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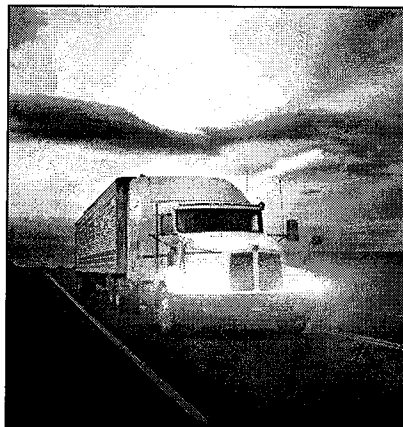
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Approved by the UCR Board: June 11, 20



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ATTACHMENT A - STATE PLAN

ATTACHMENT B – REGISTRATION FORM

**1. DEFINITIONS**

- (a) "Administrator" means the Administrator of the FMCSA.
- (b) "Base State" See Section 8.
- (c) "Board" means the Board of Directors of the UCR Plan.
- (d) "Broker" means a person, other than a motor carrier or an employee or agent of a motor carrier, that as a principal or agent sells, offers for sale, negotiates for, or holds itself out by solicitation, advertisement, or otherwise as selling, providing, or arranging for, transportation by motor carrier for compensation.
- (e) "Commercial motor vehicle" (as defined under 49 UCS Section 31101) means a self-propelled or towed vehicle used on the highways in commerce principally to transport passengers or cargo, if the vehicle:
  - (1) Has a gross vehicle weight rating or gross vehicle weight of at least 10,001 pounds, whichever is greater;
  - (2) Is designed to transport more than 10 passengers including the driver; or
  - (3) Is used in transporting material found by the Secretary of Transportation to be hazardous under 49 U.S.C. Section 5103 and transported in a quantity requiring placarding under regulations prescribed by the Secretary.
- (f) "FMCSA" means the Federal Motor Carrier Safety Administration, an agency within the USDOT, and includes predecessor or successor agencies performing similar duties.
- (g) "For hire motor carrier" means a person operating a motor vehicle engaged in the transportation of goods or passengers for compensation.
- (h) "Freight forwarder" means a person holding itself out to the general public (other than as a pipeline, rail, motor or water carrier) to provide transportation of property for compensation and in the ordinary course of its business:
  - (1) Assembles and consolidates, or provides for assembling and consolidating, shipments and performs or provides for break-bulk and distribution operations of the shipments;
  - (2) Assumes responsibility for the transportation from the place of receipt to the place of destination; and
  - (3) Uses for any part of the transportation a carrier subject to 49 U.S.C. Subtitle IV.
- (i) "Hazardous material" means a substance or material which has been determined by the Secretary of Transportation to be capable of posing an unreasonable risk to health, safety, and property when transported in commerce, and which has been so designated.
- (j) "Hazardous waste" means a material that is subject to the hazardous waste manifest requirements of the EPA specified in 40 CFR Part 262 or would be subject to these requirements absent an interim authorization to a State under 40 CFR Part 123, Subpart F.
- (k) "Interstate commerce" means trade, traffic, or transportation in the United States between:
  - (1) A place in a State and a place outside of such State (including a place outside of the United States);
  - (2) Two places in a State through another State or a place outside of the United States; or
  - (3) Two places in a State as part of trade, traffic, or transportation originating or terminating outside the State or the United States.

- (l) "Intrastate commerce" means any trade, traffic, or transportation in any State that is not described in the term "interstate commerce" and is conducted wholly within a State.
- (m) "Intrastate renewal" means any type of requirement on an annual basis for intrastate authority, insurance filings or other authority related filing requirements necessary to operate within a State.
- (n) "Intrastate renewal fee" means any fee imposed on a motor carrier or motor private carrier for the renewal of the intrastate authority or insurance filings of such carrier with a State.
- (o) "Leasing company" means a lessor that is engaged in the business of leasing or renting for compensation motor vehicles without drivers to a motor carrier, motor private carrier, or freight forwarder.
- (p) "Motor carrier" means a person providing motor vehicle transportation for compensation.
- (q) "Motor private carrier" means a person, other than a motor carrier, transporting property by motor vehicle when:
  - (1) The transportation is as provided in 49 U.S.C. Section 13501;
  - (2) The person is the owner, lessee, or bailee of the property being transported; and
  - (3) The property is being transported for sale, lease, rent, or bailment or to further a commercial enterprise.
- (r) "Motor vehicle" means any vehicle, machine, tractor, trailer, or semi trailer propelled or drawn by mechanical power and used upon the highways in the transportation of passengers or property, or any combination thereof determined by the FMCSA, but does not include any vehicle, locomotive, or car operated exclusively on a rail or rails, or a trolley bus operated by electric power derived from a fixed overhead wire, furnishing local passenger transportation similar to street-railway service.
- (s) "Participating State" means a State that has complied with the requirements of Subsection (e) of 49 U.S.C. Section 14504a and that has not withdrawn from the UCR Plan.
- (t) "Principal place of business" means a single location that serves as a motor carrier's, motor private carrier's, broker's, leasing company's or freight forwarder's headquarters and where it maintains or can make available its operational records.
- (u) "Registrant" under the provisions of this agreement means a motor carrier, motor private carrier, broker, leasing company or freight forwarder.
- (v) "Registration year" means a calendar year.
- (w) "Renewal period" means, with respect to a registration year, the period of August 1 through December 31 of the immediately preceding year.
- (x) "Secretary" means the Secretary of the USDOT.
- (y) "SSRS" means the Single State Registration System in effect on the date of enactment of the UCR Act of 2005.
- (z) "State" means a State of the United States or the District of Columbia.
- (aa) "State Plan" means a document that:
  - (1) Identifies the State agency that has or will have the legal authority, resources, and qualified personnel necessary to administer the UCR Agreement in accordance with the rules and regulations promulgated by the Board; and
  - (2) Demonstrates that an amount at least equal to the revenue derived by the State from the

UCR Agreement shall be used for motor carrier safety programs, enforcement, or the administration of the UCR Plan and UCR Agreement.

