

FOR VOTE BY JANUARY 21, 2014



**IFTA FULL TRACK FINAL BALLOT PROPOSAL
#01-2013**

Sponsor

IFTA Agreement Procedures Committee
IFTA Program Compliance Review Committee

Date Submitted

April 15, 2013

Proposed Effective Date

January 1, 2015

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

IFTA Procedures Manual P700 Standard Tax Returns

Subject

To clarify the requirements for filing an IFTA Tax Return.

History/Digest

As technology advances, requests from licensees to file their quarterly IFTA tax returns online have increased. Jurisdictions have increasingly accommodated licensees in this regard; some even requiring that licensees file online. It was determined that P700 does not adequately address what is required to be included or captured. Therefore, the IFTA Agreement Procedures Committee and the IFTA Program Compliance Review Committee formed a subcommittee, the Electronic Filing Subcommittee to ballot language that would provide guidance and consistency among the jurisdictions, regarding data elements that shall be captured on IFTA tax returns.

Intent

The intent of this ballot is to provide an update to the IFTA Procedures Manual to include the necessary requirements for filing an IFTA tax return, regardless of the manner filed. These elements are what are required to be present on the return even though they might not be captured from the licensee on each return. It should be noted that per R820 that total fuel consumed in all jurisdictions must include all fuel consumed, regardless of where the fuel was purchased, whether or not taxes were paid for the fuel, and whether or not a valid fuel receipt or withdrawal document is available.

Interlining Indicates Deletion; Underlining Indicates Addition

1 **P700 STANDARD TAX RETURNS**

2
3 The elements listed in P720 are to be captured regardless of the method of completion of the tax return
4 (manually, electronically prepared or electronically prepared and filed).

5
6 **{SECTIONS P710 AND P730 REMAIN UNCHANGED}**

7
8 ***P720 REQUIRED INFORMATION**

9
10 Each jurisdiction shall ~~use a standard tax return that shall contain, but not be limited to, the elements~~
11 ~~listed below; provide, at a minimum, the following elements to be present on a standard tax return.~~
12 These elements may be preprinted, have a field or space for, or be automatically calculated:

- 13
14 **.050** Name and mailing address of the jurisdiction issuing the tax return;
- 15
16 **.100** ~~A space for the~~ IFTA license number of the licensee;
- 17
18 **.150** ~~A space for the~~ Name and address of the licensee;
- 19
20 **.200** ~~A space for the~~ Tax reporting period of the tax return;
- 21
22 **.250** ~~A space for the~~ Total distance traveled in all jurisdictions during the tax reporting period,
23 including operations with trip permit;
- 24
25 **.300** ~~A space for~~ Total fuel consumed in all jurisdictions during the tax reporting period;
- 26
27 **.350** ~~A space for the~~ Average fuel consumption factor (to two decimal places) for the tax reporting
28 period;
- 29
30 **.400** ~~A space for the~~ Fuel type(s) consumed during the tax reporting period;
- 31
32 **.450** Columns for the jurisdictions in the Agreement;
- 33
34 **.500** Columns for reporting for each jurisdiction in order (with rounding provided to the nearest
35 whole unit);
- 36
37 .010 Tax rate;
- 38
39 .015 Total miles or kilometers;
- 40
41 .020 Total taxable miles or kilometers;
- 42
43 .025 Taxable gallons or liters;
- 44
45 .030 Tax paid gallons or liters;
- 46
47 .035 Net taxable gallons or liters;
- 48
49 .040 Tax due;
- 50

51 .045 Interest due; and
52
53 .050 Total due;
54
55 **.550** Totals for the columns that are listed under P720.500 with the exception of
56 P720.500.010 and P720.500.045;
57
58 **.600** ~~A space for the~~ Penalty or late filings fees (\$50.00 or 10 percent of the tax, whichever is greater);
59
60 **.650** ~~A space for the~~ Total remittance of the tax return;
61
62 **.700** ~~A space for the~~ Date of the submitted tax return;
63
64 **.750** ~~A space for the~~ Signature of the person filing the licensee's tax return, unless the licensee
65 is filing electronically in accordance with R940.300 and P160.
66
67 **.800** ~~A space for the~~ Title of the person filing the licensee's tax return; and
68
69 **.850** ~~A space for the~~ Telephone number of the person filing the licensee's tax return.
70
71 A space for previous balances may be included.
72

NO REVISIONS FOLLOWING THE SECOND COMMENT PERIOD

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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				
IDAHO	1		1	
ILLINOIS	1		1	
INDIANA	1		1	
IOWA	1		1	
KANSAS	1		1	
KENTUCKY	1		1	
LOUISIANA				
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				
NEBRASKA	1		1	
NEVADA	1		1	
NEW BRUNSWICK	1		1	
NEW HAMPSHIRE	1		1	
NEW JERSEY - INELIGIBLE				
NEW MEXICO	1		1	
NEW YORK		1		1
NEWFOUNDLAND	1		1	
NORTH CAROLINA	1		1	
NORTH DAKOTA				
NOVA SCOTIA	1		1	
OHIO	1		1	
OKLAHOMA	1		1	
ONTARIO	1		1	
OREGON	1		1	
PENNSYLVANIA	1		1	
PRINCE EDWARD ISLAND				
QUEBEC	1		1	
RHODE ISLAND	1		1	
SASKATCHEWAN	1		1	

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VOTING RESULTS**

JURISDICTION	LANGUAGE		EFFECTIVE DATE	
	YES	NO	YES	NO
SOUTH CAROLINA	1		1	
SOUTH DAKOTA				
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	49	2	49	2

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: January 1, 2015

LANGUAGE:

NUMBER OF "YES" VOTES RECEIVED: **49**

NUMBER OF "NO" VOTES RECEIVED: **2**

NUMBER OF VOTES NOT RECEIVED: **6**

NUMBER OF INELIGIBLE JURISDICTIONS: **1**

TOTAL 58

RESULT: PASSED

ALTERNATIVE EFFECTIVE DATE:

NUMBER OF "YES" VOTES RECEIVED: **49**

NUMBER OF "NO" VOTES RECEIVED: **2**

NUMBER OF VOTES NOT RECEIVED: **6**

NUMBER OF INELIGIBLE JURISDICTIONS: **1**

TOTAL 58

RESULT: PASSED

Ballot Intent:

The intent of this ballot is to provide an update to the IFTA Procedures Manual to include the necessary requirements for filing an IFTA tax return, regardless of the manner filed. These elements are what are required to be present on the return even though they might not be captured from the licensee on each return. It should be noted that per R820 that total fuel consumed in all jurisdictions must include all fuel consumed, regardless of where the fuel was purchased, whether or not taxes were paid for the fuel, and whether or not a valid fuel receipt or withdrawal document is available.

FTPBP #1-2013
First Comment Period Ending June 17, 2013

SUMMARY

38 Comments

Support: 35
Oppose: 0
Undecided: 3

ALABAMA

Support

ALBERTA

Support

ARIZONA

Support

AUDIT COMMITTEE

Support

The Audit Committee supports this ballot.

Industry has a valid concern in regard to jurisdictions that reject returns where total gallons exceed the sum of tax paid credit gallons. But it is the Audit Committee's opinion that addressing this Industry concern would best be accomplished separately from this Ballot.

BRITISH COLUMBIA

Support

CALIFORNIA

Support

We also suggest adding *the email address of the person signing the return*.

COLORADO

Support

CONNECTICUT

Support

IDAHO

Support

ILLINOIS

Support

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KANSAS

Support

KENTUCKY

Support

MAINE

Support

MANITOBA

Support

MARYLAND

Support

MINNESOTA

Undecided

By stating the "data elements listed in P720 are to be data captured....." causes concern. For example, we do not electronically store the name and address of our jurisdiction, title of the person filing the tax return, telephone number of the person filing each tax return. That data is however a part of the IFTA licensee demographic information. It would be helpful to specify what the "date of submitted tax return" means for and electronic filing (fee calculation date, filing date, payment date?).

MISSOURI

Support

MONTANA

Support

NEW BRUNSWICK

Support

NEW HAMPSHIRE

Support

NEW MEXICO

Support

NEW YORK

Undecided

New York concerns with the work 'captured' in defined as 'the act of recording in a permanent file'.

NORTH DAKOTA

Support

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NOVA SCOTIA

Support

OKLAHOMA

Support

Obtaining accurate data is the goal, not whether it's obtained on a paper or an electronic form.

ONTARIO

Support

Ontario supports the proposed language as it provides guidance and consistency among the jurisdictions regarding data elements to be captured on IFTA tax returns.

OREGON

Support

PENNSYLVANIA

Support

PRINCE EDWARD ISLAND

Support

QUEBEC

Undecided

Need clarification on the "to be captured".

SASKATCHEWAN

Support

SK supports this improvement.

STAKEHOLDERS

ATA - Robert Pitcher

Support.

This change should be helpful for entities – service bureaus and some licensees – that file IFTA reports in more than one jurisdiction. It would be even more helpful if the list of required elements included the amount of unreceipted or otherwise non-tax-paid fuel being reported. These are necessary quantities for accurate and complete IFTA reporting. At least three categories of fuel should be covered here: nonreceipted fuel (fuel purchased for which no receipt can be produced), fuel purchased in Mexico and used in the U.S., and fuel purchased in places in the U.S. where taxes are not levied (Oregon and some facilities operated by Indians). Moreover, with

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the increasing use of CNG, for which standard tax collection procedures are not necessarily in place, more licensees may soon need to report non-tax-paid fuel.

