

Meeting Summary Emergency Route Working Group

February 16, 2017

<u>Committee Members:</u>	Alex Appel, Brent Baker, Michael Callahan, Richard Cofer, Patti Earley, Michael Frego, Tom Kearny, Jonathan Mallard, Tom Moran, Joe Salamy, David Schilling, Jeff Short, Aaron Strickland, Michael Temple, David White, Will Wondrachek
<u>Public Participants:</u>	Joanne Blyton, Andrew DeVault, Martha Duggan, Jonathan Fischer, Mary Kenkel, Steve Park, Bob Pitcher
<u>Date and Time:</u>	Thursday, February 16, 2017
<u>Location:</u>	U.S. Department of Transportation Conference Center 1200 New Jersey Ave SE, Washington, D.C. 20590
<u>Purpose:</u>	Discuss the challenges associated with emergency permitting and routing of vehicles before, during, and after emergencies; continue discussions from the first work group meeting in smaller groups to discuss recommendations to improve the permitting process.
<u>DOT and Consultant Staff:</u>	Crystal Jones (FHWA), Designated Federal Officer (DFO), Laurence O'Rourke (ICF), Jessica Klion (ICF)
<u>Meeting Summary:</u>	<p>The discussion followed the issues and general timing presented in the meeting agenda (Attachment A). Below is a summary of the discussion during this second meeting of the Federal Advisory Committee on Emergency Routing.</p>
<u>Getting Started:</u>	<p>Crystal Jones (DFO) provided opening remarks, making comments on the agenda, the previous meeting's draft minutes, and the handouts that will be utilized throughout the day. After a morning presentation, the group would split into three breakout groups (Utilities, State DOTs and Enforcement Agencies, and Federal Agencies) to discuss potential solutions to the issues associated with emergency permitting and routing of oversize and overweight vehicles. If the group finds that breakouts are particularly useful, and the group would like to formalize them, the charter can be amended to formally incorporate sub-committees into the charter.</p>
<u>International Registration Plan (IRP) and International Fuel Tax Agreement (IFTA):</u>	<p>Bob Pitcher, American Trucking Associations, gave presentations on International Registration Plan (IRP) and the International Fuel Tax Agreement (IFTA) to help workgroup members more fully understand these reciprocity agreements. The presentations generated discussion among committee members and provided insights into how a new, harmonized emergency permitting system could work. Due to</p>

additional questions from the group, Mr. Pitcher also provided an overview of the Unified Carrier Registration (UCR) System.

Summaries of IRP and IFTA are available in Attachment B.

Transition to Breakouts:

Crystal Jones, the DFO, briefly discussed the format of the breakout sessions. Breakout groups would begin their discussion defining and segmenting the problem. They would then move to discussing potential solutions, building off the list of potential solutions generated during the first work group meeting. The breakout sessions would conclude with a discussion of a straw man proposal for implementing an emergency route, developed based on the discussion during the first meeting. The materials used for discussion during the breakout sessions are available in Attachment C.

Breakout Sessions:

Short summaries of the discussion in each of the breakout sessions are below.

Utilities:

The utilities and private sector entities discussed how routing of legal vehicles (those with standard legal dimensions and weights) were the biggest part of the problem. There can be delays in obtaining IFTA and IRP permits for these vehicles. Delays in obtaining permits and delays at inspection stations were identified as key problems for these vehicles. Delays in obtaining oversize and overweight permits from multiple states caused delays for certain vehicles as well. A number of respondents noted that addressing barriers to emergency routing, such as HOS rules or overweight permitting, were more complex issues that would be more difficult to solve. Permitting issues for minimally over-dimensional vehicles might be easier to solve with emergency permitting.

Several ideas were discussed as solutions. Electronic placards are used by a number of states to facilitate emergency routing. Private sector vendors provide expedited permitting services to facilitate the process of obtaining multi-state oversize-overweight permits. These services are limited by the slowest state's permitting process. In some states logo utility trucks are not stopped during an emergency.

The need to create a system to alert enforcement officials of the route of vehicles responding to an emergency was noted. This type of system would notify all relevant enforcement officials when a vehicle responding to an emergency was coming through an area and could be like an Amber Alert. If enforcement officials knew in advance that these vehicles were coming through, the enforcement process could be expedited at inspection stations.

It was also noted that delays in receiving permits from permitting offices may be caused by the inability of state DOTs to pay overtime to employees. The group discussed the idea of setting up a fund, paid for by utilities, to provide resources to pay overtime to expedite emergency permitting on weekends and during other times. In some states, inspection stations are closed temporarily to allow emergency convoys to pass through. In other cases, a police escort may be provided to expedite the passage of a convoy through inspection stations.

A markup of the Straw man was conducted. The group emphasized the importance of including IRP\IFTA in the emergency routing solution. In addition, the group wanted to add procedures for expediting passage of vehicles through inspection stations.

