

FOR VOTE BY DECEMBER 20, 2010



**IFTA FULL TRACK FINAL BALLOT PROPOSAL
#01-2010**

Sponsor

IFTA Agreement Procedures Committee

Date Submitted

March 26, 2010

Proposed Effective Date

July 1, 2011

Manual Sections to be Amended (January 1996 Version, Effective July 1, 1998, as revised)

IFTA Procedures Manual Section P1100

Subject

Annual reporting of data and data captured shall be consistent among jurisdictions.

History/Digest

Each year jurisdictions are required to provide data to IFTA, Inc. with regard to that year's number of IFTA accounts, IFTA audits, revocations, reinstatements, and decals issued. The goal of this ballot is to make the required data captured of use to other jurisdictions, and to ensure that all jurisdictions are providing the same data from their respective jurisdictions.

Intent

The intent of this ballot is to amend the IFTA Procedures Manual to provide jurisdictions with a clearer definition of the information that must be included in the IFTA annual report.

1 **Interlining Indicates Deletion; Underlining Indicates Addition**

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3 ***P1110 ANNUAL REPORTING**

4
5 **.100 Reporting Requirement**

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7 All jurisdictions which are members under this Agreement shall submit an annual report by
8 March 1 for the preceding calendar year to the repository for distribution to each member
9 jurisdiction.

10
11 **.200 Reporting Period**

12
13 The report shall be for the period beginning with the date of membership through December
14 31 and for each calendar year thereafter.

15
16 **.300 Required Information**

17 Content of the annual report to member jurisdictions shall include:

18
19
20 .005 Number of total IFTA accounts (this includes new accounts, active accounts and
21 accounts that were suspended, revoked or canceled during the year), which shall
22 consist of all licensees that are issued an IFTA license and decals for a licensing year
23 excluding licensees who were issued credentials in error and returned those
24 credentials to the base jurisdiction;

25
26 .010 Number of accounts cancelled and suspended/revoked;

27
28 .015 Number of accounts audited;

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30 .020 Number of accounts audited with assessment;

31
32 .025 Number of new licensees which shall consist of all new accounts licensed, but
33 does not include licensees renewed or reinstated, for the registration year being
34 reported or previously registered in another member jurisdiction; and

35
36 .030 ~~Unusual activities within a member jurisdiction that could affect an audit.~~

37
38 .30 Number of sets of decals issued;

39
40 .35 Price per set of decals; and

41
42 .40 Application fee amounts, including license fees, reinstatement fees, and other fees.

43
44

NO REVISIONS FOLLOWING THE SECOND COMMENT PERIOD

**IFTA FULL TRACK FINAL BALLOT PROPOSAL 1-2010
VOTING RESULTS**

JURISDICTION	LANGUAGE		EFFECTIVE DATE	
	YES	NO	YES	NO
ALABAMA	1		1	
ALBERTA	1		1	
ARIZONA	1		1	
ARKANSAS	1		1	
BRITISH COLUMBIA	1		1	
CALIFORNIA	1		1	
COLORADO	1		1	
CONNECTICUT		1		1
DELAWARE	1		1	
FLORIDA	1		1	
GEORGIA	1		1	
IDAHO	1		1	
ILLINOIS	1		1	
INDIANA	1		1	
IOWA	1		1	
KANSAS	1		1	
KENTUCKY	1		1	
LOUISIANA	1		1	
MAINE	1		1	
MANITOBA	1		1	
MARYLAND	1		1	
MASSACHUSETTS	1		1	
MICHIGAN	1		1	
MINNESOTA	1		1	
MISSISSIPPI	1		1	
MISSOURI	1		1	
MONTANA	1		1	
NEBRASKA	1		1	
NEVADA	1		1	
NEW BRUNSWICK	1		1	
NEW HAMPSHIRE		1		1
NEW JERSEY	1		1	
NEW MEXICO	1		1	
NEW YORK	1		1	
NEWFOUNDLAND	1		1	
NORTH CAROLINA				
NORTH DAKOTA	1		1	
NOVA SCOTIA	1		1	
OHIO		1		1
OKLAHOMA	1		1	
ONTARIO	1		1	
OREGON	1		1	
PENNSYLVANIA	1		1	
PRINCE EDWARD ISLAND	1		1	
QUEBEC	1		1	
RHODE ISLAND	1		1	

