

WITHDRAWN FOLLOWING THE ANNUAL BUSINESS MEETING



**IFTA FULL TRACK PRELIMINARY BALLOT PROPOSAL
#03-2018**

Sponsor

Jurisdictions of Alabama and Nevada

Date Submitted

March 23, 2018

Proposed Effective Date

July 1, 2019

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

IFTA Articles of Agreement R200 Definitions

Subject

Base Jurisdiction requirements for IFTA accounts

History/Digest

R212 of the IFTA Articles of Agreement requires qualified motor vehicles be based in the same jurisdiction as the vehicle is registered and operational control and records of the licensee's qualified vehicles are maintained or can be made available; and where some travel is accrued by the qualified motor vehicles within the fleet.

As economies fluctuate, a licensee may find it necessary to look for work outside of their base jurisdiction for extended periods of time. Current language hinders, and in some cases prevents, a licensee from renewing or maintaining IFTA credentials in their base jurisdiction because they did not accrue any distance during the licensing period; nor is there a provision in IFTA for them to qualify for licensing in another jurisdiction other than the jurisdiction where the qualified vehicle is registered. The International Registration Plan (IRP) has an "intent" provision which covers 18 months and allows such licensees to maintain their registration in the base jurisdiction. Additionally, IRP has provisions for applicants to qualify for registration with an established place of business or residence in a jurisdiction.

Current language in R530 of the IFTA Articles of Agreement only allow an exception for Independent Contractors operating under a short term or long term lease.

Intent

The intent of this ballot is to amend the IFTA Articles of Agreement to provide authority for a jurisdiction to issue an IFTA license to an applicant in their jurisdiction provided the applicant meets the established place of business or residency requirements of that jurisdiction.

WITHDRAWN

1 Interlining Indicates Deletion; Underlining Indicates Addition

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3 **ARTICLES OF AGREEMENT**

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5 ***R212 Base Jurisdiction** means the member jurisdiction ~~where qualified motor vehicles are based~~
6 ~~for vehicle registration purposes and~~

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8 ~~.100~~ .100 Where the qualified motor vehicles are based for registration purposes; or

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10 ~~.200~~ .200 Where the licensee has an established place of business or provides proof of residence;
11 and

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13 ~~.100~~ .300 Where the operational control and operational records of the licensee's qualified
14 motor vehicles are maintained or can be made available; and

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16 ~~.200~~ .400 Where some travel is accrued by qualified motor vehicles within the fleet. The
17 commissioners of two or more affected jurisdictions may allow a person to consolidate several
18 fleets that would otherwise be based in two or more jurisdictions.

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20 ***R220 Established Place of Business** means a physical structure located within the base jurisdiction,
21 owned or leased by the applicant or licensee, and whose street address shall be specified by the
22 applicant or licensee. This physical structure shall be open for business and staffed during
23 regular business hours by one or more persons employed by the applicant or licensee on a
24 permanent basis (i.e., not an independent contractor) for the purpose of any aspect of
25 management of the applicant's or licensee's trucking-related business. The applicant or licensee
26 need not have a land line telephone service at the physical structure. Records concerning the
27 fleet shall be maintained at this physical structure (unless such records are to be made available
28 in accordance with the provisions of *R700). The base jurisdiction may accept information it
29 deems pertinent to verify that an applicant or licensee has an established place of business within
30 the base jurisdiction.

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32 ***R252 Residence** means the status of an applicant or licensee as a resident of a member
33 jurisdiction.

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REVISIONS FOLLOWING THE ANNUAL BUSINESS MEETING