittee. At our Board meeting held on April 24th, we learned that Texas has made the determination that it will be unable to host the UCR registration system. Needless to say, the members of the UCR Board were disappointed to hear this.

As Chairman of the UCR Board, I thought I would take this opportunity to attempt to alleviate the concerns raised by Texas as well as clarify the expectations we would have of any party that would be willing to host the UCR system for present year.

Any website host will be expected to:

- Provide a Web site that allows staff people from other states to register motor carriers in the UCR program -Anticipated Date - June 1, 2007
- Provide reconciliation information related to the UCR financial transactions
- Forward enforcement information to FMCSA on a nightly basis
- Provide reporting with regard to how much UCR revenue has been received by each state using the Texas solution

The Board understands that Texas, or any other site host, may need assistance with some support functions involved in hosting the web site. While we are currently only looking for a commitment for the present year, we would certainly be open for Texas, or any other State, to act as host for additional registration periods.

The largest concern that we heard expressed relating to Texas' reservations about hosting the UCR registration site was that of liability. The Board is certainly cognizant of this concern and believes it can address it through a number of measures. Our impression is that there is a concern that loss of information or inaccurate information relating to registration entities, number of vehicles, fees owed, etc., would be attributed to the State of Texas and potentially put the State in financial risk. To alleviate these concerns, we would like to propose a hold harmless agreement in the UCR Agreement whereby each state using the system developed by the State of Texas would agree to hold the State of Texas harmless for any loss or claim arising out of inaccurate information on the website or for website malfunction.

While we understand Texas is currently of the mind that it cannot host the system, we hope that this clarification may soften the resolve against acting as host. If not successful in that, as Chairman of the Board, I would appreciate the opportunity to speak with representatives of your state to better understand what we will need to make another state successful in acting as host.

Sincerely,

Exhibit B
UCR Plan Board Meeting Minutes
Teleconference
May 21, 2007

REQUEST FOR PROPOSAL

FOR
**Unified Carrier Registration
Funds Depository**

REQUESTED BY:
Unified Carrier Registration Board

Date Issued:
Proposal Due:

1. GENERAL INFORMATION

Proposals must be **received** by the Unified Carrier Registration Board (“UCR Board”) no later than 5:00 p.m. EST on _____, 2007 at the following address: _____ . Consideration of late proposals will be the option of the UCR Board.

Respondent must identify the name, title, address, and telephone number of the person(s) in its organization to whom the UCR Board can address questions during the evaluation of Proposals.

All questions regarding the RFP process should be directed to _____. The UCR Board shall not be responsible for any instructions given to a respondent other than written instructions from _____. Technical questions or clarifications must be received in writing no later than _____.

As members of the UCR Board are located in various locales, proposals should be submitted in electronic format (e.g. MS PowerPoint or Adobe Acrobat).

2. DESCRIPTION UNIFIED CARRIER REGISTRATION SYSTEM

On August 10, 2005, President George W. Bush signed the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) into law. SAFETEA-LU authorizes the Federal surface transportation programs for highways, highway safety, and transit for the 5-year period 2005-2009. Include in SAFETEA-LU is the Unified Carrier Registration Act of 2005 (the “UCR Act”). A stated purpose of the UCR Act was to establish an online Federal registration system for the registration of interstate commercial motor vehicles, as defined in 49 USC § 13 _____. One purpose of the new UCR System is to replace the previously existing single State registration system.

Pursuant to the UCR Act, the Secretary of the United States Department of Transportation appointed 15 members to act as the Board of Directors for the Unified Carrier Registration Plan (the “UCR Board”) and to implement the online registration system. In order to fulfill its obligations, the UCR Board is creating a system to effect the registration of commercial motor vehicles through one Federal portal. The UCR Board has determined that it requires the services of an entity that can provide certain banking and reporting functions in order to create an effective registration system.

3. SERVICES DESCRIPTION

The UCR Board anticipates that the majority of the funds will be collected by States participating in the Unified Carrier Registration Plan (UCR Plan). Under the UCR Plan, each participating State will register motor carriers and collect registration fees for carriers based in the State. There are 37 participating States. In addition, funds may come from an on-line registration site administered by a third party.

The UCR Board has established an allocation scheme for all registration fees collected to ensure that the participating States receive the appropriate funding. As a result, certain States will receive more dollars in registration fees than they are entitled to under the allocation scheme approved by the UCR Board (Donor States), others less (Recipient States).

The UCR Board anticipates that at a minimum, two/distinct separate services will be required
Bank Services

1. Checking account (no minimum balance)
2. Savings/CD account interest bearing
3. Ability to handle and facilitate electronic monetary transactions. All incoming (Donor States) & outgoing (Recipient States) monetary transactions handled electronically (ACH)

Administrative Services

1. Receive and enter monthly collection reports from the participating states. If collections are in excess of a State's entitlement under the allocation scheme, verify that the excess has been electronically deposited. Contact all States that have not sent reports or funds (if applicable) by 15th of the following month.
2. Report to the UCR Board, or it's designee, by 20th of the following month these things:
 - Cumulative collection per state for the previous month
 - Dollars Short of entitlement per state
 - Excess funds available
 - Disqualified recipient states (no report submitted)
 - Proposed distribution of excess funds (formula and/or methodology provided by UCR Board)
 - Donor states issues (no report submitted or excess funds not sent)
3. Upon approval from UCR Board or it's designee, disperse excess funds by last day of the month. This money will be moved from savings to checking and sent electronically only to Recipient States. Add excess funds sent to cumulative collection per state.
4. Host or identify a site where monthly (read only) status reports are posted.