**IFTA FULL TRACK FINAL BALLOT PROPOSAL 1-2010
VOTING RESULTS**

SASKATCHEWAN	1		1	
JURISDICTION	LANGUAGE		EFFECTIVE DATE	
	YES	NO	YES	NO
SOUTH CAROLINA	1		1	
SOUTH DAKOTA	1		1	
TENNESSEE	1		1	
TEXAS	1		1	
UTAH		1		1
VERMONT	1		1	
VIRGINIA	1		1	
WASHINGTON	1		1	
WEST VIRGINIA	1		1	
WISCONSIN	1		1	
WYOMING	1		1	
TOTALS	53	4	53	4

Bold font in the voting total columns and shading indicate that the jurisdiction did not vote.

Failure to vote for the ballot language counts as a "No" vote.

Failure to vote for the alternative effective date counts as a "No" vote.

Number of "YES" votes necessary to pass: 44

Effective Date: July 1, 2011

LANGUAGE:

NUMBER OF "YES" VOTES RECEIVED: **53**

NUMBER OF "NO" VOTES RECEIVED: **4**

NUMBER OF VOTES NOT RECEIVED: **1**

RESULT: PASSED

ALTERNATIVE EFFECTIVE DATE:

NUMBER OF "YES" VOTES RECEIVED: **53**

NUMBER OF "NO" VOTES RECEIVED: **4**

NUMBER OF VOTES NOT RECEIVED: **1**

RESULT: PASSED

Ballot Intent:

The intent of this ballot is to amend the IFTA Procedures Manual to provide jurisdictions with a clearer definition of the information that must be included in the IFTA annual report.

FOR VOTE BY DECEMBER 20, 2010



**IFTA FULL TRACK FINAL BALLOT PROPOSAL
#02-2010**

Sponsor

Jurisdiction of Indiana

Date Submitted

March 26, 2010

Proposed Effective Date

July 1, 2013

Manual Sections to be Amended

(January 1996 Version, Effective July 1, 1998, as revised)

IFTA Articles of Agreement

R1200 ASSESSMENT AND COLLECTION
*R1230.100 U.S. Jurisdiction Interest Rate

Subject

An amendment of the U.S. Jurisdiction interest rate.

History/Digest

The worldwide economic downturn has had a particularly harmful effect on the trucking industry. The IFTA Articles of Agreement currently enforces an accrual of a one (1) percent per month rate of interest on delinquent tax payments. While not usurious, this can certainly have a crippling effect on an already struggling trucking operation and the industry as a whole.

In order to better adapt to changes in the economy, the Sponsors suggest that the interest rate for U.S. based fleets be changed to a rate that is adjusted annually, so that it can fluctuate and more fairly reflect what is happening with the economy. The Sponsors believe the best way to do that is to amend R1230.100 so that it ties the interest rate used for IFTA fuel taxes to the interest rate established by Section 6621 of the Internal Revenue Code. The IRS's underpayment rate is adjusted regularly to reflect changes in the economic climate, and it is already rounded to the nearest whole number. Many United State jurisdictions already make reference in their statutes to this underpayment rate. Further, the revised R1230.100 cites to IRC 6621(a)(2) specifically, so as not to confuse it with any other underpayment rates later established in the regulation regarding large corporations.

Indiana suggests that the rate of interest for U.S. based fleets be two (2) percent greater than the underpayment rate as established on an annual basis every January 1. Already, the Articles of Agreement establishes that the rate of interest for Canadian Province based fleets is the "rate equal to the Canadian Federal Treasury Bill rate plus two percent and adjusted every calendar quarter." The change to

R1230.100 will harmonize the two sections, as well as create a rate of interest that is more in line with United States federal and state tax law (however, the interest rate will not be adjusted quarterly as it is under the Canadian section because it is simpler to apply a consistent rate over a year once an audit assessment has been made then to apply a different rate each quarter).

Intent

The intent of this ballot is to amend the IFTA Articles of Agreement so that the interest rate to be used on taxes due from fleets based in the U.S. will fluctuate with the changes in the economy.