IAC - Sandy Johnson, Chair

Support: This should be helpful for industry. The addition of a field for non-receipted fuel would be helpful. This field is necessary for accurate and complete IFTA returns. The fuel included in this category can include:

Non-receipted fuel

Indian Reservation fuel purchases (NY, UT, AZ, MI)

Oregon Fuel purchases (taxed and non-taxed)

Non-IFTA fuel: DC, MX, YT, NT, NU

Without the ability to enter these fuel amounts, the MPG/KPL ratio would not be accurate thereby decreasing the amount of tax due.

TEXAS
Support

UTAH
Support

VERMONT
Support

VIRGINIA
Support

WEST VIRGINIA
Support

WYOMING
Support

FTPBP #1-2013
Second Comment Period Ending October 31, 2013

SUMMARY

27 Comments

Support: 25
Oppose: 1
Undecided: 1

ALABAMA

Support

ALBERTA

Support

BRITISH COLUMBIA

Support

CONNECTICUT

Support

IDAHO

Support

ILLINOIS

Support

IOWA

Support

KANSAS

Support

KENTUCKY

Support

MAINE

Support

MANITOBA

Support

MASSACHUSETTS

Support

MICHIGAN

Support

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MISSOURI

Support

NEW BRUNSWICK

Support

NEW HAMPSHIRE

Support

NEW JERSEY

Support

NEW MEXICO

Undecided

NEWFOUNDLAND

Support

NOVA SCOTIA

Support

We support the ballot, but recommend that Mass turnpike miles be identified as belonging in non-taxable - it's not always clear that this is where it belongs.

OKLAHOMA

Support

ONTARIO

Support

Stakeholders

Oppose

IAC - Sandy Johnson, Chair

Oppose: To clarify, industry supports the adoption of electronic filing of returns. However, without the addition of non-IFTA fuel to the return, adoption of this ballot has the potential to create serious consequences for both government and industry.

1. Non-receipted fuel
2. Indian Reservation fuel purchases (NY, UT, AZ, MI)
3. Oregon Fuel purchases (taxed and non-taxed)
4. Non-IFTA fuel: DC, MX, YT, NT, NU

Without the ability to enter these fuel amounts, the MPG/KPL ratio will not be accurate thereby decreasing the amount of tax due.

VERMONT

Support

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Second Comment Period Ending October 31, 2013

VIRGINIA

Support

WEST VIRGINIA

Support

WYOMING

Support

FOR VOTE BY JANUARY 21, 2014



**IFTA FULL TRACK FINAL BALLOT PROPOSAL
#02-2013**

Sponsor

Jurisdiction of Kansas
Jurisdiction of Alabama

Date Submitted

March 12, 2013

Proposed Effective Date

Upon Passage

Manual Sections to be Amended (September 2011 Version, Effective July 1, 1998, as revised)

Articles of Agreement R245 - Qualified Motor Vehicle

Subject

Qualified Motor Vehicle Definition

History/Digest

Section R245 of the IFTA Articles of Agreement defines a Qualified Motor Vehicle as a motor vehicle used, designed, or maintained for transportation of persons or property and:

- Having two axles and a gross vehicle weight or registered gross vehicle weight exceeding 26,000 pounds or 11,797 kilograms; or
- Having three or more axles regardless of weight; or
- Is used in combination, when the weight of such combination exceeds 26,000 pounds or 11,797 kilograms gross vehicle or registered gross vehicle weight.

In July 1992, the membership voted to include the Consensus Board Interpretation, Issue 12, as narrative to Section R245 of the IFTA Articles of Agreement. In the Consensus Board Interpretation, the Board agreed that a power unit with two axles, pulling a trailing unit, with a combined gross or registered weight of 26,000 pounds or less is not a qualified motor vehicle. Section .100 and .200 of the definition of a qualified motor vehicle refer only to the power unit. Section .300 of the definition refers to the combination of the power unit and the trailing unit.

The Consensus Board Interpretation is that the axles of a trailing unit have no bearing on the Qualified Motor Vehicle definition and that the part of the definition alluding to the number of axles applies only to the axles on the power unit.

Intent

The intent of the ballot is to amend Section R245 of the IFTA Articles of Agreement to include the provisions of the Consensus Board Interpretation in the definition of Qualified Motor Vehicle.

This change is needed to prevent law enforcement officers from issuing IFTA citations to non-qualified vehicles because the officers are incorrectly including the axles of the trailing unit to determine if the vehicle is IFTA qualified. When questioned regarding the citation, these officers admit that they did not know about the CBI, or they refused to recognize that the CBI was binding.

The amended definition will provide necessary clarification to jurisdictions, law enforcement and licensees regarding the IFTA licensing requirements for qualified vehicles. The clarification will result in a reduction of IFTA citations being improperly issued to non-qualified motor vehicles. The clarification will also result in a reduction of licenses/decals issued to non-qualified vehicles which are forced to display IFTA credentials by law enforcement officers who are improperly citing these vehicles.

Interlining Indicates Deletion; Underlining Indicates Addition

1 **R245 Qualified Motor Vehicle** means a motor vehicle used, designed, or maintained for transportation of
2 persons or property and is:

3
4 .100 A power unit having two axles and a gross vehicle weight or registered gross vehicle
5 weight exceeding 26,000 pounds or 11,797 kilograms; or

6
7 .200 A power unit having three or more axles regardless of weight; or

8
9 .300 ~~is~~ A power unit with two axles and trailing unit used in combination, when the weight of
10 such combination **exceeds** 26,000 pounds or 11,797 kilograms gross vehicle or
11 registered gross vehicle weight.

12
13 **Qualified Motor Vehicle** does not include recreational vehicles.

14

NO REVISIONS FOLLOWING THE SECOND COMMENT PERIOD

**IFTA FULL TRACK FINAL BALLOT PROPOSAL 2-2013
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				
FLORIDA		1	1	
GEORGIA				
IDAHO	1		1	
ILLINOIS		1		1
INDIANA				
IOWA	1		1	
KANSAS	1		1	
KENTUCKY		1		1
LOUISIANA				
MAINE				
MANITOBA	1		1	
MARYLAND		1		1
MASSACHUSETTS	1		1	
MICHIGAN		1		1
MINNESOTA	1		1	
MISSISSIPPI	1		1	
MISSOURI	1		1	
MONTANA				
NEBRASKA		1		1
NEVADA		1		1
NEW BRUNSWICK	1		1	
NEW HAMPSHIRE		1		1
NEW JERSEY - INELIGIBLE				
NEW MEXICO	1		1	
NEW YORK	1		1	
NEWFOUNDLAND	1		1	
NORTH CAROLINA	1		1	
NORTH DAKOTA				
NOVA SCOTIA	1		1	
OHIO	1		1	
OKLAHOMA	1		1	
ONTARIO		1		1
OREGON		1		1
PENNSYLVANIA	1		1	
PRINCE EDWARD ISLAND				
QUEBEC	1		1	
RHODE ISLAND		1		1
SASKATCHEWAN	1		1	

**IFTA FULL TRACK FINAL BALLOT PROPOSAL 2-2013
VOTING RESULTS**

JURISDICTION	LANGUAGE		EFFECTIVE DATE	
	YES	NO	YES	NO
SOUTH CAROLINA	1		1	
SOUTH DAKOTA				
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	32	16	34	14

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: Upon Passage

LANGUAGE:

NUMBER OF "YES" VOTES RECEIVED: **32**

NUMBER OF "NO" VOTES RECEIVED: **16**

NUMBER OF VOTES NOT RECEIVED: **9**

NUMBER OF INELIGIBLE JURISDICTIONS: **1**

TOTAL 58

RESULT: FAILED

ALTERNATIVE EFFECTIVE DATE:

NUMBER OF "YES" VOTES RECEIVED: **34**

NUMBER OF "NO" VOTES RECEIVED: **14**

NUMBER OF VOTES NOT RECEIVED: **9**

NUMBER OF INELIGIBLE JURISDICTIONS: **1**

TOTAL 58

RESULT: FAILED

Ballot Intent:

*The intent of the ballot is to amend Section R245 of the IFTA Articles of Agreement to include the provisions of the Consensus Board Interpretation in the definition of Qualified Motor Vehicle.

*This change is needed to prevent law enforcement officers from issuing IFTA citations to non-qualified vehicles because the officers are incorrectly including the axles of the trailing unit to determine if the vehicle is IFTA qualified. When questioned regarding the citation, these officers admit that they did not know about the CBI, or they refused to recognize that the CBI was binding.

*The amended definition will provide necessary clarification to jurisdictions, law enforcement and licensees regarding the IFTA licensing requirements for qualified vehicles. The clarification will result in a reduction of IFTA citations being improperly issued to non-qualified motor vehicles. The clarification will also result in a reduction of licenses/decals issued to non-qualified vehicles which are forced to display IFTA credentials by law enforcement officers who are improperly citing these vehicles.

FTPBP #2-2013
First Comment Period Ending June 17, 2013

SUMMARY

37 Comments

Support: 20
Oppose: 10
Undecided: 7

ALABAMA

Support

ALBERTA

Undecided

We are not clear what will be accomplished by the ballot, and we are not clear whether any vehicles previously included in the definition may fall off as a result of the proposal. We are also concerned with the proposal to revise R245.300 as a power unit "with two axles" and trailing unit may unduly limit some of the vehicles currently qualified. One suggestion is to just revise R245.300 as "a power unit and trailing unit...".

AUDIT COMMITTEE

Support

The Audit Committee supports this ballot. It also suggests that this issue be a discussion item at the next Managers and Law Enforcement workshop.

BRITISH COLUMBIA

Undecided

As indicated by others, BC is not sure if this ballot is necessary.

CALIFORNIA

Oppose

We do not believe that the proposed amendments add clarity over the existing language.

