

MAINE STATE LEGISLATURE

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REPORT OF
THE SELECT COMMITTEE ON
THE REGULATION OF
FOREIGN TRUCKING
COMPANIES

March, 1981

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Sen. Thomas Teague

HOUSE

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Rep. Bonnie Post

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Mr. Ronald Stewart
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STATE OF MAINE

ONE HUNDRED AND NINTH LEGISLATURE

COMMITTEE ON TRANSPORTATION

March 10, 1981


Legislative Council
110th Legislature
State House
Augusta, Maine 04333

Re: Select Committee on the Regulations of Foreign Truck-
ing Companies.

Members of the Council:

In accordance with HP 1958, an Order creating the Committee
and directing it to study regulation of foreign trucking com-
panies, we enclose the final report of the Committee.

Sincerely,


Sen. Jerome E. Emerson


Rep. George A. Carroll

KWH/elk

I. PURPOSE AND PROCEDURE OF STUDY

This report is the result of a study conducted by the Select Committee on the Regulation of Foreign Trucking Companies, pursuant to H.P. 1958 (Appendix 1). The charge to the Committee was in two parts:

1. To study the administration and enforcement of laws dealing with the regulation and taxation of foreign and resident trucking companies in the State; and,
2. To consider the feasibility of Maine's entry into the International Registrar Plan (IRP) and other similar interstate agreements.

The Committee held a series of meetings to hear testimony concerning the I.R.P. and to evaluate the current situation.

II. PROBLEM

The Committee found the underlying problem as follows:

A number of trucking fleets which have been identified as being, for all practical purposes, "based" in the State of Maine (that is maintaining a main garage, housing secretarial and support staff, records, etc.) are formally registering their trucks in other states which offer less expensive registration fees. In this way, the State of Maine is losing a considerable amount of money in registration fees, and the municipalities are losing an additional amount of excise tax revenues. The precise amount of money being lost is impossible to ascertain since the number of trucks operating out of Maine which are registered in another state is uncertain.^{1/}

^{1/} The Committee commissioned the State Police to do an informal survey of the number of out of state trucks doing business on Maine's highways. The State Police logged the number of trucks coming through 3 different entry stations on the Maine Turnpike on certain days. The results are contained in Appendix 2 but are inconclusive.

The Secretary of State's office has identified Florida as one state which offers a less expensive registration fee for large trucks, \$460 per year for trucks with a gross weight of over 62,000 lbs..^{2/}

Maine's registration fee is \$690 per year for trucks with a gross weight of over 73,000 lbs., plus an additional \$15 for every 1000 lbs. over 73,000..^{3/} In addition, municipalities in Maine impose an excise tax on all vehicles registered in the State. The amount collected is proportional to the value of the vehicle, with a reduction each succeeding year..^{4/}

The Secretary of State's office, along with the State Police has documented at least one hundred alleged violators, and has identified the problem as ever growing.

MAINE'S RESIDENCY LAWS AND THEIR ADMINISTRATION

29 MRSA §102 provides, in pertinent part:

"Except as section 2243 provides for reciprocity with other states, any person, firm or corporation, or owner as defined in section 1, who fails to register any vehicle to be operated, caused to be operated or remain on any way in this State shall be guilty of a misdemeanor."

29 MRSA §2243 reads as follows:

1. "Provisions not applicable to nonresidents. The provisions of this Title, relative to registration of vehicles and the issuance of operators' licenses, shall not apply to any non-resident owner or operator, provided that the owner or operator has complied with the provisions of the laws of the country, state or province of his residence relative to the registration of motor vehicles and the possession of operator licenses. A Maine registration and operator license shall be applied for within 30 days if residence in this State is declared or established.

"A nonresident student enrolled in a university, college or school within this State shall be exempt from the registration and licensing requirements of this State as long as he possesses a valid registration and license issued by his state of legal residence.

^{2/} Fla. Statutes §320.08(4)(e).

^{3/} 29 MRSA §246.

^{4/} 36 MRSA §1482(1)(c).

"The exemptions from registration and licensing set forth in this subsection apply only to the noncommercial use and operation of vehicles in this State.

2. "Formal agreements. The Secretary of State, after determining that like privileges are granted by a state or province, shall enter into a written agreement with that state or province setting forth the conditions under which residents of that jurisdiction engaged in interstate commerce operations in and through this State shall be exempt from the registration and licensing laws of this State.

3. "Limitation. No vehicle shall be operated commercially at a site within this State or used for the transportation of persons, merchandise or materials from one point in this State to another point in this State unless registered in this State or exempt from registration by a written reciprocity agreement as provided in this section, except that a nonresident-owned semitrailer drawn by a Maine registered power unit shall be permitted to transport merchandise in intrastate commerce.

"Nothing in this Title shall be construed to permit operation of a nonresident vehicle on a way in this State with weights in excess of or equipped contrary to similar resident vehicles.

"Any violation of the provisions of this section shall be a Class E crime."

Title 29 contains a definition of nonresident in §2.:

"The term 'nonresident,' as used in this Title, shall be defined as any person whose legal residence is in some state, district or country other than Maine.

These statutory provisions do not contain any substantive guidelines to assist in determining residency, and a number of prosecutions of alleged violators of these sections have resulted in acquittals due in large part to the vagueness of the proscriptions.

INTERNATIONAL REGISTRATION PLAN

The International Registration Plan is an interstate agreement under which member states agree to apportion their registration fees among all member states in which a particular vehicle does business. This circumvents the basic problem of determining on an all or nothing basis where a truck should be registered. A copy of the plan, with explanations, is attached as Appendix 3 .

In order for the plan to benefit a state, surrounding states must also be members. The Committee has determined that no other New England States are members or are anticipating becoming members in the immediate future.^{5/} Thus, the Committee has determined that Maine's entry into the plan at this point would be premature.

RECOMMENDATIONS

In view of the uncertainty regarding the definition of residency, the committee recommends enactment of a clear definition of resident for purposes of truck registration. Appendix 4 contains the Committee's recommendation. It is based on a provision in Vermont's laws.

Since no other New England states are members of the International Registration Plan, the Committee does not recommend entry into the IRP at this time. However, the Committee urges continued study of the feasibility of Maine's entry into the IRP by the Secretary of State, in concurrence with the Commissioner of Transportation and urges cooperation with other New England states in the study of this possibility.

The desirability of Maine's entry into the IRP requires a careful analysis of the pattern of resident and foreign trucking in and through the State of Maine. It would be significant to know how many foreign trucks enter Maine, the destination of those trucks, and whether they are from a state which currently belongs to the IRP. It would also be advisable to know the destination of trucks which are registered in Maine and how many of those trucks travel to states which belong to the IRP. Such an extensive analysis was

^{5/} The Committee heard testimony from the American Association of Motor Vehicle Administrators, who testified as to the lack of interest of the majority of New England States.

beyond the scope and resources of this committee. Accordingly, it is hoped that the above recommended study will be undertaken and the results of that study would be made known to the Legislature and the Joint Standing Committee on Public Utilities during the first week of February in 1982.

STATE OF MAINE

APPENDIX 1

In House

~~Ordered~~

Whereas, the trucking industry's continued vitality in Maine is important in our rural State; and

Whereas, many Maine trucking companies have been forced to compete with foreign trucking companies which garage and maintain trucks in this State without obtaining Maine registrations for their trucks; and





Whereas, the laws governing the issue of which corporations involved in trucking are residents or domiciliaries of this State for taxation and regulatory purposes are ambiguous and difficult to enforce; and

Whereas, the State of Maine and its municipalities may be losing substantial revenue due to the regular operation of foreign trucking companies in this State without concomitant tax liabilities; and

Whereas, the equitable regulation of that industry and its operations to assure that no segment of that industry obtains an unfair advantage in this State should be encouraged; and

Whereas, a thorough study of the ramifications of the State of Maine becoming a party to the International Registration Plan has never been undertaken; now, therefore, be it

Ordered, the Senate concurring, ~~()~~ subject to the Legislative Council's review and determinations hereinafter provided, that a Select Committee on the Regulation of Foreign Trucking Companies operating in this State is created, composed of 8 members, as follows: Two members of the Joint Standing Committee on Transportation, one of whom shall be a Representative appointed by the Speaker of the House of Representatives and one of whom shall be a Senator appointed by the President of the Senate; 2 members of the Joint Standing Committee on Taxation, one Representative and one Senator appointed by the Speaker of the House of Representatives and President of the Senate; one member representing the Maine Motor Transport

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Association selected by that association; one member representing the Department of the Secretary of State, Motor Vehicle Division, appointed by the Secretary of State; 
|  one member representing the Maine Municipal Association selected by that association; 
|  and one member representing the Public Utilities Commission appointed by the Chairman of the Public Utilities Commission; and be it further

Ordered, that the committee study the administration and enforcement of laws dealing with the regulation and taxation of foreign and resident trucking companies in the State of Maine; and be it further

Ordered, that the committee consider, among other issues, the feasibility of Maine's entry into the International Registration Plan and other alternatives to assure that Maine companies are not in a disadvantageous position when competing with foreign companies operating in this State; and be it further

Ordered, that the committee report its findings and recommendations, together with all necessary implementing legislation in accordance with the Joint Rules, to the Legislative Council, for submission in final form at the First Regular Session of the 110th Legislature; and be it further

Ordered, that the committee hold its organizational meeting upon the call of the President of the Senate and shall choose a chairman from its membership and shall organize its study at that time; and be it further

Ordered, that the members of the committee shall serve without compensation, but may be reimbursed for their reasonable expenses in attending meetings, procuring supplies, correspondence and other selected matters, subject to the approval of the Legislative Council; and be it further

Ordered, that the Legislative Council, before implementing this study and determining an appropriate level of funding, shall first ensure that this directive can be accomplished within the limits of available services, that it is combined with other initiatives similar in scope to avoid duplication and that its purpose is within the best interests of the State; and be it further

Ordered, upon passage in concurrence, that a suitable copy of this Order be forwarded to the chairman of the Joint Standing Committee on Transportation and the other organizations to be represented on this select committee.