Interlining Indicates Deletion; Underlining Indicates Addition

1 ARTICLES OF AGREEMENT

2

3 R1200 ASSESSMENT AND COLLECTION

4

5 ***[SECTIONS R1210 AND R1220 REMAIN UNCHANGED]***

6

7 *R1230 INTEREST

8

9 ***[SECTIONS R1230 REMAINS UNCHANGED]***

10

11 **.100 U.S. Jurisdiction Interest Rate**

12

13 For a fleet based in a U.S. jurisdiction, interest shall ~~accrue~~ be set at a an annual rate of
14 ~~one percent per month~~ two (2) percentage points above the underpayment rate
15 established under Section 6621(a)(2) of the Internal Revenue Code, adjusted on an
16 annual basis on January 1 of each year. Interest shall accrue monthly at 1/12 this annual
17 rate. The Repository shall notify Jurisdictions of the new rate by December 1.

18

19 ***[SECTIONS R1230.200 THROUGH R1230.400 REMAINS UNCHANGED]***

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REVISIONS FOLLOWING THE SECOND COMMENT PERIOD

- ❖ Effective date moved out to July 1, 2013

**IFTA FULL TRACK FINAL BALLOT PROPOSAL 2-2010
VOTING RESULTS**

JURISDICTION	LANGUAGE		EFFECTIVE DATE	
	YES	NO	YES	NO
ALABAMA	1		1	
ALBERTA	1		1	
ARIZONA	1		1	
ARKANSAS	1		1	
BRITISH COLUMBIA	1		1	
CALIFORNIA	1			1
COLORADO	1		1	
CONNECTICUT		1		1
DELAWARE		1		1
FLORIDA	1		1	
GEORGIA	1		1	
IDAHO	1		1	
ILLINOIS	1		1	
INDIANA	1		1	
IOWA	1		1	
KANSAS		1	1	
KENTUCKY		1		1
LOUISIANA	1		1	
MAINE	1		1	
MANITOBA	1		1	
MARYLAND		1		1
MASSACHUSETTS		1		1
MICHIGAN		1	1	
MINNESOTA	1		1	
MISSISSIPPI	1		1	
MISSOURI	1			1
MONTANA		1		1
NEBRASKA	1		1	
NEVADA		1	1	
NEW BRUNSWICK	1		1	
NEW HAMPSHIRE	1		1	
NEW JERSEY		1		1
NEW MEXICO	1		1	
NEW YORK	1		1	
NEWFOUNDLAND	1		1	
NORTH CAROLINA	1		1	
NORTH DAKOTA	1		1	
NOVA SCOTIA	1		1	
OHIO	1		1	
OKLAHOMA	1		1	
ONTARIO	1		1	
OREGON		1		1
PENNSYLVANIA	1		1	
PRINCE EDWARD ISLAND	1		1	
QUEBEC	1		1	
RHODE ISLAND		1		1
SASKATCHEWAN	1		1	

**IFTA FULL TRACK FINAL BALLOT PROPOSAL 2-2010
VOTING RESULTS**

JURISDICTION	LANGUAGE		EFFECTIVE DATE	
	YES	NO	YES	NO
SOUTH CAROLINA	1		1	
SOUTH DAKOTA		1	1	
TENNESSEE	1		1	
TEXAS	1		1	
UTAH	1		1	
VERMONT	1		1	
VIRGINIA	1		1	
WASHINGTON	1		1	
WEST VIRGINIA	1		1	
WISCONSIN	1		1	
WYOMING	1		1	
TOTALS	45	13	47	11

Bold font in the voting total columns and shading indicate that the jurisdiction did not vote.

Failure to vote for the ballot language counts as a "No" vote.

Failure to vote for the alternative effective date counts as a "No" vote.

Number of "YES" votes necessary to pass: 44

Effective Date: July 1, 2013

LANGUAGE:

NUMBER OF "YES" VOTES RECEIVED: **45**

NUMBER OF "NO" VOTES RECEIVED: **13**

NUMBER OF VOTES NOT RECEIVED: **0**

RESULT: PASSED

ALTERNATIVE EFFECTIVE DATE:

NUMBER OF "YES" VOTES RECEIVED: **47**

NUMBER OF "NO" VOTES RECEIVED: **11**

NUMBER OF VOTES NOT RECEIVED: **0**

RESULT: PASSED

Ballot Intent:

The intent of this ballot is to amend the IFTA Articles of Agreement so that the interest rate to be used on taxes due from fleets based in the U.S. will fluctuate with the changes in the economy.