COLORADO

Undecided

CONNECTICUT

Oppose

We understand why the ballot is being proposed; however, the current definition has worked for many years with minimal misinterpretations. The CBI which clarified the definition supports the intent of the existing language. The process of having Consensus Board Interpretations is designed for this very purpose; if we are to change the governing documents every time there is a misunderstanding, why have CBI's at all? In this case, the CBI and the article it supports work and work well in the vast majority of

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jurisdictions. We recommend that jurisdictions work together to educate those who do not understand either the direct language of the article or the CBI which supports it.

IDAHO
Support

ILLINOIS
Oppose

The current definition of a QMV and its CBI is solid enough. The definition of a QMV starts out by stating that a "QMV means a motor vehicle...". Most LEO's do not (and should not) consider the trailing unit as a "motor vehicle". If they are including those axles in the "three or more" equation, they need to be re-educated.

KANSAS
Support

KENTUCKY
Support

MAINE
Undecided

Not sure this ballot solves anything that the CBI didn't make clear.

MANITOBA
Undecided

This ballot would not affect how we interpret or administer this section.

MARYLAND
Oppose

Maryland believes that the existing definition and corresponding CBI are sufficient.

MINNESOTA
Support

Minnesota fees the proposal adds clarity for the jurisdictions, IFTA taxpayer, and law enforcement.

MISSOURI
Support

MONTANA
Oppose

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First Comment Period Ending June 17, 2013

No reason to change R245 Qualified Motor Vehicle by adding "power unit" to the definitions .100 and .200 and in .300 using "a power unit with two axles and trailering unit" instead of vehicle combination. This looks more like a jurisdictional training issue.

NEW BRUNSWICK

Support

NEW HAMPSHIRE

Oppose

NEW MEXICO

Support

NEW YORK

Support

NORTH DAKOTA

Support

Great change. Current language is too vague.

NOVA SCOTIA

Support

OKLAHOMA

Support

While we support this ballot, support does run the risk of implying CBI's don't carry the full force of IFTA law. The language of a CBI is as binding on the jurisdictions as any other provision of the Agreement.

ONTARIO

Oppose

It is our suggestion that emphasis be placed on the training of roadside enforcement officers, rather than amending the definition. Further, changing the definition would have a direct effect on the core principles of IFTA and jurisdictional legislation.

OREGON

Oppose

Not sure it is necessary to incorporate CBI into Articles in order for them to be governing. As described, issues seems to have more to do with education of law enforcement community.

PENNSYLVANIA

Support

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PRINCE EDWARD ISLAND

Oppose

QUEBEC

Support

SASKATCHEWAN

Undecided

This change would not effect how SK administers this article.

STAKEHOLDERS

ATA - Robert Pitcher

Oppose. ATA opposes this change, for the reasons set out last year: the Agreement is clear on this point already. It is unwise to alter one of the fundamental IFTA definitions to accommodate the occasional misunderstandings of a couple of jurisdictions, whose understanding, after all, may not be improved by the proposed change.

IAC - Sandy Johnson, Chair

Neutral. No comment

TEXAS

Support

UTAH

Support

VERMONT

Support

VIRGINIA

Undecided

Like many other jurisdictions we believe the issue at hand may be better addressed through education and training. The concern does not appear to be widespread, and the new language may present more challenges than that posed by the current language.

WEST VIRGINIA

Support

WYOMING

Support

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We believe the change is needed to provide clarification. We have customers who are receiving IFTA citations on non-qualified motor vehicles.

FTPBP #2-2013
Second Comment Period Ending October 31, 2013

SUMMARY

26 Comments

Support: 15
Oppose: 8
Undecided: 3

ALABAMA

Support

ALBERTA

Undecided

We are hesitant to see changes in the fundamental definition when education is what may be needed.

BRITISH COLUMBIA

Undecided

BC does not believe this ballot is necessary.

CONNECTICUT

Oppose

We are still not convinced that this ballot is necessary. We believe the CBI provides sufficient clarification and support for the subject article in the governing documents. The proposed language does not provide assurance that these differing views on the definition of a qualified motor vehicle would cease. We would be reluctant to set a precedent where the governing documents are amended every time member jurisdictions have conflicting opinions on the application of the Agreement provisions. We advise that an education effort is a better path to take; alternately, IFTA already provides for issues of compliance with the Agreement to be resolved by utilizing the dispute resolution process.

ILLINOIS

Oppose

A change to the definition of a Qualified Motor Vehicle is not necessary. If there is a concern that law enforcement is including the axles of a trailing unit with a two-axled QMV and the **combination** does not weigh (or registered) greater than 26,000, then further education is necessary.

IOWA

Support

KANSAS

Support

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Second Comment Period Ending October 31, 2013

KENTUCKY

Support

MAINE

Support

MANITOBA

Undecided

MASSACHUSETTS

Oppose

I think the current definition of "Qualified Motor Vehicle" is pretty clear. However, as pointed out in this proposal, more education is needed.

MICHIGAN

Oppose

MISSOURI

Support

NEW BRUNSWICK

Support

NEW HAMPSHIRE

Oppose

The current definition of a qualified motor vehicle does not need to be amended. The current definition is appropriate and should not be changed.

NEW JERSEY

Support

NEW MEXICO

Support

NEWFOUNDLAND

Support

NOVA SCOTIA

Support

OKLAHOMA

Support

FTPBP #2-2013
Second Comment Period Ending October 31, 2013

ONTARIO

Oppose

It is our suggestion that emphasis be placed on the training of roadside enforcement officers, rather than amending the definition. Further, changing the definition would have a direct effect on the core principles of IFTA and may significantly impact jurisdictional legislation.

Stakeholders

Oppose

ATA - Robert Pitcher

Oppose. IFTA is clear on this point already. It is unwise to alter one of IFTA's fundamental definitions to accommodate the occasional understandings of a couple of jurisdictions, whose understanding, after all, may not be improved by the proposed change. The discussion at the 2013 ABM strongly indicated that the proposed change would be of little help in this respect.

IAC - Sandy Johnson, Chair

Oppose. Industry feels the definition in IFTA is currently sufficient.

VERMONT

Support

VIRGINIA

Oppose

We continue to believe the issue at hand may be better addressed through education and training. The concern does not appear to be widespread, and the new language may present more challenges than that posed by the current language.

WEST VIRGINIA

Support

WYOMING

Support

We believe the change is needed to provide clarification. We have customers who are receiving IFTA citations on non-qualified vehicles.

FOR VOTE BY JANUARY 21, 2014



**IFTA FULL TRACK FINAL BALLOT PROPOSAL
#03-2013**

Sponsor

IFTA, Inc. Board of Trustees

Date Submitted

April 16, 2013

Proposed Effective Date

July 1, 2014

Manual Sections to be Amended

IFTA Articles of Agreement
IFTA Procedures Manual

R200 DEFINITONS
P730 CONVERSION RATES AND MEASUREMENTS
P1300 UNITS OF MEASUREMENT

Subject

Establishing a definition for a Gallon and a Liter of compressed natural gas (CNG)

History/Digest

Dual-fueled vehicles which use either a combination of diesel and CNG, or a combination of diesel and liquefied natural gas (LNG) are a growing trend in North America. The use of diesel and CNG in an IFTA licensed vehicle complicates fuel taxation from a reporting perspective. This is because:

- CNG is often sold as a gaseous measure (e.g., cubic feet or cubic meters) and should be converted to a liquid measure (e.g., gallons or liters) for consistent tax reporting purposes with other fuels traditionally taxed based on a liquid measure; and
- Jurisdiction conversion rates for CNG vary considerably and a common standard is needed for fair and consistent reporting of CNG quantities between jurisdictions.

The standard conversion factor being proposed is the Internal Revenue Service (IRS) conversion factor of 126.67 cubic feet of natural gas to equal a gallon of gasoline, which is based on the energy equivalency of the two fuels (see *Instructions for Form 720*). The establishment of a uniform conversion factor does not affect jurisdictional tax rates. However, jurisdictions with CNG tax rates set at a different rate (e.g., \$ per 100 cubic feet) will need restate their tax rate for IFTA purposes to the equivalent amount per 126.67 cubic feet. This is similar to the current process where jurisdictions tax rates are restated between US

gallons and Canadian liters, and between US and Canadian exchange rates, for IFTA purposes.

There are no conversion issues with LPG since it is almost always sold as a liquid measure, or by weight which can easily be converted to a liquid measure.

Intent

The intent of this ballot is to establish a standard conversion factor so compressed natural gas (CNG), when sold in gaseous volumes (e.g., cubic feet or cubic meters), can be converted to liquid volumes (e.g., gallons and liters) and accurately reported on the IFTA Tax Return.

The standard conversion factor being proposed is the IRS conversion factor of 126.67 cubic feet of natural gas to equal a gallon of gasoline.