COSPONSORS:

(Mrs. Hutchings)

FROM: Lincolnville

(Mrs. Post)

FROM: Owls Head

(Boudreau)

NAME:

TOWN: Waterville

HP1958

IN SENATE CHAMBER *Lead*
TABLED BY SEN. FRANK V. 177
OF CONNECTICUT

MAR 17 1980
PENDING *Passage*
MAY M. ROSS, Secretary

IN SENATE
TAKEN FROM TABLE ON MOTION
SEN. KATZ
OF KENNEBEC AND ON FURTHER

MAR 24 1980
SENATE AMENDMENT *A*
Adopted
Unanimously
Passed as amend. by Senate amend. *A*
IN NON CONCURRENCE
SENT DOWN FOR CONCURRENCE
Ordered sent forthwith

s Mitchell
Unanimously

Unanimous
20--

Joint Order Relative
to Creating a Joint
Select Committee on
The Regulation of
Foreign Trucking Com-
panies
US
(S-491)

INTER-DEPARTMENTAL MEMORANDUM



SUBJECT:

DATE: October 28, 1980

TO: George Whalen, Department of Motor Vehicles

FROM: Sgt. Clifford W. Gray, Supervisor, Truck Weights

PITTSFIELD
68 TRUCKS CHECKED

<u>REGISTRATION</u>	<u>FROM</u>	<u>TO</u>
Maine 34	Maine	Maine
Maine 1	Mass.	Maine
N. H. 1	N. H.	Maine
N. H. 9	N. H.	Maine
N. H. 1	NFLD	Mass
Mass 6	Mass	Maine
Mass. 3	Maine	Maine
Mass. 1	N. Y.	Maine
Vt. 1	Vt.	Maine
Conn. 1	Mass.	Maine
Del. 1	Del.	Maine
N. J. 1	N. J.	Maine
Fla. 1	Fla.	Maine
Pa. 1	Pa.	Maine
Alb. 1	Alb.	Maine
Ind. 1	Calif.	Maine
Ind. 1	Mich.	Maine
Ind. 1	Ind.	Maine
N. B. 1	N. B.	Maine
Ont. 1	Ont.	Conn.

INTER-DEPARTMENTAL MEMORANDUM



SUBJECT:

DATE: October 28, 1980

TO: George Whalen, Department of Motor Vehicles

FROM: Sgt. Clifford W. Gray, Supervisor, Truck Weights

HAMPDEN 76 TRUCKS CHECKED

<u>REGISTRATION</u>		<u>FROM</u>	<u>TO</u>
Maine	31	Maine	Maine
Maine	3	Mass.	Maine
Maine	2	N. Y.	Maine
Maine	2	Pa.	Maine
Maine	3	MD	Maine
Maine	2	Fla.	Maine
N. H.	2	Maine	Maine
N. H.	3	N. H.	Maine
N. H.	4	Mass.	Maine
Mass.	10	Mass.	Maine
Mass.	1	N. H.	Maine
Mass.	1	Que.	Maine
Del.	1	Maine	Maine
N. Y.	1	N. Y.	Maine
Pa.	1	Maine	Maine
Fla.	1	Maine	Maine
Alb.	1	Va.	Maine
Ohio	1	N.Y.	Maine
Ohio	1	Ark.	Maine
Que.	3	Que.	Maine
Que.	1	Minn.	Maine
N. B.	1	Mass.	N. B.

INTER-DEPARTMENTAL MEMORANDUM



SUBJECT:

DATE: October 28, 1980

TO: George Whalen, Department of Motor Vehicles

FROM: Sgt. Clifford W. Gray, Supervisor, Truck Weights

BRUNSWICK
531 TRUCKS CHECKED

REGISTRATION

Maine	424
Mass.	34
N. H.	30
N. Y.	14
R. I.	6
Va.	4
Pa.	4
N. B.	4
N. J.	3
Col.	2
Ind.	2
Neb.	2
Tex.	2

APPENDIX 3

INTERNATIONAL REGISTRATION PLAN

with official interpretations

AMERICAN
ASSOCIATION
of
MOTOR VEHICLE
ADMINISTRATORS

Effective 2/1/80

FOREWORD

The International Registration Plan is a registration reciprocity agreement among states of the United States and provinces of Canada providing for payment of license fees on the basis of fleet miles operated in various jurisdictions.

The unique feature of this Plan is that even though license fees are paid to the various jurisdictions in which fleet vehicles are operated, only one (1) license plate and one (1) cab card is issued for each fleet vehicle when registered under the Plan. A fleet vehicle is known as an apportionable vehicle and such vehicle, so far as registration is concerned, may be operated both interstate and intrastate.

The International Registration Plan is a product of the American Association of Motor Vehicle Administrators and, thus, is recommended for adoption by all jurisdictions.

AMERICAN ASSOCIATION OF
MOTOR VEHICLE ADMINISTRATORS
1201 Connecticut Ave., N. W.
Washington, D. C. 20036

Printed courtesy of
AMERICAN TRUCKING ASSOCIATIONS, INC.



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TEXTUAL NOTE

Throughout this publication of the International Registration Plan the specific provisions of the agreement are presented in this ten point Times Roman type.

The agreement has been the subject of interpretation under the provisions of Article XIX.D, and as a result of this effort, two types of commentary are included herein.

[The commentary provisions, not voted by the member jurisdictions, are shown in this smaller eight point Times Roman type.

The "official commentary," voted by the member jurisdictions under the provisions of Article XIX.D, is shown in this eight point italic Times Roman type.]

INTERNATIONAL REGISTRATION PLAN

I — PURPOSE AND PRINCIPLE

[This Article sets forth the guiding purposes and principles of the International Registration Plan (herein cited as the IRP or Plan) as envisioned by its drafters.

The Plan should be construed in accordance with its underlying purposes and principles. The text of each Article should be read in the light of the purpose or principle of the provision in question, as well as those of the Plan as a whole; and the application of the language should be construed narrowly or broadly, as the case may be, in conformity with the purposes and principles involved.]

A. This reciprocal agreement shall be referred to, cited and known as the International Registration Plan.

[This Section indicates the official name of the "reciprocal agreement." Because the participation of the Provinces of Canada was anticipated, the term "international" was ultimately included. (See page 2, Minutes of the AAMVA Ad Hoc Committee Meeting to Develop Implementation for National Proportional Registration held in Washington, D.C., on May 30 - 31, 1973.) The term "reciprocal agreement" is used here to indicate that participating jurisdictions mutually agree to provide for reciprocal vehicle registration unless appropriate exceptions to Plan provisions are approved pursuant to Article XVII. (See commentary under Article I.E.).]

B. It is the purpose of this agreement to promote and encourage the fullest possible use of the highway system by authorizing the proportional registration of fleets of vehicles, and the recognition of vehicles proportionally registered in other jurisdictions, thus contributing to the economic and social development and growth of the jurisdictions.

[Freedom of vehicle movement is a fundamental principle of the Plan. This freedom is to be attained by authorizing the "proportional registration" of fleets of vehicles. (The term "proportional registration" is not defined in Article II definitions, but is explained under fleet registration fee determination in Article III; see commentary thereunder.) Proportional registration promotes and encourages the fullest possible use of the highway system, thereby "... contributing to the economic and social growth of the jurisdiction." (Most of this provision is taken from the Uniform Vehicle Code.) The "proportional registration" system makes possible greater flexibility of commerce between and among the participating jurisdictions. Such efficient use of the highway system is beneficial to the economic and social growth of the member jurisdictions.

Freedom of vehicle movement is achieved through official "recognition" of proportionally registered vehicles in all member jurisdictions. If a fleet is registered pursuant to the IRP in the "base jurisdiction" and appropriate fees are paid to other member jurisdictions through which the registrant intends to operate such fleet, "recognition" of the base jurisdiction's distinctive identification plates for that fleet is authorized. (The choice of terms in this provision may give rise to some confusion unless read in the light of the Plan's overall purpose. The commentary on Articles I.C., I.D., I.E. and II.K. develops this concept in more depth.)]

C. It is the purpose of this agreement to implement the concept of one registration plate for one vehicle.

[Only one identification plate is issued to each vehicle for purposes of vehicle registration. Under the IRP, only the "base plate" is required; no other exterior vehicle registration identification is allowed for licensing purposes. (Under the Uniform Vehicle Registration Proration and Reciprocity Agreement, in contrast, each vehicle carries a so-called "backing plate" upon which the member jurisdictions may require the annual placement of a "sticker" or "decal" indicating currently valid registration, in addition to the base jurisdiction's registration plate); (See Article XVII.E).]

D. It is the purpose of this agreement to grant exemptions from payment of certain fees when such grants are reciprocal.

[The drafters of the Plan recognized that not all fees are apportionable fees and they wanted to encourage reciprocity on those non-apportionable fees. Those non-apportionable fees under this section may be subject to exemption under separate reciprocal agreements. (See Article III.B. and commentary thereunder.)]

E. It is the purpose of this agreement to grant reciprocity to proportionally registered fleets of vehicles, and to provide for the continuance of reciprocity granted to those vehicles that are not eligible for proportional registration under the terms of this agreement.

[Proportionally registered fleets of vehicles must be granted "reciprocity." Fleets of vehicles not so registered are subject to pre-existing registration requirements but may, nevertheless, be granted "reciprocity." Vehicles displaying "restricted plates," such as farm vehicles for example, may be exempt from additional fees if the jurisdiction's law, applicable agreements, understandings or declarations so provide. Fleets of vehicles properly registered under the IRP are not charged additional fees by member jurisdictions unless such fees are authorized under Article III.B. (See commentary thereunder.) The IRP, therefore, provides for an exemption from such additional fees. The IRP is a reciprocity agreement providing for "... the recognition of fees paid to other jurisdictions." (See page 2, Minutes of the AAMVA Ad Hoc Committee Meeting held in Dallas, Texas on December 5 - 6, 1972.)]

The IRP speaks of "reciprocity" both as to vehicles registered pursuant to it, as well as to those not so registered. (The Uniform Vehicles Registration Proration and Reciprocity Agreement, in contrast, speaks of "reciprocity" only in the latter instance. Article V of that agreement provides for "reciprocity" to vehicles not registered thereunder, but does not provide that proportionally registered vehicles are receiving "reciprocity".) The IRP is, therefore, construed to be a "reciprocity agreement." (See page 2, Minutes of the AAMVA Ad Hoc Committee meeting held in Washington, D.C., May 30 - 31, 1973.) "Reciprocity Agreement" is not defined, but is construed to mean:

An agreement, arrangement or understanding governing the reciprocal grant of rights and/or privileges to vehicles which are based in and properly registered under the applicable laws of the jurisdictions which are parties to such an agreement, arrangement or understanding.]

II — DEFINITIONS APPLICABLE TO THIS AGREEMENT

A. "Apportionable Fee" means any periodic recurring fee required for licensing or registering vehicles, such as, but not limited to, registration fees, license or weight fees.

[This provision describes the type of fees to be apportioned. The key words are "periodic" and "recurring." A registration, license or weight fee is only apportionable if it is a "periodic recurring" fee.]

B. "Apportionable Vehicle" means any vehicle, except recreational vehicles, vehicles displaying restricted plates, city pick up and delivery vehicles, buses used in transportation of chartered parties, and government-owned vehicles, used in two or more jurisdictions that allocate or proportionally register vehicles and is used for the transportation of persons for hire or designed, used or maintained primarily for the transportation of property and:

1. has a gross vehicle weight in excess of 26,000 pounds; or

2. has three or more axles, regardless of weight; or
3. is used in combination, when the weight of such combination exceeds 26,000 pounds gross vehicle weight.

