



American Trucking Associations

THE STATE LAWS NEWSLETTER

Written & edited by Robert C. Pitcher

October 19, 2007

Some UCRA Questions Answered -- There are many questions these days about the UCRA program that began to be implemented a month ago. Here are some UCRA questions that ATA staff has received repeatedly:

Does an interstate motor carrier whose vehicles travel only in states that are not participating in the UCRA need to register under the program and pay the fees? Yes. As long as a carrier is engaged in interstate commerce, it doesn't matter what states its vehicles travel in. It is subject to the fees.

If a carrier uses owner-operators, do the owner-operators or the carrier have to register and pay the fees? The carrier must certainly register and pay fees, since it is the entity operating the owner-operators' vehicles. However, if the owner-operators have their own interstate authority, they too must register and pay under UCRA. If they do not have their own authority, they would not have to register, even if they have a "registrant" DOT number. (See the fourth question, below.)

Are intrastate carriers and vehicles covered under the UCRA? Purely intrastate carriers are not covered under the UCRA, nor are the vehicles they operate. An interstate carrier, some of whose vehicles operate solely intrastate, may include those vehicles in its vehicle count for purposes of the UCRA, since those vehicles will then be covered under the credential preemptions included in the federal law that established UCRA.

If a company or individual is not an interstate carrier (or broker, freight forwarder, or leasing company) but has a US DOT number, is it still subject to the UCRA? No. This situation probably occurs most frequently in a state that has adopted the federal PRISM program. Such states issue US DOT numbers to any entity to which they issue an IRP apportioned plate, and sometimes to any entity registering a heavy vehicle. Some of these entities, such as an owner-operator registering in his own name but without interstate authority, receive what is called a "registrant" DOT number. Since the holders of "registrant" numbers are not themselves interstate carriers, they are not subject to the UCRA.

Are trailers included under UCRA? Yes. Unlike SSRS, under which fees were imposed only on power units, the UCRA fees are calculated according to the size of a carrier's fleet, including trailers and semis.

Are carriers really registering and paying their UCRA fees now? They certainly seem to be. As of today, the national on-line system hosted by Indiana has collected about \$20 million in UCRA fees, and states with their own systems have collected maybe another \$5 million. In total, this represents nearly a quarter of the 2007 goal for the program.

*The State Laws Newsletter is published by the American Trucking Associations, Suite 210, 950 North Glebe Road, Arlington, Virginia 22203-4181. The Newsletter is copyrighted, but ATA permits reprinting the content with attribution. For more information, contact ATA's **Bob Pitcher** by e-mail at bpitcher@trucking.org.*