State DOT and Enforcement Agencies:

The State DOTs and Enforcement agencies focused their discussion primarily on segmenting and defining the problem. The session ended before they were able to discuss the straw man proposal in detail. This breakout session found that the biggest issues lie with the 95% of legal vehicles that are unable to get to emergencies quickly because of regulations and issues with neighboring states that do not have emergency waivers issued. They also discussed the issues surrounding taxes, especially during emergencies. Because it is onerous to maintain records for IRP and IFTA, it is not in the best interest of every emergency responder to have those registrations.

In terms of routing, the group's discussion focused primarily on the fact that because of construction and maintenance activities, permitting systems must interact with 511 and other traffic monitoring systems. More than half of states have 24/7 permitting services, but without the connection to traffic monitoring systems, these services are not 100% fail-safe. Automated permit systems can only auto issue permits for specific smaller size and weight configurations where all points can be connected on a route for these weights and dimensions via automated analysis. For larger over-dimensional or overweight loads, automated systems may accept applications 24/7, but analysis and issuance for these will then be conducted manually during business hours.

In addition, the group discussed the challenges of afterhours permitting. Noting that emergencies do not always occur during business hours, it can be challenging to reach the right person. While the American Association of State Highway and Transportation Officials (AASHTO) maintains a cell phone list, the list is not accessible.

Federal Agencies and Others:

The major theme of the Federal agencies and others breakout session was the need for harmonization and automation of permitting. States should have automated systems for permitting in an emergency and regulations should be consistent across states. The representatives in this breakout also noted that the 24/7 AASHTO contact list needs to be well maintained; having a list with incorrect or out of date phone numbers is as helpful as having no list at all.

The group spent much of the time discussing developing emergency routes. One idea was to look at Department of Defense (DOD) designated emergency routes when building out an emergency routing network. The group also discussed the importance of building in redundancy. Given that any route at any time may not be usable due to construction and closures, it is imperative that secondary and tertiary routes are available. It is also imperative that routes be built on local and non-Interstate NHS as well as Interstate highways. Emergencies are not localized to Interstates and an emergency vehicle will need to travel on state and local roads in most situations.

The group also discussed the importance of intermodal connections. When emergencies occur in Alaska, Hawaii, or U.S. Territories, the Federal government still must lend support and sending supplies requires the use of both air and water transport. Furthermore, there are situations in the lower 48, where water travel may be the best way to get supplies from one place to another (e.g. from New York to Miami).

Finally, the group discussed some possible solutions for disseminating a national emergency route network. One suggestion was to build an online clearinghouse and maintain the network electronically. A link to the clearinghouse and network could be added to a U.S. DOT webpage, a one stop shop for emergency management information.

Wrap-up and Adjournment:

Crystal Jones (DFO) and Chairman Michael Callahan provided closing remarks. The next workgroup

meeting will be a two-day meeting held March 15-16. At this meeting, the group will work to start putting together suggestions and solutions to be included in a final report.

Attachment A

Emergency Route Working Group U.S. Department of Transportation Conference Center

**1200 New Jersey Ave
Washington DC, SE 20590**

AGENDA

Thursday, February 16, 2017

8:30 a.m.	Getting Started – Crystal Jones, DFO Chairman Michael Callahan
9:00-9:45	International Registration (IRP) International Fuel Tax Agreement (IFTA) Bob Pitcher – American Trucking Association
9:45- 10:00	Transition to Breakouts
10:00 – 12:00	Breakout Sessions Richard Cofer –Utilities Bill Wondrachek- State DOT and Enforcement Agencies Dave Schilling – Federal Agencies and Others
12:00- 1:00pm	Lunch
1:00 – 2:30	Breakouts Continued
2:30 – 3:00	Break
3:00 – 4:00	Breakout Report Outs
4:30	Wrap-up and Adjournment

Attachment B

THE INTERNATIONAL REGISTRATION PLAN

An Introduction

Vehicle Registration

In the United States and Canada, a highway vehicle must be registered before it may be operated on a public road. The registration of vehicles is handled in the U.S. by the individual states, and in Canada by the individual provinces and territories. At the time a vehicle is registered, and following the payment by the registrant of the appropriate fee, the vehicle is issued a license plate, which must be displayed on it as evidence that it has been registered. Once a vehicle has been registered, it may travel on all public roads in the jurisdiction, whether these are owned and maintained by the state or provincial government or by local governments. (There are practically no federally owned roads in either country.)

When a vehicle registered in one jurisdiction travels into another, things are more complicated. If the vehicle is a private passenger vehicle not engaged in business, the rule is one of reciprocity: every jurisdiction in the United States and Canada allows such a vehicle, when properly registered in another jurisdiction, to operate freely on its roads, without fulfilling any additional obligation for registration.

