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Unified Carrier Registration Enforcement on Hold Pending New Fees - 1/1/2010

The Commercial Vehicle Safety Alliance (CVSA) has announced a moratorium on enforcement of the requirement to pay Unified Carrier Registration Agreement (UCRA) fees for 2010 (see attached). The moratorium is effective January 1, 2010, and it remains in effect until further notice. All states are suspending enforcement for the 2010 fees, although enforcement officers have been instructed to issue citations if there are UCR compliance issues related to fee payments for prior years.

The moratorium is necessary because the Federal Motor Carrier Safety Administration (FMCSA) is still in the process of concluding a rulemaking to establish fees for 2010. The proceeding started in September 2009 and now everyone is waiting for the FMCSA's final notice in the Federal Register. Under consideration in the rulemaking is a substantial increase in UCR fees for 2010.

Number of CMV's	Current Annual UCRA Fee	Proposed Fee for 2010
0 - 2	\$ 39	\$ 87
3 - 5	\$ 116	\$ 258
6 - 20	\$ 231	\$ 514
21 - 100	\$ 806	\$ 1,793
101 - 1,000	\$ 3,840	\$ 8,541
1,001 or more	\$37,500	\$ 83,412

One significant change in the 2010 fee structure is that it's based on an interstate operator's commercial motor vehicle (CMV) power units only. Trailers were counted in past years, but are now eliminated from the definition of CMV. This will reduce many motor carriers' fleet sizes, causing some to pay annual fees at a lower bracket.

The UCRA program requires that **all** motor carriers, brokers, freight forwarders, and leasing companies who operate in interstate or international commerce must pay an annual fee.

Background

The Unified Carrier Registration Agreement is a base-state system for registering interstate motor carriers with vehicles over 10,000 lbs., including private, for-hire, and exempt carriers, farmers operating in interstate commerce, and brokers, freight forwarders, and leasing companies. All of these operators must pay annual registration fees that fund state motor carrier safety programs, enforcement, and UCR administration. UCR fees may only be used to support motor carrier safety and enforcement programs, or pay for UCR administration.

The program is designed for states that need to replace revenue they formerly collected under the Single State Registration System (SSRS), which since 1991 had been used by 38 states to register for-hire carriers and handle insurance filings.

Enforcement

Every state must enforce UCR requirements. Failure to have current UCR registration is a violation of FMCSR Part 392.2, a provision requiring that every commercial motor vehicle must be operated in accordance with the laws, ordinances, and regulations of the jurisdiction in which it is being operated.



Commercial Vehicle Safety Alliance



North American Standard Inspection Program

I N S P E C T I O N B U L L E T I N

2009-02

December 23, 2009

UNIFIED CARRIER REGISTRATION AGREEMENT (UCR) ENFORCEMENT MORATORIUM FOR 2010 REGISTRATION YEAR

Summary

This *Inspection Bulletin* announces a moratorium on enforcement of the UCR effective January 1, 2010 for the 2010 registration year. This moratorium shall remain in effect until further notice.

Please be advised that this moratorium does not impact UCR requirements as they relate to previous years.

Background

An amendment to SAFETEA-LU has changed the methodology for determining fleet size by including only power units and eliminating trailers for the 2010 UCR registration year. This significant change to the statute requires modifications to the fee structure that must first be promulgated in federal regulation in order for the program to proceed.

When the rulemaking is completed participating states will mail registration notices to all entities subject to the UCR allowing for a reasonable time period for companies to remit their fees.

When participating states have agreed on a 2010 enforcement date an updated enforcement bulletin will be issued.

Enforcement of a Previous UCR Registration Year (2007 – 2009) after January 1, 2010

In order for roadside enforcement of a previous UCR registration year to take place after January 1, 2010, enforcement staff should first obtain evidence of interstate operations occurring during that particular registration year. Proof may include but not be limited to log entries; toll receipts; shipping papers; bills of lading; previous years apportioned receipt or prior years roadside inspection reports.