

Motor Carrier Transportation Advisory Committee

Commerce and Compliance Division
Oregon Department of Transportation
Thursday, January 15, 2026

Housekeeping

- Today's meeting is being recorded.
- We are in a hybrid format.
- For those on Teams:
 - Please mute your visual device if calling in via phone for audio.
 - Turn down your sound as well.
 - Please use “raise hand” function for questions/comments.
- We will pause throughout for questions/comments.
- Please introduce yourself before speaking.

MCTAC Agenda



Motor Carrier Transportation Advisory Committee

Thursday, January 15, 2026 | 9 am to 10:30 am

Meeting Materials: <https://www.oregon.gov/odot/MCT/Pages/MCTAC.aspx>

Click here to join the meeting Audio only: +1 971-277-1965,,339809420#

Time		Topic		Action	Lead
9:00-9:05	5 min	01	Welcome	Discussion	Jason Lawrence
		- Welcome and housekeeping, overview of today’s agenda, etc. - Introducing our new ORRA representative – Craig Campbell			
9:05-9:15	10 min	02	Non-Domicile CDLs in Oregon	Information	Amy Joyce
		DMV will join us to provide information on this topic			
9:15-9:30	15 min	03	ODOT Updates	Information and Discussion	Travis Brouwer and Meliah Masiba
		- Introduction: Meliah Masiba, ODOT’s new Director of External Affairs - Travis and Meliah will give an update on agency leadership and speak to the referendum			
9:30-9:45	15 min	04	OTA’s Federal Priorities for 2026	Information	Mark Gibson
		Mark will present OTA’s federal focus for 2026			
9:45-10:30	45 min	05	CCD Priorities and Updates	Information	CCD Staff
		- Division Goals – Carla Phelps - WMT Simplification Project Update – Jenny Galvin - ELP Inspections – Jess Brown - Proposed OAR Amendments – Jason Lawrence, Elisha Brackett and Jenny Galvin			
Close		06	Close and Agenda Build	Discussion	All
		Agenda items for April 2026?			
Next Meeting: Thursday, April 16, 2026 9:00am-10:30 am					

MCTAC Summary Notes – October 16, 2025

Attendees: Members – Carla Phelps (ODOT-CCD), Mark Gibson (OTA), Diane DeAutremont (Lile International), Kristine Kennedy (Highway Heavy Hauling), Donny Callahan (OTTA), Kaiger Braseth (Mountain West Moving), Jon Golly (AOL); Support – Jason Lawrence (ODOT-CCD)

Presenters and Guests – Elisha Brackett (ODOT-CCD), Jenny Galvin (ODOT-CCD), Nick Hopper (ODOT-CCD), Jess Brown (ODOT-CCD), Audrey Lawson (ODOT-CCD), Travis Brouwer (ODOT), Galen McGill (ODOT), Matt Childs and Scott Dickinson (May Trucking)

Introductions and housekeeping

Looking Ahead at ODOT and HB 3991 Implementation – Travis Brouwer, ODOT Deputy Director and Carla Phelps, CCD Administrator: Travis joined us to provide details on recent changes in ODOT leadership and a recap on 2025's legislative special session. Carla Phelps is now confirmed as permanent Administrator of CCD. There have also been changes in ODOT's central leadership, along with leadership positions that are open for recruitment (e.g., Delivery and Operations Administrator and Director of Government Relations).

Travis' discussion focused primarily on HB 3991, the transportation funding package (see slides 7-13), highlighting what services will look like following this legislation.

Carla gave an overview of what the future of truck taxation will look like as CCD will simplify weight-mile tax, introduce a new registration system and transition to full IFTA participation by July 1, 2029 (slide 14).

Oregon Administrative Rule (OAR) Amendment Process – Jason Lawrence, CCD Legislative Coordinator: Jason walked the committee through the formal process of how administrative rules are amended, from the recognition of the need for amendments all the way through official posting and effective dates.

OAR Amendments– Jason and Nick Hopper, CCD Commercial Vehicle Licensing Services Branch Manager: Jason noted that CCD has completed the annual adoption of IFTA, IRP and HVUT in administrative rule.

Nick gave an overview of rule amendments required following the passing of SB 839, CCD's omnibus bill from the 2025 legislative session. Each of these changes was required to meet the statutory requirements of SB 839.

2025 Annual ITD Workshop Recap – Audrey Lawson, CCD Innovative Technology Deployment Manager: Audrey provided us with a recap of our inaugural ITD workshop. Attendees included FMCSA, ODOT, OTA and OSU, and for two days they gathered to discuss highway safety and operational challenges, brainstorm ITD opportunities ahead and set a direction for Oregon's ITD program (see slides 27-35).

Committee Discussion: Looking Ahead for MCTAC in 2026

ODOT Winter Planning – Galen McGill, ODOT Statewide Maintenance and Operations Engineer and Jess Brown, CCD Roadside Enforcement and Safety Compliance Branch Manager: Galen joined us to give a

preview of ODOT's 2025 winter operations plan, including plans for hiring seasonal staff and reminders for safe winter travel (see slides 40-45).

Jess followed Galen to speak specifically to CCD's work on winter travel safety and chain enforcement, looking at enforcement data from the last few winters and what CCD's plans are for the winter ahead.

Agenda build discussion. Close of meeting.

Non-domicile CDLs in Oregon

Amy Joyce, DMV Administrator

Limited Term CDL / CLP

Current Status & Next Steps

MCTAC Meeting January 15, 2026

Amy Joyce

DMV Administrator

What Happened?

- September 29 announcement from USDOT – interim emergency CFR
 - Concurrently, USDOT permanent rulemaking begins
- Oregon's program, formerly compliant, instantly not so
- DMV temporary/emergency rule suspends the program
 - No renewals, replacements, new issuances. Existing credential *status quo*.
- Federal Court stays the USDOT regulation
- Oregon temporary rule not lifted; permanent rule-making needed

Limited Term Commercial Driving Privileges aka Non-domicile

Full CDL

- Proof of identity and DOB
- Proof of Oregon residency
- Pass tests (unless OOS exchange)
- Proof of legal presence that is permanent (U.S. citizen, COFA, or permanent legal resident)
- Credential: 8 years

Limited Term CDL

- Proof of identity and DOB
- Proof of Oregon residency
- Pass tests (unless OOS exchange)
- Proof of legal presence that is temporary (e.g. employment authorization card; I-94)
 - Who? DACA, refugee, asylee
- Credential: Length of legal stay (less than 8 years)

Purpose of the RAC Meeting

What is a RAC? A forum for input by impacted groups to advise the agency before finalizing a draft OAR to be put out for public comment.