WITHDRAWN FOLLOWING THE FIRST COMMENT PERIOD



**IFTA FULL TRACK PRELIMINARY BALLOT PROPOSAL
#03-2010**

Sponsor

Jurisdiction of Indiana

Date Submitted

March 26, 2010

Proposed Effective Date

Upon Passage

Manual Sections to be Amended

(January 1996 Version, Effective July 1, 1998, as revised)

IFTA Articles of Agreement

Article III APPLICATION AND RENEWAL
R345 License Renewal

Subject

An amendment to establish a deadline for IFTA licensees to submit their annual renewal application.

History/Digest

Currently, within the IFTA Articles of Agreement there is no deadline for IFTA licensees to file a renewal application. Indiana believes that this has led to many licensees taking advantage of this lack of a deadline by not filing their renewal applications in a timely manner. This has put pressure on the base jurisdiction to complete by January 1 those renewal applications that were not filed in a timely manner. This has also made it necessary to implement a "grace period," currently found under Section R605, to allow licensees who have filed their renewal applications the ability to display the prior year's IFTA licenses and decals for an additional two months into the new year, if they have not yet been issued the license and decals for the current year by that time.

Indiana proposes a deadline of September 1 for a licensee to remit renewal applications with their base jurisdiction, if such a deadline is not already prescribed under the laws of the base jurisdiction. With a set deadline in place for the filing of renewal applications, this will hopefully make it easier for jurisdictions to realistically complete renewal applications before January 1, and it will hopefully curb the filing of late renewal applications while promoting the filing of timely renewal applications.

This will also make it unnecessary for a "grace period" for the licensee, because if the licensee files their application by the deadline, then the licensee should have their decals and license by January 1. Indiana believes that any licensee who doesn't file their renewal application by the deadline should not be given

IFTA Full Track Preliminary Ballot Proposal
#03-2010

March 26, 2010
Page 1 of 3

leniency with a “grace period.” Therefore, in a separate ballot, Indiana proposes to amend the “Grace Period” section, R655, so that there is no “grace period” for late filers. There is a possibility that if the renewal application is not filed in time, the licensee may not be issued their current year’s credentials before January 1. A licensee therefore has an incentive to file their renewal application in a timely manner, because the licensee would not be able to operate without a “grace period.”

In conjunction with the amendment to R655, the amendment to R345 includes a provision for jurisdictions that anticipate that the jurisdiction will have trouble issuing credentials for the next year by January 1 to issue a document notifying law enforcement that licensees that have filed their renewal application may operate with the prior year’s credentials.

Intent

The intent of this ballot is to amend the IFTA Articles of Agreement so that there will be a deadline for renewing IFTA credentials.

WITHDRAWN

1 **Interlining Indicates Deletion; Underlining Indicates Addition**

2
3 **ARTICLES OF AGREEMENT**

4
5 **ARTICLE III APPLICATION AND RENEWAL**

6
7 ***[SECTIONS R305 THROUGH R340 REMAIN UNCHANGED]***

8
9 **R345 LICENSE RENEWAL**

10
11 .100 A renewal license and decals for the following calendar year will be issued upon
12 application if the license is not revoked, suspended or canceled, all tax returns
13 have been filed, and all motor fuels use taxes, penalties and interest due have
14 been paid and the applicant is in compliance with the base jurisdiction's laws.

15
16 .200 In lieu of renewal application, jurisdictions may notify a licensee that meets the
17 requirements of R345.100 that their license will automatically be renewed for the
18 following calendar year.

19
20 .300 Jurisdictions have the right to cancel or deny renewal of an IFTA license to a
21 carrier that does not leave the confines of the borders of the base jurisdiction and
22 reports zero or base jurisdiction distance only for three (3) or more consecutive
23 quarters. The base jurisdiction has the right to require proof of out of jurisdiction
24 travel prior to allowing the carrier to get licensed again under the IFTA
25 agreement. Proof may be in the manner of out of jurisdiction fuel permits
26 purchased and/or amended IFTA returns showing actual distance traveled during
27 a quarter already filed or for those reasons the base jurisdiction deems
28 necessary to reissue the license including but not limited to the list included in
29 R345.100.

30
31 .400 An application for renewal must be submitted by the date set by the laws of the
32 licensee's base jurisdiction. If no deadline is mandated by law, then the deadline
33 to submit an application for renewal will be September 1.

