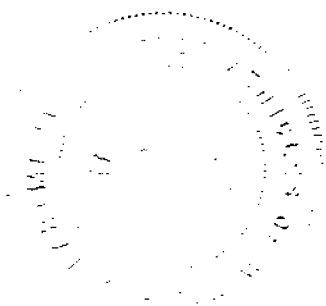


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# INTERNATIONAL REGISTRATION PLAN<sup>©</sup>

with Official Commentary

Adopted September 1973



International Registration Plan, Inc.  
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Arlington, Virginia 22203  
(703) 522-1905

## TEXTUAL NOTE

**Throughout this publication of the International Registration Plan, the specific provisions of the agreement are presented in bold type.**

**The agreement has been the subject of interpretation under the provisions of Section 2122, 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 Times Roman 12pt. type face.]

*[The "official commentary," voted by the member jurisdictions under the provisions of Section 2122, is shown in Times Roman 12pt. italics.]*

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## 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 total distance operated in all 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 interjurisdictionally and intrajurisdictionally.**

**The International Registration Plan is a product of International Registration Plan, Inc. and thus recommended for adoption by all jurisdictions.**

Governing Board Decision 15, April 4, 1989  
Forward amended April 10, 1998, Ballot 1.7.192. Effective October 1, 1999.

# INTERNATIONAL REGISTRATION PLAN

## TABLE OF CONTENTS

<b>ARTICLE I PURPOSE AND PRINCIPLE .....</b>	<b>9</b>
100 TITLE .....	9
102 FUNDAMENTAL PRINCIPLE .....	9
104 ONE REGISTRATION PLATE .....	10
106 RECIPROCAL GRANTS OF FEES .....	10
108 GRANTING OF RECIPROCITY .....	11
109 DISCHARGE OF REGISTRANT RESPONSIBILITY .....	11
110 REGISTRANT FROM NON-MEMBER JURISDICTION .....	12
<b>ARTICLE II DEFINITIONS .....</b>	<b>14</b>
200 ALLOCATED VEHICLE .....	14
202 APPORTIONABLE FEE .....	14
204 APPORTIONABLE VEHICLE .....	14
206 AUXILIARY AXLE .....	15
208 AXLE .....	15
210 BASE JURISDICTION .....	16
212 BASE PLATE .....	17
214 CHARTERED PARTY .....	17
216 COMMISSIONER .....	17
218 ESTABLISHED PLACE OF BUSINESS .....	17
219 ESTIMATED DISTANCE .....	18
220 FLEET .....	18
222 IN-JURISDICTION DISTANCE .....	18
224 INTERJURISDICTION MOVEMENT .....	19
226 INTRAJURISDICTION MOVEMENT .....	19
228 JURISDICTION .....	19
232 OPERATIONAL RECORDS .....	19
234 OWNER-OPERATOR .....	20
236 POOL FLEET .....	20
238 PRECEDING YEAR .....	20
240 RECIPROCITY .....	20
242 RECIPROCITY AGREEMENT .....	20
244 RECREATIONAL VEHICLE .....	21
246 REGISTRANT .....	21
248 REGISTRATION YEAR .....	21
250 RESTRICTED PLATE .....	21
252 SEMI-TRAILER .....	22
254 SERVICE REPRESENTATIVE .....	22
255 STAGGERED REGISTRATION .....	22
256 TOTAL DISTANCE .....	22
258 TRAILER .....	22
260 TRIP LEASE .....	23
262 AUDIT .....	23
263 APPLICANT .....	23
264 APPORTIONMENT .....	23
265 CAB CARD .....	23
266 COMBINATION OF VEHICLES .....	24
267 DECLARED GROSS VEHICLE WEIGHT .....	24
268 ENFORCEMENT DATE .....	24

269	EXCEPTION.....	24
270	EXTENSION.....	24
271	FULL TRAILER .....	24
272	GRACE PERIOD .....	25
273	HOUSEHOLD GOODS CARRIER.....	25
274	IVDR .....	25
275	LEASE.....	25
276	LESSEE.....	26
277	LESSOR .....	26
278	MEMBER JURISDICTION .....	26
279	MOTOR CARRIER.....	26
280	MOTOR VEHICLE.....	26
281	OWNER .....	26
282	POWER UNIT.....	27
283	PROPERLY REGISTERED VEHICLE.....	27
284	RECIPROCITY DISTANCE .....	27
285	TRACTOR .....	27
286	TRIP PERMIT .....	27
287	TRUCK .....	27
288	TRUCK TRACTOR .....	27
289	UNLADEN VEHICLE WEIGHT .....	28
290	VEHICLE.....	28
291	RENTAL FLEET .....	28
292	RENTAL OWNER.....	28
293	RENTAL TRANSACTION .....	28
294	RENTAL VEHICLE .....	28
295	RENTING AND LEASING .....	28
<b>ARTICLE III FEES FOR APPORTIONED REGISTRATION .....</b>		<b>29</b>
300	DETERMINATION OF FEES .....	29
302	NON-WAIVER OF FEES .....	29
304	MINIMUM FEES .....	30
306	FEE CHANGE NOTIFICATION.....	30
<b>ARTICLE IV APPLICATION FOR APPORTIONED REGISTRATION.....</b>		<b>31</b>
400	APPLICATION FILED WITH BASE JURISDICTION.....	31
402	APPLICATION FILING .....	31
404	TRAILERS, SEMI-TRAILERS AND AUXILIARY AXLES - RECIPROCITY .....	32
406	CONTENTS OF APPLICATION .....	32
408	JURISDICTION NOTIFICATION OF APPLICATION FILING .....	33
410	JURISDICTION COOPERATION .....	34
<b>ARTICLE V REGISTRATION OF APPORTIONABLE VEHICLES .....</b>		<b>35</b>
500	BASE JURISDICTION REGISTRATION .....	35
502	IDENTIFICATION PLATES AND REGISTRATION CAB CARDS .....	35
504	CANCELLATION OF REGISTRATION PLATES AND CAB CARDS.....	37
506	OPERATION UNDER APPORTIONED REGISTRATION.....	37
508	VARIANCE OF REGISTERED WEIGHTS.....	38
<b>ARTICLE VI REGISTRATION OF ADDITIONAL FLEET VEHICLES .....</b>		<b>39</b>
600	APPLICATION OF DISTANCE PERCENTAGE.....	39
602	FILING OF APPLICATIONS.....	39
<b>ARTICLE VII WITHDRAWAL OF FLEET VEHICLES, CREDITS, REPLACEMENT VEHICLES AND ACCOUNTING .....</b>		<b>40</b>

700	VEHICLE WITHDRAWN; DISPOSITION OF FEES .....	40
702	REPLACEMENT VEHICLES .....	40
704	TEMPORARY REGISTRATION.....	41
<b>ARTICLE VIII NEW OPERATIONS .....</b>		<b>42</b>
800	APPLICATION FOR INITIAL REGISTRATION .....	42
801	ESTIMATED DISTANCE METHODOLOGY .....	42
<b>ARTICLE IX REGISTRATION OF OWNER-OPERATOR VEHICLES.....</b>		<b>44</b>
900	GENERAL PROVISIONS .....	44
902	OWNER-OPERATOR AS REGISTRANT.....	44
904	LESSEE MOTOR CARRIER AS REGISTRANT .....	44
906	PLACE OF BUSINESS .....	44
908	TRIP PERMIT REQUIREMENTS .....	45
910	UNLADEN WEIGHT PERMIT .....	45
<b>ARTICLE X TRIP LEASING .....</b>		<b>46</b>
1000	REGISTRATION RESPONSIBILITY AND REQUIREMENTS .....	46
<b>ARTICLE XI REGISTRATION OF RENTAL VEHICLES.....</b>		<b>47</b>
1111	RENTAL VEHICLE: BASE JURISDICTION.....	47
1112	INTERJURISDICTION AND INTRAJURISDICTION PRIVILEGES .....	48
1114	RENTAL TRUCKS AND TRUCK TRACTORS .....	48
1116	RENTAL PASSENGER CARS .....	48
1118	RENTAL TRAILERS AND SEMI-TRAILERS .....	48
1120	RENTAL UTILITY TRAILERS .....	49
1122	ONE-WAY VEHICLE .....	49
<b>ARTICLE XII HOUSEHOLD GOODS CARRIERS.....</b>		<b>51</b>
1200	EQUIPMENT LEASED FROM SERVICE REPRESENTATIVES .....	51
1202	OWNER-OPERATOR LEASED EQUIPMENT .....	51
1204	REGISTRATION IN BASE OF SERVICE REPRESENTATIVE.....	51
1206	REGISTRATION IN BASE OF CARRIER .....	51
<b>ARTICLE XIII MOTOR BUS APPORTIONMENT .....</b>		<b>53</b>
1300	APPORTIONMENT OF FEES .....	53
1302	APPLICATION FILING .....	53
1304	DETERMINATION OF TOTAL DISTANCE.....	53
1306	DETERMINATION OF IN-JURISDICTION DISTANCE PERCENT .....	53
1308	DISTANCE OPERATED OUTSIDE OF POOL AREA .....	53
<b>ARTICLE XIV TRIP PERMIT REGISTRATION .....</b>		<b>54</b>
1400	TRIP PERMIT AUTHORITY .....	54
1402	APPLICATION FOR TRIP PERMIT .....	54
1404	INTERJURISDICTION OR INTRAJURISDICTION OPERATION.....	54
1408	ISSUANCE OF TRIP PERMITS.....	55
<b>ARTICLE XV PRESERVATION OF RECORDS AND AUDIT .....</b>		<b>56</b>
1500	PRESERVATION AND AVAILABILITY OF RECORDS .....	56
1501	ADEQUACY OF RECORDS.....	56
1502	FAILURE TO PRESERVE OR MAINTAIN RECORDS .....	56
1505	ON-BOARD RECORDING DEVICES .....	57
<b>ARTICLE XVI AUDITS .....</b>		<b>58</b>
1600	FREQUENCY OF AUDITS.....	58

1602	RECORDS NOT MAINTAINED IN BASE JURISDICTION.....	58
1604	NOTIFICATION OF AUDIT FINDINGS .....	58
1606	JOINT AUDITS .....	59
1607	AUDIT PROCEDURES MANUAL.....	59
1608	AUDIT APPEALS .....	59
1610	REEXAMINATIONS .....	59
1612	FINDINGS OF A REEXAMINATION.....	60
1614	FINALITY OF AUDIT FINDINGS .....	60
<b>ARTICLE XVII ASSESSMENT CLAIMS UNDER AUDIT.....</b>		<b>61</b>
1700	ASSESSMENTS -- TIME PERIODS .....	61
1702	JURISDICTION STATUTORY AUTHORITY .....	61
1704	NETTING OF AUDIT ADJUSTMENTS .....	61
1706	AUDIT TRANSMITTALS .....	61
<b>ARTICLE XVIII ENTRY AND WITHDRAWAL .....</b>		<b>63</b>
1800	JURISDICTION ENTRY INTO IRP.....	63
1802	MEMBERSHIP CANCELLATION -- CREDENTIALS ISSUED .....	63
<b>ARTICLE XIX EXCEPTIONS.....</b>		<b>64</b>
1900	JURISDICTION EXCEPTIONS.....	64
1902	MEMBERSHIP APPROVAL OF EXCEPTIONS .....	64
1904	AMENDMENTS TO EXCEPTIONS.....	64
1906	CANCELLATION OF EXCEPTIONS .....	64
1908	PROHIBITED EXCEPTIONS .....	65
<b>ARTICLE XX OTHER AGREEMENTS .....</b>		<b>66</b>
2000	OTHER AGREEMENTS .....	66
<b>ARTICLE XXI ADMINISTRATION.....</b>		<b>67</b>
2100	BOARD RESPONSIBILITIES .....	67
2102	COMPOSITION OF THE IRP, INC. BOARD OF DIRECTORS .....	67
2106	ELECTION PROCEDURES.....	68
2108	TERM OF OFFICE .....	69
2110	VACANCIES -- REPLACEMENTS.....	69
2112	ADOPTING ACTIONS -- VOTES REQUIRED .....	69
2114	BYLAWS .....	69
2116	OFFICIAL REPOSITORY .....	70
2118	ADOPTING RESOLUTION -- PROCESSING .....	70
2120	NOTIFICATION OF STATUS OF AGREEMENT .....	70
2122	BALLOTS -- JURISDICTION APPROVAL OR AGREEMENT .....	70
2124	MEMBER JURISDICTIONS IN GOOD STANDING .....	70
2126	DUES .....	71
2128	PEER REVIEW .....	72
<b>ARTICLE XXII AMENDMENTS.....</b>		<b>73</b>
2200	AMENDMENTS TO AGREEMENT .....	73
2202	AMENDMENT INTRODUCTION PROCESS .....	73
2204	FULL TRACK BALLOT PROCESS .....	74
2205	SHORT TRACK BALLOT PROCESS .....	74
2206	EFFECTIVE DATE .....	75
<b>ARTICLE XXIII DISPUTE RESOLUTION.....</b>		<b>76</b>
2300	BOARD ACTION -- RAISING OF ISSUES.....	76
2302	INVESTIGATION OF ISSUES .....	76

2304	POWER AND DUTIES OF THE BOARD .....	77
2306	DISPOSITION OF BOARD DECISIONS .....	78
2307	APPEALS TO BOARD .....	78
2308	REFUSAL TO ACT ON ISSUE .....	79
2310	ISSUES REFERRED TO JURISDICTIONS .....	79
<b>APPENDIX A RESOLUTION ADOPTING THE INTERNATIONAL REGISTRATION PLAN .....</b>		<b>81</b>
<b>APPENDIX B ROSTER OF MEMBER JURISDICTIONS .....</b>		<b>83</b>
<b>APPENDIX C EXCEPTIONS TO THE INTERNATIONAL REGISTRATION PLAN.....</b>		<b>85</b>
<b>APPENDIX D GOVERNING BOARD DECISIONS .....</b>		<b>86</b>
<b>APPENDIX E IRP ELECTRONIC DATA INTERCHANGE STANDARD FORMAT RECORDS .....</b>		<b>120</b>
<b>APPENDIX F ARTICLE XVI, AUDITS ARTICLE XVII, ASSESSMENT CLAIMS UNDER AUDIT UNIFORM OPERATION AUDIT PROCEDURE GUIDELINES .....</b>		<b>128</b>



# ARTICLE 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.]

### 100 TITLE

**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 XIX. (See commentary under Section 108).]*

### 102 FUNDAMENTAL PRINCIPLE

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

*[Freedom of vehicle movement is a fundamental principal of the Plan. This freedom is to be attained by authorizing "apportioned registration" of fleets of vehicles.]*

[The term "apportioned registration or apportionment" is not defined in Article II definitions, but is explained under fleet registration fee determination in Section 300: see commentary hereunder.]

[Apportioned 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 "apportioned 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 apportioned 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 Sections 104, 106, 108, and 240 develops this concept in more depth.]

#### 104 ONE REGISTRATION PLATE

**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); (Section 1906).]*

Governing Board Decision 18, September 12, 1989  
Governing Board Decision 27, January 21, 1992

#### 106 RECIPROCAL GRANTS OF FEES

**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 Section 304 and commentary thereunder.)]

## 108 GRANTING OF RECIPROCITY

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

*[Apportioned 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 Section 304.]*

[(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 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.)]

## 109 DISCHARGE OF REGISTRANT RESPONSIBILITY

**The payment to the base jurisdiction for all member jurisdictions of apportioned fees due under this agreement discharges the responsibility of the registrant for payment of such apportioned fees to individual member jurisdictions, except as may be provided in Section 410.**

## 110 REGISTRANT FROM NON-MEMBER JURISDICTION

**(a) Registrants based in any jurisdiction not a member of this agreement, may make application for registration with the member jurisdiction where the most miles or kilometers have been or will be operated in the first year as a base jurisdiction for purposes of this agreement. The jurisdiction receiving such application may accept or reject it for cause. If approved, the registrant may only base in the jurisdiction 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 or kilometers have been operated, without regard to the three-part test provided in Section 210.]*

[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 the fleet (or fleets) in jurisdictions other than the 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 its place of business in X and, consequently, would be prohibited from declaring X as "base."]

**(b) Whenever the base jurisdiction of a registrant changes through application of this section, the re-registration of the registrant's vehicles 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." 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.]*

Section 110 amended April 10, 1998, Ballot 1.7.192. Effective October 1, 1999.  
Section 110 amended March 31, 2005, Ballot 320. Effective October 1, 2005.

## **ARTICLE II DEFINITIONS**

### **200 ALLOCATED VEHICLE**

**"Allocated Vehicle" means a vehicle to which a particular jurisdiction's basic registration plate or apportioned registration plate is attached upon payment of the 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 vehicle of the fleet need not enter every jurisdiction.)**

### **202 APPORTIONABLE FEE**

**"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.]*

Governing Board Decision 28, September 13, 1992

### **204 APPORTIONABLE VEHICLE**

**(a) "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 or intended for use in two or more member 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. is a power unit having two axles and a gross vehicle weight or registered gross vehicle weight in excess of 26,000 pounds or 11,793.401 kilograms; or**
- 2. is a power unit having three or more axles, regardless of weight; or**
- 3. is used in combination, when the weight of such combination exceeds 26,000 pounds or 11,793.401 kilograms gross vehicle weight.**

**Trucks and truck tractors, and combinations of vehicles having a gross vehicle weight of 26,000 pounds or 11,793.401 kilograms or less and buses used in transportation of chartered parties 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. This section refers to any vehicle (power unit or trailing unit) used within a combination which exceeds 26,000 pounds or 11,793.401 kilograms gross vehicle weight. Trailers, however, are only apportioned under the Plan pursuant to an approved exception unless subject to Article XI.]*

[(See Section 404). 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 apportion 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 apportioned if the registrant so chooses. Vehicles not apportioned are subject to registration and fee payment in accordance with each base jurisdiction's general registration statutes. These non-apportionable vehicles may be entitled to reciprocity in other jurisdictions under applicable reciprocity agreements.]*

[(See Sections 108 and 2000 and commentary thereunder; see also Page 2, Minutes of the Kentucky Dam Village Meeting held September 27-28, 1972.)]

Governing Board Decision 10, March 10, 1987  
Governing Board Decision 12, March 29, 1988  
Governing Board Decision 13, September 20, 1988  
Governing Board Decision 29, September 13, 1992  
Governing Board Decision 32, July 14, 1994  
Article II Revised January 16, 1995, Ballot 1.7.166  
Section 204 amended April 10, 1998, Ballot 1.7.192. Effective October 1, 1999.  
Dispute Resolution Committee Decision 98.1, November 19, 1998  
Dispute Resolution Committee Decision 98.3, November 19, 1998  
Dispute Resolution Committee Decision 99.5, November 13, 1999

## 206 AUXILIARY AXLE

**"Auxiliary axle" means an auxiliary undercarriage assembly with a fifth wheel and tow bar used to convert a semi-trailer to a full trailer.**

## 208 AXLE

**"Axle" means 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 the 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.**

## 210 BASE JURISDICTION

**"Base Jurisdiction" means, for purposes of fleet registration, the jurisdiction where the registrant has an established place of business, where distance 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 Section 1602.**

*[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 operations 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 Section 1602" 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 Section 1602 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 which does not claim "reciprocity distance."]

*[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% distance basis.]*

*[The three-part test requires: 1) an established place of business, 2) fleet distance accrual, and 3) maintenance of operational records or record availability under Section 1602]*

[A question has arisen whether all vehicles of a fleet must accrue distance 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 traveled some of its distance in the "base" each year. This



requirement would contravene the purpose of granting operational flexibility, discussed under Section 102.]

*[The Plan is construed broadly to require only accrual of distance by the fleet as a whole; each vehicle need not individually enter the base jurisdiction.]*

Governing Board Decision 5 — October 23, 1986  
Governing Board Decision 19 — September 12, 1989  
Governing Board Decision 23 — April 9, 1991  
Dispute Resolution Committee Decision 96.7 — October 7, 1996  
Section 210 amended April 10, 1998, Ballot 1.7.192. Effective October 1, 1999  
Dispute Resolution Committee Decision 99.4, November 13, 1999  
Section 210 amended March 28, 2003, Ballot 282. Effective October 1, 2003

## 212 BASE PLATE

**(a) "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.**

**(b) Base plates shall be identified by having the word "apportioned," "APP" or "PRP" and the jurisdiction's name on the plate. The numbering system and color shall be determined by the issuing jurisdiction.**

Governing Board Decision 27, January 21, 1992  
Section 212 amended March 28, 2003, Ballot 282. Effective October 1, 2003

## 214 CHARTERED PARTY

**"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 U.S. Department of Transportation, 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 Section 204 excluding "buses used in transportation of chartered parties" from the definition of an "apportionable vehicle."]

Section 214 amended March 28, 2003, Ballot 282. Effective October 1, 2003

## 216 COMMISSIONER

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

## 218 ESTABLISHED PLACE OF BUSINESS

**"Established Place of Business" means a physical structure located within the base jurisdiction that is owned, leased or rented by the fleet registrant.**

**The physical structure shall be designated by a street number or road location. A post office box is not sufficient to satisfy this requirement. This physical structure must be open during normal business hours and have located within it:**

- 1. A telephone(s) publicly listed in the name of the fleet registrant.**
- 2. A person(s) in the permanent employment of the registrant conducting the fleet registrant's trucking-related business.**
- 3. The operational records of the fleet and the maintenance of such records (unless such records can be made available in accordance with the provisions of Section 1602).**

**The trucking-related business within the base jurisdiction must constitute more than just credentialing, distance and fuel reporting, and/or answering a telephone. Employees in the permanent employment of the registrant, not contractual labor, must be performing the trucking-related duties. A jurisdiction may require whatever information the jurisdiction deems pertinent to show that the registrant has an established place of business within the jurisdiction and that all proper fees and taxes are paid.**

Governing Board Decision 3, September 20, 1985  
Governing Board Decision 6 and 8, October 23, 1986  
Governing Board Decision 31, April 26, 1994  
Dispute Resolution Committee Decision 97.21, November 16, 1997  
Dispute Resolution Committee Decision 99.4, November 13, 1998  
Section 218 amended September 30, 2002, Ballot 264. Effective October 1, 2003

## **219 ESTIMATED DISTANCE**

**(a) The anticipated distance a fleet is expected to travel in a jurisdiction during the applicable registration year reported on the application for apportioned registration; or**

**(b) The average distance assigned to the fleet by the base jurisdiction determined in Section 801.**

Section 219 amended March 31, 2004, Ballot 291. Effective July 1, 2006.

