

IFTA LAW ENFORCEMENT COMMITTEE

BEST PRACTICES GUIDE

OCTOBER 2016



Disclaimer

This document was prepared by members of the IFTA Law Enforcement Committee. It has been reviewed and approved by the IFTA Board. This document should be used as a guide and as a tool to assist member jurisdictions with the enforcement of their IFTA programs. Member jurisdictions are in no way required by the IFTA Governing Documents to implement the practices contained herein. Each jurisdiction and agency must follow their own legislation, authority, policies and guidelines. The IFTA Law Enforcement Committee Best Practice Guide is simply a guide to enforcement. If enforcement questions arise that are not covered in the IFTA Manuals or within this document, please contact any of the IFTA LEC members listed on the IFTA Law Enforcement Committee web page located at www.iftach.org/committee/lec/lecnew.php

Suggested changes or additions should be addressed to the IFTA Law Enforcement Committee.

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Decal Placement Guide

A. Introduction

The purpose of this guide is to outline jurisdiction “best practices”. This guide will help generalize enforcement practices and help create uniformity throughout the IFTA jurisdictions.

It should be noted that this guide is a recommendation for best practices and will not necessarily be the best recommendation for all jurisdictions. Key variables in determining if the guide will apply to the jurisdictions include but are not limited to:

- Legislation
- Resources
- Authority

The guide is intended for law enforcement personnel. The guide is also to be viewed as a continuing guide with additional changes as information and technology change.

The Law Enforcement Committee would like to recognize and thank IFTA Inc., IFTA Board members, other IFTA Committees, jurisdictions, and its own members for sharing their “best practices” and assistance in the development of this guide.

B. Definitions

***R258 Roadside Enforcement** means necessary action, by those persons within a jurisdiction, charged with inspection or compliance checks of qualified vehicles being operated within the jurisdiction. It includes any activity by authorized personnel at any permanent or temporary weight or inspection site or any other location as deemed appropriate by the jurisdiction.

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

- .100 Having two axles and a gross vehicle weight or registered gross vehicle weight exceeding 26,000 pounds or 11,797 kilograms; or
- .200 Having three or more axles regardless of weight; or
- .300 Is used in combination, when the weight of such combination exceeds 26,000 pounds or 11,797 kilograms gross vehicle weight or registered gross vehicle weight. Qualified Motor Vehicle does not include recreational vehicles.

R248 Recreational Vehicle means vehicles such as motor homes, pickup trucks with attached campers, and buses when used exclusively for personal pleasure by an individual. In order to qualify as a recreational vehicle, the vehicle shall not be used in connection with any business endeavor.

C. Vehicle Screening

Roadside enforcement will assess if a vehicle is in need of an IFTA credential check or fuel tax compliance inspection. Roadside enforcement officers should be trained through their agency on how to screen vehicles and determine if they are in need of an inspection. Training should include how to stop the vehicle in a safe manner according to the jurisdiction's laws, policy and procedures.

Roadside enforcement should check the vehicle for an IFTA license and decals. The roadside enforcement officer shall determine if the vehicle in question meets the guidelines and qualification for IFTA credentials.

Clearinghouse:

The IFTA Clearinghouse is a repository of carrier information status. Jurisdictions upload carrier status to the Clearinghouse daily in order to update all jurisdictions and all enforcement agencies. IFTA is an annual program that issues credentials annually at the start of each calendar year. Carriers who fail to maintain their good status could actually continue to display the current year's IFTA decals and IFTA license. These carriers could be suspended, revoked or cancelled. By searching the Clearinghouse an officer can determine if the carrier actually has a valid license. There are a number of reasons that a carrier's license could be suspended, revoked or cancelled. To determine the reason, officers should direct the carrier to contact the issuing agency in the carrier's base jurisdiction. Access to the IFTA Clearinghouse is available to U.S. and Canadian jurisdictions.

Grace Period:

During the vehicle screening process officers should remain aware of the grace period. Carriers using the grace period must be in good standing and have submitted all documents required to obtain the IFTA license or renew a current account. These carriers cannot have a revoked, suspended or cancelled license.

The grace period has provision for new carriers to display IFTA credentials. It also allows licensed carriers who have filed for renewal to continue operations while awaiting receipt of their credentials for the New Year.