This RAC will review three rule options for permanent rules moving forward:

1. Permanently enact the temporary rule - continue to prohibit DMV from issuing limited-term CDLs and CLPs.
2. Allow people who held a limited-term CDL or CLP on September 29, 2025, to retain them, while prohibiting issuance of new limited-term credentials.
3. Allow the temporary rule to expire - resume issuing limited-term CDLs and CLPs as DMV did prior to the temporary administrative order.

DMV Rules Advisory Committee (RAC)

Virtual Meeting

Tuesday, January 20

MS Teams

*Contact us for meeting
information to listen in

Entities invited

OTA

TriMet

Oregon Department of Human Services - Office of Immigrant
and Refugee Advancement

Catholic Community Services' Refugee & Immigrant
Services Program (RISP)

ODOT - CCD

Public Transportation representative

League of Oregon Cities

Oregon Department of Education

Rulemaking Timeline

Temporary rule adopted October 13, remains in effect until April 10, 2026, then would revert to prior rules unless replaced.

Timeline:

- DOJ and DMV Administrator review after RAC meeting, staff edits
- Submit to SoS for public comment period February 1 - 21, 2026
- Public hearing in February
- Oregon Transportation Commission meeting March 12, 2026

Questions or Comments?

Thank you!



ODOT Updates

Travis Brouwer, ODOT Deputy Director

ODOT Budget Update

Motor Carrier Transportation Advisory Committee

January 15, 2026

Background

- We have a structural revenue problem due to:
 - Flattening revenues, particularly the gas tax
 - Inflation
 - Legal restrictions on how we can use transportation funds
- HB 3991 was intended to provide transportation funding to stabilize ODOT operations, cancel planned layoffs, and maintain service levels
- Most new HB 3991 revenue is delayed due to a voter referral



Austerity Measures

- We made more than \$170 million in voluntary cuts last budget cycle. We have:
 - Consolidated offices
 - Moved services online
 - Reduced fleet
 - Limited maintenance
 - Cut seasonal and temporary staff
 - Held positions vacant
- This budget cycle our budget has already been reduced by more than \$150 million
- ODOT has about 700 vacant positions– 1 in 7 positions across the agency





Where we stand now

- We face a funding gap of \$242 million this budget cycle
- This number is smaller than the \$350 million estimate from last summer because:
 - Legislature approved a budget that lowered expenditures
 - Higher-than-projected revenue
 - Higher-than-expected savings last budget cycle

Planning ahead

We are planning for two scenarios:

1. Resources are made available to cover critical service needs for the current budget cycle.
2. We must operate within current funding, requiring reductions, including layoffs.



Governor Kotek's Proposal

- **Repeal HB 3991** to avoid costs to ODOT that will deepen budget issues
- **Redirect resources** from transportation sources to ODOT operations and maintenance to avoid impacts of severe budget reductions
- **Rebuild** by convening stakeholders and legislators to develop a comprehensive transportation investment package for 2027



Impacts of Repeal

- **Net revenue:** Lose supplemental registration fees but avoid costs and loss of revenue at beginning of RUC implementation
- **Truck taxation modernization:** Continue prerequisite work, including replacing registration system
- **RUC:** Continue low-cost program development work
- **Accountability:** Continue CIAC changes and major project reporting
- **Tolling:** Remains paused under Governor Kotek's 2024 direction



Our Priorities

- **Our mission** – We'll focus on achieving our core work.
- **Our customers** – We'll prioritize frontline activities and customer service.
- **Our people and the services they provide** – We'll preserve filled positions to the maximum extent possible.





Closing the Gap

- Operating within current funding would require significant reductions
- We estimate needing to eliminate about 570 vacant positions and lay off about 470 employees

Impacts of Reductions

- Reduced road maintenance and weather response and slower emergency response
- More road safety issues due to deteriorating conditions and slower repairs
- DMV service reductions, longer lines and slower processing times
- Less highway upkeep like litter and graffiti removal and fewer traveler services



Questions?



Oregon Trucking Association: 2026 Federal Priorities

Mark Gibson, Government Relations Policy Advisor

Oregon Trucking Association Focal Points for 2026

MCTAC January 15, 2026

Federal Concerns

- **English Language Proficiency**
 - Rule simply reverts back to the potential for OOS adopted in 2016
- **Non-domiciled CDL holders**
- **Continued truck parking problem**
 - Unfortunately most of the past and future funding has and will likely be focused on the eastern side of the country
- **Crack-down on CDL training mills**
 - Nearly 3,000 shut-down and another 4,500 on notice
- **EPA re-evaluating NOX rules, with likely revisions**
 - “major changes to the program requirements while maintaining the model year 2027, can significantly reduce the cost of new heavy-duty vehicles...”
- **Marijuana reclassification to Schedule III drug**
- **Highway Bill**

Oregon Concerns and Initiatives

- **Why heavy trailers must be registered with the DMV and trucks with CCD**
- **ORION program and how things are progressing**
- **Loss of the Trusted Carrier Program**
- **Truck Parking a continuing concern**
 - Federal INFRA-grant status
- **Continue to monitor emissions rules and EV mandates**
- **Oregon Freight Plan Review**
- **Lane reductions, especially on freight routes**
- **Advocate for completion of previously funded projects**
- **Rose Quarter**
- **I5 Bridge**
- **HB 3991**
 - Referendum
 - Governors plan to repeal

Further Comments or Discussion?

CCD Priorities and Updates

CCD's Priorities

Carla Phelps, CCD Administrator

CCD's Biennial Priorities

Succession
Planning

HB 3991
Implementation

PMOB Stand Up

Regulatory Reform

ITD Planning

Collaborative
Relationships



Questions or Comments?

Thank you!