Interlining Indicates Deletion; Underlining Indicates Addition

1 **ARTICLES OF AGREEMENT**

2 **R200 DEFINITIONS**

3
4 **R222** Gallon of compressed natural gas means a quantity of compressed natural gas equal to 126.67
5 cubic feet of natural gas at 60 degrees Fahrenheit and one atmosphere of pressure. In the
6 alternative, it means a quantity of compressed natural gas that weighs 5.66 pounds.
7

8 **R237** Liter of compressed natural gas means a quantity of compressed natural gas equal to 1.0 cubic
9 meters of natural gas at 15 degrees Celsius and one atmosphere of pressure. In the alternative,
10 it means a quantity of compressed natural gas that weighs 0.678 kilograms.
11

12 ***[ALL OTHER SECTIONS UNDER R200 REMAIN UNCHANGED]***

13 **PROCEDURES MANUAL**

14 **P700 STANDARD TAX RETURNS**

15
16
17 ***[SECTIONS P710 AND P720 REMAIN UNCHANGED]***

18
19 **P730 CONVERSION RATES AND MEASUREMENTS**

20 When the membership includes a member jurisdiction other than a U.S. jurisdiction, conversion
21 rates and measurements must be printed on all standard tax returns or instructions provided with
22 tax returns. If the conversion rates and measurements are not printed on the tax returns, or if
23 specific instructions including those conversion rates and measurements are not included with tax
24 returns, either the IFTA, Inc. web-site or the base jurisdiction's web-site shall be referenced on
25 the tax return instructions, provided those sites contain the current conversion rates and
26 measurements. (See IFTA Articles of Agreement, Section R222 regarding the definition of a
27 gallon of compressed natural gas, and R237 regarding the definition of a liter of compressed
28 natural gas. Also see IFTA Procedures Manual Section P1300 regarding conversion rates and
29 measurements between U.S. and Canadian jurisdictions.)
30

31 **P1300 UNITS OF MEASUREMENT**

32
33 ***[Section *P1310 remains unchanged]***

34
35 **~~P1320 FUELS NOT MEASURED IN LITERS OR GALLONS~~**

36
37 ~~For reporting fuels that cannot be measured in liters or gallons (e.g., compressed natural gas),~~
38 ~~the licensee shall report the fuel in the units of measurement employed by the jurisdiction in~~
39 ~~which the fuel was used.~~
40
41

NO REVISIONS FOLLOWING THE SECOND COMMENT PERIOD

**IFTA FULL TRACK FINAL BALLOT PROPOSAL 3-2013
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				
IDAHO	1		1	
ILLINOIS	1		1	
INDIANA				
IOWA	1		1	
KANSAS	1		1	
KENTUCKY	1			1
LOUISIANA				
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				
NEBRASKA	1			1
NEVADA	1		1	
NEW BRUNSWICK	1		1	
NEW HAMPSHIRE	1		1	
NEW JERSEY - INELIGIBLE				
NEW MEXICO	1		1	
NEW YORK	1		1	
NEWFOUNDLAND	1		1	
NORTH CAROLINA	1		1	
NORTH DAKOTA				
NOVA SCOTIA		1	1	
OHIO	1			1
OKLAHOMA	1		1	
ONTARIO		1		1
OREGON		1		1
PENNSYLVANIA	1		1	
PRINCE EDWARD ISLAND				
QUEBEC	1			1
RHODE ISLAND	1		1	
SASKATCHEWAN	1		1	

**IFTA FULL TRACK FINAL BALLOT PROPOSAL 3-2013
VOTING RESULTS**

JURISDICTION	LANGUAGE		EFFECTIVE DATE	
	YES	NO	YES	NO
SOUTH CAROLINA	1		1	
SOUTH DAKOTA				
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	5	41	9

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, 2015

LANGUAGE:

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

NUMBER OF "NO" VOTES RECEIVED: **5**

NUMBER OF VOTES NOT RECEIVED: **7**
1

NUMBER OF INELIGIBLE JURISDICTIONS:
TOTAL 58

RESULT: PASSED

ALTERNATIVE EFFECTIVE DATE:

NUMBER OF "YES" VOTES RECEIVED: **41**

NUMBER OF "NO" VOTES RECEIVED: **9**

NUMBER OF VOTES NOT RECEIVED: **7**

NUMBER OF INELIGIBLE JURISDICTIONS: **1**
TOTAL 58

RESULT: FAILED

Ballot Intent:

The intent of this ballot is to establish a standard conversion factor so compressed natural gas (CNG), when sold in gaseous volumes (e.g., cubic feet or cubic meters), can be converted to liquid volumes (e.g., gallons and liters) and accurately reported on the IFTA Tax Return.

The standard conversion factor being proposed is the IRS conversion factor of 126.67 cubic feet of natural gas to equal a gallon of gasoline.

FTPBP #3-2013
First Comment Period Ending June 17, 2013

SUMMARY

38 Comments

Support: 21
Oppose: 3
Undecided: 14

ALABAMA

Support

ALBERTA

Undecided

Alberta generally supports the ballot in standardization. However, we are unclear about the definitions arrived at. We are also confused why the 2 definitions are not included with other conversion rates under P1300 and why reference to P1300 is deleted from P730. It will be better if more information about this ballot is discussed first.

ARIZONA

Undecided

BRITISH COLUMBIA

Support

BC does not believe this ballot erodes a jurisdiction's sovereignty to impose a tax at a rate determined by its legislative assembly. BC believes the ballot simply provides a method for restating a jurisdiction's tax rate into a different but common unit or measure for use by other IFTA jurisdictions.

By way of an example, BC's tax rate is currently restated through a two-part process for IFTA reporting purposes (i.e., litres to gallons, and Canadian currency to US currency). The result is BC's tax of 0.2267 cents per litre for diesel set by our legislature is restated to 0.8398 cents per gallon for US IFTA jurisdictions. IFTA has not forced BC to change its tax rate, IFTA is simply restating BC's tax rate for others to ensure the correct reporting and distribution of taxes between IFTA jurisdictions.

By way of an example, BC's tax rate is currently restated through a two-part process for IFTA reporting purposes (i.e., litres to gallons, and Canadian currency to US currency). The result is BC's tax of 0.2267 cents per litre for diesel set by our legislature is restated to 0.8398 cents per gallon for US IFTA jurisdictions. IFTA has not forced BC to change its tax rate, IFTA is simply restating BC's tax rate for others to ensure the correct reporting and distribution of taxes between IFTA jurisdictions.

CALIFORNIA

Support

COLORADO

Support

FTPBP #3-2013
First Comment Period Ending June 17, 2013

CONNECTICUT

Oppose

We oppose this ballot. Our opposition is based on this jurisdiction's legislature having established a conversion factor for all persons using or distributing fuels that must be converted from a gaseous form to a liquid equivalent. This is enumerated in the motor fuel regulations of this jurisdiction; which includes both those who are subject to IFTA (motor fuel use for interstate carriers possessing QMV's) and those who are not. Passage of this ballot would establish different rules for application in IFTA as opposed to those who use the same fuel type but are not subject to IFTA. IFTA's governing documents focus on the use of fuel in qualified motor vehicles; this ballot interferes with a jurisdiction's authority to establish certain standards and regulations pursuant to its motor fuel tax laws. Respectfully, this is not a simple matter of math; rather, it is about IFTA interfering in a matter that is a relevant part of a jurisdiction's right to exercise substantive taxing authority.

IDAHO

Support

ILLINOIS

Support

This isn't a problem for "liquid" fuels because we have an accepted, standard measured volume... a gallon is a gallon (litre) in every jurisdiction. This isn't the case with the "gaseous" fuels where there are inconsistent units of volume being used as the conversion factor (BTU's, pounds, cubic feet, etc.). We need to establish a measure of volume that is consistent throughout all jurisdictions so taxes are fairly applied. Standardizing a conversion factor that is in line with the IRS is reasonable.

KANSAS

Undecided

We support the idea of uniformity on the conversion, but this will require some Statutes and or Regulation changes for our jurisdiction.

KENTUCKY

Support

MAINE

Support

This ballot is essential in order to accurately collect and transmit proper taxes for gaseous fuels. The ballot establishes a common conversion factor among jurisdictions. It does not impinge upon any jurisdiction's ability to set its own tax rate, or to have its own internal conversion factor. A jurisdiction with a conversion factor in statute other than the (proposed) IFTA standard would need to convert to the IFTA standard prior to transmittal. It's just math.

MANITOBA

Undecided

FTPBP #3-2013
First Comment Period Ending June 17, 2013

MARYLAND

Support

MINNESOTA

Oppose

The proposal conflicts with the MN statutory conversion figures for GNG. The proposal is not considering the fact that some jurisdictions have used the legislative authority to calculate and establish a conversion factor for moving a gaseous fuel to its liquid equivalent. This ballot is conflicting with state sovereignty to impose a tax determined by the legislative assembly.

MISSOURI

Support

MONTANA

Support

NEW BRUNSWICK

Support

Section P730 needs to have a reference to R237 as well. (See IFTA Articles of Agreement, Section R222/R237 regarding the definition of a gallon/Litre of compressed natural gas.)

NEW HAMPSHIRE

Undecided

NEW MEXICO

Support

NEW YORK

Support

NORTH DAKOTA

Undecided

Need to see other comments about the pros and cons of this ballot before making a decision.

NOVA SCOTIA

Undecided

OKLAHOMA

Support

For this organization to be able to effectively administer the Agreement there must be a standard conversion factor to use for gaseous fuels when used in combination with liquid fuels.

FTPBP #3-2013
First Comment Period Ending June 17, 2013

ONTARIO

Undecided

This ballot as it is a starting point in developing standardized reporting of CNG product but we are not sure of the technical accuracy.

OREGON

Oppose

I am troubled that this ballot seemingly fails to take notice of the fact that some jurisdictions have used their legislative and policy making authority to calculate and establish a conversion factor for moving a gaseous fuel to its liquid equivalent and this ballot therefore seemingly has the net effect of eroding state sovereignty to impose a tax at a level determined by its legislative assembly. Here again, ballots of this sort should not be placed before the membership for a vote at all in my opinion. I respectfully suggest that IFTA Inc. should contemplate a litmus test which prevents ballots that cross a clearly defined red line and threaten sacrosanct issues of sovereign state authority (like determining level of taxation or interest rates) from being placed before the membership for voting.

It is incomplete to suggest this is just a matter of arithmetic. The perhaps unintended consequence of enactment of this ballot provision might be carriers operating motor vehicles licensed under IFTA being treated differently than carriers operating motor vehicles not subject to IFTA licensing and yet still subject to a Motor Vehicles Fuel Tax. Was that possibility even considered?