If a motor vehicle traveling in two or more jurisdictions is a commercial vehicle, the registration requirements depend largely on the weight of the vehicle. If the vehicle has two axles and weighs 26,000 pounds or less, the picture is quite complex, and need not be described here. But if a commercial motor vehicle weighs more than 26,000 pounds, or has more than two axles, either alone or in combination, and travels in more than one state or province, it is probably registered under the International Registration Plan (IRP).

IRP Background

Prior to the establishment of the IRP, trucks traveling among jurisdictions operated for the most part under a system of reciprocity. But unlike reciprocity for passenger cars, which is universal, the system for trucks was both inconsistent and incomplete. It was confusing for jurisdictions and industry alike, and was often very expensive for industry. Attempts to rationalize the system began on a regional basis in the 1940s, but as truck traffic grew, regional solutions to the problem came to be seen as inadequate.

From 1966 through the early 1970s, representatives of the trucking and bus industries in the U.S. and Canada worked with the American Association of Motor Vehicle Administrators, the association of the state and provincial motor vehicle agencies, to develop a uniform method by which motor carriers operating in more than one state or province could fulfill their vehicle registration requirements more easily. The result was the International Registration Plan, which went into effect in eight states in 1974. In succeeding years, states and one province- Alberta- rapidly joined the Plan, but universal state participation did not appear to be possible for many years to come. However, in 1991, at the urging of motor carriers, the U.S. Congress enacted legislation which effectively required all the states

(except Alaska and Hawaii) to join the Plan by 1996. Today, the members of the International Registration Plan are 48 states, the District of Columbia, and all ten Canadian provinces. Nearly 2.5 million motor vehicles are registered annually under the Plan.

IRP Basics

The International Registration Plan is a base-jurisdiction registration reciprocity agreement among the jurisdictions of the United States and Canada that provides for the payment of apportioned commercial motor vehicle registration fees on the basis of fleet miles operated in the various jurisdictions.

Although motor vehicles in a fleet are actually registered under the Plan in all of the Plan's member jurisdictions, they are issued only one set of credentials apiece, and the fleet deals for purposes of registration only with its base state or province, which issues the credentials, receives the fleet's registration fees, transmits them to the other jurisdictions in which the fleet has operated, and audits the fleet on behalf of the other jurisdictions.

The IRP is a document, a set of rules for Plan members to conduct the registration of commercial motor vehicles in a more or less uniform manner. The Plan is not law, *per se* (although it is considered in the United States to be in the nature of an interstate compact); the statutes of the individual states and provinces give the member jurisdictions the actual authority to require vehicles to register, set the registration fees, and enforce Plan requirements. These statutes also authorize each member to join the Plan.

The Base Jurisdiction

At the core of the Plan is the base-jurisdiction concept. In essence, this means that a fleet of commercial vehicles operating in more than one jurisdiction and electing to register them under IRP chooses one of these jurisdictions as its IRP base, and deals solely with that jurisdiction for registration purposes. A prospective IRP registrant may have some flexibility in the choice of an IRP base. It may be any IRP jurisdiction in which the registrant's fleet travels, in which it can make its records available for audit, and in which it has an "established place of business," a term for which there is a detailed definition in the Plan. In short, an established place of business need not be the registrant's principal business location, but must be a location where the fleet itself really conducts business. The importance of this is that the choice of a location in which to base its vehicles may involve other tax consequences for a motor carrier.

Fees and Credentials

Under a change to the Plan that took effect with 2015 registrations, a fleet registered under the IRP is automatically authorized --for purposes of vehicle registration -- to travel in all IRP member jurisdictions; that is, the fleet is legally registered in each one. When it issues registration for an IRP fleet, however, the fleet's base jurisdiction collects fees for only those states and provinces in which the fleet traveled during the preceding year. State and provincial commercial vehicle registration fees are annual, and are graduated according to the maximum gross combined weight of the vehicle being registered. The rates vary considerably by jurisdiction. Some fee structures include: recurring annual fees levied in lieu of personal property taxes on vehicles. IRP registration covers only power units, that is, trucks and tractors, and not trailing equipment such as trailers and semitrailers. Trailing equipment is registered in one state

only, for nominal fees, and operates interstate on reciprocity.

IRP fees are calculated on an apportioned basis, depending on the percentage of its total distance the fleet (as opposed to the individual vehicle being registered) traveled in each jurisdiction during the preceding year. Because the fees are apportioned according to fleet travel, a fleet's registration fees will be essentially the same wherever it is IRP- based (although, as has been noted, taxes and other charges applicable to the fleet can vary depending on its base).

As evidence of registration which will be accepted by all Plan jurisdictions, the base issues to each vehicle in the fleet a single license plate (which commonly bears the legend "apportioned") and a single IRP cab card, which together entitle the registrant to operate the vehicle in each Plan member jurisdiction. For each jurisdiction, the cab card lists the maximum gross weight at which the vehicle is registered to operate within its borders, a detail that in part determines the fee that must be paid for travel there.