## **220 FLEET**

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

## **222 IN-JURISDICTION DISTANCE**

**"In-Jurisdiction Distance" means the total distance operated by a fleet of apportioned vehicles in a jurisdiction during the preceding year. In those cases where the registrant operated a fleet of apportioned vehicles in jurisdictions that require no apportionment and**

**grant reciprocity, the base jurisdiction may add such distance to the in-jurisdiction distance.**

[The Plan does not define the term "reciprocity" in this context and Section 240 "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 distance" is construed to include only those distances actually traveled within a member jurisdiction. In the case of the base jurisdiction it may include those distances traveled in non-member jurisdictions which impose no fees for, or in lieu of, vehicle registration.]*

Governing Board Decision 24, April 9, 1991  
Section 222 amended April 10, 1998, Ballot 1.7.192. Effective October 1, 1999  
Dispute Resolution Committee Decision 97.1 - September 11, 1997  
Section 222 amended March 28, 2003, Ballot 282. Effective October 1, 2003

## **224 INTERJURISDICTION MOVEMENT**

**"Interjurisdiction movement" means vehicle movement between or through two or more jurisdictions.**

## **226 INTRAJURISDICTION MOVEMENT**

**"Intrajurisdiction movement" means vehicle movement from one point within a jurisdiction to another point within the same jurisdiction.**

## **228 JURISDICTION**

**"Jurisdiction" means a country or a state, province, territory, possession, or federal district of a country.**

Section 228 amended March 28, 2003, Ballot 279. Effective October 1, 2003

## **232 OPERATIONAL RECORDS**

**"Operational Records" means documents supporting the total distance traveled in each jurisdiction and total distance traveled such as fuel reports, trip sheets and driver logs.**

*["Operational records" include source documents suitable for verification of fleet mileage, known as "Individual Vehicle Distance Records" (IVDRs). An IVDR must contain the information set forth in the Audit Procedures Manual.]*

[See commentary under Section 1500 and Article XVI.]

Section 232 amended April 10, 1998, Ballot 1.7.192. Effective October 1, 1999  
Section 232 amended April 1, 2001. Ballot 1.7.234. Effective October 1, 2001

## 234 OWNER-OPERATOR

**"Owner-Operator" means a person, firm or corporation leasing an apportioned motor vehicle with driver to a motor carrier. The base jurisdiction shall verify that a lease exists between the owner-operator and the motor carrier.**

Section 234 amended March 28, 2003, Ballot 282. Effective October 1, 2003  
Section 234 amended March 31, 2004, Ballot 310. Effective October 1, 2004

## 236 POOL FLEET

**"Pool Fleet" means a fleet of rental company trailers and semi-trailers having a gross weight in excess of 6,000 pounds or 2,721.554 kilograms, and used solely in pool operation, with no permanent base.**

Section 235 amended April 10, 1998, Ballot 1.7.192. Effective October 1, 1999

## 238 PRECEDING YEAR

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

Dispute Resolution Committee Decision 95.1 -  
Dispute Resolution Committee Decision 96.1 — April 15, 1996

## 240 RECIPROCITY

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

[(See Sections 100 and 108.)]

## 242 RECIPROCITY AGREEMENT

**"Reciprocity Agreement" means 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.**

## 244 RECREATIONAL VEHICLE

**"Recreational Vehicle" means a vehicle used for personal pleasure or personal travel, not in connection with any commercial endeavor.**

*[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 Section 204.)]

Section 244 amended March 28, 2003, Ballot 282. Effective October 1, 2003.

## 246 REGISTRANT

**"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 Section 1206 and Article XI.)]

## 248 REGISTRATION YEAR

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

Section 248 amended March 28, 2003, Ballot 282. Effective October 1, 2003

## 250 RESTRICTED PLATE

**"Restricted Plate" means a registration plate that has time (less than a registration year), geographic area, distance or commodity restrictions.**

Section 250 amended March 28, 2003, Ballot 282. Effective October 1, 2003

## 252 SEMI-TRAILER

**"Semi-trailer" means 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.**

## 254 SERVICE REPRESENTATIVE

**"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.**

## 255 STAGGERED REGISTRATION

**"Staggered registration" means a method of distributing fleet registration so that credentials expire in different months during the same registration year.**

## 256 TOTAL DISTANCE

**"Total Distance" means the total distance, including those accrued on trip permits, operated by a fleet of apportioned vehicles in all jurisdictions during the preceding year. For purposes of motor bus apportionment, total distance shall be calculated as provided in Article XIII.**

**For purposes of reduced operations, total distance shall be reduced by the actual distance traveled in the eliminated jurisdictions. Reduced operations include distance operated on trip permits in the reporting period.**

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

Section 256 amended April 24, 1992. Ballot 1.7.141. Effective October 1, 1992  
Dispute Resolution Committee Decision 96.6, October 7, 1996.  
Section 256 amended April 10, 1998, Ballot 1.7.192. Effective October 1, 1999  
Dispute Resolution Committee Decision 97.11 - September 11, 1997.  
Section 256 amended September 30, 2002, Ballot 267. Effective October 1, 2003  
Section 256 amended March 28, 2003, Ballot 282. Effective October 1, 2003

## 258 TRAILER

**"Trailer" means a 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.**

Section 258 amended March 28, 2003, Ballot 282. Effective October 1, 2003

## 260 TRIP LEASE

**"Trip Lease" means a lease of a vehicle to a motor carrier (lessee) for a single interjurisdictional movement. The term may also include a similar intrajurisdictional movement where such movement is authorized under the laws of the jurisdiction.**

Section 260 amended March 28, 2003, Ballot 282. Effective October 1, 2003

## 262 AUDIT

**"Audit" means a physical examination of a registrant's operational records including source documentation to verify fleet distance and accuracy of a registrant's record keeping system for that fleet. The examination will be of the records maintained for a fleet during the respective preceding year. This does not preclude an audit of multiple fleets for multiple years. The purpose of the audit is to determine the proper total distance traveled and the percentage of distance traveled in each jurisdiction. These percentages equate to the proper registration fees owed by the registrant for a particular fleet or the registration fees owed to the registrant for a particular fleet.**

Section 262 amended April 17, 1999, Ballot 1.7.227. Effective October 1, 2000  
Section 262 amended March 28, 2003, Ballot 282. Effective October 1, 2003

## 263 APPLICANT

**"Applicant" means a person, firm or corporation in whose name an application is filed with a base jurisdiction to apportion a fleet of vehicles.**

Section 263 amended March 28, 2003, Ballot 282. Effective October 1, 2003

## 264 APPORTIONMENT

**"Apportionment" means a registration based on the proportional payment of registration fees, whether determined by the quotient of total distance traveled, revenue received, average presence, or any other similar method approved in the Plan.**

Section 264 amended March 28, 2003, Ballot 282. Effective October 1, 2003

## 265 CAB CARD

**"Cab Card" means a registration issued by the base jurisdiction for a vehicle of an apportioned fleet that identifies the vehicle, the registrant, the jurisdictions for which the vehicle is apportioned, the plate number, the registered weight by jurisdiction, and any other necessary information.**

Section 265 amended March 28, 2003, Ballot 282. Effective October 1, 2003

## 266 COMBINATION OF VEHICLES

**“Combination of Vehicles” means a power unit used in combination with trailers, semi-trailers and/or auxiliary axles.**

Section 266 amended March 28, 2003, Ballot 282. Effective October 1, 2003.

## 267 DECLARED GROSS VEHICLE WEIGHT

**“Declared Gross Vehicle Weight” means the total unladen weight of the vehicle or combination of vehicles plus the maximum load to be carried on the vehicle for which registration fees have been paid.**

Section 267 amended March 28, 2003, Ballot 282. Effective October 1, 2003.

## 268 ENFORCEMENT DATE

**“Enforcement Date” means the date the base jurisdiction requires a registrant to display the new registration year’s credentials.**

Section 268 amended March 28, 2003, Ballot 282. Effective October 1, 2003.

## 269 EXCEPTION

**“Exception” means a deviation from the Plan by a member jurisdiction, which has been approved by all member jurisdictions.**

Section 269 amended March 28, 2003, Ballot 282. Effective October 1, 2003.

## 270 EXTENSION

**“Extension” means a period of time from the expiration date or grace period date that registrants may operate on expired credentials because the base jurisdiction is unable to provide current credentials.**

Section 270 amended March 28, 2003, Ballot 282. Effective October 1, 2003.

## 271 FULL TRAILER

**“Full Trailer” means 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.**

Section 271 amended March 28, 2003, Ballot 282. Effective October 1, 2003.



## 272 GRACE PERIOD

**“Grace Period” means a period of time from the expiration of the current year’s credentials until the date new credentials are required to be displayed or enforcement action could be taken.**

Section 272 amended March 28, 2003, Ballot 282. Effective October 1, 2003

## 273 HOUSEHOLD GOODS CARRIER

**“Household Goods Carrier” means a carrier handling:**

**(a) personal effects and property used or to be used in a dwelling;**

**(b) furniture, fixtures, equipment, and the property or stores, offices, museums, institutions, hospitals or other establishments, when a part of the stock, equipment, or supply of such stores, offices, museums, institutions, including objects of art, displays and exhibits, which, because of their unusual nature or value, require the specialized handling and equipment usually employed in moving household goods.**

Section 273 amended March 28, 2003, Ballot 282. Effective October 1, 2003

## 274 IVDR

**“IVDR” means Individual Vehicle Distance Record and is the original record generated in the course of actual vehicle operation and is used as a source document to verify the registrant’s application for accuracy. An IVDR must contain the information set forth in the *Audit Procedures Manual*.**

Section 274 amended March 28, 2003, Ballot 282. Effective October 1, 2003

## 275 LEASE

**“Lease” means a written document vesting exclusive possession, control and responsibility for the operation of the vehicle to the lessee for a specific period of time.**

**(a) A long-term lease is for a period of 30 days or more.**

**(b) A short-term lease is for a period of fewer than 30 days.**

Section 275 amended March 28, 2003, Ballot 282. Effective October 1, 2003

## 276 LESSEE

**“Lessee” means a person, firm or corporation which has the legal possession and control of a vehicle owned by another under terms of a lease agreement.**

Section 276 amended March 28, 2003, Ballot 282. Effective October 1, 2003

## 277 LESSOR

**“Lessor” means a person, firm or corporation which, under the terms of a lease, grants the legal right of possession, control of, and responsibility for the operations of the vehicle to another person, firm or corporation.**

Section 277 amended March 28, 2003, Ballot 282. Effective October 1, 2003

## 278 MEMBER JURISDICTION

**“Member Jurisdiction” means a jurisdiction which has applied for membership and has been accepted by all member jurisdictions of the International Registration Plan.**

Section 278 amended March 28, 2003, Ballot 282. Effective October 1, 2003

## 279 MOTOR CARRIER

**“Motor Carrier” means a person, firm or corporation engaged in the commercial transportation of goods or persons.**

Section 279 amended March 28, 2003, Ballot 282. Effective October 1, 2003

## 280 MOTOR VEHICLE

**“Motor Vehicle” means every vehicle which is self-propelled by power other than muscular power.**

Section 280 amended March 28, 2003, Ballot 282. Effective October 1, 2003

## 281 OWNER

**“Owner” means a person, firm or corporation, other than a lienholder, holding legal title to a vehicle.**

Section 281 amended March 28, 2003, Ballot 282. Effective October 1, 2003

## 282 POWER UNIT

**See “Motor Vehicle,” “Tractor,” “Truck” or “Truck-Tractor.”**

Section 282 amended March 28, 2003, Ballot 282. Effective October 1, 2003

## 283 PROPERLY REGISTERED VEHICLE

**“Properly Registered Vehicle” means a vehicle which has been registered in full compliance with the laws of all jurisdictions in which it is intended to operate.**

Section 283 amended March 28, 2003, Ballot 282. Effective October 1, 2003

## 284 RECIPROCITY DISTANCE

**“Reciprocity Distance” means the distance traveled by apportionable vehicles in jurisdictions not members of this agreement, and which grant reciprocity.**

Section 284 amended March 28, 2003, Ballot 282. Effective October 1, 2003

## 285 TRACTOR

**“Tractor” means a motor vehicle designed and used primarily for drawing other vehicles, but not so constructed as to carry a load other than part of the weight of the vehicle and load so drawn.**

Section 285 amended March 28, 2003, Ballot 282. Effective October 1, 2003

## 286 TRIP PERMIT

**“Trip Permit” means a temporary permit issued by a jurisdiction in lieu of regular registration or reciprocity.**

Section 286 amended March 28, 2003, Ballot 282. Effective October 1, 2003

## 287 TRUCK

**“Truck” means a motor vehicle designed, used or maintained primarily for the transportation of property.**

Section 287 amended March 28, 2003, Ballot 282. Effective October 1, 2003

## 288 TRUCK TRACTOR

**“Truck Tractor” means a motor vehicle designed and used primarily for drawing other vehicles, but so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.**

Section 288 amended March 28, 2003, Ballot 282. Effective October 1, 2003

## 289 UNLADEN VEHICLE WEIGHT

**“Unladen Vehicle Weight” means the weight of a vehicle fully equipped for service, excluding the weight of any load.**

Section 289 amended March 28, 2003, Ballot 282. Effective October 1, 2003

## 290 VEHICLE

**“Vehicle” means a device used to transport persons or property on a highway, but does not include devices moved by human power or used exclusively upon rails or tracks.**

Section 290 amended March 28, 2003, Ballot 282. Effective October 1, 2003

## 291 RENTAL FLEET

**“Rental Fleet” means vehicles the rental owner designates as a rental fleet and which are offered for rent with or without drivers.**

Section 292 amended as Section 1104 August 22, 1994, ballot 1.7.158. Effective 1995 registration year.

## 292 RENTAL OWNER

**“Rental Owner” means someone who rents vehicles to others with or without drivers.**

## 293 RENTAL TRANSACTION

**“Rental Transaction” means that the rental of a vehicle shall be deemed to occur in the jurisdiction where such vehicle first comes into possession of the user.**

## 294 RENTAL VEHICLE

**“Rental Vehicle” means a vehicle of a rental fleet.**

## 295 RENTING AND LEASING

**“Renting and Leasing” means the giving of possession and control of a vehicle for valuable consideration for a specified period of time.**

Section 291-295 amended March 311, 2004, Ballot 300. Effective October 1, 2004

## ARTICLE III FEES FOR APPORTIONED REGISTRATION

Dispute Resolution Committee Decision 97.1 - September 11, 1997

### 300 DETERMINATION OF FEES

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

- 1. Divide the in-jurisdiction miles or kilometers by the total distance 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.**

Governing Board Decision 24 — April 9, 1991  
Dispute Resolution Committee Decision 96.6 — October 7, 1996  
Section 300 amended April 10, 1998, Ballot 1.7.192. Effective October 1, 1999.

### 302 NON-WAIVER OF FEES

**This agreement does not waive any fees or taxes charged levied by any jurisdiction in connection with the ownership or operation of vehicles and applies only to those apportioned fees specified. 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 Section 202.]

*[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 Section 102.]*

[(See commentary thereunder.)]

Governing Board Decision 28, September 13, 1992

### 304 MINIMUM FEES

**There shall be no minimum vehicle fees for any apportionable vehicle, except those base jurisdiction 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.]

Governing Board Decision 28, September 13, 1992

### 306 FEE CHANGE NOTIFICATION

**Each member jurisdiction shall notify IRP, Inc. of any proposed fee changes regarding apportioned registration by that member jurisdiction at least 120 days prior to the effective date. Upon timely notification of proposed fee changes, each member jurisdiction shall implement and collect proper fees due by the effective date. Any member jurisdiction failing to implement the proposed fee changes within the 120-day time frame will be responsible for any re-bill or credit adjustment resulting from the time delay. If the proposed fee change notification is not received by IRP, Inc. or the member jurisdictions prior to the 120-day effective date, the member jurisdictions must implement the fee changes within 120 days of notification, and no re-billing or credit adjustment may be initiated for fees incurred during the initial 120-day time frame.**

**All member jurisdictions shall submit fee changes in a standard format as established by IRP, Inc. and approved by the IRP, Inc. Board of Directors.**

Section 306 amended April 17, 1999, Ballot 1.7.208. Effective October 1, 2000.  
Section 306 amended April 1, 2001, Ballot 1.7.251. Effective October 1, 2002.

## **ARTICLE IV**

### **APPLICATION FOR APPORTIONED REGISTRATION**

#### **400 APPLICATION FILED WITH BASE JURISDICTION**

**An applicant for apportioned registration shall file a uniform application with the base jurisdiction in lieu of registration under other applicable statutes.**

*[This section requires the filing of a uniform application with 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.)]

**The base jurisdiction shall adopt the following procedures for renewal and expanded operations.**

- a. Upon renewal, the registrant shall be required to report and use actual distance operated during the preceding year (or portion of the preceding year).**
- b. Fees for each member jurisdiction shall be calculated pursuant to Article III.**
- c. All fees based on second or subsequent year distance estimates shall be computed over 100%.**

Governing Board Decision 26, August 25, 1991  
Governing Board Decision 27, January 21, 1992.  
Section 400 amended March 31, 2004, Ballot 295. Effective October 1, 2004.

#### **402 APPLICATION FILING**

**The base jurisdiction shall determine the manner, standard of measure, and dates for filing applications. The base jurisdiction may issue fleet registrations so that all credentials expire in the same month or stagger fleet registration so that credentials expire in different months during the same registration year.**

**When converting to staggered registration, a jurisdiction may issue fleet registrations for a period of not less than six (6) months, nor more than eighteen (18) months.**

**The base jurisdiction shall determine the timing and manner for the filing of applications and payment of fees due.**

**If a jurisdiction automates its renewal process, use the standard IRP automated renewal transaction codes, field formats and record formats adopted by a majority of the**

**membership and maintained by the IRP, Inc. The jurisdiction will have at least 90 days notice to implement changes to these field codes. See Appendix E. Each member jurisdiction shall advise IRP, Inc. and law enforcement of any extensions of the renewal period.**

[This section allows the base jurisdiction to determine the date by which applications must be filed, since the base jurisdiction (with a few exceptions) is the only jurisdiction involved in the filing of applications. This provision also authorizes the jurisdiction to postpone or delay payment of fees "until after the jurisdiction 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.]

Section 402 amended February 11, 1994, ballot 1.7.153. Effective 1995 registration year.  
Section 402 amended March 31, 2004, Ballot 295. Effective October 1, 2004.

#### **404 TRAILERS, SEMI-TRAILERS AND AUXILIARY AXLES - RECIPROCITY**

**Trailers, semitrailers and auxiliary axles properly registered in any jurisdiction and used, moved or operated in accordance with this section shall be granted full and free reciprocity. This reciprocity shall be deemed registration of such vehicles under the Plan and shall apply to both interjurisdictional and intrajurisdictional movement or operation, provided appropriate regulatory authority is held, if necessary. When registration fees are paid on apportionable vehicles, full and free reciprocity shall be granted to all trailers, semitrailers and auxiliary axles used in the combination. No member jurisdiction shall require a registrant of power units to register any amount of trailers, semitrailers or auxiliary axles in any proportion to the registrant's apportioned power unit fleet.**

Dispute Resolution Committee Decision 96.2 — April 15, 1996  
Section 404 amended April 10, 1998, Ballot 1.7.192. Effective October 1, 1999  
Section 404 amended April 17, 1999, Ballot 1.7.203. Effective October 1, 2000  
Section 404 amended March 31, 2004, Ballot 295. Effective October 1, 2004.  
Section 404 amended March 31, 2005, Ballot 319. Effective October 1, 2005

#### **406 CONTENTS OF APPLICATION**

**The registration application shall contain the number of apportionable vehicles, with any vehicle description as may be required by the jurisdictions concerned, and a uniform distance 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.]



## **408 JURISDICTION NOTIFICATION OF APPLICATION FILING**

**A jurisdiction shall transmit information and fees at least once a month. The base jurisdiction shall transmit to other member jurisdictions appropriate funds and information on registrations paid within thirty (30) days following the close of the transmittal period. The transmittal period shall be the period of time for which registrations have been paid. The transmittals and appropriate funds shall be mailed or electronically transmitted to other member jurisdictions within the thirty (30) day period. The postmark date or the date of the electronic transmission will determine when the transmittal has been completed. The base jurisdiction shall provide the transmittal reporting period. The transmittals shall contain all information necessary for the receiving jurisdiction to verify the fees paid. The consolidated transmittals shall contain, but not be limited to, the following information:**

- 1. Registrant account number**
- 2. Registrant name**
- 3. Registration year**
- 4. Batch number or date range**
- 5. Amount of payment**
- 6. Original or supplement number**
- 7. Distance and distance percent**
- 8. Payment date**
- 9. Number of months for which fees are calculated**
- 10. Vehicle types**
- 11. Vehicle weights (old and new for weight increases)**
- 12. Number of vehicles**
- 13. Carrier type**
- 14. Supplement type**

**The transmittal or extensive recaps, necessary for those jurisdictions that calculate fees on variables other than gross weight, shall contain the additional variables used to calculate their fees (such as factory price, model year, number of axles, purchase price, and bus seats). Each jurisdiction shall forward to IRP, Inc. a list of variables needed if the variables differ from the above list.**

**Member jurisdictions may transmit funds through an electronic transfer procedure by mutual agreement.**

*[Exchange of U.S./Canadian funds may be handled in the following ways as each jurisdiction chooses:]*

- 1. The exchange rate is set monthly and used by jurisdictions for calculating billings. The rate of exchange shall be determined in accordance with the U.S. Federal Reserve Board index rate at 12:00 p.m. Washington, D.C. time on the third Monday of each month for bill calculations for the subsequent month; and/or*

*2. Bill the carrier for travel in the U.S. in U.S. dollars and in Canada in Canadian dollars. The jurisdiction shall maintain U.S. dollar and Canadian dollar bank accounts to distribute the funds.]*

[The intent of number 1 above is to establish a rate for a monthly period. However, no rate adjustment is to be made on a bill after it is calculated even though it might not be paid in the same month unless other changes are to be made to the supplement affecting the bill calculation.]

Section 408 amended April 1, 2000, Ballot 1.7.213. Effective October 1, 2000  
Section 408 amended September 30, 2002. Ballot 270. Effective October 1, 2003  
Section 408 amended March 31, 2004, Ballot 295. Effective October 1, 2004.

## 410 JURISDICTION COOPERATION

**The base jurisdiction shall cooperate with other member jurisdictions in connection with applications and fees paid.**

*[This provision is construed, in part, to require the base jurisdiction to assist another member jurisdictions in the collection of fees due if a registrant fails to pay such fees.]*

Governing Board Decision 7, October 23, 1986  
Section 410 amended March 31, 2004, Ballot 295. Effective October 1, 2004.

## ARTICLE V

### REGISTRATION OF APPORTIONABLE VEHICLES

#### 500 BASE JURISDICTION REGISTRATION

**The base jurisdiction shall register apportionable vehicles upon application and payment of the registration fees as provided in Articles III and IV. The base jurisdiction may require payment of additional fees for each apportionable vehicle, in an amount provided by statute or regulation. The base jurisdiction shall issue a registration cab card and registration plate(s) for each apportionable vehicle.**

**The registration cab card shall:**

- 1. Identify the vehicle for which it is issued.**
- 2. List the jurisdictions for which the vehicle has been apportioned.**
- 3. List the weight (or other qualifying information) for each jurisdiction.**

**The registration cab card shall be carried in or upon the vehicle.**

*[Only the base jurisdiction may charge a fee for the issuance of a registration (license) plate, which is in addition to the proportional registration fee determined under Section 300, since only the base jurisdiction may issue such a plate.]*

[See Sections 104 and 502 and commentary thereunder.]

*[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 jurisdiction into and through which the vehicle may operate and show the weight(or equivalent) and classification of fee for which the vehicle is registered.]*

Article V Revised January 3, 1995, Ballot 1.7.164  
Section 500 amended March 31, 2004, Ballot 296. Effective October 1, 2004.

#### 502 IDENTIFICATION PLATES AND REGISTRATION CAB CARDS

**The base jurisdiction, after receiving its proportionate fees, shall supply the necessary registration plates and prepare registration cab cards, listing on the front of the registration cab cards the jurisdictions where the vehicles are proportionally registered, the weight (shown in pounds for states and in kilograms for provinces) for which registered**

and any other necessary information in each of the jurisdictions. The base jurisdiction may, at its discretion, withhold issuing plates and registration cab cards until it has received evidence of payment due other member jurisdictions.