PENNSYLVANIA

Support

This ballot is absolutely essential as it establishes conversion rates to allow each jurisdiction to speak the same language on fuel types. Failure to establish universal standards could even allow dual-fuel vehicles to either escape taxation of at least one fuel, or may result in the carrier paying too much tax on the combined fuel types. We believe these alternative fuel issues are coming at IFTA faster than one may think and we could have some huge problems if we don't take this simple step to recognize the future.

PRINCE EDWARD ISLAND

Undecided

QUEBEC

Undecided

There is no mention of the LNG.

Why we don't use R240 and R241?

SASKATCHEWAN

Support

SK agrees that a standard for conversion of CNG is required.

FTPBP #3-2013
First Comment Period Ending June 17, 2013

STAKEHOLDERS

ATA - Robert Pitcher

Strongly Support. IFTA needs to adopt this amendment if the Agreement is to handle the reporting of compressed natural gas successfully. The proposal does not require any changes to jurisdiction tax rates; it only imposes a standard conversion factor.

IAC - Sandy Johnson, Chair

Support. The increased use of CNG requires the adoption of this ballot.

TEXAS

Undecided

The majority of IFTA vehicles are diesel type vehicles, therefore it may be fairer to use the diesel gallon equivalent of 6.38 pounds of CNG instead of the gasoline gallon equivalent.

UTAH

Undecided

Utah is concerned with the potential impact this may have on Jurisdictions who have Statutes that conflict with this conversion measures.

VERMONT

Undecided

VIRGINIA

Undecided

WEST VIRGINIA

Support

WYOMING

Support

FTPBP #3-2013
Second Comment Period Ending October 31, 2013

SUMMARY

26 Comments

Support: 19
Oppose: 1
Undecided: 6

ALABAMA

Support

ALBERTA

Support

BRITISH COLUMBIA

Support

CONNECTICUT

Undecided

Connecticut is currently exploring potential legislative change which could result in a parallel statute to the language being proposed by this ballot. We agree that a uniform definition is desirable; it is our hope that such statutory amendment would provide uniformity between this jurisdiction's motor fuel laws and the governing documents of IFTA.

ILLINOIS

Support

IOWA

Support

KANSAS

Undecided

We support having uniform conversion factor, we will need to update regulations and statutes.

KENTUCKY

Undecided

Has potential to need legislative change

MAINE

Support

It is essential to have a standard conversion rate for CNG. This is exactly the same as having a standard exchange rate between the US and Canadian dollars.

FTPBP #3-2013
Second Comment Period Ending October 31, 2013

MANITOBA

Undecided

MASSACHUSETTS

Undecided

We believe some sort of conversion factor is needed, not sure if this is the right way to go.

MICHIGAN

Support

Benefit in having jurisdictions choose a definition that goes with federal conversion factors. May lead to consistency with others states choosing the same definition.

MISSOURI

Support

NEW BRUNSWICK

Support

NEW HAMPSHIRE

Support

NEW JERSEY

Support

NEW MEXICO

Support

NEWFOUNDLAND

Support

NOVA SCOTIA

Oppose

OKLAHOMA

Support

IFTA will fail to function, as it relates to CNG, without a standard conversion rate.

ONTARIO

Undecided

We mirror the comment provided by Massachusetts and agree a conversion factor is needed, but not sure if this is the right option. We will continue to research the matter.

FTPBP #3-2013
Second Comment Period Ending October 31, 2013

Stakeholders

Support

ATA - Robert Pitcher

Strongly Support. IFTA needs to adopt this amendment if the Agreement is to handle the reporting of compressed natural gas successfully. Without a standard conversion factor, licensees will simply be unable to report CNG appropriately, or jurisdictions to process accurately the reports they receive. The proposal does not require any changes to jurisdiction tax rates, it only imposes a standard conversion factor. There is no more “infringement on a jurisdiction’s sovereignty” than is already involved in Canadian carriers reporting on the basis of cents (Can.) per liter and U.S. carriers in cents (U.S.) per gallon.

IAC - Sandy Johnson, Chair

Support. The increased use of CNG requires the adoption of this ballot.

VERMONT

Support

VIRGINIA

Support

WEST VIRGINIA

Support

WYOMING

Support

WITHDRAWN FOLLOWING THE FIRST COMMENT PERIOD



**IFTA FULL TRACK PRELIMINARY BALLOT PROPOSAL
#04-2013**

Sponsor

Jurisdiction of Ontario

Date Submitted

April 18, 2013

Proposed Effective Date

January 1, 2015

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

IFTA Procedures Manual Section P1120

Subject

The application of split tax rates within a reporting period.

History/Digest

Jurisdictional tax rates associated with motive fuels may fluctuate over time. All member jurisdictions are entitled to adjust tax rates applicable to their own province or state whenever the necessity arises. The terms of IFTA simply require jurisdictions to notify the repository at the earliest possible time of a change in a tax rate.

The repository provides current tax rates (and conversion information) to all member jurisdictions by the first Monday of each quarter in order to facilitate quarterly tax reporting by licensees. Prior to the release of the tax rate information by the repository, jurisdictions must confirm their tax rates by updating the tax rate matrix on the IFTA website. In the event that a jurisdiction has more than one tax rate within the particular reporting period, the additional tax rate will also be posted along with its effective date. In the IFTA community, this becomes known as a split tax rate.

While the existence of split tax rates is not overly frequent – there have been seven instances recorded since 2006, initiated by three jurisdictions – the administrative burden associated with the additional reporting is significant.

It has been our experience that accounting for split rates at the jurisdictional level may lead to delays in routine processing, create unnecessary system work items and often require manual intervention to resolve. Overall we find that licensees are generally confused and unsure how to accurately identify their travel when faced with a split tax rate within a quarter and this frequently results in supplementary tax reporting through an amended return. Furthermore, a split tax rate may impede licensee audits by requiring more time to verify the correct application of multiple tax rates within the quarter. The same concerns may also apply to Program Compliance Reviews where the existence of a split tax rate will add an additional step to the review process.

Intent

The intent of this ballot is to amend the tax rate matrix to permit a jurisdiction to report only one primary tax rate for any single reporting period. If successful, the amendment will eliminate the existence of split tax rates for IFTA reporting purposes.

It is proposed that where a jurisdiction establishes multiple tax rates within a reporting period (not including a tax surcharge), the jurisdiction may only advise the repository of a single primary tax rate for the given period. The decision as to which rate will apply will rest solely with the particular jurisdiction and be seamless to the rest of the IFTA community. We would further recommend that a notation be included on the specific tax rate matrix to call attention to the rate anomaly to ensure the result is viewed as an intended action and not merely an omission.

The effect would result in a single primary tax rate per jurisdiction, per quarterly reporting period, along with any possible tax surcharges.

(We are also suggesting the last sentence in section P1120.100 be removed. Although not technically a requirement to address the split tax rate issue, we believe the language to be redundant since the question of timing is dealt with in the two following paragraphs (.200, .300)).

Interlining Indicates Deletion; Underlining Indicates Addition

1 **PROCEDURES MANUAL**

2
3 **P1120 TAX RATE REPORTING**

4
5 **.100 Reporting Requirement**

6
7 Member jurisdictions are required to notify the repository at the earliest possible time of a
8 change in their tax rate. A jurisdiction may post one tax rate and one tax surcharge per
9 quarterly reporting period. ~~The repository will then immediately notify each member~~
10 ~~jurisdiction.~~
11
12

REVISIONS FOLLOWING THE FIRST COMMENT PERIOD

FTPBP #4-2013
First Comment Period Ending June 17, 2013

SUMMARY

36 Comments

Support: 8
Oppose: 22
Undecided: 6

ALABAMA

Oppose

State legislatures set tax rates for fuel. It seems unreasonable to attempt to pass a ballot proposal that contradicts state laws. We agree that split tax rates are bothersome, but cannot support a ballot whereby a jurisdiction is forced to choose which tax rate they will report.

ALBERTA

Undecided

Alberta understands the intent of the ballot but cannot see how we can collect using one rate if the jurisdiction's legislation mandates split tax rates.

ARIZONA

Support

BRITISH COLUMBIA

Undecided

CALIFORNIA

Support

COLORADO

Support

Colorado supports this concept. With quarters that have split rates, it would be interesting to know how accurately the carriers actually report correctly. This change does not seem to have a material impact if the rate change is not drastic.

CONNECTICUT

Oppose

Split tax rates do pose a challenge to those who program for tax return changes (paper and electronic) and for those who enforce the payment of taxes (audit). We would encourage taxing jurisdictions to work with their legislatures to educate on the hazards of imposing split rates. Nevertheless, a jurisdiction's legislative body establishes what the tax rate will be and those who administer the taxes are bound to the laws enacted. Because of the unique nature of IFTA, base jurisdictions must honor the lawfully imposed tax rates of her fellow members. Whereas there is and has been substantial debate over exactly what IFTA as a membership can and cannot do, there can be no debate over this issue. It would appear from

FTPBP #4-2013
First Comment Period Ending June 17, 2013

the existing comments that most jurisdictions believe this ballot clearly crosses a line. IFTA cannot interfere in this area, period.

IDAHO
Support

ILLINOIS
Oppose

I hate split tax rates. My staff hates split tax rates. The carriers certainly hate split tax rates. After a quick first read, I thought that state sovereignty is being tested here by attempting to constrain a legislature's taxing authority. On second reading, however, I see that the sponsor is saying a jurisdiction's legislature can still establish two rates for the quarter, however, the jurisdiction must "advise the repository of a single primary tax rate for the given period": pick one rate and go with it. While it's easy for me to support this line of thought, I feel for the jurisdictions that would no longer be collecting taxes accurately as intended by their legislature. Essentially, my first read appears to stand.

