

DANIEL K. INOUE
HAWAII

UCR Board minutes 6-9-10
Exhibit A

COMMITTEE ON APPROPRIATIONS,
CHAIRMAN

SUBCOMMITTEE ON DEFENSE,
CHAIRMAN

COMMITTEE ON COMMERCE,
SCIENCE, AND TRANSPORTATION

COMMITTEE ON INDIAN AFFAIRS

DEMOCRATIC STEERING AND COORDINATION
COMMITTEE

COMMITTEE ON RULES AND ADMINISTRATION

United States Senate

SUITE 722, HART SENATE OFFICE BUILDING
WASHINGTON, DC 20510-1102
(202) 224-3934
FAX (202) 224-6747

PRINCE KUHIO FEDERAL BUILDING
ROOM 7-212, 300 ALA MOANA BOULEVARD
HONOLULU, HI 96850-4975
(808) 541-2542
FAX (808) 541-2549

101 AUPUNI STREET, NO. 205
HILO, HI 96720-4221
(808) 935-0844
FAX (808) 961-5163

June 8, 2010

**Mr. Avelino Gutierrez
Chair, Board of Directors
Unified Carrier Registration Plan and Agreement
224 East Palace Avenue
Santa Fe, New Mexico 87501**

Dear Chairman Gutierrez:

I understand that the Unified Carrier Registration (UCR) Board is scheduled to meet on Wednesday June 9, 2010, and I wish to thank you for your leadership on important matters before the Board. I wish to bring to your attention a recent effort to clarify the intent of language included in the Rail Safety Improvement Act of 2008 (RSIA; P.L. 110-432), exempting certain carriers in Hawaii's motor carrier fleet from the provisions of the Unified Carrier Registration Agreement (UCRA).

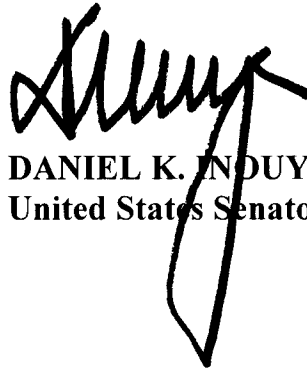
In 2008, I included this language in the RSIA to address a problem which is specific and unique to Hawaii. Under the UCRA program, participating states that neighbor non-participating states are able to collect monies from motor carriers in non-participating states, as there is a logical assumption that the motor carriers could travel there. However, Hawaii does not participate in the UCRA program. Hawaii's motor carriers do not travel to other states. The language that I had included in the RSIA was intended to make clear that Hawaii motor carriers (private and for-hire) that operate solely within the state are not subject to the UCRA program. It also makes clear that the UCR Board has the discretion and authority to further exempt certain motor carriers from the program.

It has come to my attention that despite this legislative language, several states have continued to send notice to Hawaii motor carriers of the requirement to register and pay the UCRA fee. I understand that you recently filed a motion for the UCR Board to exempt certain motor carriers in an effort to make clear to these other states which of its motor carriers are exempt. I believe that this petition is consistent with statutory language, and it upholds our intent under the RSIA. Therefore, within existing rules and regulations, I wish to request that the Board re-consider the motion that was offered at your previous meeting, which would exclude Hawaii motor carriers from the UCRA program.

Mr. Avelino Gutierrez
June 8, 2010
Page 2

I would greatly appreciate the Board's attention to this important matter. Please contact Ms. Van Luong on my staff at 202-224-6055 should you have further questions. Thank you very much for your invaluable time and leadership.

Aloha,

A handwritten signature in black ink, appearing to read 'Dan Inouye', with a long vertical stroke extending downwards from the end of the signature.

DANIEL K. INOUE
United States Senator

DKI:vl