

Plan Rewrite Fact Sheet

Top 16 Plan Rewrite Changes

- **Definition – Apportionable Vehicle**

Clarifies that a vehicle not used in more than one jurisdiction for 18 months is no longer eligible to register IRP at its next renewal.

- **Definition – Reporting Period**

“Reporting Period” means the period of twelve consecutive months immediately prior to July 1 of the calendar year immediately preceding the beginning of the Registration Year for which apportioned registration is sought.

If the Registration Year begins on any date in July, August, or September, the Reporting Period shall be the previous such twelve-month period.

*Staggered jurisdictions **not** currently requiring July, August, and/or September registrants to report actual distance for the July – June period prior to the immediately preceding July – June, will need to transition those registrants to the correct reporting period when they renew in 2008.*

- **Definition – Residence**

“Residence” means the status of an Applicant or a Registrant as a resident of a Member Jurisdiction.

- A. The definition of “Owner”, “Owner Operator” was deleted.
- B. “Place of Business” is now “Residence”
- C. Article IX, Registration of Owner Operator Vehicles was removed and now has the same status as Registrant. The definition of “Established Place of Business” or “Residency” must be met.

- **Section 305 – Selection of Base Jurisdictions**

To establish Residence in a Member Jurisdiction, an Applicant must demonstrate to the satisfaction of the Member Jurisdiction at least three of the following:

- (i) if the Applicant is an individual, that his or her driver’s license is issued by that Jurisdiction;

(ii) if the Applicant is a corporation, that it is incorporated or registered to conduct business as a foreign corporation in that Jurisdiction;

(iii) if the Applicant is a corporation, that the principal owner is a resident of that Jurisdiction;

(iv) that the Applicant's federal income tax returns have been filed from an address in that Jurisdiction;

(v) that the Applicant has paid personal income taxes to that Jurisdiction;

(vi) that the Applicant has paid real estate or personal property taxes to that Jurisdiction;

(vii) that the Applicant receives utility bills in that Jurisdiction in its name;

(viii) that the Applicant has a Vehicle titled in that Jurisdiction in his/her name;or

(ix) that other factors clearly evidence the Applicant's legal Residence in that Jurisdiction.

- **Section 315 – Application Process**

- A. The Base Jurisdiction shall determine the manner, the standard for measuring distance (miles or kilometers), application process and filing deadlines for applications for registration under the Plan.
- B. An application for registration under the Plan shall contain information elements required by the Plan and such other information that is required by the Base Jurisdiction.
- C. Except where the Plan permits an Applicant to use estimates of distance, an application for registration under the Plan shall contain the actual distance that the Fleet being registered was operated during the Reporting Period.
- D. If the Fleet did not accrue any actual distance during the Reporting Period, an Applicant may estimate the distance the Fleet is anticipated to travel in each Member Jurisdiction during the Registration Year. The Applicant shall be required to support such estimates to the satisfaction of the Base Jurisdiction.

- E. The Base Jurisdiction shall review any estimate of distance and any supporting documentation. If the Base Jurisdiction does not accept the Applicant's estimate of distance, or if the Applicant does not submit an estimate, the Base Jurisdiction shall estimate the distance for the Applicant's Fleet using the method provided in Section 320.
- F. The expiration date of apportioned registration for all Apportioned Vehicles in a Fleet shall be the same date.

- **Section 320 – Distance Estimates**

Jurisdictions must review and update their **average per-vehicle** estimated distance at least once every three years.

A reasonable alternative method is allowed if the data is not adequate to determine a valid estimate of distance.

Vehicles deleted for transfer must be excluded from all chart distance calculations.

Apportionment percentages for actual and first year estimates are calculated prior to calculating second and subsequent-year estimated distance percentages.

Actual distance is required for any vehicle registered during the reporting period unless:

- A. The registrant has neither owned or leased apportioned vehicles for 18 months prior to the application date; or
- B. The fleet was apportioned for no more than the last 90-days of the reporting period.

A registrant that has neither owned nor leased apportioned vehicles during the 18 months prior to the application date, nor accrued actual distance by operating Apportioned Vehicles in any Member Jurisdiction during the reporting period, is eligible for first-year estimated distance.