Vehicles, or combinations thereof, having a gross vehicle weight of 26,000 pounds or less and two-axle vehicles may be proportionally registered at the option of the registrant.

(Fleets of vehicles are determined to be apportionable according to the characteristics and use of the vehicle or the "combination" of vehicles. Articles 11.B.1. and 11.B.2. refer solely to power units and are so construed. For purposes of Article 11.B.2, an "axle" includes a so-called "dummy," "drag," "tag" or "pusher" type axle. Article 11.B.3 refers to any vehicle (power unit or trailing unit) used within a combination which exceeds 26,000# gross vehicle weight. Trailers, however, are only apportioned under the Plan pursuant to an approved exception unless subject to Article XI. (See Articles IV.C and XI.)

A vehicle or combination of vehicles falling within any of the three enumerated classifications is apportionable, if it is, a) used for the transportation of persons for hire, or, b) designed, used or maintained primarily (but not necessarily exclusively) for the transportation of property, and, c) "... used in two or more jurisdictions that allocate or proportionally register vehicles ...

A vehicle or combination of vehicles which travels in two or more IRP jurisdictions, but which is not otherwise within the definition of "apportionable vehicle," may be proportionally registered if the registrant so chooses. Vehicles not proportionally registered are subject to registration and fee payment in accordance with each base jurisdiction's general registration statutes and may be entitled to reciprocity in other jurisdictions under applicable reciprocity agreements. (See Articles I.E. and XVIII and commentary thereunder; see also page. 2, Minutes of the Kentucky Dam Village Meeting held September 27 - 28, 1972.))

C. 1. "Base Jurisdiction" means, for purposes of fleet registration, the jurisdiction where the registrant has an established place of business, where mileage is accrued by the fleet and where operational records of such fleet are maintained or can be made available in accordance with the provisions of Article XIV, A(2).

(This section provides a three-part test for the determination of base jurisdiction. During the drafting of the Plan, this definition was revised several times. Originally, the "base jurisdiction" was the jurisdiction where the registrant, 1) had his principal place of business, and, 2) where the financial records of the firm as well as the records on vehicle operation were kept and could be inspected.

The definition was revised to delete the word "principal" and all reference to financial records. A requirement that the fleet accrue mileage within the base jurisdiction was added. This definition was later amended by official ballot action to add the words "or can be made available in accordance with the provisions of Article XIV.A.2." after the term "maintained." (Final approval dated July 30, 1976.)

Prior to the passage of the Amendment a serious question arose regarding the need to maintain operational records of a fleet in the "base jurisdiction." As a matter of business practice many companies did not do so and considerable expense and time-consumption would have resulted from literal enforcement of that provision. Consequently, the administrators amended the Plan to allow the records to be maintained outside the "base." (See Article XIV.A.2. and Minutes, AAMVA Legal Affairs Subcommittee Meeting held in Houston and Austin, Texas, January 6 - 8, 1976.)

The fundamental principal of operational flexibility is again involved here. Industry representatives were concerned that a restrictive definition would reduce that flexibility. Administrators, on the other hand, were concerned that registrants might use the flexibility

provided to avoid registration fees by choosing a base jurisdiction which does not claim "reciprocity miles."

It is not now, and never has been, the intent of the Plan to permit a registrant to use the flexible provisions of this section in changing his base jurisdiction as a device to avoid the payment of registration fees on a 100% mileage basis. (See commentary under Article II, Section G.) The three-part test requires: 1) an established place of business, 2) fleet mileage accrual, and 3) maintenance of operational records or record availability under Article XIV.A.2.

Although "an established place of business" is not defined, it is construed to mean:

"... a physical structure owned, leased or rented by the fleet registrant the location of which is designated by street number or road location, and which is open during normal business hours; and in which are located:

- 1) a telephone or telephones publicly listed in the name of the fleet registrant,*
- 2) a person or persons conducting the fleet registrant's business, and,*
- 3) the operational records of the fleet (unless such records can be made available in accordance with the provisions of Article XIV.A.2.)"*

A question has arisen whether all vehicles of a fleet must accrue miles within the jurisdiction chosen as "base." If this interpretation were adopted, the registrant would be forced to make certain that every vehicle of a fleet travelled some of its miles in the "base" each year. This requirement would contravene the purpose of granting operational flexibility, discussed under Article I.B. *The Plan is construed broadly to require only the accrual of miles by the fleet as a whole; each vehicle need not individually enter the base jurisdiction.*

2. Registrants based in any jurisdiction not a member of this agreement, and who have been licensing vehicles in any member jurisdiction under basing point, allocation or proration, may declare the member jurisdiction where the most miles have been operated as a base jurisdiction for purposes of this agreement until such time as the registrant's base jurisdiction becomes a member of this agreement.

[Registrants "based" in a non-member jurisdiction may obtain the benefits of Plan membership by initially declaring as a "base" the IRP member jurisdiction within which the most miles have been operated, without regard to the three-part test provided in Article II.C.1. However, a question arises whether the "base" declaration must be changed upon membership approval of the previous "non-member." Because this provision authorizes such a declaration of "base" only "... until such time as the registrant's base jurisdiction becomes a member ..." the implication is that the new member must become the new "base." However, this assumes that the registrant's bona fide "base" was and continues to be in the new member jurisdiction. Since the three-factor test for determining "base" is intended to provide a reasonable degree of flexibility to fleet operations, the registrant could decide to base his fleet (or fleets) in jurisdictions other than his former "base." The Plan is construed to require a change in "base" only if the three-factor test is not met in the "declared base." For example, assume:

(1) the registrant has historically operated fleet A from a place of business in jurisdiction X, a non-member of IRP; (2) fleet A accrues more of its mileage in IRP jurisdiction Y than in any other IRP jurisdiction but has no established place of business there; (3) fleet A declares jurisdiction Y as its base pursuant to this provision; (4) jurisdiction X then becomes an IRP member. The clear result is that the registrant must change its "base" to jurisdiction X. However, if the registrant has an established place of business in jurisdiction Y (or in any other IRP jurisdiction) when jurisdiction X becomes a member, the Plan does not require that the "base" declaration be changed to X. It is possible that the registrant will have closed his place of business in X and, consequently, would be prohibited from declaring X as "base."]

3. Household Goods Carriers using equipment leased from service representatives may elect, with respect to such equipment, to base such equipment in the Base Jurisdiction of the service representative, or that of the carrier.

For equipment owned and operated by owner-operators, other than service representatives, and used exclusively to transport cargo for the household goods carrier, the equipment shall be registered by the carrier in the Base Jurisdiction of the carrier, but in both the owner-operator's name and that of the carrier as lessee, with the apportionment of fees according to the records of the carrier.

[See commentary on Articles IV.E and IX.]

D. 1. "Base Plate" means the plate issued by the Base Jurisdiction and shall be the only registration identification plate issued for the vehicle by any member jurisdiction.

[See Article XVII.E.1.]

2. Base plates shall be identified by having the word "Apportioned" and the jurisdiction's name on the plate. The numbering system and color shall be determined by the issuing jurisdiction.

E. "Commissioner" means the jurisdiction official in charge of registration of vehicles.

F. "Fleet" means one or more apportionable vehicles.

G. "In-Jurisdiction Miles" means the total number of miles operated by a fleet of proportionally registered vehicles in a jurisdiction during the preceding year. In those cases where the registrant operated a fleet of proportionally registered vehicles in jurisdictions that require no apportionment and grant reciprocity, the base jurisdiction may add such miles to the in-jurisdiction miles.

[The Plan does not define the term "reciprocity" in this context and Article II.K. "reciprocity" does not apply since that provision deals with "reciprocity" granted by member jurisdictions only. However, the concept is one of vehicle operation in non-member jurisdictions at no licensing or registration cost to the registrant. *If a non-member jurisdiction requires the registrant to obtain a permit or permits and collects fees therefore or collects other fees in lieu of registration, it cannot be said that "reciprocity" is being granted. The term "in-jurisdiction miles" is construed to include only those miles actually travelled within a member jurisdiction and in the case of the base jurisdiction it may include those miles travelled in non-member jurisdictions which impose no fees for, or in lieu of, vehicle registration.*]

H. "Jurisdiction" means a state, territory or possession of the United States, the District of Columbia, or a state or province of a country.

I. "Operational Records" means documents supporting miles traveled in each jurisdiction and total miles traveled such as fuel reports, trip sheets and logs.

[*"Operational records" refers to source documents suitable for verification of fleet mileage, known as "Individual Vehicle Mileage Records" (IVMRs). An IVMR must contain the information set forth in the Uniform Operational Audit Procedure Guidelines which are herein incorporated by reference. (See commentary under Articles XIII and XIV.)*]

J. "Preceding Year" means the period of twelve consecutive months immediately prior to September 1st of the year immediately preceding the commencement of the registration or license year for which proportional registration is sought.

K. "Reciprocity" means that an apportionable vehicle properly registered hereunder shall be exempt from further registration by any other member jurisdiction.

[See Articles I.A. and I.E.]

L. "Recreational Vehicle" as used in this agreement is one used for personal pleasure or travel by an individual or his family.

[The term "recreational vehicle" refers to vehicles such as "campers," "house trailers," "motor homes" and "mobile homes" when used exclusively for personal pleasure and travel by an individual and his family. In order to qualify as a "recreational vehicle", it must not be used in connection with any business endeavor (see page 3, Minutes of the AAMVA Ad Hoc Committee Meeting held in Washington, D.C., May 30 - 31, 1973.) When a recreational vehicle is being transported by a vehicle transporter, its weight must be included in the gross vehicle or combination weight of the transporting vehicle or combination of vehicles for purposes of determining appropriate registration fees. This requirement is clear since it is the registration of the vehicle transporter which is being considered here and the nature of the property transported is irrelevant. (See Article II.B.3.)]

M. "Registrant" means a person, firm or corporation in whose name or names a vehicle is properly registered.

[The term "registrant" is defined broadly so as not to exclude service representatives and rental companies from the classification. (See commentary under Articles IV.E. and XI.)]

N. "Registration Year" means the twelve month period during which the registration plates issued by the base jurisdiction are valid according to the laws of the base jurisdiction.

O. "Restricted Plate" means one that has time (less than a registration year), geographic area, mileage or commodity restriction.

P. "Service Representative" means one who furnishes facilities and services including sales, warehousing, motorized equipment and drivers under contract or other arrangements to a carrier for transportation of property by a household goods carrier.

Q. "Total Miles" means the total number of miles operated by a fleet of proportionally registered vehicles in all jurisdictions during the preceding year.

["Total miles" means miles traveled by a fleet in all jurisdictions during the preceding year. This provision is not construed so as to limit "total miles" to miles traveled in member jurisdictions.]