WMT Simplification

Jenny Galvin, Tax Program Branch Manager



Weight Mile Tax (WMT) Simplification and Flat Fee Changes

Effective July 1, 2027

What will change:

- Weight-Mile Tax based on registered weight
- Fewer tax rates
- Removes the \$5 per vehicle suspension fee
- Flat fee changes:
 - Sand and gravel rates increase
 - Log rates decrease

Benefits to you:

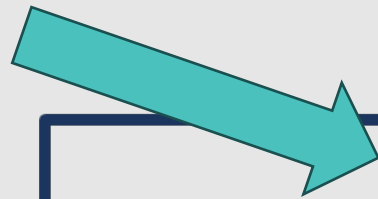
- Decreases the amount of record keeping – no configuration tracking!
- Simplifies reporting
- Eliminates the need to declare multiple weights

What should you do?

- Keep informed
- Details are being worked out
- No action needed right now

WMT Simplification: What to Expect

- Changes to Oregon Administrative Rules (OARs)
- Updated forms and processes for WMT reporting
- System programming work (internal systems and Oregon Trucking Online)
- Directions on steps to take and when to take them
- Regular Communications



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<https://public.govdelivery.com/accounts/ORDOT/subscriber/new>

Questions:

CCDSupportServices@odot.oregon.gov

Questions or Comments?

Thank you!



ELP Inspections

Jess Brown, Roadside Enforcement and Safety Compliance Branch Manager

What is an ELP inspection? Why do them?

- Per 49 391.11(b)(2), all CMV drivers must be able to "read and speak the English language sufficiently" to:
 - Converse with the general public
 - Understand highway and traffic signs/signals
 - Respond to official inquiries, and
 - Make entries on reports and records.
- An assessment is completed to ensure drivers meet this regulation.

ELP History

- 2016 Enforcement Policy (MC-ECE-2016-006) from previous administration – allowed apps, interpreter, etc.
- May 2025 - Current administration Executive Order (FMCSA Policy MC-SEE-2025-0001) to enforce the regulation – provides guidance for roadside assessment
- Based on the executive order CVSA added violation back to the OOS criteria.

The Assessment

- We created an assessment form for roadside staff based on CVSA guidance.
- Part 1 is general questions for roadside inspections.
 - Intended to determine if the driver can generally communicate in English.
 - If driver fails, they are written a violation and placed OOS.
 - If driver passes, inspector moves on to Part 2.
- Part 2 is highway signs.
 - Driver must be able to identify common signs.
 - If driver fails, they are written a violation and placed OOS.

Inspector Training

- Due to the subjective nature, all inspectors have completed extensive training.
- Inspectors are taught to ask the questions in a variety of ways to see if the driver understands the question.
- Our goal is to prevent putting drivers OOS when they understand English but are simply slow to respond due to English being their second language.

Commitment to Equity

- Selection must be based on existing violations, inability to follow directions on reader boards/signs, high CSA scores, random selection, etc.
- Inspectors must follow all 37 steps of Level 1 Inspection.
- Inspectors cannot select an inspection based upon perception of driver's ability to speak English.
- This ensures a fair and equitable inspection when following CVSA inspection process.

Current Statistics (since implementation June 2025)

- Oregon Inspections: 10,709
- ELP's assessed: 275
 - Failures: 202
 - Pass: 73

Questions or Comments?

Thank you!



OAR Updates

Jason Lawrence, Rules Coordinator

Elisha Brackett, Business Operations Branch Manager

Jenny Galvin, Tax Program Branch Manager

OAR Updates

- Sunset for Trusted Carrier Plates: Repeal of 740-045-0060, 0065, 0070 and 0075
- CCD Refunds: 740-055-0020, 740-055-0110 and 740-200-0030
- CCD Coin/Cash Handling: 740-040-0070 and 740-055-0020
- Highway Use Tax Bond Requirements: OAR 740-040-0070

740-045-0060, 0065, 0070 and 0075 Sunset for Trusted Carrier Plates

- Full repeal of TCP in OAR
- No longer issuing TCP plates
- Saving administrative costs for CCD



Refunds and Pennies



REFUND PROCESS



CASH HANDLING DUE TO THE
CEASING OF MINTING PENNIES

Chapter 740 - Refund Process

- Update CCD refund practice to ensure alignment with administration of public funds ORS 293.445
 - Changes timing of refunds
 - Establishes a minimum sum required to require a written request for refund - \$100
 - Cleans up language to remove conflicting statements

OAR 740-200-0030

Transfer of Registration Fees and Refunds

- Replace all use of "**refund**" with "**credit**".
 - Subsequently delete definition of "refund" as it is no longer used in this division.
- Correct misspelled "**accidentally**" with **accidentally**.
- Remove unnecessary ORS reference in (2)(h):
 - *[Claims for refunds under this subsection shall be filed and paid as provided for refunds under ORS 802.110.]* To qualify for a refund under this subsection, a registration fee in excess of \$10 must have been paid for the vehicle, the vehicle must have been registered in this state and the vehicle must be one of the following:

OAR 740-055-0110

Fuel Purchase Records and Refunds

(4) Motor carriers may submit a written request for **[refund] credit** of Oregon state fuel tax paid up to three years after purchase **for receipts dated prior to July 1, 2029**. A written request for **[refund] credit** may be granted for any Oregon fuel tax paid but not deducted from the highway use tax report for the period in which the fuel was purchased. Motor carriers requesting **[refund] credit** must attach copies of all invoices. No such **[refund] credit** will be issued until an audit has been performed.

(5) If a credit is issued to an account for Oregon state fuel tax, credits will be refunded in accordance with OAR 740-055-0020.

OAR 740-055-0020

Payments of Fees and Refunds

(6) The Department will not issue a refund by cash to a motor carrier. *[The Department will not issue a refund by check to a motor carrier unless the dollar amount is equal to or greater than \$100.00.]*

(7) The Department shall refund any account balance or authorized refund for \$100 or more.

~~[(7)]~~(8) The Department *[will only]* shall issue a *[check]* refund for less than \$100.00 *[after a motor carrier's account has been audited and]*:

(a) If a written request is submitted from the person who paid the money or a legal representative; or

(b) The account is closed.

Chapter 740 – Discontinuation of minting pennies

- Due to the elimination of the penny, we will soon no longer be able to issue change in denominations less than five cents.
 - No coin change will be given in cash transactions.
 - Remaining change will be issued as a credit to the motor carrier's account.