When a registrant receives renewal credentials prior to the commencement of the new registration period, the registrant may remove the previous plates and display the renewal plates/decals prior to the commencement of the new registration period. The registration cab cards from the previous registration period and the registration cab cards for the renewal period shall be carried in the appropriate vehicles until the renewal period begins.

The registration cab card shall contain, but not be limited to, the following information:

1. Registered, issued or effective date
2. Expiration date
3. Year of the vehicle
4. Make of the vehicle
5. Vehicle identification number
6. Plate number assigned to the vehicle
7. Equipment number
8. Registrant name and address
9. Each jurisdiction in which the registrant is apportioned
10. The weight or other qualifying information
11. The jurisdiction-assigned account number

The base jurisdiction may, at its option, issue registration cab cards via electronic means. The base jurisdiction shall provide a means by which law enforcement can verify validity. The registration cab cards must be legible in order to be considered valid.

[Sections 408 and this section set forth the vital base jurisdiction responsibilities essential for proper functioning of the Plan. Only the base jurisdiction issues the "registration plate" and "registration cab card." No exception to this principle may be taken (see Section 1906). The weight for which the vehicle is registered must be listed on the face of the registration cab 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 pounds or 36,287.3896 kilograms does not authorize the operation of that vehicle at 80,000 pounds or 36,287.3896 kilograms 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 this section refers to that information required by registration 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 registration indicia until it has evidence of fee payment to all other member jurisdictions. 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.]

Section 502 amended April 10, 1998. Ballot 1.7.192. Effective October 1, 1999.

Section 502 amended March 28, 2003. Ballot 280. Effective October 1, 2003.

Section 502 amended March 31, 2004, Ballot 296. Effective October 1, 2004.

## 504 CANCELLATION OF REGISTRATION PLATES AND CAB CARDS

**The base jurisdiction may cancel, suspend, or revoke any registration credential in the event of erroneous issuance, or registrant fails to pay any fees.**

*[The intent of this provision is clear - the failure to pay one jurisdiction's fees may lead to the inability to operate in any jurisdiction.]*

[This power is not to be used lightly, but is necessary for practical and equitable operation under the plan.]

Governing Board Decision 20, September 12, 1989

Section 504 amended March 31, 2004, Ballot 296. Effective October 1, 2004.

## 506 OPERATION UNDER APPORTIONED REGISTRATION

**Vehicles registered as provided in Section 500 and vehicles covered under Section 404 shall be deemed fully registered in all jurisdictions where apportioned or granted reciprocity for any type of movement or operation. The registrant must have proper interjurisdiction or intrajurisdiction authority from the appropriate regulatory agency if not exempt from regulation by the regulatory agency.**

*[Vehicles registered as provided in Section 500 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. Vehicles proportionally registered pursuant to the IRP are receiving "reciprocity" and are exempt from "further registration. . ."]*

[See Section 240.]

Dispute Resolution Committee Decision 96.2 — April 15, 1996

Section 506 amended April 17, 1999, Ballot 1.7.203. Effective October 1, 2000

Section 506 amended March 31, 2004, Ballot 296. Effective October 1, 2004.

## 508 VARIANCE OF REGISTERED WEIGHTS

**The base jurisdiction may require supporting documentation for any vehicle if the highest and lowest weights requested for jurisdictions registering by gross vehicle weight vary by ten (10) percent or more. The base jurisdiction may reject or deny registration for those vehicles if the variance does not reflect actual operating practice.**

Governing Board Decision 21, September 12, 1989  
Section 508 amended March 31, 2004, Ballot 296. Effective October 1, 2004.

## **ARTICLE VI**

### **REGISTRATION OF ADDITIONAL FLEET VEHICLES**

#### **600 APPLICATION OF DISTANCE PERCENTAGE**

**A registrant may add vehicles to its apportioned fleet after the start of the registration year. The distance percentages used in the original fleet application shall be used to calculate the fees for the added vehicles. Each jurisdiction's fees shall be determined for the remainder of the registration year as required by the jurisdiction.**

**The base jurisdiction shall calculate the registration fees from the first day of the month in which vehicles are added to the fleet, unless a member jurisdiction requires calculation in a different manner.**

Section 600 amended March 31, 2004, Ballot 297. Effective October 1, 2004.

#### **602 FILING OF APPLICATIONS**

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

## **ARTICLE VII**

### **WITHDRAWAL OF FLEET VEHICLES, CREDITS, REPLACEMENT VEHICLES AND ACCOUNTING**

#### **700 VEHICLE WITHDRAWN; DISPOSITION OF FEES**

**If a vehicle is withdrawn from an apportioned fleet because the vehicle was sold, destroyed or otherwise removed from the service of the registrant during the registration year, the registrant shall be required to notify the base jurisdiction in the manner prescribed by the base jurisdiction. The base jurisdiction shall:**

- 1. Require the return of any credentials; or**
- 2. Require certification that the credentials have been destroyed, lost or stolen.**

**If a registrant permanently withdraws an apportioned vehicle from its fleet because the vehicle has been sold, destroyed, or otherwise permanently removed from the registrant's service, the unused fees shall be transferred to a replacement vehicle or refunded as permitted by each member jurisdiction's statutes.**

**The base jurisdiction may reassign the registration plate to a registrant's replacement vehicle.**

*[This section requires the granting of refunds or credits by each jurisdiction (if authorized by statute) if a vehicle is "permanently withdrawn" from an apportioned fleet.]*

["Permanently withdraw" includes destruction, sale or other complete removal from the registrant's fleet. The term "permitted by each member jurisdiction's statutes" 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.)]

Governing Board Decision 16, April 4, 1989

Governing Board Decision 22, April 9, 1991

Section 700 amended April 1, 2000, Ballot 1.7.212. Effective October 1, 2000

Section 700 amended March 31, 2004, Ballot 298. Effective October 1, 2004.

#### **702 REPLACEMENT VEHICLES**

**The base jurisdiction shall establish procedures for the transfer of a registration from a vehicle permanently withdrawn from the fleet to a replacement vehicle. Any additional fees resulting from an increase in gross weight or other factors shall be calculated as determined by each member jurisdiction's statutes.**

Section 702 amended March 31, 2004, Ballot 298. Effective October 1, 2004.



## 704 TEMPORARY REGISTRATION

**Each jurisdiction may provide a means of temporary registration pending the registrant's receipt of credentials.**

**The temporary vehicle registration credential issued by the base jurisdiction is valid registration in other jurisdictions. The temporary registration shall list the member jurisdictions and weights or other qualifying information for which the vehicle is apportioned.**

**The temporary registration document must contain both effective and expiration dates. A temporary registration shall be issued for no more than sixty (60) days.**

**Each base jurisdiction shall ensure that fees are collected for all jurisdictions for which the vehicle is apportioned.**

Section 704 amended March 31, 2004, Ballot 298. Effective October 1, 2004.

## **ARTICLE VIII NEW OPERATIONS**

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

Early drafts of the IRP provided that adjustments made by the base jurisdiction 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.)]

Governing Board Decision 11, March 29, 1988  
Governing Board Decision 26, August 25, 1991

### **800 APPLICATION FOR INITIAL REGISTRATION**

**An applicant for initial registration shall report actual distance operated during the preceding year. If the applicant did not accrue any actual distance during the preceding year, the applicant may estimate the distance to be traveled in each jurisdiction based on anticipated fleet travel. The applicant shall be required to justify any submitted estimated distance.**

**The base jurisdiction shall review any estimated distance and any supporting documentation. If the base jurisdiction does not accept the applicant's estimated distance, or if the applicant does not submit an estimate, the base jurisdiction shall estimate the applicant's distance in accordance with Section 801.**

Section 800 amended April 17, 1999, Ballot 1.7.222. Effective October 1, 2000  
Section 800 amended March 31, 2004, Ballot 291. Effective July 1, 2006.

### **801 ESTIMATED DISTANCE METHODOLOGY**

**The base jurisdiction shall apply this estimated distance methodology when an applicant does not have an acceptable method to determine anticipated fleet distance.**

**The base jurisdiction shall use its own data to establish average estimated distances for each member jurisdiction in the following manner:**

- 1. Determine the total actual distance reported to the base jurisdiction by all based registrants for each member jurisdiction for the preceding year.**
- 2. Determine the total number of apportioned vehicles in all fleets which accrued actual distance for each member jurisdiction during the preceding year. The total**

**apportioned vehicles is the number of vehicles renewed or added for each jurisdiction, not including replacement vehicles.**

**3. Divide the total actual distance reported for each member jurisdiction during the preceding year by the number of vehicles identified in section 801(2) for each member jurisdiction.**

**4. This calculation yields the average per vehicle distance per member jurisdiction for the base jurisdiction, which shall be used to calculate fees in accordance with Article III.**

**The base jurisdiction shall update their estimated distance calculation at lease once every five years.**

**Notwithstanding the above, the base jurisdiction may use an alternative method to determine estimated distance for a jurisdiction for which the base jurisdiction does not have adequate data for which to determine estimated distance.**

Section 801 added March 31, 2004, Ballot 291. Effective July 1, 2006.

## **ARTICLE IX**

### **REGISTRATION OF OWNER-OPERATOR VEHICLES**

#### **900 GENERAL PROVISIONS**

**Apportioned registration for owner-operators may be accomplished in accordance with the provisions of this Article.**

Section 900 amended March 31, 2004, Ballot 310. Effective October 1, 2004

#### **902 OWNER-OPERATOR AS REGISTRANT**

**The owner-operator may be the registrant and the vehicle may be registered in the name of the owner-operator. The allocation of fees shall be according to the operational records of the owner-operator. The identification plates and cab card shall be the property of the owner-operator and may reflect both the owner-operator's name and that of the motor carrier as lessee.**

Section 902 amended March 31, 2004, Ballot 310. Effective October 1, 2004

#### **904 LESSEE MOTOR CARRIER AS REGISTRANT**

**The lessee motor carrier may be the registrant at the option of the owner-operator, and the vehicle may be registered by the motor carrier, but in both the owner-operator's name and that of the motor carrier as lessee. The allocation of fees shall be according to the records of the motor carrier. The identification plates and cab card shall be the property of the lessee motor carrier and may reflect both the owner-operator's name and that of the motor carrier as lessee. Should an owner-operator, registered pursuant to this section, leave the fleet of the lessee motor carrier, the lessee motor carrier may proceed in accordance with Article VII.**

*[Under this section, the lessee motor carrier is the owner of the identification plates and registration (cab) cards and, consequently, is responsible for their surrender under Section 700. This section authorizes the lessee motor carrier to apply for a refund or credit under Section 700 if the vehicle will not be replaced by another or to obtain new vehicle indicia for the replacement vehicle pursuant to Section 702. Under the provisions of the Plan, the owner-operator is unable to obtain a refund directly from the member jurisdictions.]*

Section 904 amended March 31, 2004, Ballot 310. Effective October 1, 2004

#### **906 PLACE OF BUSINESS**

**If an owner-operator desires to register under the provisions of this Article but cannot fully comply with the provisions of Section 218 "Established Place of Business," the base jurisdiction may register the vehicle provided the owner-operator is a resident according to**

**the laws of their jurisdiction. The base jurisdiction shall require additional information to verify that the owner-operator is properly based in their jurisdiction. The following are recommended for verification:**

- 1. Driver's license;**
- 2. National tax filings, if any;**
- 3. Local tax filings, if any;**
- 4. State/provincial tax filings, if any**
- 5. Voter registration information, if any;**
- 6. Signature of owner-operator on the application for apportioned registration, affirming that the operational records are available upon request; and**
- 7. Any other pertinent information the base jurisdiction deems necessary.**

**The base jurisdiction in which the owner-operator is seeking to base must be satisfied that the owner-operator is located within the base jurisdiction, and for purposes of conducting an audit, can comply with the provisions of Article XV.**

Governing Board Decision 6, October 23, 1986  
Dispute Resolution Committee Decision 96.3 — April 15, 1996  
Dispute Resolution Committee Decision 97.8 - September 11, 1997  
Dispute Resolution Committee Decision 97.21 - November 16, 1997  
Section 906 amended March 31, 2004, Ballot 310. Effective October 1, 2004

## **908 TRIP PERMIT REQUIREMENTS**

**Vehicles of owner-operators that are not apportioned 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 XIV.**

## **910 UNLADEN WEIGHT PERMIT**

**Each jurisdiction shall provide a means of temporary registration to allow owner-operators not operating as a lessor and not registered under Section 904, the ability to operate an unladen vehicle. 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.**

**The temporary registration credential issued by a member jurisdiction shall be honored as a valid registration in all other IRP jurisdictions.**

*[This section requires each jurisdiction to develop a method by which an owner-operator can move his empty vehicle from one lessee motor carrier fleet to another without violating general registration statutes, thereby avoiding unwarranted statutory penalties which might otherwise apply.]*

Section 910 amended March 31, 2004, Ballot 310. Effective October 1, 2004

## ARTICLE X TRIP LEASING

[This Article provides special procedures applicable to "trip leasing," not to be confused with trip permit registration covered under Article XIV.

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 Section 254) has the same responsibilities. The majority 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.]

### 1000 REGISTRATION RESPONSIBILITY AND REQUIREMENTS

**The lessee motor carrier, except as provided for service representatives in Sections 1200 and 1202, is responsible for the vehicle's proper registration. However, a lessor may be an apportioned registrant and may lease a vehicle to another apportioned registrant lessee. The lessor shall report the leased vehicle's total distance on the lessor's distance schedule. The leased vehicle must be qualified for the jurisdictions in which it is operated.**

Section 1000 amended April 10, 1998, Ballot 1.7.192. Effective October 1, 1999  
Section 1000 amended March 31, 2004, Ballot 299. Effective October 1, 2004.

## ARTICLE 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 with or without drivers. A "rental fleet" must be designated as such by the "rental owner."]

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 Section 246) of such fleet vehicles whether rented or leased. The minutes (Page 6) of the IRP Signatories Meeting held in St. Louis, Missouri, October 15-16, 1983, indicate as follows:

The next subject discussed concerned the apportioned registration of rental fleets. In general, all vehicles that are leased by a registrant shall be apportioned 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 apportioned 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 "rental owner" of a "rental fleet" in the business of "renting" and/or "leasing" apportionable vehicles with or without drivers in two or more member jurisdictions may register such vehicles in his own name.]*

*See Article II for the definitions of "rental owner," "rental fleet," "rental vehicle," "renting and leasing," and "rental transaction."]*

Amended August 22, 1994, ballot 1.7.158. Effective 1995 registration year.

### 1111 RENTAL VEHICLE: BASE JURISDICTION

**The "base jurisdiction" definition in Section 210 of Article II applies under this Article and the conditions therein specified must be met by the rental company as registrant of the fleet; except when the rental agreement is for more than sixty (60) days, the rental customer must have an established place of business and his fleet must accrue miles or kilometers in the jurisdiction selected as the base jurisdiction for the registration year.**

*The plan was amended February 8, 1988 to clarify the original intent of the Plan's drafters to require the rental owner to register his trucks and truck-tractors with the jurisdiction in or from which they are most frequently dispatched, garaged, serviced, maintained, operated, or otherwise controlled.*

*The Plan was again amended on October 29, 1990, to eliminate the "vehicle basing" requirement in selection of the base jurisdiction by replacing it with Section 210 requirements.*

*The base jurisdiction selected by the rental company need not to be changed and vehicle-registration shall not be required in that same registration year merely because a vehicle is transferred to another jurisdiction.*

Section 1111 amended April 10, 1998, Ballot 1.7.192. Effective October 1, 1999.

## 1112 INTERJURISDICTION AND INTRAJURISDICTION PRIVILEGES

**A rental vehicle registered in accordance with this Article may engage in interjurisdictional and intrajurisdictional operation.**

Section 1112 amended March 31, 2004, Ballot 300. Effective October 1, 2004.

## 1114 RENTAL TRUCKS AND TRUCK TRACTORS

Section 1114 amended March 31, 2004, Ballot 300. Effective October 1, 2004.

**Rental trucks and truck tractors shall be registered in accordance with Articles III, IV, V, VI and VII.**

## 1116 RENTAL PASSENGER CARS

**Rental passenger car registrations may be allocated based on revenue earned in each jurisdiction. Properly allocated rental passenger cars may be rented from any member jurisdiction.**

**To determine the percentage of total fleet vehicles to be registered in a jurisdiction:**

- 1. Divide the gross revenue earned in a jurisdiction in the preceding year for the use of all rental passenger cars by the gross rental revenue earned in all jurisdictions.**
- 2. Multiply the number of vehicles in the rental fleet by the percentage determined in (1).**

[This section requires the use of revenue, rather than total distance, to determine 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.]

Section 1116 amended April 10, 1998, Ballot 1.7.192. Effective October 1, 1999.

Section 1116 amended March 31, 2004, Ballot 300. Effective October 1, 2004.

## 1118 RENTAL TRAILERS AND SEMI-TRAILERS

**(a) Trailers and semi-trailers not in separate pool fleets and used in normal tractor trailer operations shall be registered according to Section 404.**



**(b) Where required, trailers and semi-trailers, over 6,000 pounds (2,721.554 kilograms) gross vehicle weight and used solely in pool fleets shall be registered by dividing 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, and that number of vehicles fully registered and plated in the jurisdiction.**

*[Subdivision (a) requires that trailers and semi-trailers operating in rental fleets of trucks and truck tractors be registered in accordance with Section 404 (see Section 1114).*

*These vehicles, therefore, may be registered in the name of the rental owner, under basic Plan procedures.]*

Section 1118 amended April 10, 1998, Ballot 1.7.192. Effective October 1, 1999.  
Section 1118 amended March 31, 2004, Ballot 300. Effective October 1, 2004.

## **1120 RENTAL UTILITY TRAILERS**

**Owners of rental utility trailers 6,000 pounds (2,721.554 kilograms) gross vehicle weight or less shall register trailers equal to the average number of trailers rented in or through the jurisdiction during the preceding year.**

[This section provides for the registration of rental utility trailers, which are trailers not exceeding 6,000 pounds (2,721.554 kilograms) gross vehicle weight. The Plan provides that the number of trailers to be registered shall equal the "average number of 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.]

Section 1120 amended April 10, 1998, Ballot 1.7.192. Effective October 1, 1999.  
Section 1120 amended March 31, 2004, Ballot 300. Effective October 1, 2004.

## **1122 ONE-WAY VEHICLE**

**The owner of trucks registered for 26,000 pounds (11,793.401 kilograms) or less identified as a part of a one-way fleet must:**

- 1. Allocate all one-way rental vehicles to the respective member jurisdictions as determined in Section 300(1) and must (full plate) register a proportionate number of one-way rental vehicles in each member jurisdiction; or**
- 2. Apportion all one-way rental vehicles pursuant to Section 204 and Article V.**

**Any truck registered pursuant to this section may be used in interjurisdictional and intrajurisdictional operation.**

[Provides for allocation or apportionment of vehicles described as "one way vehicles." Such vehicles are those that are rented in one place and generally left in another. Such vehicles may be allocated to the "respective member jurisdiction," or apportioned under Article V. The option to allocate or apportion is that of the owner.

The distance quotient procedure of Article III 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 or kilometers during the preceding year in ten jurisdictions; (3) 100,000 of those miles or kilometers were traveled in jurisdiction X. Based on these assumptions, 10% of the fleet distance was accrued in X and, consequently, five vehicles (10% x 50) should be allocated to and "fully plated" in jurisdiction X.

If the owner chooses apportionment, the vehicles are to be registered based on the distance factor procedure in Article III.]

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

Section 1122 amended April 10, 1998, Ballot 1.7.192. Effective October 1, 1999.

Section 1122 amended April 1, 2001; Ballot 1.7.238. Effective October 1, 2001.

Section 1122 amended September 30, 2002. Ballot 271. Effective October 1, 2003.

Section 1122 amended March 31, 2004, Ballot 300. Effective October 1, 2004.

## **ARTICLE XII HOUSEHOLD GOODS CARRIERS**

### **1200 EQUIPMENT LEASED FROM SERVICE REPRESENTATIVES**

**A Household Goods Carrier using a vehicle leased from a service representative may elect to base the vehicle in the service representative's base jurisdiction of the service representative or that of the carrier.**

Section 1200 amended March 31, 2004, Ballot 301. Effective October 1, 2004

### **1202 OWNER-OPERATOR LEASED EQUIPMENT**

**A Household Goods Carrier shall register an owner-operator's vehicle, except one owned by a service representative, when the vehicle is used to transport cargo exclusively for a Household Goods Carrier. The vehicle shall be registered in the Household Goods Carrier's base jurisdiction. The vehicle shall be registered in both the owner-operator's and the Household Goods Carrier's names. The Household Goods Carrier's records shall be used to determine apportioned fees**

Section 1202 amended March 31, 2004, Ballot 301. Effective October 1, 2004

### **1204 REGISTRATION IN BASE OF SERVICE REPRESENTATIVE**

**In cases where the Household Goods Carrier's vehicle(s) is elected to be registered in the base jurisdiction of the service representative, the vehicle(s) shall be registered in the 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 the carrier (lessee), and such records must be kept or made available in the service representative's base jurisdiction.**

Section 1204 amended March 31, 2004, Ballot 301. Effective October 1, 2004

### **1206 REGISTRATION IN BASE OF CARRIER**

**If the carrier elects to base in the carrier's base jurisdiction, and the jurisdiction is a member jurisdiction, the base jurisdiction shall register the vehicle(s) in the carrier's name. The service representative shall be listed as the lessor. The carrier's and the service representative's combined records shall be used to determine apportioned fees.**

**Records must be kept or made available in the carrier's base jurisdiction. Service representatives properly registered under this election shall be fully registered for operations under their own authority as well as the authority of the carrier.**

*[The names of both the carrier (lessee) and service representative (lessor or vehicle owner) must be shown since the vehicle(s) is operated on an intermittent basis under the carrier's interjurisdiction operating authority, pursuant to Interstate Commerce Commission regulations, and the service representative's local and/or intrajurisdictional operating authority pursuant to regulations promulgated by a state or province. Intrajurisdictional distance records are maintained by the service representative and interjurisdictional distance records are maintained by the carrier and furnished to the service representative.]*

**[Distance 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.]**

Section 1206 amended April 10, 1998, Ballot 1.7.192. Effective October 1, 1999  
Section 1206 amended March 31, 2004, Ballot 301. Effective October 1, 2004

## **ARTICLE XIII MOTOR BUS APPORTIONMENT**

### **1300 APPORTIONMENT OF FEES**

**The apportionment of motor bus registration fees shall be based solely on the relationship of base jurisdiction distance versus total distance operated. Apportionment shall be accomplished as provided in this article.**

Section 1300 amended April 10, 1998, Ballot 1.7.192. Effective October 1, 1999  
Section 1300 amended March 31, 2004, Ballot 302. Effective October 1, 2004

### **1302 APPLICATION FILING**

**The registrant shall file an application for apportioned registration with the base jurisdiction listing buses assigned in pools.**

Section 1302 amended March 31, 2004, Ballot 302. Effective October 1, 2004

### **1304 DETERMINATION OF TOTAL DISTANCE**

**At the option of the registrant, total distance may be the sum of all actual in-jurisdiction distance or a sum equal to the scheduled route distance per jurisdiction from the farthest point of origination to the farthest point of destination of the scheduled pool.**

Section 1304 amended April 10, 1998, Ballot 1.7.192. Effective October 1, 1999.  
Section 1304 amended March 31, 2004, Ballot 302. Effective October 1, 2004

### **1306 DETERMINATION OF IN-JURISDICTION DISTANCE PERCENT**

**After determining the total distance as specified in Section 1304, in-jurisdiction distance percent factors shall be derived by dividing the total distance into the in-jurisdiction distance.**

Section 1306 amended April 10, 1998, Ballot 1.7.192. Effective October 1, 1999.  
Section 1306 amended March 31, 2004, Ballot 302. Effective October 1, 2004

### **1308 DISTANCE OPERATED OUTSIDE OF POOL AREA**

**Distance generated outside the designated pool are deemed to be reciprocity distance and the base jurisdiction may add such distance to the base jurisdiction's distance total.**

Section 1308 amended April 10, 1998, Ballot 1.7.192. Effective October 1, 1999  
Section 1308 amended March 31, 2004, Ballot 302. Effective October 1, 2004

## ARTICLE XIV TRIP PERMIT REGISTRATION

### 1400 TRIP PERMIT AUTHORITY

**A jurisdiction may issue a trip permit to a vehicle or combination of vehicles in lieu of requiring an apportioned registration or full registration.**

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

Section 1400 amended March 31, 2004, Ballot 303. Effective October 1, 2004

### 1402 APPLICATION FOR TRIP PERMIT

**Each jurisdiction may determine the form and manner in which trip permits may be issued.**

**Section 1402 amended March 31, 2004, Ballot 303. Effective October 1, 2004**

### 1404 INTERJURISDICTION OR INTRAJURISDICTION OPERATION

**A vehicle or combination of vehicles operated under a trip permit may be used in interjurisdictional or intrajurisdictional operation.**

[This section sets forth a fundamental plan concept that vehicles operating under trip permit ". . . may be used in interjurisdictional or intrajurisdictional operation 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 full apportioned registration. Many times the trip permits allow only interjurisdiction movement and if prorated it would allow both interjurisdiction and intrajurisdiction movement.]