***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.

Additionally the following is a list of checks performed at Roadside:

- IFTA Qualifying vehicles
- IFTA Non Qualifying vehicles
- IRP Qualified Vehicles
- IRP Temporary Permits
- Dyed fuel

Documentation received from the driver of the vehicle needs to be validated. The vehicle's RGW (Registered Gross Weight) and the paperwork provided to the officer should be verified.

Roadside enforcement may conduct a fuel inspection on the vehicle(s) in question by conducting a specified test in accordance with the jurisdiction's policy and procedures and statutes for conducting the fuel tests.

Fraudulent Decal Tips:

Officers who check IFTA decals regularly should be familiar with the general appearance and construction. Specific decal specifications can be found on the IFTA website in the IFTA Procedures Manual in section *P320 DECALS. Here are some basic decal design requirements. Decals will be approximately 3 inches x 3 inches (7.5 centimeters x 7.5 centimeters) with white letters and a background color as specified for the current year. The letters "IFTA" are to be incorporated into the decal with the letter I in the upper left hand corner, the letter A in the lower right-hand corner, and the letters F and T to be incorporated in such a way as to constitute a diagonal design on the decal. The two-letter jurisdiction designation shall be displayed in the lower left-hand corner, and at least the last two numbers of the appropriate year are to be displayed in the upper right-hand corner. Decals shall be serialized. There shall be no other printing on the decal unless authorized by the IFTA, Inc. Board of Trustees.

Other screening tools:

Depending on systems and databases available to an officer's agency, there may be other screening tools available. IFTA status could also be available through systems such as CVIEW. The IFTA Clearinghouse is the most accurate source of information. Keep in mind all systems are only as good as the information that is being uploaded to them by the issuing agency in each jurisdiction.

D. Enforcement Actions

Fuel Tanks/Dyed Diesel Inspections:

Officers desiring to conduct dyed diesel inspections must have authorization and training from their jurisdiction. The enforcement officer needs to locate the fuel tanks and search for any other type of hidden reservoir that could contain dyed or alternate fuel. Dyed diesel has no road taxes added at the point of sale. When used in QMVs it directly affects each jurisdiction that the QMV is traveling through.

- A fuel sample should be obtained from all tanks for inspection.
- If the fuel sample contains suspected dyed fuel, the sample needs to be clearly marked and collected as evidence according to the jurisdiction's laws, policies, and procedures.

Document Identification and Validation:

The enforcement officer shall determine if the vehicle is a qualified motor vehicle and check all supporting documentation provided by driver for legitimacy.

The enforcement officer shall check the IFTA account through the IFTA, Inc. Clearinghouse system if the jurisdiction has the capability, or contact the base jurisdiction to verify if the account is in good standing.

Revoked Carriers or Fictitious Documents:

The enforcement officer shall determine if the IFTA license is suspended or revoked and take appropriate action according to the officer's jurisdiction's laws, policy, and procedure.

Corrective Actions:

If a carrier is found to be out of compliance, enforcement actions can be taken by following section R660 Non-Compliance of the IFTA Manual.

***R660 NON-COMPLIANCE**

- .100 Failure to possess a copy of the license in the vehicle may subject the vehicle operator to the purchase of a trip permit, a citation, or both.
- .200 Failure to display the identification decals in the required locations or to carry a temporary permit may subject the vehicle operator to the purchase of a trip permit, a citation, or both.
- .300 Improper use of the license or the decals by the licensee may be cause for revocation of the license.

Information Sharing & Interjurisdictional Communication:

Law Enforcement personnel are encouraged to share information with affected jurisdictions relating to fuel tax violations. Before sharing any information, officers should be aware of their agency's policies regarding contacting other agencies or jurisdiction

Some examples of pertinent information may include, but not limited to:

- Carriers operating with expired credentials
- Carriers operating with improper number of decals
 - This could indicate operating multiple vehicles, but only reporting mileage on registered vehicles.
- Carriers operating with another carrier's credentials/decals
- Carriers operating with fraudulent/fictitious credentials/decals
- Carriers operating on suspended/revoked/inactive credentials/decals
- Carriers operating with suspected dyed diesel in a QMV's propulsion system