R. "Chartered Party" means a group of persons who, pursuant to a common purpose and under a single contract, and at a fixed charge for the vehicle in accordance with the carrier's tariff, lawfully on file with the Interstate Commerce Commission, have acquired the exclusive use of a passenger-carrying motor vehicle to travel together as a group to a specified destination or for a particular itinerary, either agreed upon in advance or modified by the chartered group after having left the place of origin.

[This definition was added by amendment effective January 1, 1975, and was made necessary by the amendment to Article II.A. excluding "buses used in transportation of chartered parties" from the definition of an "apportionable vehicle."]

III — FEES FOR PROPORTIONAL REGISTRATION

A. The registration fee for apportionable vehicles shall be determined as follows:

- 1. Divide the in-jurisdiction miles by total miles generated during the preceding year.**
- 2. Determine the total fees required under the laws of each jurisdiction for full registration of each vehicle at the regular annual or applicable fees, or for the unexpired portion of the registration year.**
- 3. Multiply the sum obtained under Paragraph 2 of this section by the quotient obtained under Paragraph 1 of this section.**

[(See Articles II.G., II.Q. and commentary thereunder.)]

B. This agreement does not waive any fees or taxes charged or levied by any jurisdiction in connection with the ownership or operations of vehicles other than the apportionable fees as defined herein. All other fees and taxes shall be paid to each jurisdiction in accordance with the laws thereof.

[This section authorized the collection of all fees and taxes which are not "apportionable fees" as defined in Article II.A. Whether a "fee" or a "tax" is involved, it may only be collected "in accordance with the laws" of the jurisdiction imposing the fee or tax. The fee or tax must be set or authorized by statute. A proliferation of such fees or taxes, however, may result in impeding the free movement of commerce among the member jurisdictions. This result would tend to contravene the purpose set forth in Article I.B. (see commentary thereunder).]

IV — APPLICATION FOR PROPORTIONAL REGISTRATION

A.1. An applicant for proportional registration shall file a uniform application with the Commissioner of the base jurisdiction in lieu of registration under other applicable statutes.

[This section requires the filing of a uniform application with the Commissioner of the base jurisdiction. The application form adopted for use shall be used by all member jurisdictions and is hereby incorporated by reference. (Forms for this purpose were developed by the American National Standards Institute D19.4 Subcommittee on Uniform Documents and Records, approved as to form in July 1975; see page 10, Minutes of the AAMVA IRP Procedures Conference held in Jackson, Mississippi, July 22-24, 1975.)]

2. Whenever the base jurisdiction of a registrant changes as a result of the conditions described in Article II.C.2., the re-registration of the registrant in the new jurisdiction shall be accomplished through orderly and equitable procedures to be established by the Commissioners of the two jurisdictions involved.

[This section requires the establishment of orderly and equitable procedures by the Commissioners of the jurisdictions involved in a change of "base" under Article II.C.2. conditions. This provision allows for the ad hoc development of procedures to effect the "base" change. If such procedures result in the duplication of registration fee payment, they are deemed not to be "equitable" and, therefore, shall not be authorized under this section.]

B. Applications for proportional registration shall be filed on a date as determined by the base jurisdiction. Every application for proportional registration shall, at the time and in the manner required by the Commissioner, be supported by the payment of the registration fees in the amount determined in Article III, provided, however, the Commissioner may, by regulation, postpone payment of fees until after the Commissioner has computed the fees due.

[This section allows the base jurisdiction to determine the date by which applications must be filed, since the base (with a few exceptions) is the only jurisdiction involved in the filing of applications. This provision also authorizes the Commissioner to postpone or delay payment of fees "until after the Commissioner has computed the fees due." This option avoids duplicate effort in those cases where the registrant might have made an error in fee calculation. Such procedures must be established by regulation under the Plan's explicit terms and should provide notice of the due date of the application and other pertinent requirements.]

C. The applicant for proportional registration of trailers, semi-trailers, and auxiliary axles shall use the application form for such vehicles and the apportionment of registration fees shall be computed by using the same factor determined by jurisdiction and total miles in Article III and this shall be applied to the registration fee. Jurisdictions may waive trailer, semi-trailer and auxiliary axle apportionment. Jurisdictions requiring proportional registration of trailers, semi-trailers and auxiliary axles shall provide for such requirement by filing an exception as described in Article XVII.

[This section allows for the proportional registration of "trailers, semi-trailers and auxiliary axles" pursuant to an approved exception. The Plan does not define the terms "axle," "auxiliary axles," "semi-trailers" or "trailers." These terms are construed to mean:

Axle - An assembly of a vehicle consisting of two or more wheels whose centers are in one horizontal plane, by means of which a portion of the weight of a vehicle and its load, if any, is continually transmitted to roadway. For purposes of registration under the IRP, an "axle" is any such assembly whether or not it is load-bearing only part of the time. For example, a single-unit truck with a steering axle and two axles in a rear-axle assembly is an apportionable vehicle even though one of the rear axles is a so-called "dummy," "drag," "tag" or "pusher" type axle.

Auxiliary Axles - An auxiliary undercarriage assembly with a fifth wheel and tow bar used to convert a semi-trailer to a full trailer.

Semi-trailer - Every vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by the towing vehicle.

Trailers - Every vehicle without motive power, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

The drafters were cognizant of the American Association of Motor Vehicle Administrators' (AAMVA) policy encouraging the adoption by all jurisdictions of a license or registration fee system in which the major portion of the fee would be on the power unit (the so-called "power-unit licensing system"). Consequently, this Article requires jurisdictions applying for membership to file an exception under Article XVII if trailers, semi-trailers and/or auxiliary axles are to be proportionally registered. However, a question arises as to whether such an exception should require approval of all current members. A jurisdiction's exception on this item should receive approval unless the fees applicable to trailers, semi-trailers and/or auxiliary axles are not based on a split-fee registration system under which they are payable in full to the base jurisdiction with no apportionment to other jurisdictions. If a jurisdiction has a true "split-fee" registration system — wherein the method of fee determination for non-power units is the same as or substantially similar to the method applicable to power units — its

membership should not be delayed or denied in an effort to force it to adopt a "power-unit licensing system." (See page 6, Minutes of the AAMVA Ad Hoc Committee Meeting held in St. Louis, Missouri, October 15-16, 1973).]

D.1. The application shall contain the number of power units, number of trailers, semi-trailers and auxiliary axles, with such vehicle description as may be required by the jurisdictions concerned and a uniform mileage schedule.

[This section recognizes the fact that some jurisdictions may need a more detailed vehicle description than others, although the form must be uniform. This problem was solved by providing enough columns in the application form to satisfy all requirements in all jurisdictions. Consequently, although one jurisdiction may need descriptive detail not needed by another, the format of the application form remains uniform.]

2. The base jurisdiction, after receiving its proportionate fees shall supply the necessary identification plates and prepare cab cards, listing on the front of the cab cards the jurisdictions where the vehicles are proportionally registered, the weight for which registered and other necessary information in each of the jurisdictions. The base jurisdiction may, in its discretion, withhold issuing plates and cards until it has received evidence of payment due other member jurisdictions.

[Sections D.2 and D.3 set forth the vital base jurisdiction responsibilities essential to the proper functioning of the Plan. Only the base jurisdiction issues the "identification plate" and "cab card." No exception to this principle may be taken (see Article XVII). The weight for which the vehicle is registered must be listed on the face of the registration card so that enforcement personnel can know whether a vehicle is operating in excess of its registered weight. It should be noted, of course, that even though a vehicle is properly registered in its base jurisdiction with regard to declared gross weight, it must also comply with existing weight laws or regulations in other jurisdictions into or through which it is expected to operate.

For example, the payment of registration fees in jurisdiction X at a declared gross combination weight (GCW) of 80,000# does not authorize the operation of that vehicle at 80,000# in jurisdiction Y whose legal weight limit is lower (although in some instances "overweight permits" may be obtainable).

The term "and other necessary information" in Article IV.D.2. refers to that information required by registration and licensing statutes and is not construed to require unrelated information (fuel use tax account numbers, PUC/PSC authority, axle mile tax account numbers, etc.).

The base jurisdiction has the option of withholding identification indicia until it has evidence of fee payment to all other member jurisdictions (Article IV.D.2.). The purpose of this option is to allow withholding the privilege of vehicle operation under apportionment until all IRP jurisdictions have received appropriate fee payment.]

3. The base jurisdiction shall notify the other declared jurisdictions that a proportional registration application has been filed, and shall furnish the declared jurisdiction a uniform mileage schedule.

[This section imposes an obligation on the base jurisdiction to notify the other members that an application has been filed and to forward each jurisdiction a copy of the Uniform Mileage Schedule. ("Uniform Mileage Schedule" refers to Schedule B.)]

4. All plates and cards and reciprocal exemptions are subject to cancellation and revocation in the event of erroneous issuance thereof, or if any fees remain unpaid.

[This section grants the base jurisdiction the power to cancel or revoke "all plates and cards and reciprocal exemptions" if erroneously issued "... or if any fees remain unpaid." *The intent of this provision is clear - the failure to pay one jurisdiction's fees may lead to inability to operate in any jurisdiction.* This power is not to be used lightly, but is necessary to practical and equitable operation under the Plan. (See Articles XIII, XIV and commentary thereunder.)]

5. The base jurisdiction shall cooperate with other declared jurisdictions in connection with applications and fees paid.

[This section requires the base jurisdiction to "cooperate" with other members "... in connection with applications and fees paid." This provision is construed, in part, to require the base jurisdiction to assist another member in the collection of fees due if a registrant fails to pay such fees.]

E. In those cases where Household Goods Carrier equipment is elected to be registered in the base jurisdiction of the service representative, the equipment shall be registered in said service representative's name and that of the carrier as lessee with the apportionment of fees according to the combined records of the service representative and those of the carrier, and such records must be kept or made available in the service representative's base jurisdiction.

If the election is the base jurisdiction of the carrier, and such jurisdiction is a member jurisdiction, the equipment shall be registered by and in the name of the carrier and that of the service representative as lessor with the apportionment of fees according to the records of the carrier and the service representative which must include intrastate miles operated by those vehicles applicable under this agreement, and the records must be kept or made available in the base jurisdiction of the carrier. Service representatives properly registered under this election shall be fully registered for operations under their own authority as well as under the authority of the carrier.

[This section sets forth procedures applicable to household goods carriers' operations. The names of both the lessee-carrier and lessor-service representative (or vehicle owner) must be shown since the equipment is operated on an intermittent basis under the lessee-carrier's interstate operating authority, pursuant to Interstate Commerce Commission regulations, and the lessor-service representative's local and/or intrajurisdictional operating authority pursuant to regulations promulgated by a state or province. Intrajurisdictional mileage records are maintained by the lessor-service representative and interjurisdictional mileage records are maintained by the lessee-carrier and furnished to the lessor-service representative.]