KANSAS
Undecided

We are undecided at this time.

KENTUCKY
Oppose

MAINE
Oppose

Prohibiting split rates would impinge on a jurisdiction's right to set its tax rates.

MANITOBA
Oppose

While we agree that split tax rates are an administrative headache for jurisdictions and carriers, we can't support this ballot. If a tax rate changes in the middle of a quarter, we want to properly reflect the change.

MINNESOTA
Oppose

Minnesota feels that fuel tax rates are substantive tax provisions. Tax rates are a jurisdiction's sovereignty right and the tax rate is determined by legislative assembly. As we commented in prior years jurisdictional law sets the tax rates, the IFTA membership does not have the legal authority to set tax rates based on a report by the National Council of State Legislators. In that report the NCLS advised IFTA that tax rates, are substantive tax provisions, and that the jurisdictions cannot legally delegate authority to determine tax rates.

FTPBP #4-2013
First Comment Period Ending June 17, 2013

MISSOURI

Undecided

MONTANA

Oppose

This would impose IFTA administrative preferences on states and their Legislatures by restricting when tax changes can take place.

NEW BRUNSWICK

Oppose

NEW HAMPSHIRE

Oppose

Each jurisdictions respective legislatures set their respective tax rates. If a jurisdiction's legislature wants a split rate I do not think this agreement should or can require them to have only one rate.

NEW MEXICO

Oppose

NEW YORK

Oppose

New York feels this would be problematic as it would restrain the State Legislature/Governor from changing tax rates within an IFTA quarter.

NORTH DAKOTA

Support

Split tax rates are a headache both to industry and the IFTA jurisdictions. Since some jurisdictions either condone or cannot prevent their passage this ballot is necessary.

NOVA SCOTIA

Oppose

OKLAHOMA

Oppose

Split rates are an administrative headache, and we would like to see a better method of dealing with them. Still, telling the jurisdiction's legislatures they can only change tax rates when we say they can is a step too far. One of the fundamental principles of IFTA is that jurisdictions retain their taxing authority. This ballot potentially over reaches by challenging that fundamental principal.

ONTARIO

Support

FTPBP #4-2013
First Comment Period Ending June 17, 2013

The intent of this ballot is not to prevent jurisdictions from changing their tax rates, but that any change would simply coincide with a quarterly reporting period.

OREGON

Oppose

Ballot #4 once again raises the specter of IFTA Inc. violating state sovereignty with regard to taxing authority. That said, I am not unsympathetic to the underlying motivation as split rates are very difficult to administer but I do not endorse abrogating state sovereignty to achieve administrative efficiencies. In my opinion, IFTA Inc. should not allow ballots to be considered for vote by the membership that contemplate changes to the agreement that exceed the authority of IFTA Inc. to make and enforce. See rationale included in Oregon comments on Ballot #3.

PENNSYLVANIA

Undecided

PRINCE EDWARD ISLAND

Oppose

QUEBEC

Oppose

Same comments as New Hampshire.

SASKATCHEWAN

Support

Based on the excessive effort and confusion for carriers and jurisdictions alike, SK agrees that a method of creating a single tax rate for a particular quarter is desirable.

STAKEHOLDERS

Undecided

ATA - Robert Pitcher

Undecided. We recognize the difficulty and expense for jurisdictions that must accommodate mid-quarter rate changes. On the other hand, such changes will occur from time to time, with or without this amendment, and the difficulty and expense involved for motor carriers in a single jurisdiction's efforts to collect additional tax outside of IFTA must also be recognized.

IAC - Sandy Johnson, Chair

Neutral. This is a jurisdictional issue.

TEXAS

Oppose

FTPBP #4-2013
First Comment Period Ending June 17, 2013

This ballot is in direct conflict with the core principles of the Agreement; the sovereign authority to determine tax rates (R130.100.010, Articles of Agreement)

UTAH
Oppose

Utah agrees that split tax rates are troublesome; however one of the core principles of the Agreement is that the Jurisdictions are allowed to set tax rates. This ballot would be a major change to the principle.

VERMONT
Oppose

VIRGINIA
Oppose

WEST VIRGINIA
Oppose

WYOMING
Support

Split tax rates confuse customers.

FOR COMMENT PERIOD ENDING OCTOBER 31, 2013



WITHDRAWN FOLLOWING THE SECOND COMMENT PERIOD
IFTA FULL TRACK PRELIMINARY BALLOT PROPOSAL
#05-2013-2

Sponsor

IFTA Agreement Procedures Committee

Date Submitted

April 18, 2013

Proposed Effective Date

January 1, 2015

Manual Sections to be Amended

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

IFTA Articles of Agreement

R1520
R1555.400.015
R1555.400.020
R1650.200
R1650.300
R1650.400
R1655

Subject

Throughout the Articles of Agreement, seven sections require a vote of the IFTA community to amend the Agreement or to effect change within the IFTA community. This ballot will address one of the three different approval methods to count a ballot:

1. simple majority
2. 2/3 of the votes cast
3. 3/4 of the total membership

The above sections also contain references where jurisdictions not voting are considered:

- a "no" vote, or;
- a "yes" vote

History/Digest

The Agreement is inconsistent in its application of voting rules. Voting requires either a majority vote, a two-thirds or three-quarters of votes cast, or a three-fourths vote of the membership for passage. In three instances, not submitting a vote is considered a "no".

Jurisdictions that do not vote or abstain from voting impede the amendment process. Jurisdictions that do not exercise their right to vote should be considered to have ceded their interests to those jurisdictions who have voted.

Intent

The intent of this ballot proposal is to eliminate an absentia vote means no. We suggest three-fourths of the total member jurisdictions casting votes be required for passage. We are also proposing that in this electronic world the need to provide ballot documents to all member jurisdictions in paper form should no longer be a requirement of the repository.

WITHDRAWN

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

2
3 **ARTICLES OF AGREEMENT**

4
5 **R1500 MEMBERSHIP**

6
7 ***[SECTIONS R1505, R1510, R1515, R1525, R1530, R1535, R1540, R1545 AND R1550 REMAIN***
8 ***UNCHANGED]***

9
10 **R1520 APPROVAL OF ADOPTING RESOLUTION**

11 Ballots shall be provided electronically by the repository to all member jurisdictions ~~via certified mail,~~
12 ~~return receipt requested.~~ Entry shall be granted to the applicant unless more than ~~one~~ negative vote is
13 received. Failure of a jurisdiction to submit its vote on the ballot within 120 days of receipt shall not be
14 considered a vote for approval of the application in the disposition of the ballot.

15
16 ***R1555 COMPLIANCE MATTERS**

17
18 **.400 Expulsion Process**

19
20 .015 A resolution expelling a member jurisdiction from the Agreement shall require the
21 affirmative vote ~~in writing~~ of three-fourths of the ~~total member jurisdictions votes cast,~~
22 excluding the jurisdiction which is the subject of the resolution.

23
24 .020 Member jurisdictions will have sixty (60) days from the date of issuance of the
25 Resolution to vote on the resolution of expulsion. Failure of a member jurisdiction to
26 submit its vote shall not be ~~deemed a vote against the resolution of expulsion~~
27 considered in the expulsion process.

28
29 **R1600 AMENDMENTS**

30
31 ***[SECTIONS R1605, R1610, R1615, R1620, R1625, R1630, R1635, R1640, R1645 AND R1660 REMAIN***
32 ***UNCHANGED]***

33
34 **R1650 ACCEPTANCE OF AMENDMENTS**

35
36 ***[SECTION R1650.100 REMAINS UNCHANGED]***

37
38 **.200** An affirmative vote in writing of three-fourths of the ~~total member jurisdictions votes~~
39 cast is required to amend the Agreement, Procedures Manual, or Audit Manual. For
40 purposes of this section, a vote submitted electronically through a mechanism
41 provided by the International Fuel Tax Association, Inc. is deemed a vote in writing.

42
43 **.300** Jurisdictions may abstain from voting, but a final ballot proposal may still not be
44 adopted without the affirmative vote of three-fourths of the ~~total member~~
45 jurisdictions votes cast.

46
47 **.400** Jurisdictions that do not vote on an amendment within the required time limits ~~are~~ shall
48 not be considered to have voted in the negative, except as provided in IFTA Articles of
49 Agreement Section R1655 in the disposition of the ballot.

50
51 ***R1655 EFFECTIVE DATE OF AMENDMENTS**

52
53 The effective date of all amendments, unless otherwise specified, is the first day of

1 January or July, whichever occurs first, following the completion of 12 complete months
2 following the close of the voting period. An alternate effective date may be allowed if it
3 receives the support of three-fourths of the ~~total member jurisdictions votes cast~~. If an alternate
4 effective date is requested, it must be voted separately from the amendment.
5 ~~Jurisdictions that do not vote on an alternate effective date within the required time limits are~~
6 ~~considered to have voted in the negative.~~
7

NO REVISIONS FOLLOWING THE ANNUAL BUSINESS MEETING

FTPBP #5-2013
First Comment Period Ending June 17, 2013

SUMMARY

35 Comments

Support: 5
Oppose: 21
Undecided: 9

ALABAMA

Undecided

The ballot language needs to be tweaked a bit.