E. SUMMARY

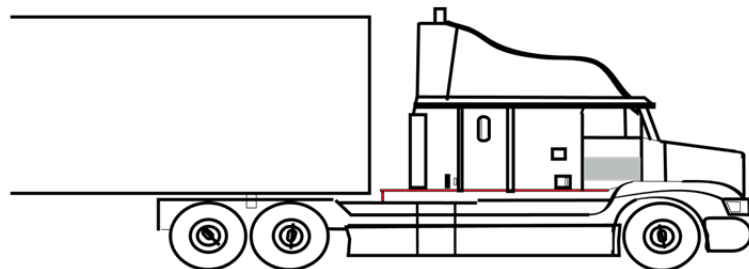
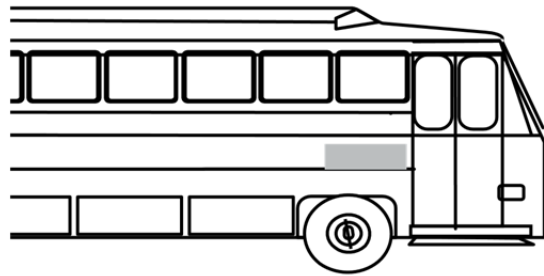
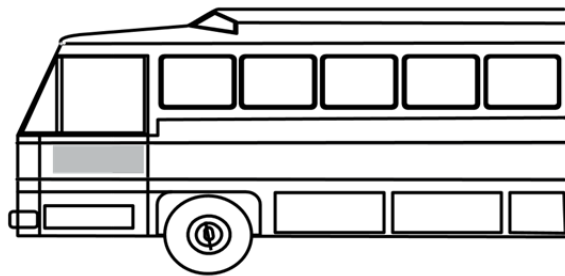
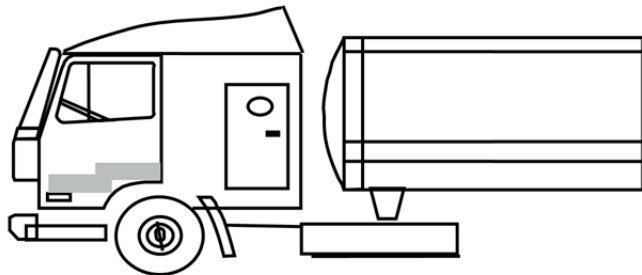
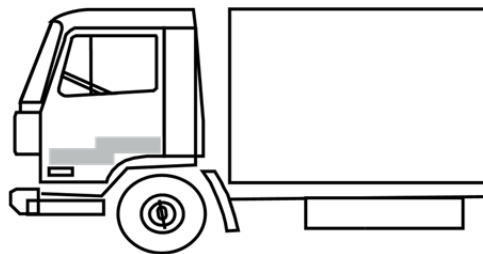
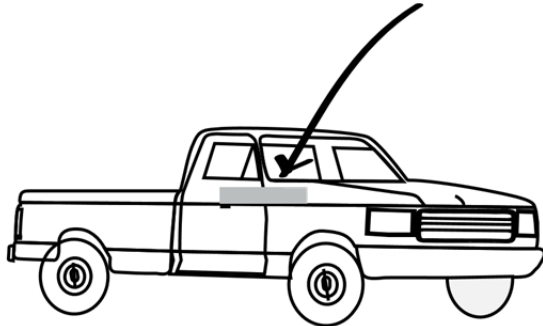
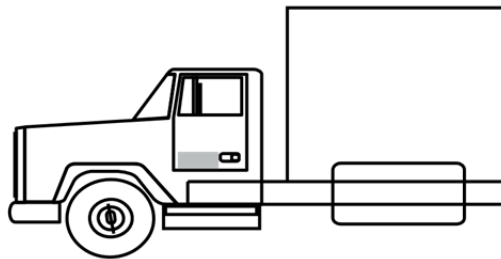
This guide is a suggestion of practices from the IFTA Law Enforcement Committee. The Committee understands that each jurisdiction has its own unique legislation and is in no way trying to alter it. Your base jurisdiction's legislation, procedures and guidelines should always be followed and adhered to. The committee wants to stress that safety is the top priority for all officers and caution must be adhered to at all times. It is also important for the officer to give clear and concise directions so that the driver can understand and complete tasks that are asked.

G. Appendix

Decal Placement Guide

HELP US HELP YOU

Place your IFTA decals in the shaded areas



[Insert Jurisdiction Agency Here] and the IFTA Law Enforcement Committee strongly urge you to affix your valid IFTA decals in the recommended shaded locations on both sides of the vehicle to avoid costly delays on the road. Do not place IFTA decals on windows, mirrors, tanks, or vents. Please remove all expired or non-valid decals.