Mileage records must be maintained or made available in the jurisdiction selected as the base jurisdiction, which must be that of the service representative or carrier. (See Article II.C.3. power of election.)

V — REGISTRATION OF APPORTIONABLE VEHICLES

A. The Commissioner of the base jurisdiction shall register apportionable vehicles upon application and payment of the registration fees as provided in Articles III and IV. Payment of additional fees for each vehicle so registered may be required by the Commissioner of the base jurisdiction, in an amount provided by statute or regulation of the base jurisdiction for issuance of a plate. A registration card shall be issued for each vehicle registered by the Commission of the base jurisdiction and the card shall appropriately identify the vehicle for which it is issued, list the jurisdictions in which the vehicle has been apportioned, the weight and classification of fee for which registered according to the applications and payments furnished by the applicant.

Such registration card shall be carried in or upon the vehicle, for which it has been issued, at all times.

[Only the base jurisdiction may charge a fee for the issuance of an identification (license) plate, which is in addition to the proportional registration fee determined under Article III.A., since only the base jurisdiction may issue such a plate. (See Articles I.C., IV.D.2. and commentary thereunder, and Article XVII.E.1.) Any such fee must be established by statute or legally valid regulation in order to be an authorized fee under the Plan. (See page 7, Minutes of the AAMVA Ad Hoc Committee Meeting held in Phoenix, Arizona, July 24 - 25, 1973.)]

Only the base jurisdiction may issue a registration (cab) card, which must identify the vehicle for which it is issued, identify the jurisdictions into and through which the vehicle may operate and show the weight and classification of fee for which the vehicle is registered.]

B. Vehicles registered as provided in Section A of this Article shall be deemed fully registered in all jurisdictions where proportionally registered for any type of movement or operation provided the registrant has proper interstate or intrastate authority from the appropriate regulatory agency or is exempt from regulation by the regulatory agency.

[Vehicles registered as provided in Section A are deemed fully registered for any type of movement or operation, provided appropriate regulatory authority is held, if necessary. Since some jurisdictions' statutes require the payment of full registration fees in the event a vehicle is to be operated intrajurisdictionally (vehicle movement point to point within a single jurisdiction), it was believed necessary to add a provision indicating that proportionally registered vehicles are "deemed fully registered" even though full fees have not been paid. This provision should be construed in light of its purpose, i.e. to make intrajurisdictional operations possible with only a proportional payment of fees. This provision should not be construed so as to cause the imposition of other fees and taxes (state, federal or provincial) not otherwise applicable under statute. It should be noted in this connection that the IRP is a "reciprocity agreement," as discussed in the commentary on Article I.E. - Vehicles proportionally registered pursuant to the IRP are receiving "reciprocity" and are exempt from "further registration . . ." (See Article II.K. and commentary thereunder.)]

C. There shall be no minimum vehicle fees for any apportionable vehicle, except those statutory fees for issuance of identifications or filing of applications.

[It was the intention of the drafters of the Plan to authorize only those "minimum vehicle fees" set by statute for issuance of identification by the base jurisdiction or for filing of application with the base jurisdiction. Although this intention is not entirely clear from the Minutes of the final AAMVA Ad Hoc Committee Meeting held in Phoenix, July 24 - 25, 1973, it may be discerned from a reading of all meeting minutes wherein this subject is discussed. Since one of the fundamental purposes of the Plan is to provide for the processing of applications and issuance of identification by the base jurisdiction only, it would be incongruous to authorize the collection of fees for those responsibilities by other than the base jurisdiction. This provision is construed to authorize the imposition of such "minimum vehicle fees" by the base jurisdiction only. Such fees must be set by statute to comply with the Plan's intent.]

D. Registrants shall register all owner-operator vehicles on the basis of the registrant's (lessee's) mileage figures for the preceding year.

VI — REGISTRATION OF ADDITIONAL FLEET VEHICLES

A. Vehicles acquired by the registrant after the commencement of the registration year and added to the proportionally registered fleet shall be registered by applying the mileage percentage used in the original application for such fleet for such

registration period to the regular registration fees due with respect to such vehicles for the remainder of the registration year.

B. All applications for additional fleet vehicles shall be filed and processed in the same manner as the original application.

VII — WITHDRAWAL OF FLEET VEHICLES, CREDITS, REPLACEMENT VEHICLES AND ACCOUNTING

A. If a vehicle is withdrawn from a proportionally registered fleet during the period for which it is registered, the registrant of such fleet shall so notify the Commissioner on appropriate forms provided by the Commissioner. The Commissioner shall require the registrant to surrender the cab card and identification plates to the base jurisdiction with respect to any such vehicle. If a vehicle is permanently withdrawn from a proportionally registered fleet because it has been destroyed, sold or otherwise completely removed from the service of the registrant, the unused portion of the fees paid with respect to such vehicle, where permitted by statute, shall be refunded by each jurisdiction or be applied against liability of such registrant for subsequent additions to such fleet during such registration year or for additional fees upon audit.

[This section requires the granting of refunds or "credits" by each jurisdiction (if authorized by statute) if a vehicle is "permanently withdrawn" from a proportionally registered fleet. "Permanently withdrawn" includes destruction, sale or other complete removal from the registrant's fleet. The term "where permitted by statute" was included in recognition of the fact that some jurisdictions were not statutorily authorized to grant refunds or allow credits. Original language would have granted the registrant an "election" to determine whether he wanted a refund or credit. This provision was later revised to delete the reference to an "election," thus, in effect, allowing the jurisdiction to determine whether a refund or credit is appropriate. (See page 7, Minutes of the AAMVA Ad Hoc Committee Meeting held in Phoenix, Arizona, July 24 - 25, 1973, and attachments.)]

B. If the registrant is replacing a vehicle for one withdrawn from the fleet and such vehicle is of the same weight category as that replaced, the registrant shall file a supplemental application with the base jurisdiction. The base jurisdiction shall in accordance with provisions in Article VI.B, issue a new cab card and transfer the identification plates to the new vehicle. When a replaced vehicle is of a greater weight or requires a larger registration fee, the registrant shall file the re-registration with the base jurisdiction in the manner set forth in Article VI for the registration of additional fleet vehicles.

[This section provides that the registrant must file the re-registration with the base jurisdiction pursuant to Article VI "... when a replaced vehicle is of greater weight or requires a larger registration fee. . . ." The term "replaced vehicle" is construed to mean "replacement vehicle."]

VIII — NEW OPERATIONS

[This Article authorizes the registrant to estimate anticipated mileage for the upcoming license year if no mileage history exists because "new operations" are contemplated.]

The registrant "... shall determine the in-jurisdiction and total mileage to be used. ..." but the base jurisdiction Commissioner is authorized to "... adjust the estimate ... if ... not satisfied with its correctness." Early drafts of the IRP provided that adjustments made by the Commissioner "... shall not increase the registrant's total proportional factor above 100%." This limitation on the Commissioner's authority was removed by deleting the reference to it on the ground that the base jurisdiction "... may at times be compelled to increase the registration to over 100% on adjustment of proportional estimate" due to statutory mandate. (See page 7-8, Minutes of the AAMVA Ad Hoc Committee: Meeting held in Phoenix, Arizona, July 24-25, 1973.)]

Initial application for proportional registration shall state the mileage data in all jurisdictions for the preceding year with respect to such vehicle or vehicles. If no operations were conducted with such vehicle or vehicles during the preceding year, the application shall contain a full statement of the proposed method of operation and estimates of annual mileage in each of the jurisdictions. The registrant shall determine the in-jurisdiction and total mileage to be used in computing the proportional registration fee for the vehicle or vehicles. The base jurisdiction Commissioner may adjust the estimate in the application if the base jurisdiction Commissioner is not satisfied with its correctness.

IX — REGISTRATION OF OWNER-OPERATOR VEHICLES

[This Article sets forth procedures specifically and solely applicable to vehicles leased by owner-operators to motor carriers on a long-term basis. The Plan does not define the terms "long-term" or "owner-operator." As used in this article, these terms are construed to mean:

Long Term - Any period of time exceeding 29 consecutive days.

Owner-Operator - An equipment lessor who leases his vehicular equipment with driver to a for hire carrier pursuant to ICC regulations (49 CFR 1057) or similar regulations of a jurisdiction's regulatory body.]

A. Proportional registration for owner-operators who lease their vehicles to motor carriers on a long term basis shall be accomplished as follows:

1. The lessee shall be the registrant and the vehicle shall be registered by the carrier, but in both the owner-operator's name and that of the carrier as lessee, with the allocations of fees according to the records of the carrier.

2. The identification plates and cab card shall be the property of the lessee.

[Under this section, the lessee-carrier is the owner of the identification plates and registration (cab) cards and, consequently, is responsible for their surrender under Article VII.A.]

3. Should an owner-operator leave the fleet of the lessee, the lessee may proceed in accordance with Article VII.

[This section authorizes the lessee-carrier to apply for a refund or credit under Article VII.A. if the vehicle will not be replaced by another, or to obtain new vehicle indicia for the replacement vehicle pursuant to Article VII.B. Under the provisions of the Plan the owner-operator is unable to obtain a refund directly from the member jurisdictions.]

B. Vehicles of owner-operators that are not proportionally registered or not fully registered in a jurisdiction having a separate reciprocity agreement with the jurisdiction in which the vehicle is being operated shall be subject to the trip permit requirement as set forth in Article XII.

C. Each jurisdiction shall provide a means of registration for owner-operators not operating as a lessor. Such registration shall be a restricted plate or permit issued for a minimum fee and for a registered gross weight not in excess of the empty weight of the vehicle.

[This section requires each jurisdiction to develop a method by which an owner-operator can move his empty vehicle from one lessee-carrier fleet to another without violating general registration statutes, thereby avoiding unwarranted statutory penalties which might otherwise apply. (See Article II.C.3. and V.D.)]

X — TRIP LEASING

[This article provides special procedures applicable to "trip leasing" not to be confused with trip permit registration, covered under Article XII. "Trip Lease" is not defined in the Plan, but is construed to mean:

A lease of vehicular equipment to a common or contract carrier (lessee) for a single movement by either (a) another common or contract carrier for transportation in the direction of a point which the lessor carrier is authorized to serve or (b) a carrier of exempt commodities, as defined in the Interstate Commerce Act, for transportation in the general direction of the general area in which the vehicle is based. The term may also include a similar movement intrastate where such movement is authorized under the laws of the jurisdiction.