With the IRP credentials, fleet vehicles are legal -for vehicle registration purposes -to travel both between Plan jurisdictions and from point to point within each one. (Other legal requirements unrelated to registration may still have to be met, of course.) The fleet's base collects on behalf of the other Plan jurisdictions in which the vehicles traveled all the registration fees the fleet owes. This payment relieves the operator of any further legal obligation to pay registration fees. Each base jurisdiction transmits the fees it collects from its IRP registrants to the appropriate other IRP member jurisdictions, along with information on its IRP transactions during the period covered by the transmittal. As this involves considerable administrative work on the part of the jurisdictions, IRP has developed the IRP Clearinghouse, which handles the transmittal of both fees and fee information electronically. Nearly all the jurisdictions participate in the Clearinghouse, and pay a fee for its operation and maintenance.

In order to verify the collection of proper registration fees, each IRP member jurisdiction is required to audit an average of 3 percent of its base-registrants every year. Such audits are only required to verify the accuracy of a registrant's reported fleet travel. Audit results are shared with the other jurisdictions, and the base is responsible for collecting from a registrant any additional fees due to any jurisdiction and for refunding any credits found to be owing to an audited registrant.

Other Plan Provisions

IRP includes sections that cover other details of registration requirements and provide for specialized carrier operations. Among the first are changes to a fleet during a registration year and the registration of new operations. Among the second are leased and rented vehicles, including those of owner-operators, and household goods movers.

Operations Not Covered by IRP

An operator that only rarely travels in more than a single jurisdiction need not register its vehicles under IRP. Instead, when it travels into a jurisdiction other than its home, it obtains a registration trip permit from that jurisdiction. To this extent, IRP registration is elective. Many jurisdictions, however, limit the number of trip permits that may be sold to a single operator during the course of a year.

Two-axle vehicles operating in more than one jurisdiction and weighing 26,000 pounds or less may, but need not, be registered under the Plan.

In addition, by the terms of the Plan, IRP does not apply to certain types of operation. These are noncommercial vehicles, government-owned vehicles, city pick-up and delivery vehicles, and vehicles bearing registration plates covered by reciprocity agreements that apply to certain restricted operations, such as short-haul dump truck or construction equipment operations.

Plan Administration

Each member jurisdiction of the Plan maintains staff and resources to administer its IRP program. In addition, the members have provided an overall apparatus for administering the Plan, including a repository organization with a small staff of its own -IRP, Inc.

The Plan accepts new jurisdictional members, including countries or states, provinces, territories, possessions, or federal districts of countries. Each new member must be approved by every existing member.

The Plan may also be- and frequently is- amended, each change requiring the approval of three-quarters of the members voting.

In addition to requiring each member to audit a proportion of its registrants, the Plan requires its members to audit one another on a regular schedule to ensure that each jurisdiction is adhering to Plan procedures and requirements. This is the peer review process.

The Plan provides for a dispute resolution process, to resolve disputes arising under the IRP and to interpret the provisions of the Plan. This process, along with the peer review program, has proven a very strong force toward making all member Jurisdictions' procedures for administering the Plan more uniform.

IRP, Inc. is governed by a board of directors composed of officials of the member jurisdictions and including as well a representative of the American Association of Motor Vehicle Administrators, with which IRP remains affiliated. The board meets regularly and provides policy direction for the Plan and oversees the business operations of its repository. The board is advised by members of the motor carrier industry and by representatives of the U.S., Canadian, and Mexican federal governments. (This is the only role of these governments with respect to IRP.) All IRP meetings are open to the public. See www.irponline.org for many more details.

IFTA- An Introduction

Robert C. Pitcher
Vice President, State Laws
American Trucking Associations

Since 1997, fuel use taxes on heavy vehicles have been collected throughout North America under the International Fuel Tax Agreement (IFTA), a multi-jurisdictional organization that provides a uniform framework for the administration of such taxes. IFTA employs the base-state concept to make fuel use tax administration and compliance simpler and more uniform both for the states and provinces which are IFTA's members and for the interstate motor carrier industry, including for-hire carriers, private carriers, and owner-operators.

Background

The Fuel Use Tax

Every state imposes a tax on the sale of highway fuels such as gasoline and diesel fuel. This is the tax with which car drivers are familiar, and which they pay at the pump when they buy fuel at a service station. Operators of heavy trucks also pay the fuel purchase tax where they buy fuel, either at retail from a service station or truck stop or on wholesale purchases of highway fuel in bulk. However, whereas the driver of a passenger car may fuel up in one state, pay that state's tax, and then drive the car across the state line without further tax obligation, this is not true of an operator of a heavy truck. An interstate motor carrier is also subject to what is called a *fuel use tax*.