*[This section is construed to mean:*

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

[The drafters recognized that they should concern themselves with interjurisdiction and intrajurisdiction "movements" only (whether such movements are in interjurisdiction or intrajurisdiction commerce is a regulatory issue; see Sections 506 and 1122 and commentary thereunder).]

*[Distance operated by an apportioned carrier under a trip permit shall accrue to the carrier, as specified under Section 256.]*

Section 1404 amended April 10, 1998, Ballot 1.7.192. Effective October 1, 1999.  
Section 1404 amended September 30, 2002. Ballot 267. Effective October 1, 2003.  
Section 1404 amended March 31, 2004, Ballot 303. Effective October 1, 2004

## 1408 ISSUANCE OF TRIP PERMITS

**Member jurisdictions may provide a system of issuing trip permits for other member jurisdictions so that vehicles may move without waiting for telegraphic, electronic 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 to the registrant the permit for movement in another jurisdiction(s).**

Section 1408 amended March 31, 2004, Ballot 303. Effective October 1, 2004

## **ARTICLE XV PRESERVATION OF RECORDS AND AUDIT**

### **1500 PRESERVATION AND AVAILABILITY OF RECORDS**

**The base jurisdiction shall require a registrant to preserve the records on which the registrant's application is based for a period of three years after the close of the registration year. The registrant shall be required to make the records available to the base jurisdiction at its request.**

*[The term "records" includes "operational records" as defined in Section 232.]*

Section 1500 amended April 17, 1999, Ballot 1.7.215. Effective October 1, 2000  
Section 1500 amended March 30, 2002; Ballot 1.7.254. Effective October 1, 2002  
Section 1500 amended March 31, 2004, Ballot 304. Effective October 1, 2004

### **1501 ADEQUACY OF RECORDS**

**A registrant's distance accounting system must consistently reflect the information required under the Audit Procedures Manual, Section 400, Registrant Responsibilities, necessary to evaluate vehicle movement and therefore substantiate the application filing. The source documents must contain necessary details to trace vehicle movement. Additionally, a distance accounting system should be summarized by unit and by jurisdiction.**

Section 1501 incorporated March 30, 2002; Ballot 1.7.254. Effective October 1, 2002

### **1502 FAILURE TO PRESERVE OR MAINTAIN RECORDS**

**If a registrant fails to maintain records, or after 30 days from receiving written notice, fails to make records available to the member jurisdiction, the member jurisdiction may impose an assessment. The assessment must be based on the member jurisdiction's estimate of true liability established from:**

- 1. information the registrant furnished;**
- 2. information the member jurisdiction gathered;**
- 3. information relative to other similar registrants based in the jurisdiction; or**
- 4. any other information available to the member jurisdiction.**

Governing Board Decision 30, August 21, 1993  
Dispute Resolution Committee Decision 97.20 - November 16, 1997  
Section 1502 amended March 30, 2002; Ballot 1.7.254. Effective October 1, 2002  
Section 1502 amended March 31, 2004, Ballot 304. Effective October 1, 2004



## 1505 ON-BOARD RECORDING DEVICES

**On-board recording devices may (at the registrant's option ) be used in lieu of or in addition to handwritten trip reports for apportioned registration record keeping purposes.**

**If a registrant exercises this option, any device or electronic system used in conjunction with a device shall meet the requirements identified in the Audit Procedures Manual.**

**Other equipment monitoring devices, such as those which transmit or may be interrogated as to vehicle location or travel, may (at the registrant's option ) be used to supplement or verify handwritten or electronically-generated trip reports.**

Section 1505 amended April 1, 2001. Ballot 1.7.234. Effective October 1, 2001  
Section 1505 amended March 31, 2004, Ballot 304. Effective October 1, 2004

## **ARTICLE XVI AUDITS**

### **1600 FREQUENCY OF AUDITS**

**The base jurisdiction shall audit their registrants displaying the base jurisdiction's base plate. Audits shall be conducted on a registration year and fleet basis. An audit shall verify the authenticity of the registrant's reported distance derived from operational records and registrations.**

**The base jurisdiction must perform audits equivalent to at least an average of 3% of the number of IRP fleets renewed annually as required to be reported on the annual report pursuant to the Audit Procedures Manual, Section 800, Audit Reporting, 804 – Annual Audit Activity. The interval between jurisdictional peer reviews constitutes the period for establishing the 3% average.**

**The examination of one fleet for one registration year constitutes one audit. A registrant may be audited more than once during the interval between peer reviews.**

**A new member jurisdiction may not be required to perform the required number of audits until the January following the first full year of IRP participation.**

Revised March 1, 1993, to amend jurisdiction audit percentage from 25% to 15%, and time from 3 years to 5 years  
Dispute Resolution Committee Decision 97.10 - September 11, 1997  
Dispute Resolution Committee Decision 97.19 - November 16, 1997  
Section 1600 amended April 17, 1999. Ballot 1.7.227. Effective October 1, 2000  
Section 1600 amended April 1, 2001. Ballot 1.7.242. Effective October 1, 2001  
Section 1600 amended March 31, 2004, Ballot 305. Effective October 1, 2004

### **1602 RECORDS NOT MAINTAINED IN BASE JURISDICTION**

**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.**

### **1604 NOTIFICATION OF AUDIT FINDINGS**

**Upon the completion of the audit of a registrant, the base jurisdiction shall provide the audit findings to the registrant and to all member jurisdictions in which the registrant was apportioned or in which it accrued miles. The findings shall include a determination of any fees owed by the registrant, net of any fees owed to the registrant. The time periods specified in Sections 1608 and 1610 shall begin with the date on which the base jurisdiction mails the final audit findings to the registrant and to the other member jurisdictions.**

Section 1604 amended April 10, 1998, Ballot 1.7.187. Effective October 1, 1999

## 1606 JOINT AUDITS

**An audit, as defined in Section 262, may be conducted by multiple jurisdictions. Each participating jurisdiction shall receive full credit for conducting the audit, and the credit received shall be determined in accordance with Section 1600.**

**The base jurisdiction shall provide pertinent information to participating jurisdictions concerning the registrant selected for audit in accordance with Section 410. Upon completion of the joint audit, it shall be the base jurisdiction's responsibility to provide the audit findings agreed upon by the participating jurisdictions to all affected jurisdictions in a timely manner. The base jurisdiction shall also be responsible for the collection and distribution of fees adjusted pursuant to audit in accordance with Article XVII. Any disagreement with the audit findings shall be resolved by the base jurisdiction in accordance with the appeal provisions contained in this article.**

Governing Board Decision 21, September 12, 1989  
Dispute Resolution Committee Decision 96.4 — August 25, 1996  
Section 1606 amended September 21, Ballot 1.7.247. Effective October 1, 2002  
Section 1606 amended September 30, 2002, Ballot 260. Effective October 1, 2003

## 1607 AUDIT PROCEDURES MANUAL

**The provisions of the *Audit Procedures Manual* approved by the member jurisdictions of the International Registration Plan are deemed to be equally as binding as all other provisions of the International Registration Plan.**

Section 1607 amended April 17, 1999, Ballot 1.7.215. Effective October 1, 2000  
Section 1607 amended April 1, 2001, Ballot 1.7.234. Effective October 1, 2001

## 1608 AUDIT APPEALS

**The registrant shall have thirty days from the date it is notified of the findings of an audit or a reexamination to file a written appeal of the audit or reexamination with the base jurisdiction. Such an appeal shall be resolved under the administrative and appellate procedures of the base jurisdiction. Once these procedures have been exhausted, it may be submitted to the Dispute Resolution Committee under Article XXIII. In the conduct of an appeal, the base jurisdiction shall act on behalf of all member jurisdictions. Upon the resolution of an appeal, the base jurisdiction shall notify all member jurisdictions of the results.**

Section 1608 amended April 10, 1998, Ballot 1.7.187. Effective October 1, 1999

## 1610 REEXAMINATIONS

**A jurisdiction shall have forty-five days from the date it is notified under Section 1604 of the findings of an audit to notify the base jurisdiction and the registrant in writing of any error in the findings and of its intent to conduct a reexamination of the records of the**

**registrant. A reexamination conducted under this Section shall be based exclusively on the audit sample period used by the base jurisdiction in conducting its audit, and shall be performed within a reasonable time and in cooperation with the base jurisdiction, which shall notify other affected jurisdictions of the reexamination. The expenses of such a reexamination shall be borne by the jurisdiction or jurisdictions performing the reexamination.**

Section 1610 amended April 10, 1998, Ballot 1.7.187. Effective October 1, 1999

## **1612 FINDINGS OF A REEXAMINATION**

**Any adjustment to the original audit findings which occurs as the result of a reexamination conducted pursuant to Section 1610 shall be reconciled with the original findings issued by the base jurisdiction, and revised findings shall be issued by the base jurisdiction pursuant to Section 1604.**

Section 1612 amended April 10, 1998, Ballot 1.7.187. Effective October 1, 1999

## **1614 FINALITY OF AUDIT FINDINGS**

**The findings of an audit shall be final as to member jurisdictions and the audited registrant, if they do not act as specified in Sections 1608 and 1610 except in conditions of fraud.**

Section 1614 amended April 10, 1998, Ballot 1.7.187. Effective October 1, 1999

## **ARTICLE XVII**

### **ASSESSMENT CLAIMS UNDER AUDIT**

#### **1700 ASSESSMENTS -- TIME PERIODS**

**Upon audit, the base jurisdiction 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.**

Section 1700 amended March 31, 2004, Ballot 306. Effective October 1, 2004

#### **1702 JURISDICTION STATUTORY AUTHORITY**

**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.**

#### **1704 NETTING OF AUDIT ADJUSTMENTS**

**The audit findings shall include a determination of any fees owed by the registrant, net of any fees owed to the registrant. When the findings of an audit result in a net underpayment by the registrant, the base jurisdiction shall collect the amount of the underpayment from the registrant, pursuant to the base jurisdiction's laws and procedures. Upon collection of the underpayment, the base jurisdiction shall transmit the fee changes to the affected jurisdiction(s) within 30 days following the transmittal period in which such payment was received. If the base jurisdiction determines the net underpayment to be un-collectable, any credits due the registrant, plus any partial payment(s) made by the registrant, shall be used to offset additional fees due jurisdictions on a pro-rata basis. When the findings result in a net overpayment by the registrant, the base jurisdiction shall refund the amount of overpayment to the registrant. The base jurisdiction will then transmit the fee changes to the affected jurisdiction(s) within 30 days following the transmittal period in which such over-payment was refunded. If the records are not made available, or if the records made available are inadequate for an examination, any credits calculated for jurisdictions which are caused by the inadequacy of records shall not be included in the fees netted under Article XVI.**

Section 1704 amended April 10, 1998, Ballot 1.7.187. Effective October 1, 1999

Section 1704 amended March 31, 2004, Ballot 306. Effective October 1, 2004

Section 1704 amended March 31, 2005, Ballot 316. Effective October 1, 2005

#### **1706 AUDIT TRANSMITTALS**

**Fees adjusted pursuant to audit shall be transmitted to member jurisdictions in the form of appendages to the transmittals of fees among member jurisdictions. Audit transmittal information shall include each audited registrant's name and account number, the**

**registration year or years audited, each registrant's adjusted fees due to or from the member jurisdiction, and the total of adjusted fees transmitted or due.**

Section 1706 amended April 10, 1998, Ballot 1.7.187. Effective October 1, 1999

## **ARTICLE XVIII ENTRY AND WITHDRAWAL**

### **1800 JURISDICTION ENTRY INTO IRP**

**Any jurisdiction may become a party to this agreement. Each jurisdiction must execute the adopting resolution and submit it to IRP, Inc.**

**Each adopting resolution must be approved and endorsed by all member jurisdictions using procedures contained in Article XXI, and must provide at least six months' notice prior to the beginning of all member jurisdictions' registration years.**

**When a jurisdiction joins the IRP, there shall be a 120-day implementation period from the jurisdiction's effective date. The purpose of the implementation period is to allow registrants to come into compliance. During the implementation period, any preexisting reciprocity agreements shall remain in effect.**

Dispute Resolution Committee Decision 97.14 - September 11, 1997  
Section 1800 amended April 17, 1999, Ballot 1.7.203. Effective October 1, 2000  
Section 1800 amended March 31, 2004, Ballot 307. Effective October 1, 2004

### **1802 MEMBERSHIP CANCELLATION -- CREDENTIALS ISSUED**

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

Section 1802 amended March 31, 2004, Ballot 307. Effective October 1, 2004

## **ARTICLE XIX EXCEPTIONS**

*It is the intent of this Article to authorize review of existing exceptions and to provide a mechanism for the careful elimination of such exceptions to achieve greater uniformity among the member jurisdictions. It is not the intent of this Article to negate the prior approval of any member jurisdiction's entry into the Plan.*

### **1900 JURISDICTION EXCEPTIONS**

**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 XXI.**

Governing Board Decision 17, April 4, 1989

### **1902 MEMBERSHIP APPROVAL OF EXCEPTIONS**

**Exceptions shall be subject to periodic review by the membership. The IRP, Inc. Board of Directors shall submit a ballot to the membership in each even-numbered year to approve the continuation of any exception. Extension of any exception requires the approval and endorsement of an 80% majority (4/5) of all member jurisdictions.**

Section 1902 amended April 17, 1999, Ballot 1.7.203. Effective October 1, 2000

### **1904 AMENDMENTS TO EXCEPTIONS**

**Notwithstanding Section 1902, any jurisdiction may amend its exceptions by serving copies of the proposed changes on IRP, Inc. and all member jurisdictions. Upon approval of an 80% majority (4/5) of all member jurisdictions, the amended exception shall be effective in the next succeeding registration year provided at least 30 days notice has been given.**

Section 1904 amended April 17, 1999, Ballot 1.7.203. Effective October 1, 2000

### **1906 CANCELLATION OF EXCEPTIONS**

**The withdrawal or cancellation of an exception shall be accomplished by filing due notice of such action with IRP, Inc., and becomes effective upon notification to all member jurisdictions using the procedures contained in Article XXI. The withdrawal or cancellation of an exception shall not require approval by the member jurisdictions. All exceptions to this Agreement in effect as of July 1, 1998, except those not having an impact on other member jurisdictions or those not affecting a carrier's ability to operate under an IRP registration, shall be withdrawn or canceled prior to January 1, 2001.**



Section 1906 amended April 17, 1999, Ballot 1.7.203. Effective October 1, 2000

## **1908 PROHIBITED EXCEPTIONS**

**There shall be no exceptions taken, however, to the concepts included in this section.**

- 1. A single registration plate or set of license plates shall be issued only by the base jurisdiction.**
- 2. A single registration (cab) card shall be issued only by the base jurisdiction.**
- 3. Fleets registered under this agreement shall have the ability to perform both interjurisdiction and intrajurisdiction vehicle movements.**

Section 1908 amended April 17, 1999, Ballot 1.7.203. Effective October 1, 2000

## **ARTICLE XX 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 Section 204).]

### **2000 OTHER AGREEMENTS**

**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.**

## **ARTICLE XXI ADMINISTRATION**

### **2100 BOARD RESPONSIBILITIES**

**To provide a facility within this agreement for the handling of matters relating to substantive issues of Plan administration or compliance with this agreement, the power shall be vested in the Board of Directors and shall hereinafter be referred to as the Board.**

Section 2100 amended March 31, 2004, Ballot 301. Effective October 1, 2004.

### **2102 COMPOSITION OF THE IRP, INC. BOARD OF DIRECTORS**

**A. The Board shall consist of twelve (12) voting members, selected as follows:**

**Eight (8) members shall be elected by the U.S. member jurisdictions, two (2) members apiece from each AAMVA region. Nominations for these positions shall be solicited by the repository and shall be made for each region by the commissioners of the U.S. member jurisdictions of the region, who shall submit to the repository the names of nominees for each open position. The nominations shall be balloted and voted on, as provided in Section 2106, by the U.S. member jurisdictions of each region. Members so elected shall serve staggered terms of three (3) years and shall not serve more than two (2) consecutive terms.**

**One (1) member from a U.S. member jurisdiction shall be elected to a position that shall rotate among the AAMVA regions, beginning with Region I. Nominations for this position shall be solicited by the repository and shall be made by the commissioners of the U.S. member jurisdictions of the region whose turn it is to fill the position, who shall submit to the repository the names of nominees for the position. The nominations shall be balloted and voted on, as provided in Section 2106, by the U.S. member jurisdictions. A member so elected shall serve a single, two-year term, after which a representative of the next AAMVA region shall fill the position.**

**Two (2) members shall be elected by the Canadian member jurisdictions. Nominations for these positions shall be solicited by the repository and shall be made by the commissioners of the Canadian member jurisdictions, who shall submit to the repository the names of nominees for each open position. These nominations shall be balloted and voted on by the Canadian jurisdictions as provided in Section 2106. Members so elected shall serve staggered three-year terms and shall not serve more than two consecutive terms. At no time shall Canadian voting representation on the Board exceed two (2) members.**

**The twelfth member of the Board shall be the AAMVA international chair or the chair's designee, whose term on the Board shall coincide with the term of the international chair.**

**Members of the Board who are sitting when the language of this section adopted in Ballot 309 becomes effective shall serve out the terms on the Board to which they were elected or appointed, and their successors shall be elected as provided in this section and Section 2106.**

**B. Notwithstanding subsection A, in the event that Mexico shall become a member jurisdiction of the Plan, the federal government of Mexico may name a representative as a thirteenth voting member of the Board.**

**C. In the event the term of a member of the Board who has served as chair of the Board expires at the same time as that member's tenure as chair, the member shall continue to serve on the Board as a nonvoting member for the period of one (1) year.**

**A Board member may be appointed to serve as a liaison to any IRP committee. Liaisons may advise the committee to which they are appointed, and may make reports to the Board on committee activity. A liaison may not make motions or vote on committee decisions. A Board member may not serve as an officer or member of any IRP standing committee except the Dispute Resolution Committee.**

Section 2102 amended April 17, 1999, Ballot 1.7.204. Effective October 1, 2000  
Section 2102 amended March 28, 2003, Ballot 281. Effective October 1, 2003  
Section 2102 amended April 17, 1999, Ballot 1.7.204. Effective October 1, 2000  
Section 2102 amended March 31, 2004, Ballot 309. Effective October 1, 2004  
Section 2104 amended April 17, 1999, Ballot 1.7.204. Effective October 1, 2000  
Section 2104 amended March 31, 2004, Ballot 309. Effective October 1, 2004

## **2106 ELECTION PROCEDURES**

**Elections for members of the Board shall be held as follows:**

**A. IRP, Inc. shall prepare a ballot for each open position, with the nominees chosen as provided in Section 2102, and send it to all U.S. member jurisdictions in the AAMVA region where the vacancy exists, or, in the case of a vacancy in Canadian representation, to all Canadian member jurisdictions;**

**B. The ballot shall remain open for voting for a period of sixty (60) days;**

**C. The nominee with a simple plurality of the votes cast shall be declared the winner of each election;**

**D. In the event of a tie, a run-off election shall be held in accordance with the procedures in subsections A through C, among the nominees with the most votes; and**

**E. IRP, Inc. shall notify the member jurisdictions of the results of each election.**

Revised August 31, 1992 to amend Article XXIII Governing Board. (now Article XXI)  
Revised September 23, 1996, Ballot 1.7.176, effective with 1998 registration year.  
Section 2106 amended April 17, 1999, Ballot 1.7.204. Effective October 1, 2000  
Section 2106 amended September 30, 2002, Ballot 258. Effective October 1, 2003  
Section 2106 amended March 31, 2004, Ballot 309. Effective October 1, 2004

Section 2106 amended March 31, 2004, Ballot 309. Effective October 1, 2004

## 2108 TERM OF OFFICE

**The term of office of a Board member elected as provided in Sections 2102 and 2106 shall begin on January 1 following the election and end on December 31 of the second succeeding year; provided, however, that the term of a member filing the rotating position shall end on December 31 of the first succeeding year; and provided further that a Board member shall continue to serve until a successor has been duly appointed or elected.**

**Members of an industry advisory panel to the Board , composed of representatives of industry and federal governments, may be appointed annually at the discretion of the chair of the Board for terms of one (1) year beginning January 1, without limit as to the number of consecutive terms, and may serve until a successor is appointed.**

Section 2108 amended March 31, 2004, Ballot 309. Effective October 1, 2004

## 2110 VACANCIES -- REPLACEMENTS

**Vacancies occurring in Board membership shall be filled by appointment made by the chair of the Board, in consultation with the members of the Board.**

**When a Board member shall have been absent for two (2) or more consecutive Board meetings, the Board may, through majority action, request the chair of the Board to appoint a replacement for that member. The term of appointments made in this manner shall be limited to the unexpired portion of the term of the member replaced.**

Section 2110 amended April 17, 1999, Ballot 1.7.204. Effective October 1, 2000

Section 2110 amended March 31, 2004, Ballot 309. Effective October 1, 2004

## 2112 ADOPTING ACTIONS -- VOTES REQUIRED

**Each member of the Board shall have one (1) vote on matters coming before the Board for decision, and Board actions shall require the concurrence of a majority of Board members voting, but in no event fewer than five (5) concurring votes.**

Governing Board Decision 2, March 14, 1985

Governing Board Decision 4, March 6, 1986

Section 2112 amended March 31, 2004, Ballot 309. Effective October 1, 2004

## 2114 BYLAWS

**The Board shall adopt Bylaws for the conduct of its business.**

## 2116 OFFICIAL REPOSITORY

**The IRP, Inc. shall be the official repository of this agreement and shall be responsible for the duties in this agreement. The Board shall establish the repository duties required by this agreement.**

## 2118 ADOPTING RESOLUTION -- PROCESSING

**When two or more jurisdictions become signatories to this agreement, and as each jurisdiction thereafter joins the agreement, each new jurisdiction shall complete the prescribed adopting resolution, indicate the proposed registration year of entry, the time period of its registration and submit to the International Registration Plan, Inc. Upon receipt of such resolution, IRP, Inc. shall provide a copy to each member jurisdiction for the purpose of obtaining the required endorsement. Each member jurisdiction shall notify IRP, Inc. as to its endorsement or rejection of the applicant jurisdiction.**

## 2120 NOTIFICATION OF STATUS OF AGREEMENT

**The IRP, Inc. shall keep all jurisdictions apprised of the current status of the agreement in the manner determined by the Repository to best accomplish this purpose.**

## 2122 BALLOTS – JURISDICTION APPROVAL OR AGREEMENT

**All issues requiring approval, or agreement, of the member jurisdictions shall be determined by ballot sent by IRP, Inc. to each member jurisdiction. Entry into the Plan, defined in Article XVIII, and exceptions to the Plan, defined in Article XIX, require approval and endorsement by all member jurisdictions. On all other issues, failure on the part of a member jurisdiction to respond to any ballot on matters pertaining to interpretations and amendments as set forth in Sections 2200 and 2310 of the IRP within 120 days of its receipt shall be deemed as an abstention by that jurisdiction. Each member jurisdiction shall be entitled to one vote and shall designate the person who shall cast the vote for the member jurisdiction prior to the commencement of any meeting where a vote may be required.**

Revised September 23, 1996, Ballot 1.7.181  
Section 2122 amended September 30, 2002, Ballot 258. Effective October 1, 2003

## 2124 MEMBER JURISDICTIONS IN GOOD STANDING

**A member jurisdiction shall be considered in good standing when the dues requirement of such member jurisdiction has been met and whose rights and privileges have not been suspended under the terms of the plan.**

**Only member jurisdictions in good standing shall be entitled to vote.**

## 2126 DUES

Annual dues for member jurisdictions shall be for the fiscal year, commencing October 1 and ending September 30, and shall be payable to IRP, Inc. on or after the first day of October each year but no later than December 31 of the fiscal year. The payment of full dues of the jurisdiction by any one agency of a state, province or other political subdivision entitles every eligible official for such state, province or political subdivision to active membership. A jurisdiction may bill and collect from its registrants an amount sufficient to pay its annual dues to IRP, Inc.