This provision was originally recommended for inclusion by the household goods carriers at the February 1972 Tampa Bay, Florida meeting to facilitate procedures for handling trip leasing in interstate commerce under ICC regulations with the primary registration responsibility placed on the lessee carrier. During the September 1972 Kentucky Dam Village meeting, the last sentence was modified to clarify that the service representative (see Article II.C.) has the same responsibilities. The major revision to this Article occurred at the AAMVA Ad Hoc Committee meeting held in Washington, D.C., May 30-31, 1973, when the registration and reporting burden was shifted from the lessee to the lessor in trip leasing situations involving two apportioned fleet operators. (See Minutes, page 4.) This revision recognized trip leasing practice, under which, in the vast majority of cases, the lessor is responsible for operational costs incurred under the lease.

Under a trip lease between an apportioned carrier and a non-apportioned carrier when a trip permit is not required, the miles so operated shall accrue to the lessee carrier; if a trip permit is required, no miles will accrue to the lessee carrier.]

The lessee, except as provided for service representatives in Article II.C., is responsible for the proper registration of the vehicle. Except that an apportioned operator may lease equipment to another apportioned fleet operator and the lessor shall be responsible for reporting on the proportional application the miles traveled by the leased equipment. The lessee shall be the person using and operating the equipment by the lease agreement. The leased vehicle must bear proportional credentials and be operated only in the jurisdictions to which fees have been paid or a trip permit will be required. The service representative in Article II.C. shall have the same responsibility for qualifying his vehicles.

XI — REGISTRATION OF RENTAL VEHICLES

[This article sets forth procedures specifically and solely applicable to persons or firms engaged in the business of renting and/or leasing fleets of vehicles without drivers. A "rental fleet" must be designated as such by the "rental owner" and must include five or more "rental vehicles."

The intention of the IRP drafters in the adoption of this article was to allow, but not require, the owner of a rental fleet to be the "registrant" (see Article II.M.) of such fleet vehicles whether rented or leased. The Minutes (page 6) of the IRP Signators Meeting held in St. Louis, Missouri, October 15-16, 1973, indicate as follows:

The next subject discussed concerned the proportional registration of rental fleets. In general, all vehicles that are leased by a registrant shall be proportionally registered in the name of the carrier. However, it was agreed that in the case of vehicles that are part of a rental fleet, such vehicles may be proportionally registered in the name of the rental company as part of the rental fleet even though such vehicles may be under long term lease to an individual apportioned carrier. In such cases, the cab card may show to whom the vehicle is leased. (Emphasis added.)]

A. Definitions applicable to this Article are:

1. "Rental Owner" means an owner principally engaged, with respect to one or more rental fleets, in renting to others or offering for rental the vehicles of such fleets, without drivers.

2. "Rental Fleet" means five or more vehicles which are rented or offered for rental without drivers, and which are designated by a rental owner as a rental fleet.

3. "Rental Vehicle" means a vehicle of a rental fleet.

4. "Renting and Leasing" means the giving of possession and control of a vehicle for valuable consideration for a specified period of time.

[This section defines "renting and leasing" synonymously, making no reference to time limitations. Early drafts defined "renting" to mean "the giving of possession of a vehicle for consideration for a period of 364 consecutive days or less." Because the 364 day limitation would unduly limit the registrant's fleet flexibility, that requirement was deleted. The definition was amended further to add the term "and leasing" following the term "renting," eliminating any distinction between the two terms for registration purposes under Article XI. (See pages 6-7, Minutes of the AAMVA Ad Hoc Committee Meeting held in Washington, D.C., May 30-31, 1973; see also page 32, Minutes of the 39th Annual International Conference held in New York, New York, September 19-23, 1971 - attached to those minutes is a resolution recognizing the need for special treatment of "rental fleets" to "... achieve reciprocity among jurisdictions needed for service to the public and for efficient operation of rental vehicles.")]

5. "A Rental Transaction" for the rental of a vehicle shall be deemed to occur in the jurisdiction where such vehicle first comes into possession of the user.

B. Rental fleets owned by any person or firm engaging in the business of renting such vehicle, shall be extended full interstate and intrastate privileges, provided that:

[A "rental owner" of a "rental fleet" in the business of "renting" and/or "leasing" apportionable vehicles without drivers in two or more member jurisdictions may register such vehicles in his own name.]

1. Such vehicles are part of a rental fleet which are identifiable as being a part of such fleet; and

2. Such person or firm has received approval from the jurisdiction to apportion such rental fleet; and

3. Such person or firm registers the vehicles as described below:

a. Trucks and Truck-Tractors. In accordance with Articles III, IV; V, VI and VII of this agreement.

[Trucks and truck tractors not otherwise treated under this section (see Article XI.B.3.e) may be registered in the name of any person of firm engaging in the business of renting or leasing rental vehicles which are part of a rental fleet. These vehicles are subject to apportionment pursuant to the definition in Article II.B. and are to be registered in accordance with basic Plan procedures, as distinguished from procedures set forth in Article XI.B.3.e.]

b. Rental Passenger Cars. Divide the gross revenue received in the preceding year for use of such rental vehicles arising from passenger car rental transactions occurring in the jurisdiction by the total gross revenue received in the preceding year for the use of such rental vehicles arising from passenger car rental transactions occurring in all jurisdictions in which such vehicles are operated. The resulting percentage shall be applied to the total number of passenger cars in the fleet and that figure shall be the number of rental passenger cars that shall be fully registered in the jurisdiction.

[This section requires the use of revenue, rather than miles, in determination of the quotient to be used in registering rental passenger cars. This revenue quotient approach was agreed by the drafters to be the only feasible method of determining the total number of rental passenger cars to be fully registered in each jurisdiction. Note that revenue is attributable to a jurisdiction if it arises from "rental transactions occurring in the jurisdiction." (Deemed to be where the vehicle first comes into possession of the user; see Article XI.A.5.)]

c. Trailers and Semi-Trailers. Trailers and semi-trailers not in separate pool fleets and used in normal tractor trailer operations shall be licensed according to Article IV.C. Where required, trailers and semi-trailers, over 6,000 pounds gross vehicle weight and used solely in pool fleets shall be licensed as follows:

Divide the gross revenue received in the preceding year for the use of such rental vehicles arising from rental transactions occurring in the jurisdiction by the total gross revenue received in the preceding year for the use of such rental vehicles arising from rental transactions in all jurisdictions. The resulting percentage shall be applied to the number of units in such fleet.

[Paragraph one requires that trailers and semi-trailers operating in rental fleets of trucks and truck tractors be registered in accordance with Article IV.C. (see Article XI.B.3.a.). These vehicles, therefore, may be registered in the name of the rental owner, under basic Plan procedures.]

[Paragraph two requires the use of revenue figures in the determination of the number of "pool" trailers or semi-trailers to be fully licensed. This provision fails to indicate that the application of the percentage factor to total fleet units determines the number of vehicles to be "fully registered" (see Article XI.B.3.b.) or "fully plated" (see Article XI.B.3.e.).]

d. Utility Trailers. Utility Trailers, 6,000 pounds gross vehicle weight and under. Every owner of utility trailers engaged in the business of renting such trailers for use in a jurisdiction shall register a number of trailers equal to the average number of such trailers rented in or through the jurisdiction during the preceding year.

[This section provides for the registration of utility trailers, which are trailers not exceeding 6,000# GVW. The Plan provides that the number of trailers to be registered shall equal the "average number of such trailers rented in or through the jurisdiction during the preceding year." This method of registration was selected because it was currently being used by most jurisdictions and, after careful consideration, was determined to be the most equitable and feasible approach.]

e. One-Way vehicle. Trucks of less than 26,000 pounds gross vehicle weight operated as a part of an identifiable one-way fleet will allocate vehicles to the respective jurisdictions based on the mileage factor procedure in Article III and fully plate said allocated vehicles in such jurisdiction. All trucks of such one-way fleet so qualified will be allowed to perform both interstate and intrastate movements in all jurisdictions.

[Provides for "vehicle allocation" of vehicles described as "one way vehicles." Such vehicles are those which are rented in one place and generally left in another. Such vehicles are to be "allocated" to each "respective jurisdiction."

In this section, an "allocated vehicle" is one to which a particular jurisdiction's basic registration plate is attached upon payment of that jurisdiction's full basic registration fee. A portion of each fleet of one way vehicles is "allocated" to each jurisdiction into or through which the fleet travels (each vehicles of the fleet need not enter every jurisdiction.) The mileage quotient procedure of Article III.A.1. is used to determine the number of vehicles allocated to each jurisdiction.

For example: Assume (1) Fleet A consisted of fifty vehicles; (2) the fleet traveled 1,000,000 total miles during the preceding year in ten jurisdictions; (3) 100,000 of those miles were traveled in jurisdiction X. Based on these assumptions, 10% of the fleet mileage was accrued in X and, consequently, five vehicles (10% x 50) should be allocated to and "fully plated" in X.

All trucks of an identifiable one way fleet (identified by visible vehicle markings) "so qualified" (allocated and fully plated) are to be authorized to perform both interstate and intrastate movements in IRP jurisdictions, even those identified with the registration plate of a non-IRP jurisdiction.]

XII — TRIP PERMIT REGISTRATION

A. Trip permit registration may be issued for any vehicle or combination of vehicles which could be lawfully operated in the jurisdiction if full registration or proportional registration were obtained.

[This section authorized the issuance of "trip permits" in lieu of either "full" or "proportional" registration. It is clear that the drafters' intent was to provide for an optional alternative, available to the registrant at his election.]

B. A person desiring a trip permit registration shall make application therefore on forms provided by the Commissioner. Every such application shall be accompanied by the required fee. Every trip permit shall be carried in the cab of the vehicle for which such permit is issued.

C. Any vehicle or combination of vehicles for which a trip permit has been issued may be operated in interstate or intrastate commerce in the jurisdiction for the period allowed under such permit.

[This section sets forth a fundamental Plan concept that vehicles operating under trip permit "... may be operated in interstate or intrastate commerce in the jurisdiction for the period allowed under such permit." The minutes (page 8) of the AAMVA Ad Hoc Committee meeting held in Phoenix, July 24-25, 1973 indicate:

The intention in the original document was to give the trip permit the same standing as a full proportional registration. Many times the trip permits allow only interstate movement, and if prorated it would allow both interstate and intrastate movement.

This section is construed to mean:

Any vehicle or combination of vehicles for which a trip permit has been issued may be operated interstate or intrastate in the jurisdiction for the period allowed under such permit.

The drafters recognized that they should concern themselves with interstate and intrastate "movements" only (whether such movements are in interstate or intrastate commerce is a regulatory issue; see Articles V.B., XI.B., XI.B.3.e. and XVII.E. and commentary thereunder.)

The terms "interstate" and "intrastate" are not defined in the Plan, but are construed to mean:

Interstate - Vehicle movement between or through two or more jurisdictions.

Intrastate - Vehicle movement from one point within a jurisdiction to another point within the same jurisdiction.