A heavier commercial vehicle uses more fuel in its operations than a passenger car, and pays a correspondingly larger amount of fuel tax. States and provinces long ago recognized that under a simple fuel purchase tax regime, some states would get less tax from heavy trucks and buses, proportionate to the operations of those vehicles, than would other states. This would be due in part to differential tax rates, and the effect this has on fueling patterns, but in part also to fueling patterns that have more to do with simple geography. Some states are more apt to be the destination of freight shipments, while others are what are called pass-through states. Truck and bus operators are likelier to fill their tanks -and to pay fuel purchase tax -in destination states.

In the 1940s states began to enact a remedy for what they perceived as a misallocation of fuel taxes paid by truck and bus operators. This has come to be known as the fuel use tax, and is now imposed by practically all states. The fuel use tax may be considered a supplement-imposed on heavy commercial vehicles only -- to the fuel purchase tax. It aims to reallocate fuel taxes based not on where truck and bus operators buy fuel (and pay fuel purchase tax) but on where they consume fuel in their operations.

A fuel use tax requires a trucking company or a bus line to report to the state, generally on a quarterly basis, how much fuel it consumed in the state (calculated by the use of a miles-per-gallon factor), and how much fuel purchase tax it paid on its purchases of fuel in the state. The tax on the fuel consumed in the state is then compared to the tax on the fuel purchased in the state, and the carrier pays any tax due on under purchases or the state pays the carrier any tax it

paid on over purchases, as the case may be.

IFTA's Genesis

During the 1970s, and especially the 1980s, following the economic deregulation of interstate trucking, there was a vast increase in the amount of interstate truck traffic. At that time, there was no coordination among the states with respect to their fuel use taxes, and the administrative burden imposed on the newly deregulated industry by nonuniform requirements in fuel use tax licensing, credentialing, reporting, and other administrative practices of the states became practically overwhelming.

At that point, representatives of the states and the motor carrier industry began to develop a framework through which the states could administer fuel use taxation cooperatively and uniformly across the Nation. Working eventually under the auspices of the National Governors' Association, the result was the International Fuel Tax Agreement, which first went into effect in three states in 1983. Partly as a response to Section 4008 of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), which provided that after 1996 all states that require interstate motor carriers to report fuel use must do so through provisions that do not conflict with those of IFTA, all the 48 contiguous states and all of the Canadian provinces have now joined IFTA. Accommodations have been made by IFTA for the operations of Mexican carriers traveling in the U.S. under the provisions of the North American Free Trade Agreement.

Hundreds of thousands of motor carriers, from all segments of the industry, operate under IFTA and enjoy the benefits of the Agreement: less paperwork, essentially uniform procedures, and lighter fuel tax licensing requirements.

The Base State Concept

The base state concept has long been a prominent feature of state vehicle-registration laws. Under such a base-state system, of which the most important is the International Registration Plan (IRP), several jurisdictions enter an agreement with each other under which an interstate carrier traveling in more than one will choose one of them as a base. Thereafter, the base will deal with that carrier on behalf of all the other jurisdictions in the agreement: it will accept the carrier's registration fee on behalf of the other states and provinces, will apportion and distribute the fee to the others, will issue the carrier a single license plate that will be accepted as a credential by all the other members, and will audit the carrier on behalf of the others.

This concept, which the IRP made a commonplace in the field of vehicle registration, is applicable to state fuel use taxes as well. Under IFTA, a carrier registering under the terms of the agreement chooses one IFTA member as its base. Licensing with that base state satisfies the carrier's fuel tax licensing obligations to all the other members; reporting and paying a net fuel tax to its base satisfies its liability to all the members; and the base audits the carrier on behalf of the other members. In general, the carrier deals only with its base state, which in turn deals with the other members of the agreement on the carrier's behalf.

IFTA's Features

Licensing. IFTA embodies the concepts of both base-state licensing and fleet licensing for the fuel use tax. That is, a carrier opens a fuel tax account for all IFTA members with its base

state or province alone; and it registers its fleet as a unit, not as individual vehicles.

A carrier based in an IFTA jurisdiction and operating in at least one other IFTA jurisdiction must register under IFTA. Since all the states and provinces are now in IFTA, all North American carriers operating across state, provincial, or national borders will ordinarily be required to register under IFTA. If it chooses, a carrier may divide its vehicles into more than one fleet, and base these fleets in the appropriate IFTA states.

When a carrier's application with IFTA has been approved, the base state assigns the fleet an account number, and issues the carrier an IFTA license. A copy of the license is to be carried in the cab of each vehicle in the fleet and serves as the IFTA cab card.

The base also issues the carrier two fuel tax decals per vehicle. These are not vehicle-specific, although they commonly bear a state serial number. The base may levy a fee for the decal on its own carriers, but may not collect fees imposed by other states. The IFTA decals are reissued annually. The decal mechanism is burdensome and expensive for jurisdictions and industry alike, and of limited value for the enforcement of the Agreement.