The UCR Board anticipates that most, if not all, of the services described above will be provided free of charge.

4. PROPOSALS

4.1 RIGHTS OF UCR BOARD

THE UCR BOARD RESERVES THE RIGHT TO CONTRACT WITH ANY COMPANY, MORE THAN ONE COMPANY, OR NO COMPANIES FOR THE PROJECT.

THE UCR BOARD RESERVES THE RIGHT TO SET THE CRITERIA FOR SELECTION AT ITS SOLE AND ABSOLUTE DISCRETION. THE UCR BOARD SELECTION OF A COMPANY OR COMPANIES, IF ANY, WILL NOT BE BASED ON PRICE ALONE.

THE UCR BOARD INTENDS TO GIVE PREFERENCE TO ORGANIZATIONS AFFILIATED WITH PARTICIPATING STATES.

4.2 AWARD OF AGREEMENT

Unless and until an authorized representative of both parties executes an agreement, neither party shall be bound by such agreement.

The UCR Board reserves the right to negotiate any aspect of the Proposal or the subsequent contract, if any, with a Respondent.

4.3 PROPOSAL CONTENT

The information provided herein is intended to assist Respondent with providing sufficient information for The UCR Board to evaluate Respondent's services. This RFP is not intended to limit a Proposal's content or to exclude any relevant or essential data regarding Respondent. Respondent is encouraged to include any additional information that will substantiate its product quality, service capabilities, and commitment or that will otherwise assist The UCR Board in evaluating the products and service offered in the Proposal. The Proposal should be submitted with Respondent's most favorable price, quality and service capabilities, taking into the UCR Board's expectations.

Proposals must include:

- Pricing/Interest Rate Parameters
- A proposed Scope of Services
- A list of assumptions, if any, and explanation of same

Please note that any missing or incomplete information could disqualify Respondent from further consideration.

The Board will consider, but not be limited to, the following selection criteria:

- Overall quality of services offered
- Ability to provide the services requested
- Ability to provide the services in a timely manner
- Reputation of Respondent
- Quality and satisfaction of any previous products offered and/or service performed
- Other relevant information submitted

The Proposal must address all items contained in this RFP. The Proposal may include any other information that would be relevant and beneficial in evaluating the Proposal.

The UCR Board also reserves the right to (i) determine selection process (the UCR Board will select a company or companies, which offer the Proposal that is deemed to be best overall; provided however, the UCR Board also reserves the right to make multiple awards or no awards); and (ii) give consideration to special or unique features which may be offered by a Respondent. All decisions will be made solely at the discretion of The UCR Board.

4.4 CLARIFICATION /ADDITIONAL INFORMATION /PRESENTATION

The UCR Board may request clarification of any point in a Proposal or additional information from Respondent. Failure of Respondent to respond to such a request for additional information or clarification may result in the rejection of its Proposal. Respondent may be asked to make a presentation at a mutually acceptable time. Request for a presentation does not signify that the UCR Board intends to contract with Respondent for any products or services.

4.5 RIGHT TO ACCEPT OR REJECT

The UCR Board reserves the right to select one or more, or none of the Proposals submitted. Furthermore, the UCR Board reserves the right to accept or reject any Proposal received in whole or in part, and to waive any informality or technicality in any Proposal received.

All Proposals will be deemed valid for a period of at least 90 days subsequent to the Proposal due date, unless withdrawn according to this RFP.

4.6 EXPENSES

Expenses for developing Proposals and addressing information requests herein are entirely the responsibility of Respondent and shall not be chargeable in any manner to the UCR Board.

5. COMPANY AFFIDAVIT

Respondent is required to submit with its Proposal an affidavit stating that neither it nor its agents, nor any other party for it, has paid or agreed to pay, directly or indirectly, any person, firm or corporation any money or valuable consideration for assistance in securing this contract and further agrees that no such money or reward will be hereafter paid.

6. AUTHORIZED SIGNATURE

Respondent must sign and return the "Respondent Information Sheet" with its Proposal.

RESPONDENT INFORMATION SHEET

FEDERAL TAX ID NO. OR SOCIAL SECURITY NO.: _____

STATE OF INCORPORATION: _____

COMPANY'S LEGAL NAME: _____

PRINCIPAL ADDRESS: _____

TELEPHONE NUMBER: _____

FAX NUMBER: _____

AUTHORIZED SIGNATURE: _____

NAME OF AUTHORIZED REPRESENTATIVE: _____
(please print or type)

TITLE: _____

DATE: _____

AFFIDAVIT

I, _____, hereby certify that I am an authorized representative of _____ and do hereby state and affirm that neither I, nor any agent(s) of the above-named company, nor any other party acting on the company's behalf have paid or agreed to pay directly or indirectly any person, firm, or corporation any money or type of valuable consideration for assistance in securing any contract associated with this Request for Proposal. I further agree and represent that no such money or reward will be hereafter paid.

Further Affiant sayeth naught.

Affiant

Sworn to and subscribed in my presence this _____ day of _____, 2007.

Notary Public