

Secretary of State
NOTICE OF PROPOSED RULEMAKING*

A Statement of Need and Fiscal Impact accompanies this form.

Department of Transportation, Motor Carrier Transportation Division
Agency and Division

740

Administrative Rules Chapter Number

Lauri Kunze 355 Capitol St. NE, Rm. 29 Salem, OR 97301 lauri.g.kunze@odot.state.or.us
Rules Coordinator Address

(503) 986-3171
Telephone

RULE CAPTION

Readoption of interstate and international agreements and federal vehicle use-tax regulations

Not more than 15 words that reasonably identify the subject matter of the agency's intended action.

RULEMAKING ACTION

ADOPT: Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

AMEND: 740-200-0010, 740-200-0020 and 740-200-0040

REPEAL:

RENUMBER: Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

AMEND & RENUMBER: Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

ORS 184.616, 184.619, 823.011, 825.232, 825.555 and 826.007
Stat. Auth.

None
Other Authority

ORS 803.370(5), 825.490, 825.555, 826.005, 826.007 and 826.033
Stats. Implemented

RULE SUMMARY

Many provisions of the International Registration Plan (IRP) related to commercial vehicle proportional registration have been revised effective July 1, 2008. It is necessary to amend OAR 740-200-0010 to adopt the revised version of IRP to coincide with the effective date of the revisions to ensure compliance with, and uniformity in application of, the IRP. International Fuel Tax Agreement (IFTA) and associated material are applicable to Oregon-based motor carriers who participate in IFTA as a way to report and pay fuel tax to other jurisdictions. The revision to OAR 740-200-0040 adopts the most recent version of IFTA and associated material as the procedures and guidelines for Oregon-based IFTA participants to ensure Oregon remains current with national and international IFTA standards. 26 CFR Part 41 (Heavy Vehicle Use Tax – HVUT) relates to federal heavy vehicle taxation. Amendment of OAR 740-200-0020 adopts HVUT and amendments thereto in effect as of January 1, 2008, and ensures Oregon remains current with national commercial motor vehicle registration standards.

Text of proposed and recently adopted ODOT rules can be found at web site <http://www.oregon.gov/ODOT/CS/RULES/>.

A public rulemaking hearing may be requested in writing by 10 or more people, or by an association with 10 or more members, within 21 days following the publication of the Notice of Proposed Rulemaking in the *Oregon Bulletin* or 28 days from the date Notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received, the notice of the date and time of the rulemaking hearing must be published in the *Oregon Bulletin* at least 14 days before the hearing.

The agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing the negative economic impact of the rule on business.

May 21, 2008

Last Day for Public Comment

Last day to submit written comments to the Rules Coordinator

Signature

Lauri Kunze

Printed name

Date

* The *Oregon Bulletin* is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation. Notice forms must be submitted to the Administrative Rules Unit, Oregon State Archives, 800 Summer Street NE, Salem, Oregon 97310 by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a Saturday, Sunday or legal holiday when Notice forms are accepted until 5:00 pm on the preceding workday.

Secretary of State
STATEMENT OF NEED AND FISCAL IMPACT

A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

Oregon Department of Transportation – Motor Carrier Transportation Division
Agency and Division

740
Administrative Rules Chapter Number

In the Matter of amending OAR 740-200-0010, 740-200-0020 and 740-200-0040 related to re-adoption of rules related to the International Fuel Tax Agreement (IFTA), the International Registration Plan (IRP) and Heavy Vehicle Use Tax (HVUT).

Rule Caption: Readoption of interstate and international agreements and federal vehicle use-tax regulations

Statutory Authority: ORS 184.616, 184.619, 823.011, 825.232, 825.555 and 826.007

Other Authority:

Statutes Implemented: ORS 803.370(5), 825.490, 825.555, 826.005, 826.007 and 826.033

Need for the Rule(s): Many provisions of the International Registration Plan (IRP) related to commercial vehicle proportional registration have been revised effective July 1, 2008. It is necessary to amend OAR 740-200-0010 to adopt the revised version of IRP to coincide with the effective date of the revisions to ensure compliance with, and uniformity in application of, the IRP. International Fuel Tax Agreement (IFTA) and associated material are applicable to Oregon-based motor carriers who participate in IFTA as a way to report and pay fuel tax to other jurisdictions. The revision to OAR 740-200-0040 adopts the most recent version of IFTA and associated material as the procedures and guidelines for Oregon-based IFTA participants to ensure Oregon remains current with national and international IFTA standards. 26 CFR Part 41 (Heavy Vehicle Use Tax – HVUT) relates to federal heavy vehicle taxation. Amendment of OAR 740-200-0020 adopts HVUT and amendments thereto in effect as of January 1, 2008, and ensures Oregon remains current with national commercial motor vehicle registration standards.

Documents Relied Upon and where they are available: IFTA, IFTA Audit Manual, IFTA Procedures Manual, IRP, and IRP Audit Procedures Manual. These documents are available at the Motor Carrier Transportation Division, 550 Capitol St. NE, Salem, OR 97301-2530.

Fiscal and Economic Impact, including Statement of Cost of Compliance: The proposed changes have no anticipated financial impact on other agencies or business, including small business, or members of the public. The proposed amendments re-adopt national and international standards that currently effect motor carriers operating in interstate or foreign commerce.

There is no anticipated added cost of compliance.

There is no anticipated impact on administrative cost, or additional equipment or supplies to comply with the proposed amendments.

How were small businesses involved in the development of this rule? The proposed changes were sent to 14 groups representing small businesses seeking comment and none responded.

Administrative Rule Advisory Committee consulted?: No specific advisory committee was formed to draft the proposed amendments.

Authorized Signer

Lauri Kunze

Printed name

Date