OAR 740-055-0020

Payments of Fees and Refunds

- (1) Carriers registered with the Oregon Department of Transportation, or their agents as established either through an approved Power of Attorney or prior remittance of taxes or fees on behalf of the carrier, shall pay taxes and fees by either:
 - (a) **[Cash] United States currency and coins;**
 - [...]
- (2) Carriers not registered with the Oregon Department of Transportation shall pay fees and taxes due by either:
 - (a) **[Cash] United States currency and coins;**
 - [...]
- (4) When payment is made with currency and coin:**
 - (a) If a customer pays more than the amount due, the Department shall issue change in paper currency only; and**
 - (b) Any coin value owed shall be credited to the customer's motor carrier account.**

OAR 740-040-0070

Highway Use Tax Bonds

- "Loosening" motor carrier bond requirements
- Saving administrative costs for CCD
- Simplifying compliance for industry
- No negative impacts for businesses

OAR 740-040-0070

(4) The Department may waive the deposit required of:

(a) A new carrier *[with a Dun & Bradstreet rating of 3A2 or higher];*

(b) An established carrier if the Department finds that in the previous 12 months the motor carrier has been required to file weight-mile tax reports for each of the reporting periods (monthly, quarterly, or annually) and has had no:

(A) Suspensions with the Department;

(B) Revocation of IFTA tax license;

(C) *More than one [W]*weight-mile tax report*[s]* filed late;

(D) Fees not timely paid;

(E) More than two estimated weight-mile tax reports filed;

(F) More than one estimated weight-mile tax report filed without an actual report filed within a 30-day period;

(G) Non-sufficient fund check(s) or returned Automated Clearing House (ACH) transaction(s); and

(H) Outstanding billings for over-dimensional variance permits.

OAR 740-040-0070

(6) The deposit required of a motor carrier may be increased, or a previously waived deposit may be required of a motor carrier, in accordance with subsection (3)[(b)] of this rule, if Department records indicate that:

[...]

(9) Acceptable forms of deposit. Any motor carrier may deposit:

(a) Cash, in accordance with OAR 740-055-0020;

(b) A bond in the form prescribed and furnished by the Department of Transportation; or

(c) Bonds, negotiable by delivery, of the State of Oregon, school districts therein, or obligations of the United States, or obligations for which the faith of the United States is pledged for the payment of both principal and interest, equal in value to the amount of the requested deposit; [or]

[(d) Bank or savings and loan savings certificates.]

Questions or Comments?

Thank you!



**Agenda Build
for
April 16, 2026**

What would you like us to cover in April?

Additional Resources & Information

- [Oregon Transportation Plan](#)
- [Oregon Transportation Commission](#)
- [Oregon Freight Advisory Committee](#)
- [Urban Mobility Office](#)
- [Equity and Mobility Advisory Committee](#)
- [Oregon Safety Transportation Plan](#)

For questions or comments
about MCTAC meetings,
please email:

MCTACContacts@odot.Oregon.gov

Text to be removed is [*bracketed and in italics*].
Text to be added is in **bold**.

Repealing all Trusted Carrier Program rules in full:

[OAR 740-045-0060 Qualifications for Trusted Carrier Partner Program for a Property-Carrying Motor Carrier

(1) In order to qualify for participation in the Trusted Carrier Partner program, a motor carrier must:

(a) Have at least 12 months history of Oregon operations;

(b) Have a valid USDOT number;

(c) Be a participant in Oregon's commercial vehicle electronic preclearance weigh station bypass program (GreenLight);

(d) Not have an unsatisfactory safety rating with the State or Federal regulatory agencies;

(e) Not be a carrier identified by the FMCSA Safety Measurement System as a carrier needing corrective interventions;

(f) Not have a record of safety violations, including, but not limited to, violating an out-of-service order or having a driver found driving under the influence; or

(g) Not have a driver and/or vehicle out-of-service percentage greater than the national compliance average.

(2) In addition to the requirements found in section (1) of this rule, the Department may deny participation in the Trusted Carrier Partner program for violations or conditions related to registration or tax requirements including, but not limited to:

(a) Suspensions with the Department;

(b) Civil monetary penalty actions;

(c) Revocations of IFTA tax license;

(d) More than one motor carrier related tax report filed late; or

(e) More than one repayment plan entered into or satisfactorily concluded.]

[740-045-0065 Qualifications for Trusted Carrier Partner Program for a Passenger-Carrying Motor Carrier

[(1) In order to qualify for participation in the Trusted Carrier Partner program, a motor carrier must:

- (a) Have at least 12 months history of Oregon operations;*
- (b) Have a valid USDOT number;*
- (c) Not have an unsatisfactory safety rating with the State or Federal regulatory agencies;*
- (d) Not be a carrier identified by the FMCSA Safety Measurement System as a carrier needing corrective interventions;*
- (e) Not have a record of safety violations, including, but not limited to, violating an out-of-service order or having a driver found driving under the influence; or*
- (f) Not have a driver and/or vehicle out-of-service percentage greater than the national compliance average.*

(2) In addition to the requirements found in section (1) of this rule, the Department may deny participation in the Trusted Carrier Partner program for violations or conditions related to registration or tax requirements including, but not limited to:

- (a) Suspensions with the Department;*
- (b) Civil monetary penalty actions;*
- (c) Revocations of IFTA tax license;*
- (d) More than one motor carrier related tax report filed late; or*
- (e) More than one repayment plan entered into or satisfactorily concluded.*

(3) Passenger carrying vehicles identified by the Trusted Carrier Partner program are subject to periodic inspection by ODOT.]

[OAR 740-045-0070 Trusted Carrier Partner Plates for Property-Carrying Vehicles

(1) In order to identify their status, Trusted Carrier Partners will be issued Trusted Carrier Partner plates (TCP plates) for each motor vehicle in their fleet

(2) A Trusted Carrier Partner must:

(a) Display TCP plates on the front of the vehicle(s) and in accordance with OAR 740-045-0020

(Oregon Commercial or Apportioned Vehicle Registration Plates, Placement)(2)(c); and

(b) Display the motor carrier's USDOT number on the TCP plate.

(3) TCP plates are valid unless the Trusted Carrier Partner to which they are issued:

(a) No longer meets the qualifications identified in OAR 740-045-0060 (Qualifications for Trusted Carrier Partner Program for a Property-Carrying Motor Carrier);

(b) Uses the transponder or other device or TCP plate in a manner not authorized by the Department; or

(c) Files bankruptcy.