ALBERTA

Oppose

BRITISH COLUMBIA

Undecided

CALIFORNIA

Support

COLORADO

Support

CONNECTICUT

Oppose

We oppose this ballot for many reasons. The ballot process would appear to be purposefully laborious because changes to the governing documents ought to be very carefully considered and evaluated by the membership. Those changes, unless absolutely necessary, ought to be few and far between. Yet, year after year we have proposed changes presented to the membership which are either not particularly well thought out or are very secular in nature. We are not sure that the plethora of ballots we have seen over the years serves any of us particularly well. We know there are jurisdictions that do not vote; however, we are not sure we know why. Jurisdictions that do not vote may well be opposed to a ballot or are simply undecided. If we are to consider abstentions to mean "nothing" and the total number of votes cast becomes the basis, we could very well impact the governing documents or worse yet, impose expulsion with a minority of jurisdictions actually voting.

IDAHO

Support

ILLINOIS

Oppose

Opposed as written, but I endorse the original intent: 1) align the voting standards throughout the Agreement, and; 2) in order to have a say in the voting process, you must actually cast a vote.

FTPBP #5-2013
First Comment Period Ending June 17, 2013

Jurisdictions that do not exercise their right to vote, or abstain from voting, should be considered to have ceded their interests to those jurisdictions who have voted.

KANSAS

Undecided

I know there are times when it is better to abstain if you do not understand the issue at the time. However by the time ballots go to vote we all should know one way or another how our jurisdiction feels about the issue. Ask the sponsor questions, have your jurisdiction attorneys, law enforcement etc. review the ballot. We all need to make sure we are protecting our jurisdiction's best interest. By not voting and allowing a ballot to either pass or fail that could potentially not be in your jurisdictions best interest, and should not be an acceptable practice.

KENTUCKY

Oppose

MAINE

Oppose

Oppose as written.

R1520 adds "electronically" but still requires certified mail. The failure of a jurisdiction to vote on a membership application goes from being a "yes" vote to being a "no" vote.

The ballot is awkward in its wording.

I know it's frustrating when your ballot fails, and some jurisdictions don't vote. The IFTA voting and amendment process is as it is on purpose. Making these changes will have consequences. In general, if a jurisdiction is OK with the status quo, they do not have to take any action.

MANITOBA

Undecided

MINNESOTA

Oppose

Oppose as written. The wording seems cumbersome, unclear, and confusing. The current amendment process seems to have worked for the past 30 years. Making changes has the potential for unintended consequences

MISSOURI

Undecided

MONTANA

Oppose

FTPBP #5-2013
First Comment Period Ending June 17, 2013

Agree with intent but there seems to be some conflict in the wording by requiring ballots to be mailed electronically via certified mail. If this language was clarified, MT would likely support.

NEW BRUNSWICK

Oppose

NEW HAMPSHIRE

Oppose

NEW MEXICO

Oppose

NEW YORK

Oppose

NORTH DAKOTA

Oppose

This ballot if passed could inadvertently pressure jurisdictions to vote even if they were unsure how to vote. This ballot if passed could enhance the likelihood of others ballots passing whether flawed or not.

NOVA SCOTIA

Support

ONTARIO

Support

Ontario agrees with the intent of this ballot. However, it may be best to revise the wording of the ballot to clarify this does not affect the three-fourths voting requirement.

OREGON

Oppose

There are a host of practical reasons to not endorse this ballot but underlying all of those remains the fact I am philosophically opposed to this notion and will vote NO.

PENNSYLVANIA

Oppose

Changing an agreement such as IFTA should require an affirmative vote from as many jurisdictions as possible because it is not appropriate to assume that every proposed amendment is good for the entire IFTA community.

PRINCE EDWARD ISLAND

Oppose

FTPBP #5-2013
First Comment Period Ending June 17, 2013

QUEBEC

Oppose

No need to do any modifications. The jurisdiction that doesn't want to vote is probably doing it on purpose for reason that doesn't want to reveal.

SASKATCHEWAN

Undecided

SK has a concern with the change to R1555.400. Expulsion is a significant step for the membership and should require a high threshold.

STAKEHOLDERS

ATA - Robert Pitcher

Oppose. The important result of the change would be to make IFTA easier to amend. (That IFTA is inconsistent with respect to the voting on matters other than amendments is unimportant.) Over its 30 years, IFTA has been a tremendous success. Both jurisdictions and industry depend on it heavily in the administration of a critical element of public finance. Every year, proponents of amending the Agreement in one respect or another are successful in doing so. Jurisdictions that fail to submit a vote may be presumed to be doing so on purpose; it is a reasonable response in many situations. The amendment process works; leave it alone.

IAC - Sandy Johnson, Chair

Undecided. Why not a requirement for the jurisdiction to reply with "no-position" or "no response"? I am not convinced that no response or being silent on the issue equates to a no vote. However, I'm not sure there is a need to change the agreement. It should not be easy to change the agreement.

TEXAS

Oppose

Requiring only three-fourths of the votes case will have an undesirable effect on the voting process by reducing the number of affirmative votes necessary to expel a member, amend the Agreement, or expedite a ballot effective date.

UTAH

Undecided

Utah supports the idea of this ballot. Just as in our Nation's election processes, if you do not vote, you are not casting a no vote, you are allowing others to decide. In the current IFTA process, if you do not cast a vote, you are in fact casting a no vote, without having to put your vote officially on record.

FTPBP #5-2013
First Comment Period Ending June 17, 2013

Utah is undecided as we feel a minor change needs to be made (or clarified). Under R1520, by adding in the word "Electronically", it seems to cause a conflict with the balance of the sentence.

The one section Utah is still considering the impact of, is R1555.400. The expulsion of a Member Jurisdiction is a very serious matter. Utah is undecided as to if we feel the change to "votes cast" is the correct direction to go in this case.

VERMONT

Oppose

VIRGINIA

Oppose

WEST VIRGINIA

Oppose

WYOMING

Undecided

FTPBP #5-2013
Second Comment Period Ending October 31, 2013

SUMMARY

25 Comments

Support: 4
Oppose: 15
Undecided: 6

ALABAMA

Undecided

ALBERTA

Oppose

Jurisdictions understand the Agreement and have the right to make their decision based on what is currently written in the Agreement.

BRITISH COLUMBIA

Oppose

CONNECTICUT

Oppose

This ballot, while well intentioned, will surely result in unintended consequences. We understand the frustration some have with jurisdictions not voting; however, that is their choice and their right. As several others have opined, there may be valid reasons for not voting. In spite of the frustrations with those who do not vote, making the Agreement easier to amend or expulsion easier to achieve is not the answer. The governing documents should not be easy to amend and the expulsion of a member is the most difficult issue the commissioners may have to consider. For illustration purposes, using the seventy-five percent threshold for passage, does anyone really believe it would be appropriate to have four jurisdictions vote on a ballot or expulsion resolution and achieve either the passage of language or the expelling of a member with three affirmative votes?

ILLINOIS

Support

One should actually have vote to in order to have their vote counted in the outcome of a ballot. Jurisdictions not voting should not be afforded a counted "vote" if they don't actually vote.

Perhaps an "abstain" button should be available in the voting booth for those not wanting to cast a yes/no vote but still wanting to be counted in the outcome.

IOWA

Oppose

FTPBP #5-2013
Second Comment Period Ending October 31, 2013

KANSAS

Undecided

KENTUCKY

Oppose

MAINE

Oppose

Jurisdictions know what they are doing. The current process works.

MANITOBA

Undecided

MASSACHUSETTS

Undecided

I don't believe an "absentia" vote always means "No". There may be many reasons why one abstains from voting. All for getting out of the paper ballot world.

MICHIGAN

Oppose

The current process works and by altering the agreement in order to accommodate the "what if", we are truly lacking trust within our own organization.

MISSOURI

Undecided

NEW BRUNSWICK

Oppose

NEW HAMPSHIRE

Oppose

NEW JERSEY

Oppose

NEW MEXICO

Undecided

NEWFOUNDLAND

Support

NOVA SCOTIA

Support

FTPBP #5-2013
Second Comment Period Ending October 31, 2013

ONTARIO

Oppose

The ballot is not sufficiently clear in either its wording or the intended outcome.

Stakeholders

Oppose

ATA - Robert Pitcher

Oppose. The important results of the change would be to make IFTA easier to amend and to make it easier for IFTA to expel a jurisdiction. Over its 30 years, IFTA has been a tremendous success. Both jurisdictions and industry depend on it heavily in the administration of a critical element of public finance. Every year, proponents of amending the Agreement in one respect or another are successful in doing so. Jurisdictions that fail to submit a vote may be presumed to be doing so on purpose. It is a reasonable response in many situations. The amendment process works; leave it alone. And it is positively alarming that a ballot is seriously proposed to make it easier to expel an IFTA member. The arguments in favor of this ballot that were presented at the 2013 ABM were remarkably unpersuasive.

IAC - Sandy Johnson, Chair

Oppose: The IFTA agreement is critical to the movement of goods throughout North America. For even a single jurisdiction to be expelled from the agreement would create untold hardships on both government and industry, not to mention the public, which is why this agreement exists in the first place. This ballot has the potential to allow for the easier expulsion of a non-complying jurisdiction.

VERMONT

Oppose

VIRGINIA

Oppose

WEST VIRGINIA

Oppose

WYOMING

Support

FOR VOTE BY NOVEMBER 13, 2013



**IFTA SHORT TRACK FINAL BALLOT PROPOSAL
#06-2013**

Sponsor

Jurisdiction of Indiana

Date Submitted

April 30, 2013

Proposed Effective Date

January 1, 2016

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

IFTA Articles of Agreement Article VI VEHICLE IDENTIFICATION
R645 Issuance of Electronic Credentials

Subject

An amendment to the requirement for licensees to have electronic licenses.

History/Digest

Due to changes in technology, it is necessary that a provision should be added to the IFTA Articles of Agreement that will allow for electronic licenses to be used by licensees.

Intent

The intent of this ballot is to add a new provision to the IFTA Articles of Agreement that will bring the IFTA program up to date with current technology.