The IRP member jurisdiction dues shall be proposed by the Board. The Board shall propose the dues and the jurisdictions shall vote on their approval. Such fee structure may incorporate a minimum or maximum, and may or may not be based on a rate per power unit. The Board proposes a dues structure as follows:

15,000 or fewer power units equal \$6,000.00 U.S.  
15,001 to 30,000 power units equal \$12,000.00 U.S.  
More than 30,000 power units equal \$18,000.00 U.S.

On or before January 31 of each year, the repository shall provide the Board a list of all member jurisdictions that failed to pay their dues by December 31 of the previous year.

If a member jurisdiction fails or refuses to make timely payment of annual dues, the repository shall, within fifteen (15) days following the delinquent date of the dues, send a certified letter to the jurisdiction, requesting immediate payment.

The Board chair shall be notified immediately if the repository fails to receive payment within thirty (30) days following receipt of the letter. The Board chair shall promptly issue a written notice to the jurisdiction, suspending the right of the jurisdiction to vote on matters arising under the Plan. The Board chair may place the matter on the agenda of the Board for further action. The repository shall within ten (10) days notify all member jurisdictions of the action of the Board chair.

The Board may further restrict the delinquent jurisdiction's right to participate in activities related to the Plan. If the jurisdiction remains delinquent more than ninety (90) days following receipt of the certified letter, the Board may impose against the jurisdiction any of the sanctions authorized by Section 2304(a).

If the Board takes action against a jurisdiction under Section 2304(a), the repository shall notify all member jurisdictions of the action within thirty (30) days. Payment of the delinquent dues shall result in the restoration of the member jurisdiction's rights and privileges that may have been suspended under this section. Such restoration shall become effective on the date the delinquent annual dues are paid in full.

Dispute Resolution Committee Decision 97.12 - September 11, 1997  
Dispute Resolution Committee Decision 97.13 - September 11, 1997  
Dispute Resolution Committee Decision 97.18 - November 16, 1997  
Dispute Resolution Committee Decision 99.3, November 13, 1999  
Section 2126 amended March 31, 2004, Ballot 308. Effective October 1, 2004

## 2128 PEER REVIEW

**Each member jurisdiction's administrative procedures and audit program will be reviewed on a periodic basis for compliance with the Plan and Audit Procedures Manual. The peer review period will begin with the earliest un-reviewed calendar year and end with the most recently completed calendar year. The Peer Review Compliance Guide utilized for the review will be maintained and updated by the Board or its designee to ensure its compliance with the Plan and Audit Procedures Manual. The Board will determine the schedule for the periodic review of all jurisdictions assuring each jurisdiction will be reviewed.**

**As part of the peer review process, member jurisdictions shall be required to complete the IRP annual fee test according to the format and timeframe determined by the Peer Review Committee.**

**A member jurisdiction determined by the Peer Review Committee to be in material non-compliance with the Plan and/or Audit Procedures Manual will be reviewed within one year, if necessary, to determine if corrective action has been taken. The follow-up review will be conducted by the full Peer Review Committee, which will examine the supporting documentation requested of the jurisdiction being reviewed and determine if the jurisdiction has taken corrective action to come into compliance with the Plan and/or Audit Procedures Manual. A majority vote of the Peer Review Committee shall determine the jurisdiction's compliance or non-compliance.**

**Any jurisdiction found to be in material non-compliance with the Plan may, under guidelines developed by the Peer Review Committee, be brought before the Board by the Committee in accordance with the procedures of Section 2300. In such an instance, the Board may exercise all the powers granted it under Section 2304 to enforce compliance with the provisions of the Plan.**

Article XXI Revised January 3, 1995, Ballot 1.7.165  
Dispute Resolution Committee Decision 97.2 - September 11, 1997  
Dispute Resolution Committee Decision 97.3 - September 11, 1997  
Dispute Resolution Committee Decision 97.4 - September 11, 1997  
Dispute Resolution Committee Decision 97.5 - September 11, 1997  
Dispute Resolution Committee Decision 97.6 - September 11, 1997  
Dispute Resolution Committee Decision 97.7 - September 11, 1997  
Dispute Resolution Committee Decision 97.9 - September 11, 1997  
Dispute Resolution Committee Decision 97.17 - November 16, 1997  
Section 2128 amended April 1, 2001. Ballot 1.7.242. Effective October 1, 2001.  
Section 2128 amended September 30, 2002, Ballot 263. Effective October 1, 2003  
Section 2128 amended September 30, 2002, Ballot 268. Effective October 1, 2003  
Section 2128 amended March 31, 2004, Ballot 308. Effective October 1, 2004



## **ARTICLE XXII AMENDMENTS**

### **2200 AMENDMENTS TO AGREEMENT**

**This agreement may be amended, subject to approval, by three-fourths of the member jurisdictions casting a vote on the amendment, acting through the officials thereof authorized to enter this agreement. Any member jurisdiction not casting a vote shall be deemed to have abstained, and such abstention shall not be considered in determining passage or failure of a ballot.**

Revised September 23, 1996, Ballot 1.7.181, effective with 1998 registration year

### **2202 AMENDMENT INTRODUCTION PROCESS**

**(a) Before being balloted, any proposed amendment shall be submitted in draft form to IRP, Inc. at least sixty (60) days prior to the open meeting where it is to be discussed. An "open meeting" means the IRP/MCS Annual Meeting or a meeting so designated by the IRP, Inc. Board of Directors.**

**1. The draft of the proposed amendment shall show the complete text of the section(s) to be amended, identifying new language by underlining and deleted language shown by strikeout.**

**2. Such proposed amendment shall be accompanied by a memorandum setting forth the intent and purpose of the proposed amendment, which memorandum shall be filed by IRP, Inc. along with the proposed amendment.**

**(b) Upon receipt of the proposed amendment, IRP, Inc. shall assign a proposed ballot number and distribute the proposed amendment, within 10 days, to the IRP member jurisdictions, and the members and advisors of the IRP, Inc. Board of Directors, for a review and comment period prior to an open meeting. Comments may be submitted to IRP, Inc. prior to the open meeting or submitted to IRP, Inc. at the open meeting. All proposed amendments shall be discussed at the open meeting. Upon conclusion of the open meeting, the sponsor(s) of the proposed amendment shall have forty-five (45) days to resubmit the proposed amendment in final form to IRP, Inc. The resubmitted proposed amendment may include changes received through written comments and during discussion at the open meeting.**

**(c) Upon receipt of the final form proposed amendment, IRP, Inc. will ensure that the final form proposed amendment is in proper format, complete and ready for distribution to the IRP voting members and member jurisdictions.**

**(d) Any proposed amendment that is not officially ballot after an "open meeting" must be resubmitted as required under section 2202(a).**

Revised September 23, 1996, Ballot 1.7.179, effective with 1998 registration year  
Section 2202 amended April 10, 1998, Ballot 1.7.190. Effective October 1, 1999  
Section 2202 amended April 1, 2001, Ballot 1.7.250. Effective October 1, 2002

## **2204 FULL TRACK BALLOT PROCESS**

**(a) After a final form proposed amendment has met the requirements of section 2202, a member jurisdiction may direct the repository to prepare and distribute an official "full track" ballot to the Commissioner of each member jurisdiction with copies to the members and advisors of the IRP Board.**

**(b) Each official ballot shall contain the following:**

- 1. A "full track" ballot number assigned by IRP, Inc.**
- 2 A ballot date which shall be the date of distribution by IRP, Inc.**
- 3 A vote due date which shall be 90 days from the ballot date.**
- 4 A ballot effective date shall be in accordance with 2206.**
- 5. The complete text of the section being amended, identifying new language by underlining and deleted language by strikeout.**

**(c) IRP, Inc., upon receipt of all jurisdictions' ballots or immediately upon the close of the voting period, shall prepare a report of the ballot by ballot number, shall list the votes of all jurisdictions as well as abstentions as of the final voting date. If the ballot has been approved, IRP, Inc. shall distribute a text of the new or amended provision.**

Section 2204 amended April 10, 1998, Ballot 1.7.190. Effective October 1, 1999  
Section 2204 amended March 31, 2005, Ballot 318. Effective October 1, 2005

## **2205 SHORT TRACK BALLOT PROCESS**

**(a) Within 30 days after the close of the open meeting at which the ballot was presented, the ballot sponsor(s) may direct IRP, Inc. to prepare and distribute an official "short track" ballot to the Commissioner of each member jurisdiction with copies to the members and advisors of the IRP, Inc. Board of Directors.**

**(b) Each official "short track" ballot shall contain the following**

- | 1. A "short track" ballot number assigned by IRP, Inc.**
- | 2. A ballot date which shall be the date of distribution by IRP, Inc.**

**3. A vote due date which shall be 30 days from the ballot date.**

**4. A ballot effective date shall be in accordance with Section 2206.**

**5. The complete text of the section being amended, identifying new language by underlining and deleted language by strikeout.**

**(c) IRP, Inc., upon receipt of all jurisdiction ballots or upon the close of the voting period, shall prepare a report of the ballot by ballot number, shall list the votes of all jurisdictions as well as abstentions of the final voting date. If the ballot has been approved, IRP, Inc. shall distribute a text of the new or amended provision**

Section 2205 amended March 31, 2005, Ballot 318. Effective October 1, 2005

## **2206 EFFECTIVE DATE**

### **1. Full Track Ballot Effective Date**

**The effective date of amendments to this Agreement passed under the provisions of Section 2204, unless otherwise specified, is the first day of January or July, whichever occurs first, 12 months after the close of the voting period.**

**An amendment passed under the provisions of Section 2204 may have an earlier effective date. In order to have an earlier effective date, the effective date must be voted on separately, and must receive three-fourths' approval of the voting members. A member jurisdiction not voting on the effective date shall be deemed to have voted in the affirmative.**

**An amendment may have a later effective date specified in the ballot.**

### **2. Short Track Ballot Effective Date**

**The effective date of amendments to this Agreement passed under the provisions of Section 2205 is the first day of January, April, July, or October, whichever occurs first, six months after the close of the voting period.**

Section 2206 amended March 31, 2005, Ballot 318. Effective October 1, 2005

## **ARTICLE XXIII DISPUTE RESOLUTION**

### **2300 BOARD ACTION -- RAISING OF ISSUES**

**Authority to interpret the provisions of the Plan and resolve issues of compliance with the Plan by the member jurisdictions is hereby vested in the Board.**

**The Board may delegate its authority to interpret the Plan and resolve issues of Plan compliance to a dispute resolution committee chartered by the Board for those purposes. If the Board makes such a delegation, it shall retain the authority to entertain appeals of the decisions of such a committee in the circumstances and according to the procedures set out in Section 2307.**

**Issues of Plan compliance and interpretation may be raised before the Board by any member jurisdiction, any IRP registrant, the Peer Review Committee, or the IRP repository.**

**Issues brought before the Board under this section must be submitted in writing to IRP, Inc. The submission of an issue shall include (a) the question or issue of compliance to be resolved, (b) relevant Plan references, (c) supporting documents, including evidence of prior actions, if any, taken by the parties to resolve the issue, (d) a statement of the relief, resolution, or interpretation sought, and (e) a request that the Board hear and resolve the issue.**

**Within sixty (60) days of the submission of an issue, the Board shall place the matter on its agenda for action or discussion.**

*[In Section 4008 of Public Law 102-240, the Intermodal Surface Transportation Efficiency Act of 1991, the U.S. Congress indicated its concern that there be a means of resolving disputes arising under the International Registration Plan.]*

Governing Board Decision 21, September 12, 1989  
Section 2300 amended April 1, 2000, Ballot 1.7.218. Effective October 1, 2000  
Section 2300 amended March 31, 2004, Ballot 308. Effective October 1, 2004

### **2302 INVESTIGATION OF ISSUES**

**With respect to issues placed on its agenda in accordance with Section 2300, the Board is empowered to (a) receive testimony, (b) make inquiries, (c) conduct investigations, (d) weigh evidence, (e) review facts, and (f) make findings. The Board shall provide for a public notice of all meetings and allow all interested parties to attend and be heard. Rules of evidence required in judicial proceedings shall not apply in hearings of issues before the Board. The Board may from time to time adopt such rules of procedures as are reasonably required to govern its activities.**

Governing Board Decision 1, January 14, 1985

## **2304 POWER AND DUTIES OF THE BOARD**

**A. The Board shall have full discretion with respect to an issue before it under this article, except as may be provided in the Plan or the Board's rules of procedure. The Board is empowered to grant appropriate relief to a jurisdiction or registrant, and may take action to ensure a member jurisdiction's compliance with the Plan. Among other things, the Board may:**

- 1. determine a time period for compliance;**
- 2. suspend rights and privileges granted a member jurisdiction under the Plan, including voting, participation on the Board or any IRP committee, submission of issues to the Board, input at meetings or working groups, and participation in the peer review process; provided, however, that nothing in this section shall exempt a jurisdiction from undergoing a peer review itself;**
- 3. order a member jurisdiction to refund, credit, or transmit fees, with or without interest, and with or without a penalty of up to 10% of the amount to be refunded, credited, or transmitted, at the discretion of the Board;**
- 4. order all member jurisdictions to suspend distribution of fees payable under the Plan to a member jurisdiction;**
- 5. permit a member jurisdiction or registrant granted relief to withhold distribution or payment of fees payable under the Plan to another member jurisdiction, in an amount not to exceed the amount specified in the order; and**
- 6. in cases involving a U.S. jurisdiction,, petition the U.S. Secretary of Transportation to request the U.S. Justice Department to initiate a civil action for injunctive relief in a court of competent jurisdiction, and, in cases involving a Canadian jurisdiction, initiate a claim for a declaratory order in a court of competent jurisdiction.**

**When under paragraph A(5) of this section a jurisdiction is subject to an order of the Board permitting it to withhold funds from another jurisdiction, it shall report to the repository by the last day of each month in which the order is in effect the amount of funds it has withheld during the preceding month. A registrant withholding funds from a jurisdiction pursuant to an order of the Board shall make a like report to the repository and obtain a written verification from its base jurisdiction of monthly amounts withheld.**

**B. In deciding any issue before it under this article, the Board is empowered to interpret the Plan and the policies issued thereunder. Such an interpretation shall be binding on all**

**member jurisdictions, unless and until it is overturned by a vote of the member jurisdictions.**

Dispute Resolution Committee Decision 99.1, November 13, 1999  
Dispute Resolution Committee Decision 99.2, November 13, 1999  
Section 2304 amended April 1, 2001. Ballot 1.7.239. Effective October 1, 2001  
Section 2304 amended March 31, 2004, Ballot 308. Effective October 1, 2004

## **2306 DISPOSITION OF BOARD DECISIONS**

**Within thirty (30) days of a decision of an issue by the Board under this article, the repository shall notify the parties to the issue of the Board's findings, actions, and orders. Failure of a party to comply within the time set for compliance by the Board will subject the party, at the discretion of the Board, to the sanctions in Section 2304. A record of all Board decisions under this article shall be maintained by the repository, which shall also prepare minutes of each Board hearing for review and adoption by the Board.**

**The repository shall record all Board interpretations in Appendix D with footnotes under the appropriate sections of the Plan.**

Section 2306 amended March 31, 2004, Ballot 308. Effective October 1, 2004

## **2307 APPEALS TO BOARD**

**A. In the event that the Board delegates to a dispute resolution committee the authority to interpret the Plan and resolve issues of Plan compliance, the Board shall retain the authority to hear an appeal from a decision of that committee on an issue, but only where one or more of the following circumstances is alleged to exist:**

- 1. The dispute resolution committee made a procedural error in handling the issue;**
- 2. The dispute resolution committee abused its discretion in deciding the issue; or**
- 3. Evidence has been found that was not available when the dispute resolution committee decided the issue.**

**B. A party wishing to appeal a decision of the dispute resolution committee to the Board must, within forty-five (45) days following the decision by the committee, file with the repository a statement that:**

- 1. Identifies the decision being appealed;**
- 2. Describes specifically the circumstances that permit an appeal of the decision under this section;**
- 3. Requests the Board to hear the appeal; and**

4. Is accompanied by supporting documents the party feels may be of assistance to the Board.

The repository shall promptly distribute the statement to the members of the Board and shall notify the member jurisdictions of the filing of the appeal. In the discretion of the chair of the Board, the Board may hear the appeal at its next regularly scheduled meeting or may hold a special meeting for that purpose, either in person or by telephone conference call.

C. In hearing an appeal, the Board may exercise all of the powers granted it in this article, and may:

1. Hear the issue in its entirety;
2. Take testimony on specific questions relating to the issue or to the decisions or actions of the dispute resolution committee;
3. Remand the issue to the committee with instructions;
4. Suspend a sanction or order imposed by the committee;
5. Uphold or overturn part or all of a decision of the committee;
6. Dismiss the appeal for lack of merit; or
7. Take any other action that the Board in its discretion deems appropriate.

D. Nothing in this article shall preclude a jurisdiction from seeking judicial relief after exhausting its remedies under the Plan.

## 2308 REFUSAL TO ACT ON ISSUE

A. If the Board refuses to place on its agenda an issue that has been properly submitted to it under this article, or fails to reach a decision on an issue under this article, the issue shall be referred for resolution to the member jurisdictions under the procedures of Section 2310.

B. Notwithstanding subsection A, if the Board finds that an issue submitted to it under this article is without merit or was submitted in bad faith, the Board shall dismiss the issue.

Section 2308 amended March 31, 2004, Ballot 308. Effective October 1, 2004

## 2310 ISSUES REFERRED TO JURISDICTIONS

**Within a reasonable time following the failure of the Board to consider or decide an issue presented to it under Section 2300, the Board shall submit the issue to the repository in a form in which it may be accepted or rejected by the member jurisdictions. Within thirty (30) days following the receipt of the issue by the repository in an appropriate form, the repository shall submit the issue as a ballot to each member jurisdiction for approval or rejection. Decision of the issue shall be determined by a majority of the member jurisdictions in good standing casting a vote within one hundred twenty (120) days following submission of the ballot to them. Such a decision shall be binding upon all member jurisdictions, and a record of all such decisions shall be included in Appendix D.**

Article XXIII revised August 22, 1994, ballot 1.7.156. Effective August 22, 1994  
Revised September 23, 1996, Ballot 1.7.181  
Section 2310 amended March 31, 2004, Ballot 308. Effective October 1, 2004



**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 jurisdiction of \_\_\_\_\_, does hereby ratify the INTERNATIONAL REGISTRATION PLAN. Furthermore, entry will be effective with the \_\_\_\_\_ registration year. The State/Province of \_\_\_\_\_ begins its registration year in the month of \_\_\_\_\_.

**EXCEPTION:** Subject to the approval of the membership, the jurisdiction of \_\_\_\_\_ enters the INTERNATIONAL REGISTRATION PLAN with an exception to the Plan, the language of which is attached. The jurisdiction of \_\_\_\_\_ understands that the exception will be subject to subsequent review on a periodic basis according to the provisions of the Plan.

IN TESTIMONY WHEREOF, the jurisdiction of, acting through its duly authorized officials, has caused this resolution to be adopted to make the jurisdiction 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 jurisdiction of \_\_\_\_\_.

