

Unified Carrier Registration Agreement

UCR Board

Avelino A. Gutierrez, Chair
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The Honorable Ray LaHood
Secretary
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 LaHood:

Under federal law, the Board of Directors of the Unified Carrier Registration Plan (“Board”) is required to recommend to you the level of fees to be assessed in any agreement year.¹ On June 15, 2011, the Board voted unanimously to recommend that you keep fees and fee brackets for the 2012 registration year at the same levels as previously set for the 2011 registration year. In its rulemaking establishing registration fees and a fee bracket structure for the UCR Agreement² for the 2010 registration year beginning January 1, 2010,³ the Federal Motor Carrier Safety Administration (“FMCSA”) stated that the federal regulation establishing such fees⁴ provides that the fees established by the 2010 rulemaking are applicable for each registration year until a subsequent adjustment in the fees becomes effective.⁵ By this letter, the Board desires to make known that it does not want a change in 2010 registration year fees and fee brackets for the 2012 registration year.

Because the Board understands that FMCSA has requested the Board submit a calculation of State and total revenue entitlements, attached please find a table detailing entitlements for 2012. Please note that the entitlement figures for 2012 and 2011 are identical. This reflects the Board’s belief, without knowing for certain, that no additional participating UCR states will withdraw their state plan for 2012.⁶ Also note that the \$5,000,000 figure for administrative expenses has not changed because the Board has yet to realize any money for administrative expenses owing to: (1) the language of 49 U.S.C. § 14504a(h)(3)(B) that states

¹ 49 U.S.C. § 14504a(d)(7)(A).

² Under 49 U.S.C. § 14504a(a)(8) the terms “unified carrier registration agreement” and “UCR agreement” mean the interstate agreement developed under the unified carrier registration plan governing the collection and distribution of registration and financial responsibility information provided and fees paid by motor carriers, motor private carriers, brokers, freight forwarders, and leasing companies.

³ 75 FR 21993 (2010).

⁴ 49 CFR § 367.20.

⁵ 75 FR 22010 (2010).

⁶ 49 U.S.C. § 14504a(e)(3) provides that a state may withdraw from the unified carrier registration agreement by withdrawing its state plan.

that administrative costs are paid only after all states have been paid their revenue entitlements; and, (2) the fact that for the first four registration years, and for most of the fifth, total UCR collections have fallen well short of state entitlements.

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

Sincerely,

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

Robert Pitcher
Vice-Chair, Board of Directors
Unified Carrier Registration Plan

cc: Unified Carrier Registration Plan Board of Directors
Anne S. Ferro, Administrator, FMCSA
Bill Bronrott, Deputy Administrator, FMCSA
Jose M. Rodriguez, Transportation Specialist, FMCSA
Frederic L. Wood, Office of Chief Counsel, FMCSA

State UCR Revenue Entitlements and Final 2012 Revenue Target

State	Total 2011 UCR revenue entitlements
Alabama.....	\$2,939,964.00
Arkansas.....	1,817,360.00
California.....	2,131,710.00
Colorado.....	1,801,615.00
Connecticut.....	3,129,840.00
Georgia.....	2,660,060.00
Idaho.....	547,696.68
Illinois.....	3,516,993.00
Indiana.....	2,364,879.00
Iowa.....	474,742.00
Kansas.....	4,344,290.00
Kentucky.....	5,365,980.00
Louisiana.....	4,063,836.00
Maine.....	1,555,672.00
Massachusetts.....	2,282,887.00
Michigan.....	7,520,717.00
Minnesota.....	1,137,132.30
Missouri.....	2,342,000.00
Mississippi.....	4,322,100.00
Montana.....	1,049,063.00
Nebraska.....	741,974.00
New Hampshire.....	2,273,299.00
New Mexico.....	3,292,233.00
New York.....	4,414,538.00
North Carolina.....	372,007.00
North Dakota.....	2,010,434.00
Ohio.....	4,813,877.74
Oklahoma.....	2,457,796.00
Pennsylvania.....	4,945,527.00
Rhode Island.....	2,285,486.00
South Carolina.....	2,420,120.00
South Dakota.....	855,623.00
Tennessee.....	4,759,329.00
Texas.....	2,718,628.06
Utah.....	2,098,408.00
Virginia.....	4,852,865.00
Washington.....	2,467,971.00
West Virginia.....	1,431,727.03
Wisconsin.....	2,196,680.00
Sub-Total.....	106,777,059.81
Alaska.....	500,000
Delaware.....	500,000
Total State Revenue Entitlement.....	107,777,060
Administrative Expenses.....	5,000,000
Total 2012 Revenue Target.....	112,777,060