(4) When the motor carrier is notified by the Department that a TCP plate is invalidated, the motor carrier must immediately remove the plate from the motor vehicle and return it to the Department.

(5) A Trusted Carrier Partner who leases a motor vehicle with a TCP plate to another motor carrier must remove the TCP plate until the leased motor vehicle is returned to the control of the Trusted Carrier Partner.]

[OAR 740-045-0075 Trusted Carrier Partner Plates for Passenger-Carrying Vehicles

(1) In order to identify their status, Trusted Carrier Partners will be issued Trusted Carrier Partner plates (TCP plates).

(2) A Trusted Carrier Partner must:

(a) Display TCP plates on the front of the vehicle(s) and in accordance with OAR 740-045-0020 (Oregon Commercial or Apportioned Vehicle Registration Plates, Placement)(2)(c); and

(b) Display the motor carrier's USDOT number on the TCP plate.

(3) TCP plates are valid unless the Trusted Carrier Partner to which they are issued:

(a) No longer meets the qualifications identified in OAR 740-045-0065 (Qualifications for Trusted Carrier Partner Program for a Passenger-Carrying Motor Carrier);

(b) Uses TCP plate in a manner not authorized by the Department; or

(c) Files bankruptcy.

(4) When the motor carrier is notified by the Department that a TCP plate is invalidated, the motor carrier must immediately remove the plate from the motor vehicle and return it to the Department.

(5) A Trusted Carrier Partner who leases a motor vehicle with a TCP plate to another motor carrier must remove the TCP plate until the leased motor vehicle is returned to the control of the Trusted Carrier Partner.]

Amendments for the handling of coins:

740-055-0020 Payments of Fees and Refunds

(1) Carriers registered with the Oregon Department of Transportation, or their agents as established either through an approved Power of Attorney or prior remittance of taxes or fees on behalf of the carrier, shall pay taxes and fees by either:

- (a) **[Cash] United States currency and coins;**
- (b) Bank Draft;
- (c) Guaranteed Draft;
- (d) Credit card or debit card under the conditions described in OAR 740-015-0080;
- (e) Cashier's Check;
- (f) Travelers Check;
- (g) Company check when drawn in the name of record of the account to which it is to be applied;
- (h) Personal or business check; or
- (i) Payment through an Automated Clearing House (ACH).

(2) Carriers not registered with the Oregon Department of Transportation shall pay fees and taxes due by either:

- (a) **[Cash] United States currency and coins;**
- (b) Bank Draft;
- (c) Guaranteed Draft;
- (d) Credit card or debit card under the conditions described in OAR 740-015-0080;
- (e) Cashier's Check; or
- (f) Travelers Check.

(3) All payments to the Oregon Department of Transportation for taxes and fees shall be in United States funds.

(4) When payment is made with currency and coin:

(a) If a customer pays more than the amount due, the Department shall issue change in paper currency only; and

(b) Any coin value owed shall be credited to the customer's motor carrier account.

(4)(5) In the event any check drawn payable to the Department for payment of taxes or fees is not honored, the motor carrier account for which the check was drawn will be assessed the maximum service charge authorized by ORS 30.701(5) for each such check and the motor carrier account for which the check was drawn may thereafter be required to remit taxes or fees by credit card or debit card under the conditions described in OAR 740-015-0080, money order, bank draft, certified check, or cash.

(5)(6) The Department will not issue a refund by cash to a motor carrier. The Department will not issue a refund by check to a motor carrier unless the dollar amount is equal to or greater than \$100.00.

(6)(7) The Department will only issue a check for less than \$100.00 after a motor carrier's account has been audited and closed.

Statutory/Other Authority: ORS 184.619, 823.011, 825.502

Statutes/Other Implemented: ORS 30.701, 825.498, 825.502

740-040-0070 Deposits to Secure Payment of Fees, Taxes, Charges, Penalties and Interest

(1) The Department requires each motor carrier that does not qualify for a deposit waiver under section (4) of this rule to deposit with the Department an amount of money necessary to insure the collection of fees, taxes, charges, penalties and interest.

(2) For purposes of this rule:

(a) "New carrier" means any motor carrier that has not:

(A) Previously received a permit or certificate of authority from the Department; or

(B) Operated in Oregon for 12 months or more in the most recent 36-month period after receiving a permit or certificate of authority from the Department.

(b) "Established carrier" means any motor carrier that has operated in Oregon for 12 months or more in the most recent 36-month period;

(c) If an applicant, carrier, or employee of the applicant or carrier has had substantial interest or control, directly or indirectly, in or over the operations conducted in Oregon under any carrier's authority, the Department may treat the applicant or carrier as an established carrier.

(3) The security deposit schedule is as follows:

(a) Except as described in subsections (c) and (d) of this section, for new carriers:

(A) One vehicle — \$2,000;

(B) Plus \$375 for each additional vehicle from 2-5 vehicles;

(C) Plus \$250 for each additional vehicle from 6-10 vehicles;

(D) Plus \$125 for each additional vehicle above 10 vehicles;

(E) Maximum deposit required — \$10,000.

(b) Except as described in subsections (c) and (d) of this section, for established carriers required to have a deposit, the deposit amount will be an amount determined by a review of Department records or as specified in paragraph (A) to (E) of this subsection, whichever is greater:

(A) One vehicle — \$2,000;

(B) Plus \$750 for each additional vehicle from 2-5 vehicles;

(C) Plus \$500 for each additional vehicle from 6-10 vehicles;

(D) Plus \$250 for each additional vehicle from 10 vehicles;

(E) Maximum deposit required -- \$20,000.

(c) For private carriers, carriers that conduct operations under ORS 825.020 or farmers issued permits under 825.024 who operate motor vehicles weighing under 55,000 pounds that use gasoline on which gasoline tax provided by law has been paid to the State of Oregon:

(A) One vehicle — \$500;

(B) Plus \$150 for each additional vehicle;

(C) Maximum deposit required — \$10,000.

