

**16. UCR FEES AND REVENUE DISTRIBUTION**

(a) Determination of UCR Fees.

- (1) The UCR fees shall be determined by the Secretary based upon the recommendation of the Board.
- (2) UCR fees charged to a registrant under the UCR Agreement shall be based on the number of commercial motor vehicles owned or operated by the registrant.
- (3) UCR fees charged to a broker or leasing company in connection with such a filing shall be equal to the smallest UCR fee charged to a motor carrier, motor private carrier, or freight forwarder.
- (4) The Board shall develop no more than 6 and no less than 4 brackets of carriers based on the size of fleet.
- (5) The UCR fee scale shall be progressive in the amount of the UCR fee.
- (6) The Board may ask the Secretary to adjust the UCR fees within a reasonable range on an annual basis if the revenues derived from the UCR fees are insufficient to provide the revenues to which the States are entitled or exceed those revenues.
- (7) The Secretary shall set the annual UCR fees and any adjustment of those UCR fees within 90 days after receiving the Board's recommendation and after notice and opportunity for public comment.

(b) Payment of UCR Fees to the Base State.

- (1) The registrant shall pay UCR fees to its Base State only. No other State shall collect UCR fees from a registrant who does not properly select its Base State as required by law and this UCR Agreement.
- (2) Payment by the registrant to an online system that indicates the Base State of the registrant shall be considered as payment to the Base State. UCR fees collected from that site shall be sent to the Base State- except as follows:

- (i) Once a Base State has reached its revenue cap for a registration year, any further funds collected from the online registration system for that registration year shall be forwarded~~sent~~ to the Depository.
- (ii) ~~However, if~~ If a Base State is more than 30 days past due in payments owed to the UCR Depository, the online registration system shall not distribute said funds until such time as notified by the Chair of the Depository Subcommittee that such state is current in its obligations to the Depository. If a Base State is more than 60 days past due in payments owed to the UCR Depository, the online registration system shall forward~~distribute~~ any funds held on behalf of said Base State to the Depository.

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(c) Payment from the Base State to the depository.

- (1) The Base State may retain an amount of the gross revenues it collects under the UCR Agreement equivalent to the portion of revenues to which the State is entitled.
- (2) All revenues a ~~participating-Base~~ State collects in excess of the amount to which the State is entitled shall be forwarded to the ~~designated d~~Depository. ~~Excess UCR fees in the depository shall be distributed by the Board on a pro rata basis to each participating State that did not collect all of its entitled revenue. Any funds forwarded to the Depository by a Base State shall be applied to any outstanding obligations of said Base State in order of age of said obligations, oldest first, unless written instructions directing otherwise are provided to the Chair of the Depository Subcommittee within 5 days or more prior to~~of the payment.
- (3) ~~If a Base State is more than 90 days past due in payments owed to the UCR Depository, any funds held by the Depository on behalf of said Base State pursuant to Section 16(b)(2)(ii) above shall be used to pay down~~satisfy any past due balance owed to the Depository.
- (4) ~~Excess UCR fees in the Depository shall be distributed by the Board on a pro rata basis to each Base State that did not collect all of its entitled revenue.~~
- (53) No State shall receive more than the State is entitled under the law.