

Unified Carrier Registration Agreement

UCR Board
Avelino A. Gutierrez, Chair
Robert Pitcher, Vice-Chair

P.O. Box 1269
Santa Fe, NM 87504
(505) 827-4565
avelino.gutierrez@state.nm.us

October 1, 2010

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 any adjustments to be made in the level of fees to be assessed in any agreement year.¹ On August 12, 2010, the Board voted to recommend that no adjustment should be made in fees and fee brackets for the 2011 registration year, and that the fees be maintained at the same levels as previously set for the 2010 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 an adjustment in 2010 registration year fees and fee brackets for the 2011 registration year.

The Board also understands that FMCSA has requested the Board submit a calculation of State and total revenue entitlements so that the required annual determination of revenue entitlements may be made,⁶ attached please find a table detailing entitlements for 2011. Please note that the entitlement figures for 2011 and 2010 are identical. This reflects the Board's belief, without knowing for certain, that no additional participating UCR states will withdraw their state plan for 2011.⁷ Also note that the \$5,000,000 figure for administrative expenses has not changed

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 § 367.30.

⁵ 75 FR 22010 (2010).

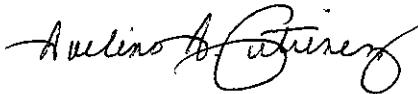
⁶ 49 U.S.C. § 14504a(g)(4).

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

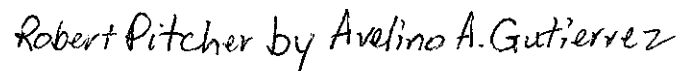
because the Board has yet to realize any money for administrative expenses owing to: (1) the language of 49 U.S.C. § 14504a(h)(3)(B) that states that administrative costs are paid only after all states have been paid their revenue entitlements; and (2) the fact that for the first three registration years, and for most of the fourth, 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

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State UCR Revenue Entitlements and Final 2011 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 2011 Revenue Target..... | 112,777,060 |