34
35 .500 A base jurisdiction that has been granted an extension period under R655.200
36 shall issue a document to a carrier that has submitted an application for renewal
37 on or before the deadline under R345.500, which will notify law enforcement
38 officers that the carrier has submitted an application for renewal with the base
39 jurisdiction that is still being processed and is permitted to operate under the prior
40 year's license and decals.

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42 ***[SECTIONS R350 THROUGH R370 REMAIN UNCHANGED]***

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REVISIONS FOLLOWING THE FIRST COMMENT PERIOD

FOR VOTE BY DECEMBER 20, 2010



**IFTA FULL TRACK FINAL BALLOT PROPOSAL
#04-2010**

Sponsor

Jurisdiction of Indiana

Date Submitted

March 26, 2010

Proposed Effective Date

July 1, 2011

Manual Sections to be Amended

(January 1996 Version, Eff. July 1, 1998, as revised)

IFTA Articles of Agreement

Article VI VEHICLE IDENTIFICATION
R655 Grace Period

Subject

An amendment of the “grace period” provision.

History/Digest

Indiana believes that the section providing for a “grace period,” R655.200, should be removed. Several attempts have been made in the past to amend R655.200, or to eliminate R655 entirely. However, these attempts have not been successful.

The main concern that Indiana has with R655.200, and which many other jurisdictions have had in the past, is that during the “grace period” (January and February), enforcement is difficult, as each jurisdiction may have different means of renewing IFTA credentials and different means of enforcing the requirements to have current licenses and decals. Another problem is that without a set deadline for renewal in the IFTA Articles of Agreement, the “grace period” causes many IFTA licensees to take a lax attitude during the license renewal period by filing their renewal applications in an untimely manner. In effect, this extends the renewal period in many jurisdictions, creating headaches for the agencies that process the renewal applications and issue the IFTA credentials, because more and more applications come in beyond the renewal period.

Indiana believes that any licensee who doesn't file their renewal application by the deadline set by their jurisdiction should not be given leniency with a “grace period.” It puts undo strain on the base jurisdiction to process applications for licensees who did not file by the deadline. It also causes too much confusion for law enforcement in each jurisdiction.

Indiana does not believe that R655.100 should be eliminated or amended, since many jurisdictions think that there is a chance that new jurisdictions may join IFTA sometime in the future.

Intent

The intent of this ballot is to amend the IFTA Articles of Agreement to delete the provision for a “grace period” found in R655.200.

Interlining Indicates Deletion; Underlining Indicates Addition

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ARTICLES OF AGREEMENT

ARTICLE VI VEHICLE IDENTIFICATION

R600 VEHICLE IDENTIFICATION

[SECTIONS R605 THROUGH R650 REMAIN UNCHANGED]

***R655 GRACE PERIOD**

.100 Carriers from new member jurisdictions shall be allowed a two-month grace period from the date of the new member's IFTA program implementation to display the IFTA license and decals. However, carriers must maintain the proper credentials for traveling in member jurisdictions until they display the valid IFTA license and decals.

~~**.200** Carriers renewing their IFTA license and decals have a two-month grace period (January and February) to display the renewal IFTA license and decals. To operate in IFTA jurisdictions during this grace period, carriers must display either valid current or prior year IFTA license and decals from the jurisdiction in which they were operating or a valid single-trip permit from the IFTA jurisdiction in which they are operating.~~

[SECTION R660 REMAINS UNCHANGED]