- (3) The Board believes that the document included with these procedures as Attachment A is, when properly executed by a state, adequate to serve as the state's plan for purposes of the UCR agreement.
- (bb) "Unified Carrier Registration Agreement" or "UCR Agreement" means the interstate agreement developed under the UCR Plan governing the collection and distribution of registration information and UCR fees paid by motor carriers, motor private carriers, brokers, freight forwarders, and leasing companies pursuant to 49 U.S.C. Section 14504a.
- (cc) "Unified Carrier Registration fees" or "UCR fees" means the fees determined by the Secretary based upon recommendation by the Board.
- (dd) "Unified Carrier Registration Plan" or "UCR Plan" means the organization of State, Federal, and Industry representatives responsible for developing, implementing, and administering the UCR Agreement.
- (ee) "Unified Carrier Registration System" or "URS" means the federal registration system established by 49 U.S.C. Section 13908.
- (ff) "U.S.C." means the United States Code.
- (gg) "USDOT" means the United States Department of Transportation.
- (hh) "Vehicle Registration" means the registration of any commercial motor vehicle under the International Registration Plan (IRP) as defined in 49 U.S.C. Section 31701 or any other registration law or regulation of a State or foreign country.

## **2. APPLICABILITY OF THE PROVISIONS OF THE UCR AGREEMENT**

The UCR Agreement will apply to the following types of operations of passenger and property in interstate commerce:

- (1) Motor carrier;
- (2) Motor private carrier;
- (3) Freight forwarder;
- (4) Broker; and
- (5) Leasing company.

## **3. STATE OPTION TO INCLUDE INTRASTATE CARRIERS IN THE UCR AGREEMENT**

A State may elect to apply the provisions of the UCR Agreement to motor carrier and motor private carriers and freight forwarders subject to its jurisdiction that operate solely in intrastate commerce within the border of the State.

## **4. REGISTRANT OPTION TO INCLUDE INTRASTATE MOTOR VEHICLES**

- (a) An interstate motor carrier or motor private carrier may opt to include motor vehicles under 10,001 gross vehicle weight and motor vehicles used in purely intrastate operations.
- (b) If motor vehicle(s) used purely in intrastate operations are not included in the vehicle fleet count under the UCR annual submission, it may subject those motor vehicles to be included in an annual renewal with the State(s).

## **5. STATE ELIGIBILITY TO PARTICIPATE IN THE UCR AGREEMENT**

- (a) Any state is eligible to participate in the UCR agreement only if the state submits to the Secretary a state plan prior to August 10, 2008. If a state fails to submit a state plan by that date, it may not

thereafter participate in the UCR agreement. A state may also require the enactment of its own enabling legislation to participate in the program.

- (b) Notwithstanding subsection (a), for each of the registration years 2007 and 2008, the Board may establish a requirement that a state wishing to participate in the UCR agreement for either or both of these years must submit a state plan to the Secretary prior to a date or dates determined by the Board. A state that does not submit a state plan by a date thus determined by the Board may not participate in the immediately ensuing registration year, but such nonparticipation in either registration year 2007 or both registration years 2007 and 2008 shall not affect a state's eligibility to participate in a future registration year under subsection (a).

## **6. STATE AMENDMENT TO THE STATE PLAN**

If a participating state changes the agency that administers the UCRA, it shall file with the Secretary and the chair of the Board an amended state plan that reflects the change

## **7. STATE WITHDRAWAL OF THE STATE PLAN**

A state that desires to withdraw from participation in the UCRA shall file a notice by the end of the current registration year of its intent to withdraw with both the Secretary and the chair of the Board. On the effective date of the notice, the State may no longer participate in the agreement or receive any portion of the revenues derived under the agreement. The Secretary shall immediately notify the chairperson of the Board of the impending withdrawal.

## **8. BASE STATE DESIGNATION**

- (a) A motor carrier, motor private carrier, broker, freight forwarder, or leasing company subject to the UCRA shall choose a single base state, with which it shall register and pay its UCR agreement fees. The base state selection is made according to the following guidelines.
  - (1) If the principal place of business of an entity subject to the UCR agreement is a participating state, that state shall serve as the entity's base state.
  - (2) If the principal place of business of an entity subject to the UCR agreement is not located in a participating state, the entity shall choose for its base state any participating state in which the entity maintains an office or operating facility.
  - (3) If an entity does not have a principal place of business, office or operating facility in any participating state, the entity shall choose for its base state the participating state that is nearest to the location of the entity's principal place of business or select any participating state within their FMCSA region.
- (b) If an entity subject to the UCR agreement chooses a base state that does not meet the criteria established in this section, and that state accepts the entity's UCR agreement registration, any other participating state may object to the entity's base state designation.
- (c) Once an entity subject to the UCRA has chosen a base state under the provisions of this section, the entity may only change its base state under the provisions of Section 9.

## **9. CHANGE IN BASE STATE**

- (a) Once an entity subject to the UCR agreement has chosen a base state under the provisions of Section 8, the entity may only designate another base state under one of the following