BY: \_\_\_\_\_  
Signature Title

**ENDORSEMENT: For the State/Province of \_\_\_\_\_**

**As required by Section 1800 of Article XVIII of the International Registration Plan, this**

**Resolution of Ratification is hereby endorsed on this \_\_\_\_\_, 19\_\_.**

**BY: \_\_\_\_\_**  
**Signature Title**

Governing Board Decision 9, March 10, 1987  
Appendix A amended April 17, 1999, Ballot 1.7.203. Effective October 1, 2000

## APPENDIX B

### ROSTER OF MEMBER JURISDICTIONS

<u>Jurisdiction</u>	<u>Date Approved</u>	<u>Date of Entry</u>
Kentucky	September 13, 1973	April 1, 1974
Tennessee	September 13, 1973	March 1, 1974
Missouri	September 13, 1973	January 1, 1974
Texas	September 13, 1973	April 1, 1974
Minnesota	September 13, 1973	January 1, 1975
Oregon	September 13, 1973	January 1, 1975
Nebraska	September 13, 1973	January 1, 1975
Utah	September 13, 1973	January 1, 1975
Colorado	September 13, 1973	January 1, 1975
Alberta	July 22, 1974	January 1, 1975
South Dakota	August 5, 1974	January 1, 1975
Mississippi	November 4, 1974	November 1, 1975
Virginia	February 24, 1975	March 1, 1975
Wyoming	July 14, 1975	January 1, 1976
Montana	October 10, 1975	January 1, 1976
Arkansas	October 10, 1975	July 1, 1976
Louisiana	December 1, 1975	April 1, 1976
Idaho	December 10, 1975	January 1, 1976
Illinois	July 7, 1976	January 1, 1977
North Carolina	July 16, 1976	January 1, 1977
Oklahoma	January 19, 1977	January 1, 1978
Wisconsin	May 23, 1977	January 1, 1978
Iowa	August 17, 1977	January 1, 1978
Alabama	September 5, 1979	October 1, 1980
Arizona	May 9, 1980	January 1, 1981
North Dakota	June 19, 1980	January 1, 1981
Kansas	July 9, 1980	January 1, 1981
Pennsylvania	September 15, 1982	June 1, 1983
Michigan	August 10, 1983	March 1, 1985
Florida	January 30, 1984	December 1, 1986
Connecticut	August 6, 1984	May 1, 1985
California	August 6, 1984	January 1, 1985
West Virginia	November 15, 1984	July 1, 1986
South Carolina	March 12, 1985	January 1, 1986
Indiana	July 14, 1986	March 1, 1987
Vermont	February 24, 1987	May 1, 1988
Maryland	March 20, 1987	May 1, 1988
Washington	April 27, 1987	January 1, 1988
New York	February 3, 1988	March 1, 1989
New Hampshire	July 26, 1988	May 1, 1989
New Mexico	December 19, 1988	January 1, 1990

<b><u>Jurisdiction</u></b>	<b><u>Date Approved</u></b>	<b><u>Date of Entry</u></b>
Nevada	May 11, 1990	January 1, 1992
Georgia	May 27, 1990	January 1, 1991
Ohio	July 27, 1990	June 1, 1991
Maine	February 22, 1991	July 1, 1993
Massachusetts	May 22, 1992	January 1, 1994
Saskatchewan	February 24, 1993	October 1, 1993
Delaware	December 30, 1993	January 1, 1995
British Columbia	October 19, 1995	January 1, 1996
Rhode Island	January 6, 1996	September 1, 1996
New Jersey	April 9, 1996	April 1, 1996
District of Columbia	November 29, 1996	April 1, 1997
New Brunswick	June 26, 1999	April 1, 2001
Quebec	September 29, 1999	April 1, 2001
Ontario	June 24, 2000	April 1, 2001
Manitoba	August 18, 2000	March 1, 2001
Prince Edward Island	November 8, 2000	April 1, 2001
Newfoundland & Labrador	November 21, 2000	April 1, 2001
Nova Scotia	December 29, 2000	April 1, 2001

**APPENDIX C**  
**EXCEPTIONS TO THE INTERNATIONAL**  
**REGISTRATION PLAN**

## **APPENDIX D**

### **GOVERNING BOARD DECISIONS**

International Registration Plan  
Governing Board  
Dispute Resolutions/Interpretations  
Chronological Order

#### **January 14-15, 1985**

- 1 - Define public notice identified in Section 2302 - the Board decided that this notice would be published in the AAMVA *Bulletin*, and ATA's *Transport Topics*, plus be sent to all Chief Administrators, law enforcement officials, industry representatives active within the AAMVA Standing Committee on Vehicle Reciprocity, and CCMTA for its publication.

#### **March 14-15, 1985**

- 2 - Alternatives for members may sit in on the Governing Board meetings, but may not vote. (Section 2112)

#### **September 20, 1985**

- 3 - The case before the Board was brought by the State of Pennsylvania against a carrier who said he had an established place of business in Virginia. (Section 218) Verified facts indicated otherwise. The Board charged Virginia to investigate and report back within 120 days if the carrier had an established a place of business in Virginia.

Note: The carrier is now complying with Section 218.

#### **March 6, 1986**

- 4 - The Board discussed the provision for proxy votes 6, 1986 for members who were not able to attend the meeting. The Board again endorsed that proxy votes would not be accepted. Section 2112 (Previously discussed on 3/14/85).

#### **October 23, 1986**

- 5 - A case was brought before the Board for interpretation of Section 210 and its Commentary. Could a carrier consolidate its fleet in California including some vehicles which did not generate California miles. The Board agreed that the carrier could do this.

- 6 - The Board was asked to interpret Section 906 concerning owner-operators. Some jurisdictions were requiring full compliance of the established place of business definition Section 218 for owner-operators. The Board agreed that Section 906 applies to owner-operators, rather than Section 218. Kansas had filed an exception to the Plan prior to the amendment which changed the treatment for owner-operator registration. The Board agreed that Kansas must file a new exception if it did not want to comply with the provisions of the amendment.

Note: All jurisdictions are complying with Section 906.

- 7- The interpretation of Section 410 concerning the untimely submission of fees was requested. Michigan indicated that Illinois was taking an average of 26 days to forward fees to jurisdictions. A few of the jurisdictions had a memorandum of understanding with Illinois for the money to be transmitted in a more timely fashion, and that if a check is returned, the receiving jurisdiction would refund that portion to Illinois. The Board suggested that Michigan attempt to negotiate a similar agreement with Illinois since there is nothing in the Plan that specifically indicates when a jurisdiction is required to transmit the money.

Note: A subsequent ballot to amend Section 408 specifies the time period for sending transmittals and fees.

- 8 - Illinois submitted for interpretation of Section 218, established place of business. Illinois indicated that there were applicants that were using the address of an attorney's office as the established place of business. Illinois further indicated that a physical inspection indicated that there were three separate phone numbers, separate offices within an office, and supposedly separate employees assigned to handle each company's trucking operation. The Board indicated that these registrants were in compliance.

#### **March 10, 1987**

- 9 - Did the amendment to the adopting resolution Appendix A requiring a six months notice mean that the ballot must be submitted six months in advance of the registration year or approved six months in advance of the registration year. The Board agreed that it means submitted.
- 10 - Texas indicated that there was some concern regarding all trailer fleets and the method for audit. It was questioned whether the Plan allows for all trailer fleet. The Board agreed that it does under Section 204 (a) (3).

**March 29, 1988**

- 11 - The case heard was determining mileage for combined fleets. A carrier closed its operation in Arizona. It disbanded the Arizona fleet - fleet three - and moved the vehicles to fleet one, which was based in another jurisdiction. The carrier included the mileage for fleet three with fleet one upon renewal. When audited by North Carolina, the carrier was instructed to exclude the fleet three mileage. North Carolina felt that the closing of the facility was considered a change of operation, even though fleet three and fleet one had operated in some of the same jurisdictions. California, however, felt that since all vehicles were moved from fleet three to fleet one, the mileage should have been combined and would have been consistent with Article VIII of the Plan. The Board found it difficult to rule that North Carolina was incorrect, since there is no policy on combining fleets and mileage. The Board agreed that North Carolina was justified in its action. In addition, the Board asked the Motor Carrier Services Audit Subcommittee to initiate a policy and guidelines for combining fleets and mileage, and to ballot the issue with member jurisdictions.

Note: A work-group was created to address this issue.

- 12 - Can vehicles operating exclusively in a single jurisdiction use IRP plates. The State of Arizona stated when a carrier intends to run 100% in one jurisdiction, it should be fully plated with that jurisdiction. The Board agreed that it was improper for vehicles to operate with IRP plates when they are doing only intrastate operations for the entire registration period. Vehicles must travel in two or more IRP jurisdictions in order to register under the program (Section 204).

**September 20, 1988**

- 13 - The item for discussion concerned restricted plates under the IRP. The State of Maryland was concerned that West Virginia was not recognizing its dump plate as a restricted plate and, therefore, was requiring the vehicles to be apportioned. The Board felt that the plate qualified as a restricted plate under IRP and that West Virginia should continue to treat these specific vehicles under the pre-IRP arrangement with Maryland (Section 204 and Commentary).



**April 4, 1989**

- 14 - The legal counsel of the Chair has indicated that incorporated by reference as specified in Article XVI in the IRP is as binding as other commentary. The Audit Guidelines are to be read as though they are published in Article XVI as official commentary.
- 15 - There was a question as to whether the Official Commentary is considered to be part of the Law. The Commentary contained in Code is not part of the Law.
- 16 - Jurisdictions were not uniformly applying refund procedures. It was agreed that each jurisdiction should be applying refund procedures under their own statutes regardless of the base of the vehicle.
- 17 - The Board addressed the question of whether British Columbia's exception as filed was actually an exception to the Plan (Section 1900). The Board decided that it was not an exception and suggested British Columbia re-file a ballot without exception.

**September 12, 1989**

- 18 - The item discussed concerned Section 104, Commentary, which was inadvertently printed as Unofficial Commentary. Previous printings in the original ballot showed it as Official. The Board voted to correct as a housekeeping item.
- 19 - A case was brought before the Board by Oliver Trucking to clarify those sections of the Plan used to determine base state (Section 210). This issue previously submitted by the states and resolved by them was brought before the Board by the Company. The first issue concerned whether vehicles could be registered in a lessee's base jurisdiction if different from the lessor. The Board agreed that this could happen. The second issue was whether Oliver Trucking had established a proper base in North Carolina. The Board decided that the base was now proper.
- 20 - An issue brought before the Board by the Commonwealth of Kentucky was to clarify the action taken when a registration is erroneously issued. The Board agreed that a registration may be suspended by an apportioned jurisdiction only when fees due are not paid (Section 504). All other actions must be taken by the base state.

- 21- A request for interpretation of Section 508 was made. Missouri inquired whether apportioning a vehicle in a jurisdiction at less than its empty weight was a legal form of discounting. Missouri claimed this registration practice constitutes discounting and is prohibited under Section 508 of the Plan. Missouri also requested the Board require joint audits of any carrier with questionable weight variance registrations. The Oklahoma Tax Commission indicated: 1) a request for the Board to interpret what constitutes discounting is not a substantive issue for the Board to act upon, 2) the authority under Section 508 is discretionary and is vested solely in the base jurisdiction, and 3) Missouri's request to authorize a joint audit by the base jurisdiction in these cases is an attempt to circumvent the provisions of Section 508 and is beyond the Board's scope of authority. The Board answered on the following points. The purpose of enacting Section 508 of the Plan was to prevent the practice of discounting. Therefore, discounting is a substantive issue under Section 508 of the IRP, and the interpretation of this issue is within the Board's scope of authority (Section 2312). The passage of Section 508 is clear that the intent is to grant authority to the base jurisdiction to demand verification of weight variances. The applicant has the burden of proving that it reflects operating practice. Therefore, weight variance for a jurisdiction cannot be granted for a weight variance for a jurisdiction cannot be granted for a weight below the empty weight of the vehicle. And last, Article XVI in the IRP provides for audits of carriers. Section 1606 specifically says that audits may be made by the commissioners by several jurisdictions. Therefore, the Board has the authority to recommend a joint or separate audit be conducted by the jurisdictions. The State of North Carolina changed its procedures as a result of this action, by the state of Oklahoma disagreed and asked that the interpretation be put on ballot for official adoption.

Note: The ballot failed

**April 9, 1991**

- 22 - The case was presented by Signal Delivery Service, requesting a refund from the State of Florida under Article VII. Florida did a partial refund according to its Statute. The company wanted a total refund for a wrecked vehicle since it was wrecked before the registration period began. The request was made after the beginning of the registration period. The Board ruled in Florida's favor since its statute specifically says that the refund application date is the deciding factor on how much refund is processed. Section 700 indicates the state's statutes rule.
- 23 - The case concerned a consolidated fleet with a base in Connecticut and Indiana. Connecticut was requiring Connecticut to be the base for IRP registration of the fleet since the vehicles were based there. The Board ruled there was an established place of business in Indiana and, therefore, Connecticut could not require those vehicles based in Connecticut to declare Connecticut as the base state (Article 210).
- 24 - The Working Group's interpretation of reduced operations that had been addressed by the Board at the last meeting (Sections 222 and 300) was requested again. This Board also did not endorse the Working Group's interpretation indicating the language was not clear.

Note: New language, as requested by the previous Board, was drafted, balloted and passed in 1992 effective for the 1993 registration year.

## **August 25, 1991**

- 25 - A question between Illinois and Indiana concerning an audit of the Central Blacktop Company was resolved. Illinois audited an estimate and substituted actual miles for the current registration period. The questions arising from this are: 1) can a jurisdiction adjust second year mileage estimates following an audit, and 2) what is the appropriate approach to an audit when there are insufficient miles in the preceding year. Illinois had audited the carrier's 1988 registration year application using the actual mileage accrued during the 1988 registration year rather than the preceding year since there were so few miles in the preceding year. The Audit Subcommittee had been asked for an opinion in this case. It referenced Section 800 of the IRP describing the procedure for initial applications. When operations were not conducted in the previous year, the carrier is to include a proposed method of operation and estimates for miles for the jurisdictions. The base jurisdiction's Commissioner can adjust the estimated miles if not satisfied. The Audit Subcommittee also referenced the Policies and Procedures Manual Section 5000 and 5020, indicating estimated miles are used by the registrant in the initial year of operation and should be scrutinized at that point, and that neither the Plan, the Audit Manual, nor the Policies and Procedures Manual addresses the number of months a carrier must have actual mileage history before being required to report actual miles on the application. The Audit Subcommittee indicated that Illinois should not apply actual mileage accrued from July, 1987 through June, 1988 to a previous registration year. The subcommittee recognized that the base state could audit a second year application, but only using the miles traveled during the preceding year.

Note: Amendment adding Section 400(b) effective for the 1992 registration year relates to matters discussed in this case.

- 26 - A request by Indiana for interpretation of fee calculation when there is estimated mileage was decided. Indiana was concerned the states are using various methods of fee calculation in their approaches to addressing estimated miles in regard to expanding operations at the time of renewal. Should the calculation of percentages include the estimate of calculate over 100%. The Board ruled the overall calculation should be included in the 100% unless state statutes provide otherwise as indicated in Article VIII Commentary. If the state's statute is silent on this, then the percentage must total within 100%.

## **January 21, 1992**

- 27 - The State of Colorado asked for a Board interpretation on the requirement for a single registration plate. The articles affected were Sections 104, 212 (a), and 400. The question was whether a carrier could apportion in one jurisdiction and buy full plate in another jurisdiction for operation in that state. The Board interpreted that a carrier can apportion, trip permit, or obtain a full plate from jurisdictions. The issuance and use of trip permits and full plates are governed by the state authority. A carrier could use two plates, thereby having a full plate from one state and an apportioned plate for other member states.

**September 13, 1992**

- 28 - The request by Indiana for New Hampshire to refund a transfer fee that only Indiana had collected from its carriers for several years was resolved. The issue considered Section 202, 302 Commentary and 304 of the Plan. The Board ruled the base state can collect apportioned fees only. Any other fee should be collected by the other jurisdictions. The fees should not have been collected by Indiana for New Hampshire. Therefore New Hampshire should refund the transfer fees to the Indiana carriers. The method of refund was left to the two jurisdictions to decide.
  
- 29 - A case of a refund for a South Dakota carrier by the jurisdiction of Wyoming was resolved. The South Dakota carrier had apportioned all its vehicles with Montana, South Dakota, and Wyoming. At the time of audit, it was found that seven of the eight vehicles never left the jurisdiction of South Dakota. The issue here is whether intent was involved (Section 204). Did the carrier intend to leave South Dakota, or did it incorrectly complete the applications and apportion vehicles that were never intended to leave the state? The Board decided that the audit of the operations of the carrier indicated the carrier never intended for these vehicles to leave the state and, therefore, a refund would be due if Wyoming's statutes provide for refunds as a result of audit. Wyoming said it would refund.

### **August 21, 1993**

- 30 - A case was brought before the Board at the April 20, 1993 meeting concerning Averitt Express and an audit conducted by the State of Tennessee as the base state. The result of the audit was that Averitt owed substantial additional sums to Tennessee, and was entitled to substantial refunds from certain other IRP jurisdictions. There was then an adjustment to the audit, and the adjusted results were sent out to all appropriate jurisdictions. There were no objections to the results. As a result of the audit, Averitt then paid Tennessee the registration fees that it claimed were due, and then sought the refunds from the affected jurisdictions. Thirteen jurisdictions refunded in accordance with the terms and results of the Tennessee audit. The refunds due to Averitt from the States of Illinois, Kentucky, and Virginia were either denied or not responded to. The Board recommended that the issue be sent to the Audit Subcommittee for evaluation and fact-gathering. The issue was then re-examined at the August 21, 1993 meeting. The Audit Subcommittee obtained additional information from the State of Tennessee concerning the audit, made a recommendation based on the IRP agreement, audit guidelines, and the audit documentation. In the audit report, the auditors indicated that Averitt's records reflected that only long haul drivers prepare trip reports and only the mileage generated by the long haul trucks were accumulated and reported although the vehicles may have been operated many thousands of miles in shuttle or pick-up service. The Audit Subcommittee further stated that it was very clear to them that the registrant did not maintain adequate records on which a true liability could be determined. The Board decision was to accept the Audit Subcommittee's report and hold the states of Virginia, Kentucky and Illinois harmless on the refund. The states would not be required to issue refunds as a result of the Tennessee audit.

**April 26, 1994**

- 31 - Oklahoma came to the board for advisement upon its interpretation of Article II, Section 218, Established Place of Business. Their interpretation involved a dispute that Oklahoma had been having with a business representing itself as a licensing service to help carriers set up in Oklahoma. The state's contention was that this business was not legitimate, and was merely providing an address and phone number for carriers to use for declaring Oklahoma as their base-state. The carriers were not legitimately established in the state of Oklahoma, and therefore Oklahoma rejected their applications. Since the line service was not doing the business of the carrier, the definition of 218 was not met. Oklahoma came to the board for assurance that it was indeed acting in compliance with the Plan. The board advised that Oklahoma had the power to make that decision, and were therefore in compliance with the Plan.

**July 14, 1994**

- 32 - The State of Utah came to the Board for advisement on the registration of rental cars. The Board advised that if a passenger car is registered as apportionable, then records must be kept like any other apportioned vehicle. Allocated vehicles must follow that definition, and must calculate full plate percentages according to revenue, and fully plate the correct percentage of vehicles in each jurisdiction. The Board also advised that base jurisdictions are not required to report rental passenger car information to other jurisdictions; in fact, it is up to the companies to report to any state that asks to see their records.

#### **DISPUTE RESOLUTION COMMITTEE DECISIONS**

- 95.1      **Class of Dispute:**      Class 4, Interpretation  
             **Petitioner:**              Comdata Saunders vs. State of Washington  
             **Articles/Sections:**      Article II, Section 238 Preceding Year  
             **Meeting Date:**            August 28, 1995
- Issue:**              Comdata Saunders challenged the policy of the state of Washington under which mileage reporting years are staggered. Comdata raised the issue of Washington staggering a registration year and staggering the mileage reporting year. Washington felt it was to the carrier's benefit to be able to have a staggered registration year and report current year mileage as close to the stagger year as possible. The amendment was made to Washington registration law with no testimony opposing it at the time.
- Decision:**          The Dispute Resolution Committee advised that all jurisdictions abide by the International Registration Plan Official Commentary definition of "Preceding Year," Article II, Section 238.

- 96.1      **Class of Dispute:**    Class 1, Non-Compliance Resulting in Monetary Loss  
             **Petitioner:**        Comdata Saunders vs. State of Washington  
             **Articles/Sections:**   Article II, Section 238 Preceding Year  
             **Meeting Date:**      April 15, 1996
- Issue:**      Comdata challenged the state of Washington's policy to stagger the mileage reporting year when Washington initiated a staggered registration year. Comdata will be forced to perform programming and system changes to comply with Washington's staggered mileage reporting year. This change results in a monetary loss. Comdata stated that if one jurisdiction could deviate from the definition of preceding year other jurisdictions could do the same.
- Decision:**   The committee reaffirmed its August 1995 decision that all jurisdictions abide by the International Registration Plan Official Commentary definition of "Preceding Year," Article II, Section 238. The committee also ruled that Washington carriers not be penalized for using the preceding year definition as defined in Section 238 until Washington changes its statute to comply with the Plan.
- 96.2      **Class of Dispute:**    Class 4, Interpretation  
             **Petitioner:**        States of Alabama, Florida, Texas vs. State of Wyoming  
             **Articles/Sections:**   Article IV, Section 404, Trailer Apportionment - Exception to the Plan  
                                     Article V, Section 506, Operation under Apportioned Registration  
             **Meeting Date:**      April 15, 1996
- Issue:**      The states of Alabama and Texas challenged Wyoming's request that registration fees be collected based on whether a carrier has Wyoming intrastate operating authority. The fee schedule presented by Wyoming for carriers with intrastate authority requires trailer apportionment. The two states reported that Wyoming allegedly stopped requiring trailers to be apportioned and consequently changed their fees. There is no record on file at the repository that Wyoming withdrew its trailer exception.
- The state of Florida challenged that the Wyoming fee structure is not in compliance with Article V, Section 506.
- Decision:**   The committee denied the request by Alabama and Texas because the Wyoming trailer exception is still valid and in force. The request made by Florida was denied.



96.3      Class of Dispute:    Class 4, Interpretation  
             Petitioner:        Protran Services, Inc.  
             Articles/Sections:   Article IX, Section 906, Established Place of Business  
             Meeting Date:      April 15, 1996

**Issue:**      Protran Services, Inc. requested the committee allow Canadian carriers to continue licensing in the Canadian province of their choice. Prior to Saskatchewan and British Columbia becoming members of IRP, all Canadian carriers had the flexibility to shop where they wanted for insurance. Since joining the IRP, many carriers previously licensed out of one of the three provinces have been denied further licensing privileges because of the place of business requirement in Section 906.

**Decision:**   The committee moved to deny Protran's request to allow carriers to license in the province of their choice without having an established place of business in that province.

96.4      Class of Dispute:    Class 1, Non-Compliance Resulting in Monetary Loss  
             Petitioner:        Knight Transportation vs. State of California  
             Articles/Sections:   Article XVI, Audits, Section 1606 Multiple Audits by Commissioners  
             Meeting Date:      August 25, 1996

**Issue:**      Knight Transportation raised the issue of California's compliance with the Plan by conducting an audit of Knight Transportation for the same years as Oklahoma. The State of Oklahoma completed an audit of Knight Transportation for the 1993-1994 registration year. In June 1996, the California Department of Motor Vehicles initiated an audit of Knight Transportation covering an overlapping period between 1994 and 1996. California DMV informed Knight Transportation that the purpose of the audit was to audit trailer miles and unladen weight costs. It would involve an analysis of areas not covered in the Oklahoma audit program. Knight Transportation challenged that Oklahoma's audit was a base state audit, performed on behalf of the base state and all other states in which Knight apportioned registration. They contend the California audit was a duplicate, which posed a hardship to the carrier.

**Decision:**   The committee determined that California has the right to audit the 1995-1996 and subsequent years not previously audited. California also has the right to conduct subsequent audits for the years of 1993 and 1994.