Reporting and payment. IFTA covers the operations of interstate commercial vehicles and combinations which (1) have two axles and a gross vehicle weight or registered gross vehicle weight over 26,000 pounds, (2) have three or more axles regardless of weight, or (3) are used in combination when the weight of the combination exceeds 26,000 pounds. This definition generally corresponds to that of vehicles which must register under the IRP. An IFTA state may not require fuel use tax reporting from other types of vehicles, except those based within its borders.

In the case of vehicles leased from a truck-leasing company, the company has the option of filing a consolidated return under IFTA reporting the operations of all its lessees. Where a carrier leases long-term from an independent contractor (owner-operator), the parties to the lease may choose which of them is to report the operations of the vehicle. With a short-term lease, the lessor ordinarily reports for the vehicle. Where both parties to the lease of a vehicle will operate it in interstate commerce under their own authority, both may include the vehicle in their fleet -- for the time it is operated under their authority -- and the vehicle may in that case bear the credentials of both parties.

One of the greatest benefits of the base-state system for the motor carrier is that not only are the carrier's fuel tax obligations to all of the IFTA members satisfied by the filing of one report and the payment of one lump sum of tax to its base, but that the tax amount is a *net* amount. That is, if the carrier shows an additional liability on its report to some IFTA states, and a credit owed from others, it pays only the net liability (or claims only the net credit). The base state takes care of the rest for the carrier, paying those states which are owed more tax and recouping credits from others. Finally, IFTA includes a provision which absolves a carrier that pays the proper tax to its base state of any further obligation to the other IFTA members for that tax period. That is, if for any reason the base state fails to distribute the carrier's payment to the other members in the proper way, those states cannot look to the carrier to pay again.

Audit. In general, audits under IFTA are conducted by a carrier's base on behalf of the other members. When it selects a base state, a carrier must agree to maintain its records in the base, or to make them available there for audit, or to pay the expenses of an audit outside the

state. If it chooses, any member of IFTA may audit any carrier, but in such a case the state must pay its own audit expenses.

Record keeping under IFTA has been made less burdensome for motor carriers with the institution of uniform requirements and the accommodation of new technologies for tracking and recording vehicle movements and fuel purchases.

IFTA limits re-audits by states other than the base. A state wishing to re-audit a carrier already audited by its base must in effect appeal the findings of the original audit to the base before it may proceed, and any re-audit must use the same audit sample period as the original audit. The effective statute of limitations under IFTA is four years (three years plus the current year).

When they joined IFTA, each state pledged to abide by the audit guidelines set up by the plan, and, in particular, to demonstrate an audit program substantial enough to audit an average of at least 3 percent of its based carriers every year.

Other provisions. In addition to those summarized above, IFTA contains a number of articles dealing with the entry of new member states into IFTA, with the regular review by IFTA of its members' IFTA programs, and with appellate procedures. Throughout the agreement are provisions which require the members to adopt uniform procedures for the administration of their IFTA programs.

IFTA has an official repository staff located in Chandler, Arizona, that maintains a useful website at www.iftach.org, and holds a series of annual business and training meetings, all of which are open to industry as well as to representatives of the member jurisdictions. (Some of these meetings are now held jointly with IRP.) In addition, IFTA has formed a standing Industry Advisory Committee that functions as a formal conduit for input to the organization from the motor carrier industry.

Attachment C

Emergency Routing: Segmenting the Problem

The following tables segment the emergency routing problem by the types of problems encountered, the phase of the emergency and the scale of the emergency. The specific problems encountered along each of these dimensions differ somewhat, although there are many commonalities between these problem segments as well. The tables below describe each of the problem segments and identify some of the issues associated with each.