(d) For private carriers, carriers that conduct operations under ORS 825.020 or farmers issued permits under 825.024 who operate motor vehicles weighing under 55,000 pounds that use any fuel other than gasoline or use gasoline on which gasoline tax provided by law has not been paid to the State of Oregon:

(A) One vehicle — \$750;

(B) Plus \$225 for each additional vehicle;

(C) Maximum deposit required — \$15,000.

(4) The Department may waive the deposit required of:

(a) A new carrier with a Dun & Bradstreet rating of 3A2 or higher;

(b) An established carrier if the Department finds that in the previous 12 months the motor carrier has been required to file weight-mile tax reports for each of the reporting periods (monthly, quarterly, or annually) and has had no:

(A) Suspensions with the Department;

- (B) Revocation of IFTA tax license;
 - (C) Weight-mile tax reports filed late;
 - (D) Fees not timely paid;
 - (E) More than two estimated weight-mile tax reports filed;
 - (F) More than one estimated weight-mile tax report filed without an actual report filed within a 30-day period;
 - (G) Non-sufficient fund check(s) or returned Automated Clearing House (ACH) transaction(s); and
 - (H) Outstanding billings for over-dimensional variance permits.
- (5) Notwithstanding subsection (4) of this rule, a carrier may not qualify for a waiver of the deposit if within the previous 36 months the carrier has had:
- (a) A weight-mile tax audit resulting in an assessment that exceeds by more than 15% the amount of the weight-mile taxes and fees reported and paid during the audit period; or
 - (b) An outstanding balance with the Department's Collection Unit for fees owed to the Department under ORS chapter 825 and/or ORS 818.225.
- (6) The deposit required of a motor carrier may be increased, or a previously waived deposit may be required of a motor carrier, in accordance with subsection (3)(b) of this rule, if Department records indicate that:
- (a) In the previous 12 months the motor carrier has had:
 - (A) Any suspensions with the Department;
 - (B) Revocation of IFTA tax license;
 - (C) More than one weight-mile tax report filed late;
 - (D) Fees not timely paid;
 - (E) More than two estimated weight-mile tax reports filed;
 - (F) More than one estimated weight-mile tax report filed without an actual report filed within 30 days;
 - (G) Any non-sufficient fund check(s) or returned ACH transaction(s) with the Department; or
 - (H) Delinquent billings for over-dimensional variance permits, including associated road use assessment fees;
 - (I) Delinquent reports required for operations subject to ORS 818.225; or
 - (b) In the previous 36 months, the carrier has had a weight-mile tax audit resulting in an assessment that exceeds by more than 15% the amount of the weight-mile taxes and fees reported and paid during the audit period; or
 - (c) The carrier has had an outstanding balance with the Department's Collection Unit for fees owed to the Department under ORS 818.225 and/or ORS chapter 825.
- (7) The Department may delay granting a waiver of the security deposit if the carrier is being audited.
- (8) If a carrier's cash deposit is applied to an outstanding balance or a claim is filed against a carrier's highway use tax bond filed pursuant to ORS 825.506, the authority under the certificate or permit shall be suspended until the cash deposit has been replaced or the full bond requirements have again been met.
- (9) Acceptable forms of deposit. Any motor carrier may deposit:
- (a) Cash **in accordance with OAR 740-055-0020;**
 - (b) A bond in the form prescribed and furnished by the Department of Transportation;
 - (c) Bonds, negotiable by delivery, of the State of Oregon, school districts therein, or obligations of the United States, or obligations for which the faith of the United States is pledged for the payment of both principal and interest, equal in value to the amount of the requested deposit; or
 - (d) Bank or savings and loan savings certificates.

(10) The Department reserves the right to modify or waive a deposit required by this rule if Department records indicate such modification, or waiver, is in the public interest.

Amendments for the handling of refunds and credit:

740-055-0020 Payments of Fees and Refunds

(1) Carriers registered with the Oregon Department of Transportation, or their agents as established either through an approved Power of Attorney or prior remittance of taxes or fees on behalf of the carrier, shall pay taxes and fees by either:

- (a) United States currency and coins;
- (b) Bank Draft;
- (c) Guaranteed Draft;
- (d) Credit card or debit card under the conditions described in OAR 740-015-0080;
- (e) Cashier's Check;
- (f) Travelers Check;
- (g) Company check when drawn in the name of record of the account to which it is to be applied;
- (h) Personal or business check; or
- (i) Payment through an Automated Clearing House (ACH).

(2) Carriers not registered with the Oregon Department of Transportation shall pay fees and taxes due by either:

- (a) United States currency and coins;
- (b) Bank Draft;
- (c) Guaranteed Draft;
- (d) Credit card or debit card under the conditions described in OAR 740-015-0080;
- (e) Cashier's Check; or
- (f) Travelers Check.

(3) All payments to the Oregon Department of Transportation for taxes and fees shall be in United States funds.

(4) When paying with currency and coin:

(a) If a customer pays more than the amount due, the Department shall issue change in paper currency only.

(b) Any coin value owed shall be credited to the customer's motor carrier account.

(5) In the event any check drawn payable to the Department for payment of taxes or fees is not honored, the motor carrier account for which the check was drawn will be assessed the maximum service charge authorized by ORS 30.701(5) for each such check and the motor carrier account for which the check was drawn may thereafter be required to remit taxes or fees by credit card or debit card under the conditions described in OAR 740-015-0080, money order, bank draft, certified check, or cash.

(6) The Department will not issue a refund by cash to a motor carrier. *[The Department will not issue a refund by check to a motor carrier unless the dollar amount is equal to or greater than \$100.00.]*

(7) The Department shall automatically refund any account balance or authorized refund for \$100 or more.

(8) The Department may apply refunds to other amounts due to the department before issuing a refund.

[(7)](9) The Department [will only] shall issue a [check] refund for less than \$100.00 [after a motor carrier's account has been audited and]:

(a) If a written request is submitted from the person who paid the money or a legal representative; or

(b) The account is closed.

Statutory/Other Authority: ORS 184.619, **293.445**, 823.011, 825.502

Statutes/Other Implemented: ORS 30.701, 825.498, 825.502

740-200-0030 Transfer of Registration Fees and **[Refunds] Credit**

(1) For purposes of this rule the following definitions apply:

(a) The term “transfer of registration fees” refers to the application of an existing credit on the motor carrier’s account in a manner consistent with this rule.

[(b) A refund means the return of money originally paid by the registrant to the Department.]