- 96.5      Class of Dispute:    Class 1, Non-compliance which results in monetary loss  
Petitioner:            Paramour Trucking vs. State of Missouri  
Articles/Sections:    Refund on unused plates  
Meeting Date:        October 7, 1996
- Issue:**      As a Missouri-based carrier, Paramour sought a full refund from Missouri for the return of unused license plates on a fleet of two vehicles. The issue concerned the internal refund policy of the State of Missouri and was not subject to review by the Dispute Resolution Committee. Internal refund policies are set by statute in each IRP jurisdiction and are not specifically addressed in the Plan.
- Decision:**    The committee moved to deny Paramour Trucking's request for a full refund from Missouri for the unused license plates.
- 96.6      Class of Dispute:    Class 4, Interpretation  
Petitioner:            State of New York  
Articles/Sections:    Section 256, Total Distance  
                              Section 300, Determination of Fees  
Meeting Date:        October 7, 1996
- Issue:**      The state of New York requested clarification on the definitions of "total miles" and "total distance" with respect to reduced operations. Mr. Chevalier reported that the request was an interpretation of what New York considers a difference in meaning between the two terms. New York felt the terms were subject to misinterpretation and possible misuse because they are used differently in two sections of the Plan.
- Decision:**    The committee moved that the definition of "total miles" and "total distance" are the same.
- 96.7      Class of Dispute:    Class 4, Interpretation  
Petitioner:            Transport Systems of Miami, Inc.  
Articles/Sections:    Section 210, Base Jurisdiction  
                              Section 218, Established Place of Business  
Meeting Date:        October 7, 1996
- Issue:**      Transport Systems of Miami, Inc. represented a registrant who transports and provides grandstands. The registrant wanted to continue using Florida as his base even though it did not accrue fleet mileage in Florida during the preceding year. Florida policy requires that a registrant accrue mileage in the state to claim Florida as the base.
- Decision:**    The committee found that the registrant must satisfy the commissioner that it may be located within the base jurisdiction. It is also the commissioner's prerogative to require miles in the jurisdiction to claim it as the base.

97.1      Class of Dispute:    Class 4, Interpretation  
            Petitioner:        State of Idaho  
            Articles/Sections:    Article II- Definitions, Section 222, In-Jurisdiction Miles  
                                    Article III-Fees for Apportioned Registration  
            Meeting Date:        September 11, 1997

**Issue:**      The issue involved three carnival operations based in Idaho who operate in several western states. On February 1997 the Idaho staff noticed that the companies included in their applications miles, miles operated in the states of Nevada and Montana, even though these companies did not intend to apportion for these two states. A review of the issue indicated that Nevada has a law precluding carnival operations from registration fees. Instead, Nevada assesses an entertainment tax on these vehicles. Approximately 75% of the miles operated by the three companies was included in the mileage reported for Nevada. Idaho denied the miles because according to the Plan, the base state can add reciprocity miles to a carrier only when it operates in non-member jurisdictions. Idaho does not believe this applies because the Plan contains full U.S. membership. From this issue, another issue was raised on whether IRP takes precedence over jurisdiction law.

**Decision:**    The committee moved to separate Idaho's request into two questions/issues. In regards to the first issue, the committee advised Idaho that it's interpretation of the Plan with respect to the calculation of the fees used in the mileage is incorrect in that Nevada and Montana are member jurisdictions and it is not the committee's position to dictate to those jurisdictions what their fees should be. For the second issue, the committee agreed to leave the issue of IRP precedence over jurisdiction law on the agenda for the next Dispute Resolution Committee meeting and tasked IRP, Inc. to consult with AAMVA's legal Services Committee to determine options on the issue of precedence.

97.2      Class of Dispute:    Class 2, Jurisdiction's Non-Compliance with the Plan,  
                                    No Monetary Loss  
            Petitioner:        State of Oregon  
            Articles/Sections:    Article XVI-Audits, Section 1600, Frequency of Audits  
            Meeting Date:        September 11, 1997

**Issue:**      As part of the Peer Review Program, Oregon did not comply with the required number of audits for 1996.

**Decision:**    The committee granted Oregon a 12 month extension to come into compliance with Section 1600, at which time the issue will be re-visited.







- 97.10      Class of Dispute:    Class 4, Interpretation  
                  Petitioner:            State of Michigan  
                  Articles/Sections:    Article XVI- Audits, Section 1600, Frequency of Audits  
                  Meeting Date:        September 11, 1997
- Issue:**        Michigan was first peer reviewed in May 1995 and was granted an additional 12 month extension in August 1996 to come into compliance with Section 1600. Based on documentation submitted, Michigan began the process of coming into compliance with the Plan.
- Decision:**    The committee granted Michigan an extension to December 1997 to come into compliance with Section 1600 and requested Michigan to annually report to the current Peer Review Committee chair that they are meeting their goals. In turn, the Peer Review Chair is to report the findings to the Dispute Resolution Committee at subsequent meetings.
- 97.11      Class of Dispute:    N/A-Update Report: Proposed Amendment on Measures  
                  Petitioner:            N/A  
                  Articles/Sections:    Article II-Definitions, Section 256, Total Distance  
                                                 Article III-Fees for Apportioned Registration, Section 300,  
                                                 Determination of Fees  
                  Meeting Date:        September 11, 1997
- Issue:**        At the request of the committee, the repository 1) developed a proposed amendment to address the issue of a clarification of “total miles” and “total distance” (as requested by NY in October 1996) and 2) distributed the proposed amendment to the membership for comment. The comments included many concerns with the ballot—wording, calculations and conversions from miles to kilometers.
- Decision:**    The committee moved that the repository amend the proposed ballot to include the suggestions from the committee, verify the weight calculations, and distribute the amended proposed ballot to the Dispute Resolution Committee prior to the MCS/IRP, Inc. Workshop.
- 97.12      Class of Dispute:    Class 3, Failure to Pay IRP Repository Dues  
                  Petitioner:            State of New Jersey  
                  Articles/Sections:    Article XXI-Administration, Section 2126 Dues  
                  Meeting Date:        September 11, 1997
- Issue:**        New Jersey was late in their payment of fiscal year 1997 dues. They submitted a letter to IRP, Inc. upon receiving notice of appearing before the committee, stating that February 1997 was the earliest available date to pay their 1997 dues because the IRP budget was not approved by the New Jersey Department of Transportation until then. New Jersey does not anticipate any problem with paying their dues for fiscal year 1998.
- Decision:**    The committee moved to accept New Jersey’s dues.

97.13      Class of Dispute:    Class 3, Failure to Pay IRP Repository Dues  
              Petitioner:        State of Indiana  
              Articles/Sections:    Article XXI-Administration, Section 2126 Dues  
   Article XXXIII-Dispute Resolution, Section 2300, Board  
   Action  
              Meeting Date:     September 11, 1997

**Issue:**        Indiana failed to pay IRP, Inc. dues by December 31, 1996. IRP, Inc. followed the guidelines set forth in the Plan for late payment of dues, and finally received payment from Indiana on March 20, 1997 However, Indiana did not correspond with IRP as to the reason for late payment or did they respond to correspondence stating that they would be brought before the committee.

**Decision:**    The committee agreed to send a letter to all the states discussing the importance of timely payments and the cash flow problems late payments cause the repository.

97.14      Class of Dispute:    Class 4, Interpretation  
              Petitioner:        State of Alaska  
              Articles/Sections:    Article XVIII-Entry and Withdrawal, Section 1800,  
   Jurisdiction Entry into IRP  
              Meeting Date:     September 11, 1997

**Issue:**        In 1975 Alaska was approved to join the IRP Agreement by unanimous vote of the then current members. In 1977 Alaska withdrew according to the procedures outlined in the Plan. In 1997, Alaska contacted IRP, Inc. on how to re-enter the Plan and IRP, Inc. on behalf of Alaska is asking for an interpretation of how Alaska may re-enter the Plan.

**Decision:**    The committee agreed that Alaska should submit a formal request to reapply to the Plan and that the notification letter from the repository should include a discussion about exceptions.



- 97.15      Class of Dispute:    N/A-Update Report: Precedence of IRP vs. Jurisdictional Statute  
                  Petitioner:            N/A  
                  Articles/Sections:    N/A  
                  Meeting Date:        November 16, 1997
- Issue:**      At the direction of the committee, IRP, Inc. 1) consulted with AAMVA's Legal Services Committee for resolution to the issue of IRP prevailing over state law and 2) will continue to update the committee on the issue.
- Decision:**    The committee directed the repository to continue pursuing the matter and report its progress at the next meeting.
- 97.16      Class of Dispute:    N/A-Update Report: Late Dues  
                  Petitioner:            N/A  
                  Articles/Sections:    N/A  
                  Meeting Date:        November 16, 1997
- Issue:**      IRP, Inc. reported that a letter was sent to all jurisdictions who paid the 1997 dues late (IN, NJ, NM). The letter discussed the importance of timely payments and the cash flow problems late payments caused the repository.
- Decision:**    The committee accepted the report and considered the matter resolved.
- 97.17      Class of Dispute:    N/A-Update Report: Peer Review Follow-Up  
                  Petitioner:            N/A  
                  Articles/Sections:    N/A  
                  Meeting Date:        November 16, 1997
- Issue:**      IRP, Inc. reported that Virginia is now in compliance with Sections 400, Application Filed with Base Jurisdiction and 410, Jurisdiction Cooperation of the Plan.
- Decision:**    The committee accepted the report and considered the matter resolved.

97.18      Class of Dispute:    Class 4, Interpretation  
              Petitioner:        IRP, Inc.  
              Articles/Sections:    Article XXI- Administration, Section 2126, Dues  
              Meeting Date:      November 16, 1997

**Issue:**      Because several jurisdictions paid their dues within the 15 day grace period after receiving the non-payment notification, IRP, Inc. requested clarification involving the notification of non-payment, grace period and Board Dispute Resolution notice when a jurisdiction fails to pay IRP dues by December 31.

**Decision:**    The committee agreed that on January 1, IRP, Inc. would send a letter listing non-paying jurisdictions to the IRP, Inc. Board of Directors. On January 16, IRP, Inc. would send a certified letter to non paying jurisdictions. Thirty days from receipt of the certified letter, IRP, Inc. would send to the Dispute Resolution Committee a list of non-paying jurisdictions for further action.

97.19      Class of Dispute:    Class 4, Interpretation  
              Petitioner:        State of Missouri  
              Articles/Sections:    Article XVI-Audits, Section 1600, Frequency of Audits  
              Meeting Date:      November 16, 1997

**Issue:**      The Missouri Highway Reciprocity Commission requested an interpretation of Article XVI, Section 1600, Frequency of Audits to help determine and ensure compliance with the IRP Agreement. Missouri also questioned the Peer Review Committee's determination of finding of compliance based upon an annual listing of audits, due to the fact that the active accounts are different each year, making the audit requirements difficult to calculate for compliance purposes.

**Decision:**    The committee moved that the Audit Committee review the issue of determining the values that need to be determined for the 15% and five-year period and correspond with IFTA representatives to ensure there is uniformity between the two plans and report back to the Dispute Resolution Committee at the next meeting.

97.20      **Class of Dispute:**    Class 1, Jurisdiction's Non-Compliance with the Plan,  
   Monetary Loss  
**Petitioner:**            Rollins Leasing Corporation  
**Articles/Sections:**    Article XV-Preservation of Records and Audit, Section 1502,  
   Failure to Preserve or Maintain Records  
   Policies & Procedures Manual, Section 3030, Refunds  
   Introduction to the Uniform Audit Procedures Guidelines  
**Meeting Date:**        November 16, 1997

**Issue:**                Rollins Leasing Corporation filed a Class 1 dispute against Illinois regarding an  
audit of the 1995 licensing renewal year for one of the company's fleets. Rollins  
felt that Illinois chose not to use the available records to determine the true liability  
for both Rollins and the other affected jurisdictions. The Illinois audit resulted in  
an inflation of the fees actually due Illinois and the other jurisdictions involved in  
the audit. In turn, Rollins claimed they suffered a monetary loss as a result of the  
manner in which Illinois conducted an IRP audit.

**Decision:**            The committee agreed to uphold the Illinois audit in order to ensure that the  
decisions made throughout the years are uniform and are not arbitrary or capricious.

97.21	Class of Dispute:	Class 1, Jurisdiction's Non-Compliance with the Plan, Monetary Loss
	Petitioner:	Lawrence Robertson Transportation
	Articles/Sections:	Article II- Definitions, Section 218, Established Place of Business Article IX- Registration of Owner-Operator Vehicles, Section 906, Place of Business
	Meeting Date:	November 16, 1997

**Issue:** Lawrence Robertson Transportation filed a Class 1 dispute against Oklahoma regarding whether or not Oklahoma can impose upon IRP registrants wishing to declare Oklahoma as a base jurisdiction, basing criteria in addition to that provided for in Sections 218 and 908 of the Agreement. It was noted that during the last meeting of the Dispute Resolution Committee the committee was asked by Oklahoma for an interpretation with respect to the issue, and the committee found that Oklahoma had the right to establish their own requirements. Also, it was noted that the case brought before the committee was a monetary dispute, and that there was no mention of a monetary loss during the petitioner's opening statement.

**Decision:** The committee agreed that since no monetary loss was shown under the Class 1 dispute, the case should be dismissed and the petitioner should return before the committee as such time as there is a monetary loss.

98.1	<b>Class of Dispute:</b> Class 4, Interpretation <b>Petitioner:</b> State of Maryland <b>Articles/Section:</b> Article II-Definitions, Section 204, Apportionable Vehicle <b>Meeting Date:</b> November 19, 1998
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**Issue:** Maryland submitted a Class 4 interpretation regarding the issue of whether recycler plates are accepted under the Plan's definition of Restricted Plates and if so, whether vehicles in excess of 26,000 pounds bearing recycler plates are required to be apportionable under Article II, Section 204. Pennsylvania responded with the assertion that if the committee found that recycler plates were not required to be apportioned as defined under Section 204, then the IRP had no legal authority to require Pennsylvania to grant reciprocity to non-Pennsylvania recycler plates and that registration requirements must be guided by Pennsylvania law.

**Decision:** The committee agreed that the recycler plate in Maryland contains a commodity restriction, which would meet the definition of restricted plate under the IRP and agreed that if vehicles in question are non-apportionable, it is up to the jurisdictions to determine how the jurisdictions' laws apply to them.

98.2      Class of Dispute:    Class 4, Interpretation  
              Petitioner:        States of Michigan and New York  
              Articles/Section:    Article XVI-Audits  
              Meeting Date:     November 19, 1998

**Issue:**      To determine if the Audit Guidelines manual is a binding document. There is some question whether the Guidelines, which are incorporated into the Plan by reference are in deed binding.

**Decision:**    The committee tasked the repository to locate the original ballot, and if the original ballot containing the Audit Guidelines is unclear, a ballot should be developed with language clearly stating that the Audit Guidelines are either binding or not.

98.3      Class of Dispute:    Class 4, Interpretation  
              Petitioner:        Overnite Transportation Company  
              Articles/Section:    Article II-Definitions, Section 204, Apportionable Vehicle  
              Meeting Date:     November 19, 1998

**Issue:**      Stan Kelly reported that Overnite Transportation Company from Richmond, Virginia, asked the committee for an interpretation of Article II, Section 204. Overnite Transportation registers its fleets in Oklahoma. In 1997 they were assessed additional fees due to single jurisdiction presence of a part of its fleet. Overnite Transportation is protesting the assessment, claiming that the vehicles were qualified as apportionable under Section 204 of the Plan. Oklahoma suggested that the company approach the Dispute Resolution Committee with an interpretation of Section 204 and a response to whether Oklahoma can charge full fees and if so, would other jurisdictions be required to refund. Oklahoma, clarified that the audit on Overnite was not complete and that Oklahoma wanted to give Overnite a chance for a decision from the committee before the audits were completed. During the audit Oklahoma maintained that the vehicles that did not run in two or more jurisdictions during the 24 month period reviewed were not qualified to be apportioned under the audit.

**Decision:**    The committee agreed to defer the issue until the next Dispute Resolution Committee meeting, until Oklahoma completes the audit of Overnite Transportation.

99.1      Class of Dispute:    Class 4, Interpretation  
            Petitioner:        IRP, Inc, Repository  
            Articles/Sections: Article XXIII-Dispute Resolution  
                                Section 2304, Power and Duties of the Board  
            Meeting Date:    November 13, 1999

**Issue:**      The repository asked AAMVA's legal counsel what should be the effective date of actions taken by the committee. Counsel responded that because the Plan does not contain provisions related to the timeframe for the effective date of committee actions, any actions taken by the committee are to become effective immediately following adoption of any decisions. IRP, Inc. asked the committee to affirm and conclude with counsel's remarks or for clarification as to what is the effective date of actions taken by the committee – either on the date the action was taken or when the committee minutes are approved.

**Decision:**    The committee agreed that the actions of the Dispute Resolution Committee are effective immediately upon completion of that action unless otherwise noted by the Dispute Resolution Committee in its deliberation.

99.2      Class of Dispute:    Class 4, Interpretation  
            Petitioner:        State of Montana  
            Articles/Sections: Article XXIII-Dispute Resolution  
                                Section 2304, Power and Duties of the Board  
            Meeting Date:    November 13, 1999

**Issue:**      The jurisdiction of Montana sought an interpretation from the committee on whether or not the committee had the flexibility to allow jurisdictions who have taken several years to come into compliance with the Plan to continue to be members in good standing so long as those jurisdictions have a plan of action that is approved by the committee and who demonstrate a commitment to address their issues of non-compliance. An opinion from AAMVA's legal counsel was provided to the committee.

**Decision:**    The committee agreed to accept the AAMVA attorney's opinion regarding the latitude of the Dispute Resolution Committee to deal with issues related to Class 1, 2 and 4 disputes which states the committee had a great deal of latitude as to what it can do regarding sanctions and other actions that relate to jurisdictional disputes. It is within the authority of the committee to review the issues and try to determine a lesser punitive approach when dealing with jurisdictions who are making good faith efforts to come into compliance with the Plan.

99.3      Class of Dispute:    Class 4, Interpretation  
              Petitioner:        IRP, Inc. Repository  
              Articles/Sections:    Article XXI-Administration  
                                      Section 2126, Dues  
              Meeting Date:     November 13, 1999

**Issue:**      The jurisdiction of New Brunswick entered the IRP on June 26, 1999, with an implementation date of April 1, 2001. The repository asked the committee to determine whether New Brunswick should be invoiced immediately for IRP membership dues or when they begin implementing the IRP.

**Decision:**    The committee agreed that New Brunswick not be considered an official member of the Plan until 2001. New Brunswick, and other Canadian jurisdictions in the process of joining the Plan, would not be required to pay IRP dues in the current fiscal year, but will be required to pay IRP dues when they are billed in July 2000.

99.4      Class of Dispute:    Class 4, Interpretation  
              Petitioner:        State of Indiana  
              Articles/Sections:    Article II-Definitions  
                                      Section 210, Base Jurisdiction and Section 218, Established  
                                      Place of Business  
              Meeting Date:     November 13, 1999

**Issue:**      The jurisdiction of Indiana, on behalf of Comdata, requested a Class 4 interpretation asking 1) if a third-party IRP registration service provider can allow their physical address to be used by an IRP registrant and 2) whether or not the employees of the third-party service provider are considered to be persons conducting the fleet registrant's business.

**Decision:**    The committee agreed that the requirement under Section 210 is that the registrant have an established place of business as defined in Section 218 and that established place of business cannot be provided for the registrant in the form of a third-party licensing provider.

99.5      Class of Dispute:    Class 4, Interpretation  
              Petitioner:        State of Texas  
              Articles/Sections:    Article II-Definitions  
                                      Section 204, Apportionable Vehicle  
              Meeting Date:     November 13, 1999

**Issue:**      The jurisdiction of Texas requested an interpretation of Section 204, and asked whether the term "gross vehicle weight" as used in Option 3 of the definition of an apportionable vehicle, allows the use of the registered gross vehicle weight to determine if the combination of vehicles are apportionable.

**Decision:** The committee agreed that Item #3 under Section 204 refers to the actual weight of the combination and does not refer to gross vehicle weight or registered weight.

99.6      **Class of Dispute:**    Class 4, Interpretation  
             **Petitioner:**        State of California  
             **Articles/Sections:**   Article IV-Application for Apportioned Registration  
   Section 404, Trailer Apportionment- Exception to Plan  
   Article XIX-Exceptions  
   Section 1902, Amendments to Exceptions; Section 1904,  
   Cancellation of Exceptions; and Section 1906 Prohibited  
   Exceptions  
             **Meeting Date:**    November 13, 1999

**Issue:**        The jurisdiction of California requested an interpretation regarding 1) whether or not IRP jurisdictions must continue to collect and transmit trailer fees to California until 2001, 2) whether IRP rules prevail over jurisdiction laws, 3) whether the IRP can change its rules without consent of the contracting parties affected as to exceptions granted at the time of joining IRP, and 4) whether the Dispute Resolution Committee may delay the removal of the Exception for California for the collection of trailer fees for a two-year period. California, later withdrew questions 2 and 3.

**Decision:**    In regards to question 1, the committee agreed that the IRP member jurisdictions must continue to collect and transmit trailer fees to California until January 1, 2001. For questions 2 and 3, the committee allowed California to withdrawal them For question 4, the committee agreed that they may not delay the removal of the California exceptions for the collection of trailer fees for a 2-year period.



00.1      **Class of Dispute:**    Class 1, Jurisdiction's Non-Compliance with the Plan, Monetary Loss  
                 **Petitioner:**            Jurisdiction of Illinois  
                 **Articles/Sections:**    Article VIII-New Operations, Section 800,  
                                            Application for Initial Registration  
                 **Meeting Date:**        November 11, 2000

**Issue:**      Illinois reported that registrants previously apportioned and based in Illinois, as well as in other member jurisdictions, are eliminating and closing their IRP accounts and changing their base of application to Oklahoma. Illinois claimed it is losing substantial revenues and brings action against Oklahoma.

Illinois asked the committee to resolve the following questions:

1. Should registrants be allowed to base in jurisdictions where they do not have an established place of business?
2. Should registrants moving from one base jurisdiction to another be required to report the actual miles operated by the vehicles during the preceding year?
3. Should Oklahoma allow its registrants to estimate the same mileage with a pattern of high mileage in low fee jurisdictions and low mileage in high fee jurisdictions?
4. Should Oklahoma process an initial application in their jurisdiction if it has knowledge that the registrant has previously been apportioned in another jurisdiction without requiring actual mileage or inquiring as to the present status of the fleet prior to allowing the registrant to estimate in Oklahoma?

**Decision:**    In responding to Illinois's questions, the committee agreed to the following:

A registrant should not be allowed to base in a jurisdiction where they do not have an established place of business in accordance with the International Registration Plan.

1. Registrants should be allowed to move to a jurisdiction, and when they do, they have to use actual miles if actual miles are recorded in that jurisdiction, and if there are no actual miles, they are allowed to estimate based on the reasonable mileage for those jurisdictions, and it cannot be used to reduce fees.

To dispense with questions three and four as being not necessary to be answered directly under this dispute.

00.2	Class of Dispute:	Class 1, Jurisdiction's Non-Compliance with the Plan, Monetary Loss
	Petitioner:	Jurisdictions of Arizona, California, Maine and Virginia
	Articles/Sections:	Article IV-Application for Apportioned Registration, Section 408, Jurisdiction Notification of Application Filing
	Meeting Date:	November 11, 2000
<b>Issue:</b>	The jurisdictions of Arizona, California, Maine and Virginia asked the committee to take action against the District of Columbia to resolve the issue of the District of Columbia not distributing IRP revenues to the member jurisdictions in accordance with Article IV, Section 408, of the Plan.	

00.3	<b>Class of Dispute:</b> Class 4, Interpretation <b>Petitioner:</b> Peer Review Committee <b>Articles/Sections:</b> Article IV-Application for Apportioned Registration, Section 400 (b), Application Filed with Base Jurisdiction <b>Meeting Date:</b> November 11, 2000
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**Decision:** The committee agreed that the first time that a jurisdiction is added to a renewal or initial application, estimates would be allowed. Subsequent years' listing of the same jurisdiction without actual mileage will be considered at above 100%, provided the operations of the fleet were more than 90 days.