Miles operated by an apportioned carrier under a trip permit shall not accrue to the carrier, except as the basis for an estimate under Article VIII.]

D. Trip permits shall not be used to evade or circumvent this agreement.

E. Jurisdictions, members to this agreement, may provide a system of issuing trip permits for other jurisdictions, members of this agreement, so that vehicles may move without waiting for telegraphic or other emergency authorization. The issuing jurisdiction shall collect the necessary trip permit fee and forward it to the jurisdiction for which the permit was issued and deliver the registrant the permit for movement in the other jurisdiction or jurisdictions.

XIII — PRESERVATION OF RECORDS AND AUDIT

A. Any registrant whose application for proportional registration has been accepted shall preserve the records on which it is based for a period of the three preceding years. Such records shall be made available to the Commissioner at his request for audit as to accuracy of computation, payments, and assessments for deficiencies or allowances for credits, during the normal business hours of the day.

[This section requires the preservation of "operational records" supporting the application for a period of the "... three preceding years." "Preceding year" means the "twelve consecutive months immediately prior to September 1st of the year immediately preceding the commencement of the registration or license year for which proportional registration is sought." (See Article II.J.) Records must be maintained through September of the fourth prior year for each registration year in question since the "preceding year" or mileage year

actually includes part of two calendar years. For example: If a carrier is audited during 1977 registration, the mileage records would be: January 1, 1976, through August 31, 1976, and September 1, 1975, through December 31, 1975 (1st preceding year); September 1, 1974, through August 31, 1975 (2nd preceding year); and September 1, 1973, through August 31, 1974 (3rd preceding year.)

Insofar as the Uniform Operational Audit Procedure Guidelines approved by the IRP jurisdictions set forth procedures applicable to the preservation of records sufficient for a determination of true liability, they are hereby incorporated by reference.]

B. If any registrant fails to make records available to the Commissioner upon proper request or if any registrant fails to maintain records from which his true liability may be determined, the Commissioner may, thirty days after written demand for an availability of records or notification of insufficient records, impose an assessment of liability based on the Commissioner's estimate of the true liability of such registrant as determined from information furnished by the registrant, information gathered by the Commissioner at his own instance, information available to the Commissioner concerning operations by similar registrants and such other pertinent information as may be available to the Commissioner.

XIV — AUDITS

[Insofar as the Uniform Operational Audit Procedure Guidelines approved by the IRP jurisdictions set forth procedures required under audit, they are hereby incorporated by reference.]

A.1. The base jurisdiction shall audit the registrants displaying a base plate of the base jurisdiction as to authenticity of mileage figures derived from operational records and registrations and at such time and frequency as determined by the base jurisdiction.

2. In the event that the registrant's operational records are not located in the base jurisdiction and it becomes necessary for the base jurisdiction to send auditors to the place where such records are normally kept, the base jurisdiction may require the registrant to reimburse the base jurisdiction for per diem and travel expense of its auditors incurred in the performance of such audit.

B. Upon completion of any such audit, the Commissioner shall notify all jurisdictions in which the registrant was proportionally registered on the accuracy of the records of such registrant. Should the registrant have miscalculated the fees due any jurisdiction in which his vehicles were proportionally registered, such information shall be furnished to the jurisdictions for adjustment.

C. Audits may be made by the Commissioners of the several jurisdictions.

XV — ASSESSMENT CLAIMS UNDER AUDIT

[Insofar as the Uniform Operational Audit Procedure guidelines approved by the IRP jurisdictions set forth procedures required for assessment for deficiencies and claims for credit or refund, they are hereby incorporated by reference.]

A. Upon audit, the Commissioner shall assess for any deficiency found to be due. No assessment for deficiency or claim for credit may be made for any period for which records are no longer required.

B. Assessments based on audit, interest on assessments, refunds, or credits or any other amounts including auditor's per diem and travel shall be made in accordance with the statute of each jurisdiction involved with the audit of a registrant.

XVI — ENTRY AND WITHDRAWAL

A. Any jurisdiction may become a party to this agreement by executing the prescribed adopting resolution and sending it to the American Association of Motor Vehicle Administrators (hereinafter referred to as AAMVA) in Washington, D.C.; however, such resolution must be approved and endorsed by all member jurisdictions using procedures contained in Article XIX.

B. This agreement shall continue in full force and effect, after its original adoption, as to each jurisdiction until cancelled or revoked by proper officials of any jurisdiction upon thirty days written notice to AAMVA who shall immediately notify the officials of the other member jurisdictions of this agreement. However, cancellation by one jurisdiction shall not affect the agreement as between other jurisdictions. All credentials issued under this agreement shall be valid until the end of the current registration year of the applicable jurisdiction.

XVII — EXCEPTIONS

A. Each signatory jurisdiction to this agreement shall list its exceptions, if any. These exceptions will be made a part of the adopting resolution and of this agreement by appendix listing and will be effective upon approval by each member jurisdiction using procedures contained in Article XIX.

B. Any jurisdiction may amend its exceptions by serving copies of the proposed changes on AAMVA and all member jurisdictions. Upon approval of all contracting jurisdictions, the amended or proposed exception shall be effective in the next succeeding registration year provided at least 30 days notice has been given.

C. Failure, on the part of a member jurisdiction, to respond to a proposed new or amended exception within 120 days of its receipt shall be deemed to constitute approval of the exception so submitted.

D. The withdrawal or cancellation of an exception shall be accomplished by filing due notice of such action with AAMVA and becomes effective upon notification to all member jurisdictions using the procedures contained in Article XIX. The withdrawal or cancellation of an exception shall not require approval by the member jurisdictions.

E. There shall be no exceptions taken, however, to the following concepts embodied in this agreement:

1. Single registration plate;
2. Single registration (cab) card; and
3. Ability to perform both interstate and intrastate vehicle movements.

XVIII — OTHER AGREEMENTS

[The IRP supersedes all other agreements between members "... covering, in whole or in part, any of the matters covered by the agreement." From the provision it is clear that agreements relating to matters not specifically covered by the IRP continue in force and effect. For example, any agreement granting full reciprocity (no fees for licensing) to vehicles not apportionable under the Plan would continue in effect (for purposes of this commentary an "agreement" is deemed to include "arrangements" and "understandings"; see commentary under Article II.B.).]

This agreement shall supersede any reciprocal or other agreement, arrangement or understanding between any two or more of the member jurisdictions covering, in whole or in part, any of the matters covered by this agreement; but this agreement shall not affect any reciprocal or other agreement, arrangement or understanding between a member jurisdiction and any non-member jurisdiction.

XIX — ADMINISTRATION

A. The AAMVA shall be the official repository of this agreement and shall be responsible for the required duties attendant to the administration of this agreement.

B. When two or more jurisdictions become signatories to this agreement, and as each jurisdiction thereafter joins the agreement, each jurisdiction shall send the prescribed adopting resolution to AAMVA in Washington, D.C. Upon receipt of such resolution, AAMVA shall provide a copy to each member jurisdiction shall notify AAMVA as to its endorsement or rejection of the applicant jurisdiction.

C. The AAMVA shall keep all jurisdictions apprised of the current status of the agreement in the manner determined by the Association to best accomplish this purpose.

D. Decisions regarding interpretations of any question at issue or formal policy procedures relating to this agreement shall be reached by agreement of two-thirds of the member jurisdictions, acting through the Commissioners thereof, and upon determination shall be placed in writing and be retained by AAMVA as a part of the permanent records which shall be binding on member jurisdictions where not in conflict with existing statute. Each such matter to be decided under this section shall be placed in writing and shall be presented to each member jurisdiction Commissioner for approval or rejection. Each such matter to be decided under this section which is not decided within 365 days of its receipt shall be considered moot.

XX — AMENDMENTS

This agreement may be amended, subject to the approval of three-fourths of the member jurisdictions, acting through the officials thereof authorized to enter this agreement. All proposed amendments shall be in writing and have been presented in one or more open meetings of Commissioners. Such proposed amendment must be accompanied by a memorandum setting forth the intent and purpose of the proposed amendment which memorandum shall be filed by the repository along with the amendment.

XXI — EFFECTIVE DATE

This agreement shall become effective upon the approval by any two jurisdictions and shall be operative between jurisdictions upon their signing or adopting this agreement.

XXII — AAMVA

The American Association of Motor Vehicle Administrators, AAMVA, hereby accepts the responsibilities herein above assigned to it.

By: _____
Executive Director, AAMVA

**Signed this the _____ day of _____, 19 _____ by
the following jurisdictions, acting through their authorized officers:**

APPENDIX A

RESOLUTION ADOPTING THE INTERNATIONAL REGISTRATION PLAN

WHEREAS, the International Registration Plan was formed to provide a uniform system for the registration of vehicles used interjurisdictionally, and

WHEREAS, it is the purpose of the Plan to implement the concept of one registration plate and one registration (cab) card for one vehicle;

NOW THEREFORE, in consideration of the mutual and reciprocal benefits to flow therefrom in accordance with the laws of this jurisdiction, the _____

(Title of the Official)

acting in pursuant to _____

(Insert statutory authority)

and on behalf of the State/Province of _____, does hereby ratify the INTERNATIONAL REGISTRATION PLAN with no exceptions — exceptions as attached hereto.

(Strike out the phrase that does not apply)

IN TESTOMONY WHEREOF, the State/Province of _____, acting through its duly authorized officials, has caused this resolution to be adopted to make the State/Province of _____ a member of and a party to the agreement herein mentioned, subject to the endorsement by all jurisdictions now party to the agreement.

Adopted this _____ day of _____, 19_____
FOR the State/Province of _____

BY: _____
Signature Title

Signature Title

ENDORSEMENT: For the State/Province of _____

As required by Section A of Article XVI of the International Registration Plan, this Resolution of Ratification is hereby endorsed on this _____ day of _____, 19 _____.