NO REVISIONS FOLLOWING THE SECOND COMMENT PERIOD

**IFTA FULL TRACK FINAL BALLOT PROPOSAL 4-2010
VOTING RESULTS**

JURISDICTION	LANGUAGE		EFFECTIVE DATE	
	YES	NO	YES	NO
ALABAMA	1		1	
ALBERTA	1		1	
ARIZONA		1		1
ARKANSAS		1		1
BRITISH COLUMBIA	1		1	
CALIFORNIA		1		1
COLORADO	1		1	
CONNECTICUT		1		1
DELAWARE		1		1
FLORIDA		1		1
GEORGIA	1		1	
IDAHO		1		1
ILLINOIS	1		1	
INDIANA	1		1	
IOWA		1		1
KANSAS		1		1
KENTUCKY		1		1
LOUISIANA	1		1	
MAINE	1		1	
MANITOBA		1		1
MARYLAND		1		1
MASSACHUSETTS		1		1
MICHIGAN	1		1	
MINNESOTA		1		1
MISSISSIPPI		1		1
MISSOURI	1			1
MONTANA	1		1	
NEBRASKA	1		1	
NEVADA		1		1
NEW BRUNSWICK	1		1	
NEW HAMPSHIRE		1		1
NEW JERSEY		1		1
NEW MEXICO		1		1
NEW YORK		1		1
NEWFOUNDLAND	1		1	
NORTH CAROLINA				
NORTH DAKOTA	1		1	
NOVA SCOTIA	1		1	
OHIO		1		1
OKLAHOMA		1		1
ONTARIO	1		1	
OREGON		1		1
PENNSYLVANIA		1		1
PRINCE EDWARD ISLAND		1		1
QUEBEC		1		1
RHODE ISLAND		1		1
SASKATCHEWAN		1		1

**IFTA FULL TRACK FINAL BALLOT PROPOSAL 4-2010
VOTING RESULTS**

JURISDICTION	LANGUAGE		EFFECTIVE DATE	
	YES	NO	YES	NO
SOUTH CAROLINA		1		1
SOUTH DAKOTA	1		1	
TENNESSEE	1		1	
TEXAS		1	1	
UTAH	1		1	
VERMONT	1		1	
VIRGINIA		1		1
WASHINGTON		1		1
WEST VIRGINIA		1		1
WISCONSIN		1		1
WYOMING	1		1	
TOTALS	23	34	23	34

Bold font in the voting total columns and shading indicate that the jurisdiction did not vote.

Failure to vote for the ballot language counts as a "No" vote.

Failure to vote for the alternative effective date counts as a "No" vote.

Number of "YES" votes necessary to pass: 44

Effective Date: July 1, 2011

LANGUAGE:

NUMBER OF "YES" VOTES RECEIVED: **23**

NUMBER OF "NO" VOTES RECEIVED: **34**

NUMBER OF VOTES NOT RECEIVED: **1**

RESULT: FAILED

ALTERNATIVE EFFECTIVE DATE:

NUMBER OF "YES" VOTES RECEIVED: **23**

NUMBER OF "NO" VOTES RECEIVED: **34**

NUMBER OF VOTES NOT RECEIVED: **1**

RESULT: FAILED

Ballot Intent:

The intent of this ballot is to amend the IFTA Articles of Agreement to delete the provision for a "grace period" found in R655.200.

**DID NOT RECEIVE SUFFICIENT NUMBER OF VOTES AT THE
2010 ANNUAL BUSINESS MEETING TO CONTINUE**



**IFTA SHORT TRACK PRELIMINARY BALLOT PROPOSAL
#05-2010**

Sponsor

Jurisdiction of Colorado

Date Submitted

May 7, 2010

Proposed Effective Date

January 1, 2011

Manual Sections to be Amended

(January 1996 Version, Effective July 1, 1998, as revised)

IFTA Articles of Agreement

Article XII Assessment and Collection
R1220 Penalties

Subject

An addition/amendment to the penalties regarding the grace period for renewals.

History/Digest

There has been discussion and concerns over the intent of the grace period under R655.100 and the problem with carriers waiting until the end of the grace period to file the renewals. Those carriers that do not submit renewals by December 31 create an imposition on the jurisdiction to get those licenses and decals issued in less than the 60 day grace period.

Intent

The intent of this ballot is to improve compliance and timely submittal for annual renewals. This ballot would still give jurisdictions a grace period for those carriers that file by December 31. This ballot would also give the jurisdictions the discretion to impose a penalty on those carriers that file their renewals after December 31.

Interlining Indicates Deletion; Underlining Indicates Addition

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***R1220 PENALTIES**

- .100** The base jurisdiction may assess the licensee a penalty of \$50.00 or 10 percent of delinquent taxes, whichever is greater, for failing to file a tax return, filing a late tax return, underpaying taxes due.
- .200** Penalties paid by the licensee shall be retained by the base jurisdiction.
- .300** Nothing in the Agreement limits the authority of a base jurisdiction to impose any other penalties provided by the laws of the base jurisdiction.
- .400** **The base jurisdiction may assess the licensee a penalty of \$50 for failure to file a renewal application on or before December 31.**

Failed