Table 1: Type of Emergency Routing Problems

Type of Emergency Routing Problems	Description
Standard vehicles that typically only operate intrastate	Small utility trucks or other standard sized vehicles may typically operate intrastate. When there is a need for these vehicles to operate across state lines they may not have the proper registration stickers for the International Registration Plan (IRP) and International Fuel Tax Agreement (IFTA). Vehicles operating in interstate commerce also need to obtain a motor carrier identification number. In addition, trucks traveling to provide aid in an emergency may experience delays from inspections at weigh stations or delays at toll areas. While utility trucks traveling to an emergency are exempt from the federal hours of service regulations, other vehicles would need to comply with federal rules for the number of hours a driver can drive and be on-duty, and the required rest breaks.
Oversize vehicles and cargos	There are some vehicle dimensions, and configurations that are legal in some states but not others, since state weight, height, width and length regulations vary by state. For instance, some states provide exemptions for utility trucks transporting poles for instance, while others do not. Oversized equipment could include construction machines (cranes, front loaders, backhoes, etc.), oversized bucket trucks and pole trucks. Oversize permits need to be obtained from each state that an oversized vehicle passes through. Differences between states and delays in obtaining permits from multiple agencies can create impediments to moving vehicles and supplies during an emergency.
Overweight	Vehicles over 80,000 lbs. are typically required to obtain overweight permits for each state they pass through. States vary in allowable axle weights which may compound the problem for vehicles weighing less than 80,000 lbs. (ex. Florida has an allowable axle weight limit of 22,000 lbs. on a single axle and 44,000 lbs. on a tandem axle—while Georgia has an allowable axle weight limit of 16,000 lbs. on a single axle and 34,000 lbs. on a tandem axle.) States vary in their allowable hours of movement, duration of permits, rules for amending permits and additional local permitting requirements. Permits need to be obtained from each state that the load passes through. Differences between states and delays in obtaining permits from multiple agencies can create impediments to moving vehicles and supplies during an emergency.
Extremely heavy (Superloads)	While not all states use the term superload, permitting for loads with extreme weights or dimensions is more difficult and treated differently in the permitting process. Depending on the state (and roadways traversed) loads with weights starting between 120,000 lbs and 250,000 lbs., and higher, could qualify as superloads. Extreme height, width or length could also require more costly permits. Large transformers and other very heavy\ very large infrastructure repair materials could fall into this category.

Table 2: Phase of Emergency

Phases of Emergency Routing	Issues
Pre-deployment	Agencies engaged in a response may wish to pre-position equipment when it becomes clear that there could be a major weather event or some other type of disaster, but before an emergency has been declared and any emergency waivers have been initiated.
Response	During a response there is an urgent need to address the most critical issues first. These might include delivery of emergency medical supplies, water and food. There may also be an immediate need to restore power or other critical infrastructure quickly if possible. Allowing emergency routing of vehicles could increase response times by hours or days and prove very important to minimize impacts.
Recovery	More significant damage to infrastructure could require long term and larger scale efforts and investments. The recovery could stretch over a longer period of time and require the movement of infrastructure repair materials.
Return	When the recovery process is extensive, equipment may need to be repositioned long after the emergency has occurred and after emergency waivers have expired.

Table 3: Scale of Emergency

Scale of Emergency	Issues
Local	<p>Under Federal regulations governors can declare a local emergency for five days. National awareness of local disasters, such as small tornados, may be limited. Enforcement officials in surrounding regions or states may thus be unaware of waivers that have been issued, or less likely to use their enforcement discretion to facilitate the movement of vehicles.</p> <p>Permitting agencies that are unaware of the urgency of a movement may require that oversize vehicles and shipments only move at certain hours of the day, or avoid traffic generated by special events.</p>
Statewide	<p>Governors can issue declarations, executive orders and waivers for their state and coordinate with governors in surrounding states to issue similar waivers. Under Federal regulations governors can declare a statewide emergency for 30 days. In some cases, it may be easier to issue executive orders. Equipment moving from far away will still need to obtain the necessary permits from multiple states, and some states may be more accommodating than others.</p>
Large scale / multi-state	<p>Large scale disasters create broad scale awareness of the need to expedite emergency response. In these cases, Federal and state emergency declarations can create an environment to expedite the movement of equipment for disaster response.</p> <p>MAP-21 extended State authority to issue special permits to vehicles with divisible loads that are delivering relief supplies during a presidentially-declared emergency under the Stafford Disaster Relief and Emergency Assistance Act. Policymakers believe that there is a need to expedite the provision of these permits during an emergency.</p> <p>To provide transportation services to disaster areas, emergency declarations may be issued by the President, Governors of States, or FMCSA. These declarations trigger the temporary suspension of certain Federal safety regulations, including Hours of Service. These suspensions are limited to 30 days.</p> <p>Even with large scale emergencies, there still can be significant impediments to coordinating movement of emergency supplies and equipment through multiple states.</p>

***Breakout Discussion:* Discuss items such as the ease of implementation and barriers. What is the scale of implementation? Are there solutions not listed? Report out on:**

What are the priority (list up to 10) solutions identified by your group? Are there solutions that your group determined are not implementable?

Did your group discuss any solutions that are best practices that are already being used?

Potential Solutions for Defining an Emergency Route Network

The following proposals for defining an emergency route network were discussed. Most of these were ways to limit either the size of the emergency route network or the types of vehicles and loads that could operate on it. Some of the elements of these proposals could be combined together.

