

UCR Board Minutes 3-26-08
Exhibit A

Willert, Terry

From: Gutierrez, Avelino A., PRC [Avelino.Gutierrez@state.nm.us]
Sent: Tuesday, March 25, 2008 2:43 PM
To: Angel Oliver; Barbara Hague; Bill Leonard; Charles Covert; Craig Sharke; Dave Lazarides; David Hugel; Frank Laqua; Julie Otto; Rick Craig; Rick Schweitzer; Robert Pitcher; Robert Voltmann; Sandy Bowling; Willert, Terry
Subject: FW: FMCSA Recommended Changes to UCR Board Q&A

UCR Board Members--
 The e-mail below was received from FMCSA today.
 --Avelino

From: julie.otto@dot.gov [mailto:julie.otto@dot.gov]
Sent: Tuesday, March 25, 2008 1:54 PM
To: Barbara.Hague@modot.mo.gov
Cc: david.hugel@dot.gov; Gutierrez, Avelino A., PRC; rpitcher@trucking.org
Subject: FMCSA Recommended Changes to UCR Board Q&A

Barbara, good afternoon.

Included below you will find recommended changes to the UCR Board Q&A document. Below are the recommended changes for the answers along with the sections that correspond:

- **Sections F.2 and L.1 Answers:** These two responses need to be revised to state that motor private carriers of passengers are not subject to UCR registration and fees.
- **Section F.4 Answer:** No. Because of amendments to the definitions of motor carrier and motor private carrier made by section 4142 of SAFETEA-LU, carriers that operate only such small vehicles are no longer required to obtain operating authority from USDOT. Such carriers are also not required to obtain a USDOT number and are not subject to USDOT's safety regulations.
- **Section H.7 Answer:** Any State that did not participate in SSRS may elect to participate in the UCR Agreement, and if it does it may derive up to \$500,000 in annual revenues from UCR fees. In addition, such States may receive an amount up to the amount collected in 2004 from interstate carriers for intrastate registration fees.
- **Section K.2 Answer:** (In addition to the answer provided by the UCR Board) The Federal Motor Carrier Safety Administration (FMCSA) disagrees with this answer in light of section 14504a(f)(1)(A). This provision refers to fees charged "in connection with the filing of proof of financial responsibility under the UCR agreement." Not all of the entities included in the five categories of entities covered by the proposed fees are currently required to file financial responsibility information with FMCSA. The Board has authority to issue rules and regulations to govern the UCR Agreement, and FMCSA expects that the UCR Plan will establish requirements for filing of financial responsibility information by those entities not required to file with FMCSA. This is necessary to ensure that all covered entities are subject to the UCR fees, and thereby to ensure that the required revenue levels will be achieved.
- **Section N.10 Answer:** Yes, if the operator is providing transportation in interstate or foreign commerce.
- **Section N.13 Answer:** Generally, no. However, governmental entities that are considered public recipients of governmental assistance that engage in the transportation of passengers are considered motor carriers for the purpose of requiring operating authority from USDOT.

Julie Otto

3/25/2008

Transportation Specialist, State Programs Division
Federal Motor Carrier Safety Administration
(202) 366-0710

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