- 01.1      Class of Dispute:    Class 1, Jurisdiction's Non-Compliance with the Plan, Monetary Loss  
Petitioner:            Jurisdiction of Illinois  
Articles/Sections:    Article VIII-New Operations, Section 800, Application for Initial Registration  
Meeting Date:        November 1, 2001
- Issue:**            Illinois agreed to a continuance requested by Oklahoma with the stipulation that the Class 1 dispute would be immediately re-filed by the next IRP Board of Directors meeting scheduled for May 2002.
- Decision:**        The committee accepted the request by Illinois with the understanding that a Dispute Resolution Committee meeting be held in the spring of 2002.
- 01.2      Class of Dispute:    Class 4, Interpretation  
Petitioner:            Jurisdiction of Maine  
Articles/Sections:    Article III – Fees for Apportioned Registration; Section 300, Determination of Fees  
Article XXI – Administration; Section 2128, Peer Review  
Meeting Date:        November 1, 2001
- Issue:**            Maine requested an interpretation on whether the IRP annual fee test as prepared by the IRP Peer Review Committee was a mandatory annual component of the peer review process.
- Decision:**        The committee determined that while the Plan does not require the annual submission of the IRP fee test to be mandatory, they directed the Peer Review Committee submit a ballot to address the issue of a mandatory fee table submission on an annual basis.
- 02.1      Class of Dispute:    Class 4, Interpretation  
Petitioner:            Jurisdiction of Indiana  
Articles/Sections:    Article IX, Registration of Owner-Operator; Section 906, Place of Business  
Meeting Date:        April 16, 2002
- Issue:**            As a continuation of a DRC conference call on January 31, 2002, Indiana asked for an interpretation of what was required under Section 906 for established place of business.
- Decision:**        The committee determined that an owner operator must meet the requirements in Section 906, specifically, a street address within the base jurisdiction, a telephone number, and any other documentation as required by the Commissioner, and the owner operator must meet the definition of owner operator as defined in Section 234.

02.2      Class of Dispute:    Class 1, Jurisdiction's Non-Compliance with the Plan, Monetary Loss  
                 Petitioner:            Jurisdiction of Illinois  
                 Articles/Sections:    Article VIII-New Operations, Section 800, Application for Initial Registration  
                 Meeting Date:        April 16, 2002

**Issue:**        Illinois asked the committee to determine if a jurisdiction who has violated the Plan and caused economic damage to other jurisdictions be required to pay damages to those jurisdictions who were injured. Illinois submitted documentation supporting the findings of the statistician hired by Illinois to determine the amount of revenue Illinois claimed it lost to Oklahoma due to Oklahoma allowing registrants to register unlawfully in Oklahoma.

**Decision:**    The committee determined that as a result of hearings conducted over an extended time period, Oklahoma was out of compliance in allowing service companies to use estimated distance charts that were skewed toward high distance in low-fee jurisdictions. By doing that, they failed to comply with Section 800 of the IRP. This failure to comply has caused Illinois to suffer monetary losses. The committee directed Illinois and Oklahoma to work together to find the agreeable level of loss and the terms under which both sides will settle. If the jurisdictions are unable to reach an agreement, then a review of the new accounts from 1999 to the present must be done. If the jurisdictions are unable to agree how that is done, then a 100 percent must be reviewed by an independent company and the cost will be shared by Oklahoma and Illinois. Both parties were directed to report back at the November 2002 DRC meeting.

02.3      Class of Dispute:    Class 1, Jurisdiction's Non-Compliance with the  
                                 Plan, Monetary Loss  
                                 Petitioner:            Jurisdiction of Illinois  
                                 Articles/Sections:    Article VIII-New Operations, Section 800,  
   Application for Initial Registration  
                                 Meeting Date:        November 7 & 9, 2002

**Issue:**        Continuation of April 16, 2002, decision by the Dispute Resolution Committee. Illinois reported that were unable to reach an agreement with Oklahoma, and Illinois proposed that the two jurisdictions' experts work together to find the agreeable level of loss. Illinois offered to pay half of the cost of these services. Oklahoma indicated that its statutes prohibit Oklahoma from settlements in excess of \$250,000 without the approval of the Oklahoma legislature. Oklahoma was unable to accept a proposal to have an independent party review joint audits to resolve the issue.

**Decision:**    The committee determined that with the failure of Oklahoma to reach an agreement with Illinois concerning its Class 1 dispute, the DRC ordered all jurisdictions to withhold funds from Oklahoma until Oklahoma presents an acceptable plan to the DRC to compensate Illinois for its monetary losses. Oklahoma is also instructed to continue sending monthly transmittals and funds to all jurisdictions as required by Section 408. Withholding of funds were to begin December 1, 2002.

02.4      Class of Dispute:    Class 4, Interpretation  
                                 Petitioner:            Jurisdiction of California  
                                 Articles/Sections:    Article XVI, Section 1604, Notification of Audit Results  
                                 Meeting Date:        November 7 & 9, 2002

**Issue:**        California asked if Section 1604 applied to Oregon's non-netted audit reports issued to a trucking company on June 22, 2000, and later released to California and other affected jurisdictions on July 25, 2000.

**Decision:**    The committee dismissed California's interpretation request until the parties have exhausted all options for administrative appeals.

02.5      Class of Dispute:    Class 1, Jurisdiction's Non-Compliance with the Plan, Monetary Loss  
Petitioner:            United Parcel Service (UPS)  
Respondent:           California  
Articles/Sections:    Article XIX, Section 1906 Cancellation of Exceptions; Article XXIII, Section 2304 – Power and Duties of the Board  
Meeting Date:        November 7 & 9, 2002

**Issue:**            UPS asked 1) if California was out of compliance with the Plan by continuing to collect, under its exception to the IRP, apportioned fees for trailers, semitrailers, and auxiliary axles (dollies) beyond the expiration date of December 31, 2000; 2) Should California be required to refund the total California fees paid by UPS to its base jurisdictions, including California, for its IRP semitrailer and dolly fleets apportioned with California for 2001 and beyond, less the appropriate increase in UPS's IRP power unit fleets apportioned with California during the corresponding period; 3) Should the audit assessment issued for 2001 and beyond by California to UPS for additional California fees for all UPS IRP semitrailer and dolly fleets apportioned with California be declared void as a result of California's non-compliance.

**Decision:**        The committee dismissed the dispute until UPS has exhausted all of its administrative appeals.

02.6      Class of Dispute:    Class 4, Interpretation  
Petitioner:            Jurisdiction of Indiana  
Articles/Sections:    Article V, Section 502 – Identification Plates and Cab Cards  
Meeting Date:        November 7 & 9, 2002

**Issue:**            Indiana sought an interpretation on whether or not Quebec had the authority to require that the total number of a vehicle's axles (power unit and trailing unit) be printed on jurisdiction cab cards.

**Decision:**        The committee determined that under Section 502, Quebec has the right to require that the cab card clearly identify the number of axles on which the fees were calculated.

02.7      Class of Dispute:    Class 4, Interpretation  
Petitioner:            Jurisdiction of Alabama  
Articles/Sections:    Article II, Section 218 – Established Place of Business  
Meeting Date:        November 7 & 9, 2002

**Issue:**            Alabama sought an interpretation of Section 218 and what constitutes a fleet registrant's business, in order to limit base jurisdiction shopping.

**Decision:** The committee determined that the Plan does not indicate what a registrant's business is and that it is up to the commissioner to do so.

# APPENDIX E

## IRP ELECTRONIC DATA INTERCHANGE STANDARD FORMAT RECORDS

RECORD NAME: CARRIER RECORD

RECORD TYPE 1

<u>Starting Position</u>	<u>Length/Type</u>	<u>Field Name</u>	<u>Field Description</u>
1	1/AN	RECORD-TYPE	Valid values are: "1" = Carrier information "2" = Mileage information "3" = Weight information "4" = Vehicle information
2	1/A	TRANSACTION-CODE	Valid values are: "A" = add "C" = change "D" = delete "R" = renew unit/unchanged
3	2/AN	BASE-JUR	Base jurisdiction abbreviation
5	2/N	REG-YR	The renewal registration year EX. "93"
9	15/N	ACCT-NO	The carrier account number
24	4/N	FLT-NO	The carrier fleet number
36	9/N	EIN-NUMBER	Federal employer i.d. number
45	2/N	EIN-SFX	Federal employer i.d. number suffix
47	1/A	ACCOUNT-TRANSACTION CODE	Valid values are: "O" = Original, new accounts "A" = Amend, change account info. "S" = Supplemental processing "R" = Renewal
48	35/ANS	REGISTRANT-NAME	Registrant name
83	35/ANS	R-ADDR-LINE-1	Registrant address line one
118	35/ANS	R-ADDR-LINE-2	Registrant address line two
153	20/ANS	R-CITY	Registrant city name
173	4/N	R-LOCATION-CODE	Registrant location code
177	2/ANS	R-STATE	Registrant state abbreviation
179	10/ANS	R-ZIP-CODE	Registrant zip code
189	35/ANS	MA-LINE-1	Mailing address line one
224	35/ANS	MA-LINE-2	Mailing address line two
259	20/ANS	MA-CITY	Mailing address city name
279	4/N	MA-CAR-LOC-CDE	Mailing address location code
283	2/ANS	MA-STATE	Mailing address state abbreviation
285	10/ANS	MA-ZIP-CODE	Mailing address zip code
295	35/ANS	DBA-NAME	Doing business as name
330	35/ANS	CONTACT-NAME	Contact person's name



<u>Starting Position</u>	<u>Length/Type</u>	<u>Field Name</u>	<u>Field Description</u>
365	35/ANS	CONTACT-LINE-1	Contact person address line one
400	35/ANS	CONTACT-LINE-2	Contact person address line two
435	20/ANS	CONTACT-CITY	Contact person city name
455	2/ANS	CONTACT-STATE	Contact person state abbreviation
457	10/ANS	CONTACT-ZIP-CODE	Contact person zip code
467	3/N	CONTACT-AREA-CODE	Contact person area code
470	3/N	CONTACT-XCHANGE	Contact person exchange number
473	4/N	CONTACT-LINE-NUMBER	Contact person line number
477	4/N	CONTACT-EXTENSION	Contact person extension number
481	2/ANS	CARRIER-TYPE-CODE	Carrier type code
483	3/N	FLEET-STATUS-CODE	Fleet status code
486	8/N	FLEET-FIRST-DATE	Fleet first operation date
494	2/N	REG-MONTHS	Number of registration months
496	1/ANS	CARRIER-PROC-TYPE	Carrier processing type
497	1/A	WY-INTRA-AUTH-IND	Wyoming intrastate authority indicator
498	1/A	MT-SPLIT-IND	Montana split combined weight indicator
499	1/A	BOND-IND	Bond indicator Valid values: "Y" = Yes "N" = No "I" = Incomplete
500	17/ANS	BOND-NAME	Bond maker name
517	25/ANS	BOND-ADDRESS	Bond maker address line
542	16/ANS	BOND-CITY	Bond maker city name
558	2/A	BOND-STATE	Bond maker state abbreviation
560	10/ANS	BOND-ZIP	Bond make zip code
570	3/N	BOND-AREA-CODE	Bond maker phone area code
573	3/N	BOND-XCHANGE	Bond maker phone exchange number
576	4/N	BOND-LINE-NUMBER	Bond maker phone line number
580	1/ANS	SI-CAR-CHANGE	Supplement indicator, carrier information change
581	1/ANS	SI-MI-NEW	Supplement indicator, mileage information change indicator for original/addition of new states
582	1/ANS	SI-MI-CHANGE	Supplement indicator, mileage information change
583	1/ANS	SI-WGT-GRP-NEW	Supplement indicator, weight information change indicator for original/addition of new weights
584	1/ANS	SI-WGT-GRP-INCR	Supplement indicator, weight increase Valid values: "X" or space
585	1/ANS	SI-WGT-GRP-DECR	Supplement indicator, weight decrease Valid values: "X" or space

<u>Starting Position</u>	<u>Length/Type</u>	<u>Field Name</u>	<u>Field Description</u>
586	1/ANS	SI-VEH-ADD	Supplement indicator, add vehicle
587	1/ANS	SI-VEH-DELETE	Supplement indicator, delete vehicle
588	1/A	SI-VEH-CHANGE	Supplement indicator, change vehicle
589	1/AN	MI-KM-IND	Miles vs. Kilometer indicator
590	1/AN	KILOS-LBS-IND	Kilos vs. Pounds indicator
591	1/A	FTF-ACTION-IND	Fleet to fleet transfer indicator
592	1/A	FTF-CREDIT-IND	Fleet to fleet transfer credit indicator
			This indicator has to be the same for "from" fleet and "to" fleet
593	8/N	FTF-AF-NUMBER	Account and fleet number for fleet to fleet transfer

## RECORD NAME: VEHICLE RECORD

RECORD TYPE: 4

<u>Starting Position</u>	<u>Length/Type</u>	<u>Field Name</u>	<u>Field Description</u>
1	1/AN	RECORD-TYPE	Valid values are: "1" = Carrier information "2" = Mileage information "3" = Weight information "4" = Vehicle information
2	1/A	TRANSACTION-CODE	Valid values are: "A" = add "C" = change "D" = delete "R" = renew unit/unchanged
3	2/AN	BASE-JUR	Base jurisdiction state abbreviation
5	2/N	REG-YR	The renewal registration year. Ex. "93"
9	15/N	ACCT-NO	The carrier account number
24	4/N	FLT-NO	The carrier fleet number
38	9/N	EIN-NUMBER	Federal employer i.d. number
45	2/N	EIN-SFX	Federal employer i.d. number suffix
47	1/A	ACCOUNT-TRANSACTION-CODE	Valid values are: "O" = Original, new accounts "A" = Amend, change account information "S" = Supplemental processing "R" = Renewal
48	9/AN	OEN-NUMBER	Owner equipment number
57	3/N	WGT-GRP-NUMBER	Weight group number for the weight group the vehicle belongs to
60	17/AN	VIN-NUMBER	Vehicle identification number
77	9/AN	BS-PL-NUMBER	License plate number
88	10/AN	STKR-NUMBER	Sticker number if any
96	2/N	MODEL-YEAR	Vehicle model year
98	4/AN	VEH-MAKE	Vehicle make
102	4/AN	VEH-MODEL	Vehicle model
106	2/A	VEH-TYPE	Vehicle type
108	1/N	VEH-AXLES	Number of axles
109	2/AN	VEH-SEATS	Number of seats
111	1/A	FUEL-TYPE	The fuel type
112	1/AN	NEW-USED-IND	Vehicle new or used indicator
113	9/ANS	UNL-WEIGHT	Vehicle unladen weight
122	9/ANS	GRS-WEIGHT	Vehicle gross weight
131	9/ANS	GRS-COMB-WEIGHT	Vehicle gross combined weight
140	6/N	PURC-PRICE	Vehicle purchase price
146	6/N	FACT-PRICE	Vehicle factory price

<u>Starting Position</u>	<u>Length/Type</u>	<u>Field Name</u>	<u>Field Description</u>
152	8/N	PURC-DATE	Vehicle purchase date
160	8/N	LEASE-DATE	Vehicle lease date
168	3/N	HORSE-POWER	Vehicle horse power
171	1/A	MYT-STAT-IND	Multi-year trailer status indicator
172	1/A	MYT-FEE-IND	Multi-year trailer fee indicator
173	2/N	MYT-REG-MM	Registration months for multi-year trailers
175	2/N	MYT-EXP-YR	Expiration year for multi-year trailers
177	1/A	HEAVY-VEH-TAX	Heavy vehicle use tax indicator
178	2/A	VEH-SALES-TAX	Vehicle sales tax
180	3/A	VEH-STATUS-CODE	Vehicle status code
183	8/N	VEH-REG-DATE	Vehicle registration date
191	2/N	EXC-TAX-MM	Excise tax registration months
193	1/A	PLFEE-Y-N	Plate fee indicator, if indicator is set to "Y" the plate fee will be charged
194	17/ANS	VEH-TITLE-NUMBER	Vehicle title number
211	10/ANS	CPA-NO	Canadian province authority code

## RECORD NAME: MILEAGE RECORD

RECORD TYPE: 2

<u>Starting Position</u>	<u>Length/Type</u>	<u>Field Name</u>	<u>Field Description</u>
1	1/AN	RECORD-TYPE	Valid values are: "1" = Carrier information "2" = Mileage information "3" = Weight information "4" = Vehicle Information
2	1/A	TRANSACTION-CODE	Valid values are: "A" = add "C" = change "D" = delete "R" = renew unit/unchanged
3	2/AN	BASE-JUR	Base jurisdiction state abbreviation
5	2/N	REG-YR	The renewal registration year - EX. "93"
9	15/N	ACCT-NO	The carrier account number
24	4/N	FLT-NO	The carrier fleet number
36	9/N	EIN-NUMBER	Federal employer i.d. number
45	2/N	EIN-SFX	Federal employer i.d. number suffix
47	1/A	ACCOUNT-TRANSACTION-CODE	Valid values are: "O" = Original, new accounts "A" = Amend, change account information "S" = Supplemental processing "R" = Renewal
THE NEXT 9 FIELDS OCCUR 70 TIMES IN THIS RECORD			
48	2/AN	REG-JUR	Registration jurisdiction abbrev.
50	1/A	CHNG-IND	Mileage change indicator
51	1/A	PRO-RATE-IND	Prorate indicator
			Valid values are: "Y" = Yes "N" = No
52	1/A	ACT-EST-FLAG	Actual or estimate indicator Valid values are: "A" = Actual "E" = Estimated
53	6/N	RPTD-APP-PCT	Reported apportionable factor
59	9/N	W-NON-IRP-MI	Miles or kilometers with non-IRP miles or kilometers added
68	6/N	BS-APP-PCT	Factor with non-IRP miles or kilometers added
74	9/N	AVAIL-CREDIT	Credit available
83	12/N	MILES	Base jurisdiction miles or kilometers

Appendix E amended April 10, 1998, Ballot 1.7.192. Effective October 1, 1999.

## RECORD NAME: WEIGHT RECORD

RECORD TYPE: 3

<u>Starting Position</u>	<u>Length/Type</u>	<u>Field Name</u>	<u>Field Description</u>
1	1/AN	RECORD TYPE	Valid values are: "1" = Carrier Information "2" = Mileage Information "3" = Weight Information "4" = Vehicle Information
2	1/A	TRANSACTION-CODE	Valid values are: "A" = add "C" = change "D" = delete "R" = renew unit/unchanged
3	2/AN	BASE-JUR	Base jurisdiction state abbreviation
5	2/N	REG-YR	The renewal registration year - Ex. "93"
9	15/N	ACCT-NO	The carrier account number
24	4/N	FLT-NO	The carrier fleet number
36	9/N	EIN-NUMBER	Federal employee i.d. number
45	2/N	EIN-SFX	Federal employee i.d. number suffix
47	1/A	ACCOUNT TRANSACTION CODE	Valid values are: "O" = Original, new accounts "A" = Amend, change account info. "S" = Supplemental processing "R" = Renewal
48	3/N	WGT-GRP-NO	Weight group number
51	1/A	WGT-GRP-TYPE	Weight group type Valid values are: "B" = Bus "P" = Power unit "T" = Trailer
THE NEXT 3 FIELDS OCCUR 70 TIMES IN THIS RECORD			
52	2/A	REG-JUR	Registration jurisdiction code
54	1/A	WGT-CHG-IND	Weight change indicator Valid values are: "N" = weight unchanged "I" = weight increased "D" = weight decreased "O" = weight original
55	9/ANS	REG-WGT	Registered weight Valid values are: 7 numbers = actual weight or "QUAL" = left justified qualifier indicator

## LEGEND

Character types and format are described for each entry. Character types are as follows:

- A - Alphabetic (A through Z or a through z)
- N - Numeric (0 through 9)
- S - Special (neither alphabetic or numeric)
- AN - Alphanumeric (alphabetic and numeric)
- AS - Alphabetic and special
- ANS - Alphabetic, Numeric and Special

Unless otherwise stated, alphabetic data are always left-justified in a field that may contain embedded blanks, numeric data are right-justified with leading zeros, and field lengths are fixed.

**APPENDIX F**  
**ARTICLE XVI, AUDITS**  
**ARTICLE XVII, ASSESSMENT CLAIMS UNDER AUDIT**  
**UNIFORM OPERATION AUDIT PROCEDURE**  
**GUIDELINES**

**ARTICLE XVI, AUDITS**

**1604 NOTIFICATION OF AUDIT FINDINGS**

Findings shall include a determination of net of fees

1. owed by the registrant
2. owed to the registrant

Base jurisdiction will provide the audit findings to:

1. The registrant
2. Member jurisdictions:
  - a) in which the registrant was apportioned
  - b) in which the registrant accrued miles

Time periods begin on the mailing date.

**1608 AUDIT APPEALS**

Registrant will have 30 days from the notification date to appeal.

Appeals Procedures: Initial filing will be in writing to base jurisdiction.  
If necessary, to Dispute Resolution Committee

Appeals will be conducted by the base jurisdiction on behalf of all member jurisdictions.

**1610 REEXAMINATIONS**

Jurisdictions will have 45 days from the notification date to notify the base jurisdiction of an error and intent to conduct reexamination.

Expenses will be borne by jurisdiction(s) performing the reexamination.

Reexamination Procedures:

1. Notification to base jurisdiction and to registrant
2. Base jurisdiction notifies other member jurisdictions
3. Reexamination must be:
  - a) based exclusively on sample period used by the base jurisdiction
  - b) performed within a reasonable amount of time



c) performed in cooperation with the base jurisdiction  
1612 FINDINGS OF A REEXAMINATION

Will be reconciled with original findings.  
Revised findings will be issued by base jurisdiction.

#### 1614 FINALITY OF AUDIT FINDINGS

Audit finding will be final pursuant to article XVI, sections 1608 and 1610, except in conditions of fraud.

### ARTICLE XVII ASSESSMENT CLAIMS UNDER AUDIT

#### 1704 NETTING OF AUDIT ADJUSTMENTS

Does not include credits calculated due to inadequate or unavailable records.  
Net underpayment — will be collected by the base jurisdiction from registrant.  
Net Overpayment — will be refunded by the base jurisdiction to registrant.

#### 1706 AUDIT TRANSMITTALS

Information will include:

1. registrant's name & account number
2. registration year or years audited
3. adjusted fees
  - a) to or from member jurisdictions
  - b) total transmitted or due

Fee adjustments will be transmitted to the member jurisdictions as appendages to transmittals.

## UNIFORM OPERATION AUDIT PROCEDURE GUIDELINES

### AUDIT PROCEDURE

#### **A. Inadequate Records**

Fees and penalties may be assessed for failure to provide adequate records based on

1. estimation of operation by base jurisdiction
2. registration fee for base jurisdiction

These fees will not be reflected in fees netted under Article XVI

### AUDIT REPORTING

#### **A. Audit Report**

Audit report

1. must be part of registrants file
2. must be submitted to all affected jurisdictions
3. need not be sent if there is no fee change

#### **C. Distribution of the Audit Findings**

Audit findings will be distributed by the base jurisdiction

1. to the registrant
2. to all affected jurisdictions

Fee adjustments will be transmitted in the form of appendages as per Section 1706.