Interlining Indicates Deletion; Underlining Indicates Addition

1 **ARTICLES OF AGREEMENT**

2

3 **ARTICLE VI VEHICLE IDENTIFICATION**

4

5 **R600 VEHICLE IDENTIFICATION**

6

7 ***[SECTIONS R605 THROUGH R640 REMAIN UNCHANGED]***

8

9 **R645 ISSUANCE OF ELECTRONIC CREDENTIALS**

10 A base jurisdiction may allow a licensee to display its IFTA license electronically. If so authorized, the
11 licensee must, whenever operating a qualified motor vehicle, have in the vehicle an electronic device or
12 system by means of which the license may be viewed.

13

14 ***[SECTION R650 THROUGH R660 REMAIN UNCHANGED]***

15

16

17

REVISIONS FOLLOWING THE SECOND COMMENT PERIOD

- **Effective Date was changed from July 1, 2014 to January 1, 2016**

**IFTA SHORT TRACK FINAL BALLOT PROPOSAL 6-2013
VOTING RESULTS**

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

**IFTA SHORT TRACK FINAL BALLOT PROPOSAL 6-2013
VOTING RESULTS**

JURISDICTION	LANGUAGE		EFFECTIVE DATE	
	YES	NO	YES	NO
SOUTH CAROLINA		1		1
SOUTH DAKOTA				
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	21	20	21	20

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: January 1, 2016

LANGUAGE:

NUMBER OF "YES" VOTES RECEIVED: **21**

NUMBER OF "NO" VOTES RECEIVED: **20**

NUMBER OF VOTES NOT RECEIVED: **17**

RESULT: FAILED

ALTERNATIVE EFFECTIVE DATE:

NUMBER OF "YES" VOTES RECEIVED: **21**

NUMBER OF "NO" VOTES RECEIVED: **20**

NUMBER OF VOTES NOT RECEIVED: **17**

RESULT: FAILED

Ballot Intent:

The intent of this ballot is to add a new provision to the IFTA Articles of Agreement that will bring the IFTA program up to date with current technology.

STPBP #6-2013
Second Comment Period Ending September 30, 2013

SUMMARY

26 Comments

Support: 14
Oppose: 5
Undecided: 7

ALABAMA

Support

ALBERTA

Undecided

Alberta generally supports the idea of moving forward with technology. However, until all jurisdictions have the process to deal with and verify electronic licenses, carriers will need to carry both a copy of the license as under the current practice as well as the electronic license. Alberta will be more comfortable if the phrase "in addition to carrying a paper copy of the license" is added to the ballot proposal to clarify that electronic licenses is just an option and a paper copy of the license must still be maintained. Further discussion on the impact of this ballot may be required.

BRITISH COLUMBIA

Undecided

BC supports the concept of electronically displaying licenses but is concerned about the impact this ballot might have on roadside enforcement (e.g., how will roadside enforcement know which jurisdictions have allowed all or select group of their carriers to display their IFTA license electronically)?

BC believes a reporting process where base jurisdictions communicate to membership which carriers they have allowed to display IFTA licenses electronically will be burdensome and time consuming for everyone, and this should be an "all or nothing" ballot (e.g., all IFTA jurisdictions accept electronic IFTA licenses).

CONNECTICUT

Oppose

We want to be clear that we do not oppose the concept of electronic credentials. It is the future and we will get there. However, there are multiple reasons why this should not be done at this time and within the timeline proposed. First and foremost, this needs to be thoroughly vetted with law enforcement across the membership. That requires sufficient time to educate all stakeholders. Secondly, the proposed implementation is for July 1, 2014. That is simply not enough time to deal with the various issues associated with implementation. Additionally, we would propose that it would be more appropriate to implement on January 1st of a given year as the license period is based on the calendar year. Lastly, as stated by other jurisdictions, there are questions associated with how carriers from "participating jurisdictions" (those permitting electronic versions of a license) will be treated in "non-participating jurisdictions" and what would happen if technologies fail or cannot produce an image of the license for law enforcement to verify. We propose that the idea be tabled until all of these issues are thoroughly examined and evaluated.

STPBP #6-2013
Second Comment Period Ending September 30, 2013

IDAHO
Support

ILLINOIS
Oppose

Illinois echoes the comments tendered by Connecticut. Additionally, I still don't have a handle on the "chain-of-evidence" of an electronic license. An LEO in the field may be looking at an electronic license, but how does he "capture" what was presented to him on the day of the inspection should a citation be written. Today, he has a piece of paper to copy and include in his report. Just "looking" at a smart phone does not provide that. I possibly could be in favor of language such as "in addition to a copy of the license, an electronic license may be presented...", but there are logistical problems with that, as well, as identified by several other jurisdictions' comments.

IOWA
Support

The IFTA community needs to move forward with automation and this ballot is a starting point.

KENTUCKY
Support

MAINE
Support

While this ballot is a little vague, and could lead to disuniformity, limiting the electronic credential to the IFTA license is a low risk proposition.

MANITOBA
Oppose

Manitoba does not have "intelligent transportation systems" to read electronic credentials (there is no plan to get these devices). Therefore we would be stopping every vehicle that did not have physical decals on the cab as we would not know if they had valid credentials or not. This would result in more work for our enforcement people as well as an inconvenience to the carriers.

MARYLAND
Oppose

Maryland agrees with Connecticut's comments.

MASSACHUSETTS
Support

I support this and realize that this is just the "ground breaking" on this issue. The particular details need to be worked out, but I think we all realize how important this issue is moving forward.

STPBP #6-2013
Second Comment Period Ending September 30, 2013

MICHIGAN

Support

Have serious concerns about jurisdictions that allow electronic licenses to be used by licensees and how that would be enforced in other jurisdictions that do not allow electronic licenses.

MINNESOTA

Undecided

MN feels that the proposal to allow electronic IFTA credentials lacks detail and specificity regarding the administration and enforcement of IFTA electronic credentials. The proposal has uncertainty pertaining to the application of the ballot leaving numerous questions. Example, what is the process when a jurisdiction allows electronic credentials and the IFTA licensee operates in a jurisdiction which does not accept an electronic IFTA license, liability of an law enforcement office using a electronic devise owned by the licensee, time will be needed to educate and inform stakeholders, what to do in the event of a failure of the devise, what type of electronic devise is acceptable. MN is concerned that there is not enough time to deal with the various issues associated with implementation of the ballot proposal. Since IFTA license is based on the calendar year a January 1 implementation date will be less confusing.

MISSOURI

Support

Missouri supports electronic credentialing. There are a variety of electronic credential types in use today, and new types are constantly being created. Electronic credentials should include identifying information, such the information contained on the IFTA license, and in every case given the identifying information provided, be possible to recover and validate the registration records upon which the credentials are based.

NEW BRUNSWICK

Support

NEW HAMPSHIRE

Support

NEWFOUNDLAND

Oppose

Newfoundland opposes this ballot for the same reasons as Alberta is undecided. Paper documents should be available for jurisdictions that don't have the electronic intelligence to verify electronic credentials.

NOVA SCOTIA

Support

OKLAHOMA

Support

STPBP #6-2013
Second Comment Period Ending September 30, 2013

ONTARIO

Undecided

Ontario encourages and supports the increased use of technology however in this instance have reservations as to the timing of the proposal. While the language is permissive, it will still force all jurisdictions to accept an electronic license if presented at a roadside inspection irrespective of their own preference for the license format. Furthermore, we question whether appropriate processes are in place to support the practical application of the ballot.

Without specific and uniform procedures, this may prove to be problematic in the administration and result in significant inconsistencies. For example, is a licensee non-compliant if a technical mishap prevents the display of a license? Are there operational concerns within jurisdictions in maintaining a dual system? If a fraudulent license has been utilized, how is the trail of evidence to be satisfied? Has it been determined if there is a liability issue where an enforcement officer is handling an electronic device owned by a licensee?

If this proposal is accepted by the membership, we suggest a temporary deferral beyond the 2014 effective date to allow the ITAC (and any other relevant committee) review the ballot and provide their recommendations before implementation takes place.

OREGON

Undecided

Left as is, my concern is that uniformity will be impeded as any manner of implementation and/or technology is apparently permitted by this change. In other words, the ballot language lacks sufficient specificity.

If so authorized, the licensee must, whenever operating a qualified motor vehicle, have in the vehicle an electronic device or system by means of which the license may be viewed

Law enforcement and roadside inspectors now expect to see a uniform presentation in a standard format that does not vary from jurisdiction to jurisdiction. Where will it be mounted? How will it be viewed? Is a smart phone an adequate technology platform? Etc., Etc.

With all due respect to the sponsor, I'd be inclined to see this otherwise worthwhile concept additionally fleshed out before sent out for a ballot.

QUEBEC

Undecided

If this ballot will be approved, Quebec can't respect the proposed effective date.

STPBP #6-2013
Second Comment Period Ending September 30, 2013

STAKEHOLDERS

ATA - Robert Pitcher

Support. This ballot proposes a change that wouldn't bind a jurisdiction to anything. The change would, however, permit IFTA to plan for the day (if in fact that day hasn't already arrived) when tangible vehicle credentials, in addition to being expensive and burdensome for all concerned, are also hopelessly out of date.

IAC - Sandy Johnson, Chair

Support. It is clear that the electronic movement of information is becoming more ubiquitous. Industry supports the adoption of electronic credentials.

WEST VIRGINIA

Support

WYOMING

Undecided

Wyoming will make a decision on this ballot after our Law Enforcement gives us their feedback. Please note that Wyoming Law Enforcement will be attending the Annual IFTA / IRP Managers' and Law Enforcement Workshop.