

Unified Carrier Registration Agreement

UCR Board

Avelino A. Gutierrez, Chair

Robert Pitcher, Vice-Chair

P.O. Box 1269

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September 29, 2010

Brian Crow
President
Motor Coach Canada
555 Burnhamthorpe Road, Suite 505
Etobicoke, ON M9C 2Y3

SENT VIA FACSIMILE,
(416) 229-6281, AND
REGULAR, FIRST CLASS,
POSTAGE PREPAID MAIL

Dear Mr. Crow:

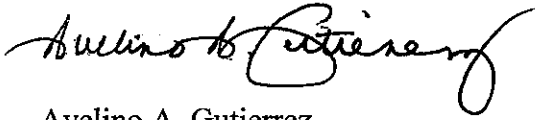
Thank you for your letter of July 28, 2010, wherein you express concerns about the Unified Carrier Registration Agreement as it applies to Canadian bus companies. Your first concern has to do with your understanding that Canadian carriers are required to pay UCR fees based on fleet size as listed on the carrier's most recent MCS-150 filing with US DOT. Your second concern has to do with the UCR fee increase for 2010.

With respect to your first concern, please note that when paying UCR fees, Canadian carriers may subtract from the number of vehicles reported on the MCS-150 form those vehicles that do not cross the border into the United States. You are correct in your assessment that in the way fees are assessed, the UCR program is a very different program than IRP and IFTA. Whereas IRP and IFTA are based on fees that are pro-rated based on actual mileage, United States federal law requires the UCR Agreement to assess and collect fees based on a carrier's fleet size *and* whether that carrier's motor vehicles are used in interstate commerce.

With respect to your second concern, the most significant portion of the increase in UCR fees for 2010 had to do with the change in United States federal law that eliminated trailers from the calculation of fleet size. *See*, 49 U.S.C. § 14504a(a)(1). I fully realize that this change in law affects motor carriers transporting passengers more than motor carriers of property although it should be stated that the predecessor programs to UCR did not include trailers in their fee calculation and many persons involved in the drafting of what ultimately became the UCR Act believe that trailers were never meant to be included in the UCR fee calculation. If you have any questions regarding this letter, please contact me at your convenience. Thank you.

LETTER TO BRIAN CROW, PRESIDENT
MOTOR COACH CANADA
SEPTEMBER 29, 2010
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Sincerely,

A handwritten signature in black ink, appearing to read "Avelino A. Gutierrez". The signature is fluid and cursive, with a large, stylized initial "A".

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

cc: Unified Carrier Registration Plan Board of Directors