(b) [(c)] Registration periods are based on a calendar year. When a registrant elects to pay Oregon registration fees for calendar quarters, the registration starts on the first day of the calendar quarter and runs through the last day of the last calendar quarter in the registration period.

(2) The Department may grant unexpired Oregon registration fee **[refunds] credit** if requested in writing when:

(a) It has issued to a registrant duplicate registration for a vehicle which was for the registrant within the same fleet during the registration period;

(b) A registrant has, during the registration period, changed a vehicle from registration solely in Oregon to registration under the International Registration Plan;

(c) A registrant has registered a vehicle at a weight above the legal capacity of the vehicle without operating over the legal capacity and has, during the registration period, reduced the weight to the vehicle's legal capacity;

(d) The Department has conducted an audit which shows that a registrant overpaid registration fees;

(e) A registrant has registered a non-apportioned vehicle in error, has returned the registration credentials, and the Department has received the registration credentials before the effective date of the registration;

(f) The Department has determined that it has, through a computation error, overcharged a registrant for registration fees;

(g) A registrant has gone out of business during the registration period and meets the conditions specified in ORS 826.039 for non-apportioned vehicles subject to weight-mile tax that are fully registered in Oregon; or

(h) A registrant has shown that it is entitled to a **[refund] credit** of unused registration fees for a non-apportioned vehicle that has been **[accidentally] accidentally** destroyed so as to be incapable of further operation. Destroyed does not mean mechanical failure or defect. The person in whose name the vehicle is registered is entitled to a **[refund] credit** of that portion of the fee applicable to the then unexpired portion of the registration period. Any registration card and registration plates issued for the vehicle must be surrendered to the department for cancellation when application for **[refund] credit** is made under this subsection. ***[Claims for refunds under this subsection shall be filed and paid as provided for refunds under ORS 802.110.]*** To qualify for a **[refund] credit** under this subsection, a registration fee in excess of \$10 must have been paid for the vehicle, the vehicle must have been registered in this state and the vehicle must be one of the following:

(A) A motor vehicle with a registration weight of more than 10,000 pounds.

(B) A truck tractor with a registration weight of more than 8,000 pounds.

(3) The Department will not grant registration **[refunds] credit** when:

(a) A registrant has, during the registration period, changed from registration under the International Registration Plan to registration solely in Oregon;

(b) A registrant not entitled to a **[refund] credit** under subsection (1)(g) of this rule has, during the registration period, removed a vehicle from service;

(c) A registrant has, during the registration period, gone out of business and does not meet the conditions specified in ORS 826.039;

(d) A registrant has, during the registration period, reduced weight for a vehicle;

- (e) A registrant operating in Oregon and in one or more other states has, during the registration period, changed its base state;
 - (f) The Department has, for any reason, canceled the registration;
 - (g) A registrant has elected calendar quarters and has operated at any time within any of the designated quarters;
 - (h) A motor carrier operating a vehicle after the effective date of a vehicle's registration period will not be granted a **[refund] credit**; or
 - (i) Registration dollars have been collected and transferred to another jurisdiction. In this circumstance, the motor carrier requesting a **[refund] credit** must request the **[refund] credit** directly from the jurisdiction to which the funds have been transferred.
- (4) If a vehicle is permanently withdrawn from a fleet that is proportionally registered under ORS 826.009 or 826.011 as a result of being destroyed, sold or otherwise removed from the service of the registrant, the Department may issue a transfer of fees for the unused, unexpired portion of the registration in accordance with the terms of interstate agreements. The transfer of fees must be used to register a similar vehicle in the same fleet and within the same registration year. The fees will not be subject to **[refund] credit**.

740-055-0110 Fuel Purchase Records and Refunds

(1) All motor carriers must obtain an invoice covering every purchase of motor vehicle fuel and preserve the same for a period of three (3) years subject to inspection by the Department or its representatives at all reasonable times. Fuel Card statements reflecting purchases from retail stations must clearly separate and identify retail and cardlock purchases. Purchases from retail stations require an invoice or receipt from the original seller to be accepted.

(2) Such invoice or statement must disclose:

(a) Date and location of purchase;

(b) From whom purchased;

(c) Kind of fuel and number of gallons purchased;

(d) Base jurisdiction, license plate number of vehicle enrolled in the weight-mile tax program, temporary pass number, or Special Transportation Permit of the vehicle if fuel is delivered directly into such vehicle; and

(e) Amount of fuel tax paid.

(3) Motor carriers purchasing fuel in Oregon may claim a credit for Oregon state fuel tax paid at the pump. Carriers shall deduct the amount of fuel tax paid from the highway use tax due on the highway use tax report for the period in which the fuel was purchased. Motor carriers taking a deduction on the highway use tax report for fuel tax paid shall attach a copy of all fuel invoices for which credit is claimed. Carriers who purchase fuel in bulk shall attach to the highway use tax report for the period in which the fuel was dispensed into a motor vehicle copies of invoices from fuel suppliers indicating Oregon state fuel tax paid and fueling records showing fuel dispensed for each motor vehicle.

(4) Motor carriers may submit a written request for [refund] credit of Oregon state fuel tax paid up to three years after purchase. A written request for [refund] credit may be granted for any Oregon fuel tax paid but not deducted from the highway use tax report for the period in which the fuel was purchased. Motor carriers requesting [refund] credit must attach copies of all invoices. No such [refund] credit will be issued until an audit has been performed.

(5) If a credit is issued to an account for Oregon state fuel tax, credits will be refunded in accordance with OAR 740-055-0020.

(6) Credits are eligible under ORS 825.486 which is set to be repealed on July 1, 2029, per HB 3991.

Statutory/Other Authority: ORS 184.619 & 823.011, **825.486**

Statutes/Other Implemented: ORS 825.476, 825.480, 825.484 & 825.486

Amendments for the handling of highway use tax bonds:

740-040-0070

Deposits to Secure Payment of Fees, Taxes, Charges, Penalties and Interest

(1) The Department requires each motor carrier that does not qualify for a deposit waiver under section (4) of this rule to deposit with the Department an amount of money necessary to insure the collection of fees, taxes, charges, penalties and interest.