- **Section 325 – Variances of Weight**

If an Applicant requests registration weights for a Vehicle in Member Jurisdictions that register according to Gross Vehicle Weight that differ by more than 10% between such Member Jurisdictions, the Base Jurisdiction

may require that the Applicant provide documentation concerning the actual operations of the Vehicle. The Base Jurisdiction may deny registration for such a Vehicle if the Base Jurisdiction determines that the requested variance does not reflect actual operations.

- **Section 405 – Calculation of Apportion Percentages**

Apportionment percentages for actual and first year estimates are calculated prior to calculating second and subsequent-year estimated distance percentages.

Actual distance is required for any vehicle registered during the reporting period unless:

- The registrant has neither owned nor leased apportioned vehicles for 18 months prior to the application date; or
- The fleet was apportioned for no more than the last 90 days of the reporting period.

- **Section 415 – Added Jurisdictions**

- A registrant may add a jurisdiction to an existing fleet during the registration year.
- If the fleet was previously apportioned for the added jurisdiction for more than 90 days of the reporting period, the registrant must declare actual distance.
- If registered for less than 90 days of the reporting period, the registrant has the option of using actual or estimated distance.

All added jurisdiction percentages are calculated over 100%.

Percentages for the existing jurisdictions will not change at any time during the registration year.

- **Section 420 – New Fleets**

A new fleet does not automatically qualify for estimated distance.

Actual distance is required if:

The new fleet is composed entirely, or primarily, of vehicles in which the applicant operated or exercised control over during the reporting period

and the vehicles accrued actual distance in the jurisdictions for which the applicant seeks apportioned registration.

This includes vehicles previously apportioned under long-term lease to a motor carrier (including the driver) **if** the operation will reflect the operation under the long-term lease.

- **Section 430 – Fleet Consolidation**

A Registrant may combine two or more existing Fleets of its Apportioned Vehicles.

In such a situation, the Apportioned Fees of the Vehicles in the resulting Fleet shall be determined according to the actual distances accrued in the Reporting Period by all the Vehicles in the resulting Fleet..

- **Section 505 - Cancellation of Registration**

The Base Jurisdiction shall cancel, suspend, or revoke any apportioned registration if the registration was granted erroneously, or if the Registrant fails to pay any Apportionable Fees.

Change: “fails to pay any fees” to “fails to pay any apportioned fees”

- **Section 600 – Credentials for Apportion Registration**

The Base Jurisdiction **shall not issue** Credentials for an Apportioned Vehicle until the Registrant has paid all **Apportionable Fees due or past due**.

Change: “The base jurisdiction may, at its discretion” to “The base jurisdiction may not issue”

- **Section 610 – Contents on the Cab Card**

Unless required by the Base Jurisdiction, the original Cab Card issued by the Base Jurisdiction is not required to be kept with the Apportioned Vehicle for which the Cab Card was issued.

Cab Cards are required to contain:

(i) the date the Apportioned Vehicle **was registered, the date of issuance of the Cab Card, or the effective date of the registration, and**

(ii) the **expiration date of the Cab Card (and the Enforcement Date, if a Grace Period applies).**

Change –The requirement to list the Enforcement date, if a Grace Period applies, on the Cab Card is a change.

- **Section 615 – Plates of Withdrawn Vehicles**

Change – The requirement for the return of any credentials or requires certification that the credentials have been destroyed, lost or stolen has been eliminated. Cab Cards no longer need to be returned to the Base Jurisdiction.

New Language:

“may require the Registrant to return the Plate issued for the Vehicle or certify that the Plate has been destroyed, lost, stolen, or held for re-use”

- **Section 620 – Temporary Evidence of Apportioned Registration**

- (b) The temporary evidence of apportioned registration **shall identify the Member Jurisdictions** for which the Vehicle has been registered and the **vehicle weight** or other qualifying information for each Member Jurisdiction. The temporary evidence of registration shall specify the **effective date** of the Vehicle's registration and an **expiration date for the temporary evidence of registration that is not later than 60 calendar days following the Effective Date.** The Base Jurisdiction issuing temporary evidence of apportioned registration **shall collect all Apportionable Fees** due to the other Member Jurisdictions with respect to the Vehicle, and shall, under **Section 1210, promptly suspend the registration of a Registrant which fails to pay all Apportionable fees due.**
- The temporary evidence of apportioned registration **may be issued by electronic means so long as it can be verified by law enforcement.**