- Create an emergency route network that is comprised of interstate highways. This would allow the movement of oversized vehicles and loads through highways that are the widest and are built with standard clearances. These types of emergency routes would facilitate the movement of vehicles between states, but assumes that local movement within a destination state would need to be covered by permitting or a state issued waiver.
- Each state designates a very limited emergency route network. This would include a north –south and east-west route for advanced planning purposes. The maximum height and weight that could pass through this network would be identified. Update this map once a year. This would require coordination with surrounding states to ensure emergency routes connect to each other.
- Create an emergency route network by limiting the vehicles allowed on the network to an envelope vehicle. While oversize or overweight, the envelope vehicle would not represent an extreme over-dimensional vehicle. The envelope vehicle would define the largest width, height, weight, and axel spacing allowed.
- Create a national emergency route network for a small library of vehicles that can be predefined. Ideally this small library could address the most common and standard vehicle types that could solve a significant fraction of the problem.
- Create a national network for only pole trucks and oversized bucket trucks operated by utilities responding to a declared emergency.
- Create a two tiered emergency route network. It would have a more expansive network for less extreme weights or dimensions. A smaller network would be created for more over dimensional or overweight vehicles and loads.
- Create a limited emergency route network along interstates that would allow vehicles for which permits would ordinarily be auto-issued.

- Create an emergency route network where movement restrictions based on time of day and special events are waived.
- The federal government should create a pilot project to create a multistate emergency route network to test and refine the concept in a few states. Once proven it could then be adopted elsewhere.
- Develop an emergency route network “planning” map that could be used to plan a route, but a planned route would then need to be checked by states in real time for construction or other issues that might come up.
- Identify the emergency route network (and envelope vehicle) that is easiest to implement now and implement this first. Develop a process and long term strategy to expand the size of the network and vehicle types included in the future.
- Collect additional data items in national level datasets to allow a national map to be developed with this data. This would require changes in regulations to mandate how states should record additional data. For example, national datasets currently do not have all the data available from states on bridge clearances.

Other Solutions Discussed

A variety of other strategies were discussed, including the following:

- Create a template for states to declare emergencies and provide exemptions that can be provided in this format. In some cases every state issues a declaration in a different format.
- States should utilize a general permit similar to Florida’s that is posted online after an emergency declaration is issued. Emergency vehicles may be stopped, but they will have a permit.
- Create a clearinghouse for emergency permitting. Provide contact information for state permitting agencies. Emergencies don’t only happen during business hours and having a way to contact staff during off hours can be useful. Identify routing issues and how they can be overcome.
- Create more uniformity in permitting.
- Work to harmonize existing oversize and overweight regulations to the extent possible. For instance, Florida provides oversize vehicle permitting exemptions for utility vehicles responding to an emergency – including large bucket trucks and pole trucks. These vehicles don’t require a permit and are exempt from the time of day travel restrictions for oversized movements. Adoption of similar exemptions by other states would reduce impediments to vehicle routing during an emergency.
- Standardize the conduct of enforcement at weigh stations. Some agencies sending vehicles to an emergency will send a runner ahead of each vehicle caravan and stop at every weigh station. They have found that each weigh station requires you to do things a

little differently. There is a need to standardize how to get through weigh stations more efficiently when responding to an emergency.

- Provide some provision in the regulations to allow enforcement discretion for some subset of vehicles traveling to an emergency to allow them to bypass weigh stations. There are provisions in 23 CFR 657 that if a state does not certify that they weigh trucks they can lose 10% of discretionary funding. This currently provides an incentive for enforcement officials to require everyone to go through weigh stations. Providing some type of exemption to this regulation would allow for enforcement discretion.
- Provide procedures through IFTA and IRP to allow states that are under an emergency executive order - or surrounding states wishing to provide aid - to exempt relief vehicles responding to an emergency.

Straw Man Proposal for Implementing an Emergency Route

States voluntarily join an Emergency Route Compact and agree to do the following:

Define a two-level emergency route network consisting of at least the interstate routes in their state. Other routes can be added by states.

- Level 1 emergency route network provides access to a utility truck envelope vehicle (oversize) and pole trucks (oversize).
- Level 2 emergency route network provides access to a minimally oversize or overweight vehicle defined in advance (less than 90K – 100K lbs., specific axle load, specific dimensions). These could be vehicles where permits could be auto-issued anyway. States would achieve consensus on these dimensions in the near term.
- States agree to set a goal of defining a third level for heavier or more over-dimensional loads. This could be implemented over a longer time period.

Implementation

- FHWA establishes a pilot program to demonstrate the feasibility of this concept. Some funding is provided to facilitate coordination and program establishment. A subset of interested states participate in this program. Ideally these would be contiguous states.
- Participating states agree to define level 1 and level 2 networks for their state consisting of at least interstate routes. This would occur within a short time horizon. Additional roadways can be added by individual states within their own state over time.
- When an emergency occurs, a state requests that the emergency route network be activated.
- Each state checks the predefined route for any disruptions caused by construction or other issues.
- Each state then issues a blanket online permit – noting any new limitations imposed by construction or other developments that have occurred since the route was established.
- Vehicles responding to an emergency must show proof that they are responding to an emergency. Participating members would define a common standard for what proof is necessary.
- Each state updates its route map once a year to incorporate any changes that have occurred over time.