(2) For purposes of this rule:

(a) "New carrier" means any motor carrier that has not:

(A) Previously received a permit or certificate of authority from the Department; or

(B) Operated in Oregon for 12 months or more in the most recent 36 month period after receiving a permit or certificate of authority from the Department.

(b) "Established carrier" means any motor carrier that has operated in Oregon for 12 months or more in the most recent 36-month period;

(c) If an applicant, carrier, or employee of the applicant or carrier has had substantial interest or control, directly or indirectly, in or over the operations conducted in Oregon under any carrier's authority, the Department may treat the applicant or carrier as an established carrier.

(3) The security deposit schedule is as follows:

(a) Except as described in subsections (c) and (d) of this section, for new carriers:

(A) One vehicle — \$2,000;

(B) Plus \$375 for each additional vehicle from 2-5 vehicles;

(C) Plus \$250 for each additional vehicle from 6-10 vehicles;

(D) Plus \$125 for each additional vehicle above 10 vehicles;

(E) Maximum deposit required — \$10,000.

(b) Except as described in subsections (c) and (d) of this section, for established carriers required to have a deposit, the deposit amount will be an amount determined by a review of Department records or as specified in paragraph (A) to (E) of this subsection, whichever is greater:

(A) One vehicle — \$2,000;

(B) Plus \$750 for each additional vehicle from 2-5 vehicles;

(C) Plus \$500 for each additional vehicle from 6-10 vehicles;

(D) Plus \$250 for each additional vehicle from 10 vehicles;

(E) Maximum deposit required -- \$20,000.

(c) For private carriers, carriers that conduct operations under ORS 825.020 or farmers issued permits under 825.024 who operate motor vehicles weighing under 55,000 pounds that use gasoline on which gasoline tax provided by law has been paid to the State of Oregon:

(A) One vehicle — \$500;

(B) Plus \$150 for each additional vehicle;

(C) Maximum deposit required — \$10,000.

(d) For private carriers, carriers that conduct operations under ORS 825.020 or farmers issued permits under 825.024 who operate motor vehicles weighing under 55,000 pounds that use any fuel other than gasoline or use gasoline on which gasoline tax provided by law has not been paid to the State of Oregon:

(A) One vehicle — \$750;

(B) Plus \$225 for each additional vehicle;

(C) Maximum deposit required — \$15,000.

(4) The Department may waive the deposit required of:

(a) A new carrier [with a Dun & Bradstreet rating of 3A2 or higher];

(b) An established carrier if the Department finds that in the previous 12 months the motor carrier has been required to file weight-mile tax reports for each of the reporting periods (monthly, quarterly, or annually) and has had no:

(A) Suspensions with the Department;

(B) Revocation of IFTA tax license;

(C) **More than one [W]weight-mile tax report[s]** filed late;

(D) Fees not timely paid;

(E) More than two estimated weight-mile tax reports filed;

(F) More than one estimated weight-mile tax report filed without an actual report filed within a 30-day period;

(G) Non-sufficient fund check(s) or returned Automated Clearing House (ACH) transaction(s); and

(H) Outstanding billings for over-dimensional variance permits.

(5) Notwithstanding subsection (4) of this rule, a carrier may not qualify for a waiver of the deposit if within the previous 36 months the carrier has had:

(a) A weight-mile tax audit resulting in an assessment that exceeds by more than 15% the amount of the weight-mile taxes and fees reported and paid during the audit period; or

(b) An outstanding balance with the Department's Collection Unit for fees owed to the Department under ORS chapter 825 and/or ORS 818.225.

(6) The deposit required of a motor carrier may be increased, or a previously waived deposit may be required of a motor carrier, in accordance with subsection (3)[(b)] of this rule, if Department records indicate that:

(a) In the previous 12 months the motor carrier has had:

(A) Any suspensions with the Department;

(B) Revocation of IFTA tax license;

(C) More than one weight-mile tax reports filed late;

(D) Fees not timely paid;

(E) More than two estimated weight-mile tax reports filed;

(F) More than one estimated weight-mile tax report filed without an actual report filed within 30 days;

(G) Any non-sufficient fund check(s) or returned ACH transaction(s) with the Department; or

(H) Delinquent billings for over-dimensional variance permits, including associated road use assessment fees;

(I) Delinquent reports required for operations subject to ORS 818.225; or

(b) In the previous 36 months, the carrier has had a weight-mile tax audit resulting in an assessment that exceeds by more than 15% the amount of the weight-mile taxes and fees reported and paid during the audit period; or

(c) The carrier has had an outstanding balance with the Department's Collection Unit for fees owed to the Department under ORS 818.225 and/or ORS chapter 825.

(7) The Department may delay granting a waiver of the security deposit if the carrier is being audited.

(8) If a carrier's cash deposit is applied to an outstanding balance or a claim is filed against a carrier's highway use tax bond filed pursuant to ORS 825.506, the authority under the certificate or permit shall be suspended until the cash deposit has been replaced or the full bond requirements have again been met.

(9) Acceptable forms of deposit. Any motor carrier may deposit:

(a) Cash, **in accordance with OAR 740-055-0020;**

(b) A bond in the form prescribed and furnished by the Department of Transportation; **or**

(c) Bonds, negotiable by delivery, of the State of Oregon, school districts therein, or obligations of the United States, or obligations for which the faith of the United States is pledged for the payment of both principal and interest, equal in value to the amount of the requested deposit; **[or]**

[(d) Bank or savings and loan savings certificates.]

(10) The Department reserves the right to modify or waive a deposit required by this rule if Department records indicate such modification, or waiver, is in the public interest.

Statutory/Other Authority: ORS 823.011 & 825.506

Statutes/Other Implemented: ORS 825.506

History:

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PUC 12-1990, f. & cert. ef. 7-6-90

PUC 8-1985, f. & cert. ef. 6-10-85

PUC 11-1984, f. & cert. ef. 5-25-84

PUC 6-1984(Temp), f. & cert. ef. 3-19-84

PUC 3-1980, Part 1, f. & cert. ef. 6-30-80, Renumbered from 860-033-0020

PUC 156-1973, f. 8-6-73, cert. ef. 8-15-73

PUC 148-1968, f. 7-29-68, cert. ef. 9-1-68

PUC 135-1966, f. 5-9-66, cert. ef. 5-15-66

PUC 120-1962, f. 10-26-62, cert. ef. 11-15-62