By: _____
Signature Title

Signature Title

APPENDIX B

ROSTER OF PARTY JURISDICTIONS

<i>JURISDICTION</i>	<i>DATE SIGNED</i>	<i>DATE OF ENTRY</i>
Kentucky	Sept. 13, 1973	Sept. 13, 1973
Tennessee	Sept. 13, 1973	Sept. 12, 1973
Missouri	Sept. 13, 1973	Sept. 13, 1973
Texas	Sept. 13, 1973	Sept. 13, 1973
Minnesota	Sept. 13, 1973	Jan. 1, 1975
Oregon	Sept. 13, 1973	Jan. 1, 1975
Nebraska	Sept. 13, 1973	Jan. 1, 1975
Utah	Sept. 13, 1973	Jan. 1, 1975
Colorado	Sept. 13, 1973	Jan. 1, 1975
South Dakota	Apr. 26, 1974	Jan. 1, 1975
Alberta	June 13, 1974	Jan. 1, 1975
Mississippi	Sept. 3, 1974	Nov. 1, 1975
Virginia	Oct. 21, 1974	Mar. 1, 1975
Wyoming	Apr. 9, 1975	Jan. 1, 1976
Montana	Aug. 7, 1975	Jan. 1, 1976
Arkansas	Aug. 26, 1975	1976 Regis. Year (7/1/76)
Louisiana	Aug. 7, 1975	1976 Regis. Year (4/1/76)
Idaho	Sept. 17, 1975	1976 Regis. Year
Illinois	Oct. 16, 1975	1977 Regis. Year (1/1/77)
North Carolina	May 13, 1976	1977 Regis. Year (1/1/77)
Oklahoma	Sept. 27, 1976	1978 Regis. Year (1/1/78)
Wisconsin	Feb. 2, 1977	1978 Regis. Year (1/1/78)
Iowa	May 11, 1977	1978 Regis. Year (1/1/78)
Alabama	July 11, 1979	1981 Regis. Year (10/1/80)
Arizona	Sept. 4, 1979	Application Pending
North Dakota	Jan 31, 1980	Application Pending

APPENDIX C

EXCEPTIONS TO THE INTERNATIONAL REGISTRATION PLAN

ALBERTA

Vehicles operating on the highways of Alberta without being proportionally registered as required by this agreement or temporarily registered with Alberta permits will be required to pay the full Alberta Motor Vehicle Registration fees plus any applicable penalties.

COLORADO

Colorado requires the registration of trailers, semitrailers and auxiliary axles as provided in Colorado Revised Statutes 1973, Title 42, Chapter 3, Article 102.

NOTE: This does not mean that Colorado requires such vehicles to display a license plate in this state if the base state does not issue a license plate or register such vehicles. We want (*sic*) the base state to include these vehicles on the applications submitted to Colorado.

IDAHO

Pursuant to Article VII, the State of Idaho files the following exceptions:

- A) There are no credits for replacement vehicles; plates are not transferable (statutory).
- B) If vehicle is destroyed, plates are transferable for a \$5 fee.
- C) The maximum fee charged on the power unit is \$100, which is apportioned.

ILLINOIS

Pursuant to Article XVII, and in accordance with Article IV, Section C hereof, the State of Illinois herewith files the following exceptions:

All trailers are required to be prorationally registered prior to being operated on the

highways of the State of Illinois. The fees for trailers shall be determined by applying the same apportionment factor as employed in Article III. Miles generated by trailers shall not be used in computing the Illinois apportionment factor. The applicant shall include a listing identifying all trailers with their proper vehicle identification number.

IOWA

Vehicles operating on the highways of Iowa, without being proportionally registered and operating under the reciprocity extended by Chapter 326.23, Code of Iowa, 1975 (\$10 72-hour trip permit) are limited to such operations and movements are exclusively interstate in character. Such vehicles operating intrastate will be subject to full Iowa registration fees as required by Chapter 321.54, Code of Iowa, 1975, or be proportionally registered.

MONTANA

The State of Montana will require all trailers, semitrailers and all other trailing vehicles or combinations of trailing vehicles, except special mobile equipment, be included in the fleet.

NEBRASKA

Vehicles operating on the highways of Nebraska, without being proportionally registered and operating under the reciprocity extended by the \$10 72-hour Trip Permit are limited to such operations and movements as are exclusively interstate in character. Vehicles operating or moving between two points in Nebraska or carrying any merchandise or passengers between two points in Nebraska will be required to pay the full Nebraska Motor Vehicle Registration fees and taxes as required by R.S.S., NEBR 1943, Section 60-305.03, or be proportionally registered.

NORTH CAROLINA

Vehicles operating on the highways of North Carolina without being proportionally registered as required by this agreement or temporarily registered with North Carolina

permits will be required to pay the full North Carolina Motor Vehicle Registration fees plus any applicable penalties.

OREGON

As provided in Article IV, Section C all trailers, semitrailers and auxiliary axles are required to be registered before they may be operated on the highways of the State of Oregon. The fees shall be computed by using the factor determined in the same manner as described by other apportionable vehicle.

The vehicles will be identified by means of an apportioned plate issued by the base jurisdiction in the same manner as any other apportionable vehicle.

Those jurisdictions that do not require identification plates for auxiliary axles may apply the fees to the trailer or semitrailer and withhold issuing any apportionment credentials.

As provided in Article IV, Section D.1., the applicant will include a listing identifying the power units, trailers and semitrailers with the proper vehicle identification serial numbers and the license plate numbers issued by the base jurisdiction.

TEXAS

Vehicles operating on the highways of Texas without being proportionally registered as required by this agreement or temporarily registered with Texas 72-hour permits will be required to pay the full Texas Motor Vehicle Registration fees plus any applicable penalties.

VIRGINIA

Vehicles operating on the highways of Virginia without being proportionally registered as required by this agreement, or temporarily registered with Virginia 10 day permits, will be required to pay the full Virginia Motor Vehicle Registration fees plus any applicable penalties.

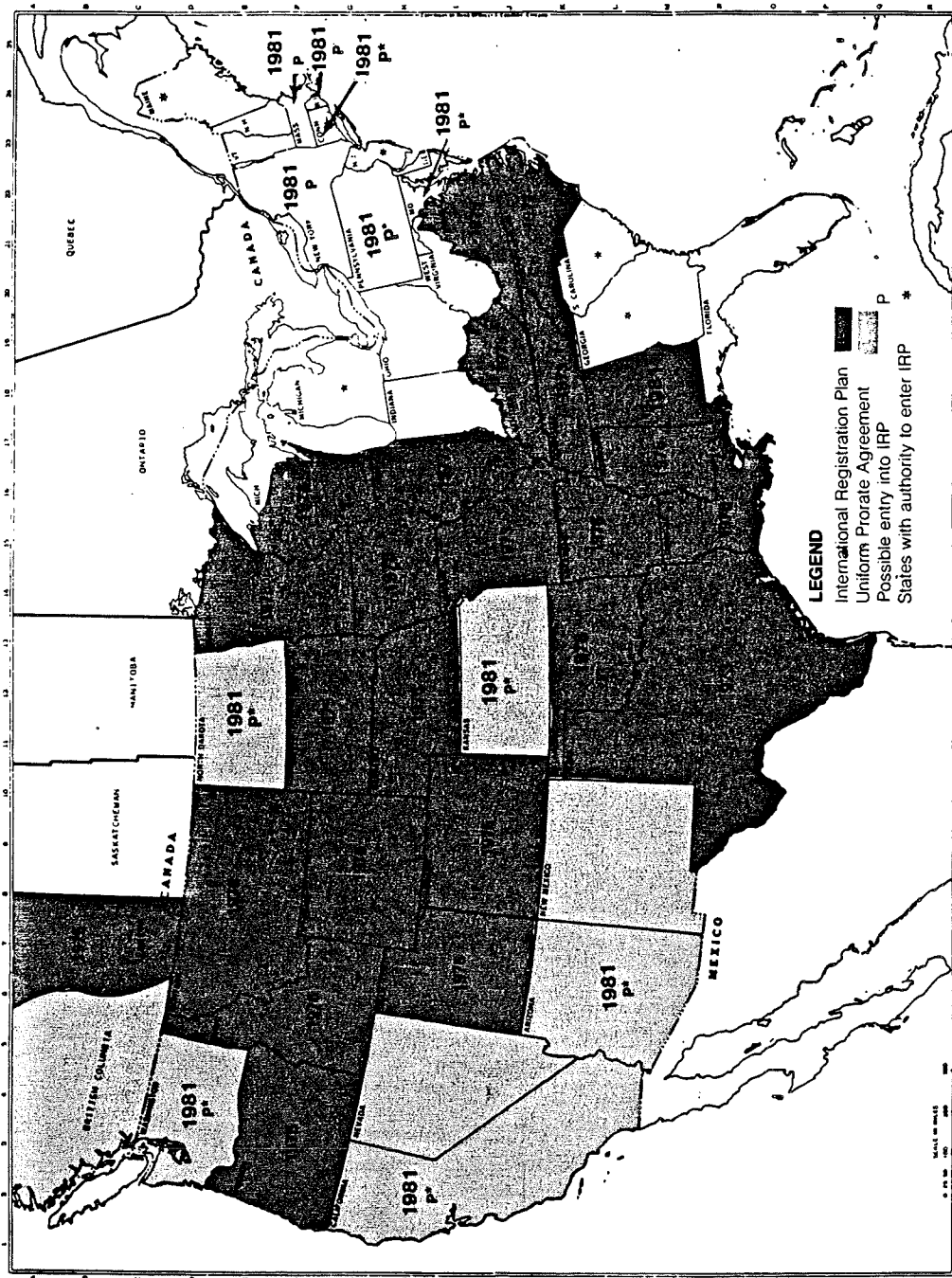
WYOMING

Pursuant to XVII of the International Registration Plan and in compliance with IV (C) thereof, the State of Wyoming requires that all trailers and semitrailers be registered for operation on the highways of the State of Wyoming. Registration fees are the same for trailers and semitrailers as for motor vehicles and are computed in the same manner.

Trailers and semitrailers for which the State of Wyoming is the base jurisdiction will each be issued an apportioned plate similar to those apportioned plates issued to motor vehicles. The State of Wyoming will honor trailer and semitrailer plates of other base jurisdictions issued as provided by their laws.

APPENDIX D

MAP OF IRP STATES



STATE OF MAINE
HOUSE OF REPRESENTATIVES
110TH LEGISLATURE
FIRST REGULAR SESSION

"AN ACT to Clarify the Statutory Provisions for the Registration of Motor Vehicles in Maine."

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 29 MRSA §1, sub-§10-C is enacted to read:

10-C. Resident. "Resident" shall mean all legal residents of this state, all persons who have declared or established residence in this State, and any person who accepts employment or engages in a trade, profession, or occupation in this State for a period of at least six months. Any foreign person having a place of business in this State shall be deemed to be a resident as to all vehicles owned or leased and which are garaged or maintained in this State, or in the case of foreign persons in the business of renting you-drive or you-haul vehicles as to an apportioned share of their fleet based upon the mileage of all vehicles of the owner operated in this State bears to the total mileage of all vehicles of the owner operated both within and without the State.

Sec. 2. 29 MRSA §102, 1st sentence, as last amended by PL 1975, c. 770, §138 is further amended to read:

Except as section 2243 provides for reciprocity with other states, any resident person, firm or corporation, or owner as defined in section 1, who fails to register any vehicle to be operated, caused to be operated or remain on any way in this State shall be guilty of a misdemeanor.

STATEMENT OF FACT

The purpose of this bill is to stop the practice whereby persons and businesses, resident in Maine, register trucks outside the State to avoid Maine's truck registration fees. This bill will generate substantial revenues for the General Highway Fund.