



**IFTA FULL TRACK PRELIMINARY BALLOT PROPOSAL
#03-2021**

Sponsor:

Agreement Procedures Committee

Date Submitted:

April 9, 2021

Proposed Effective Date:

January 1, 2022

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

IFTA Articles of Agreement R1600 -1660

Subject:

Modernize and streamline IFTA balloting procedures.

History/Digest

The balloting process currently has procedures for both a Short Track ballot process and Full Track ballot process, along with their submission procedures, discussion periods, timelines, amending processes, and acceptance procedures. In accordance with the goal of IFTA, Inc.'s Strategic Plan to modernize balloting procedures, the Board of Trustees charged the Agreement Procedures Committee (APC) with the responsibility of reviewing the existing ballot procedures and providing alternatives to improve the current process.

The APC formed a special subcommittee to comb over the Articles of Agreement, Section R1600. The subcommittee reached out to the IFTA Commissioners and Assistant Commissioners with a nine-question survey asking what they liked/disliked about the current ballot amendment process. The APC reviewed the language of R1600 through R1660. They researched the current steps and language to incorporate the membership's feedback into the suggested language to streamline the process. The APC developed possible streamlining steps and language alternatives that would make the amendment process simpler, quicker, and easier to administer. The APC submitted the suggested language and Charge response to the Board of Trustees.

The Board of Trustees responded with a second Board Charge to the APC to draft a ballot with the amendment suggestions.

Intent

The intent of this ballot is to fulfill the Board Charge to modernize the ballot process to make it simpler, faster, and easier while maintaining the tenets of the IFTA Agreement. To modernize and streamline the

ballot process it is recommended that this ballot be used to:

- Remove the Short Track Ballot process and Full Track terminology in favor of having one simple Ballot process
- Amend the comment periods from 45 days to 30 days
- Amend the voting period from 60 days to 45 days.
- Propose that amendments for comment be submitted to the repository in draft form at least 60 days prior to a meeting of the member jurisdictions for a 30 day preliminary comment period.
- Allow for voting to pass/fail at the Annual Business Meeting, in-person, or remotely within the allotted timeframe for all eligible jurisdictions.

- Implement suggested new Board of Trustees Preliminary Edit Process:
 - Allow any eligible member jurisdiction or Board of Trustee (Board) member to suggest a preliminary edit and submit it to the repository for consideration as a minor edit bypassing the formal ballot process, allowing the Board of Trustees the ability to make minor changes to the Agreement, Procedures Manual and/or Audit Manual.
 - Allow the Board the authority to approve preliminary minor edits, i.e., typos, references to incorrect sites, title font format, grammatical corrections, etc. in order to better streamline the amendment process and minimize the timeframe for making such edits.
 - The Repository will determine whether the preliminary edit will go through the Board preliminary edit process or the formal ballot process.
 - The repository will submit the suggested preliminary edit to the Board of Trustees within 30 days of the quarterly board meeting for review. The edit will then be discussed and approved/denied for edit at the next quarterly board meeting. Approved edits will bypass the ballot process but will require three-fourth majority approval from the Board of Trustees.

Interlining Indicates Deletion; Underlining Indicates Addition

1 *R1600

2 **AMENDMENT**

3 Proposals for amendment and requests for preliminary edits of the Agreement, Procedures Manual, or Audit Manual may
4 be made by any member jurisdiction, the Audit Committee, the Agreement Procedures Committee, the Clearinghouse
5 Advisory Committee, the Law Enforcement Committee, the Program Compliance
6 Review Committee or the Board of Trustees of the Association.

7
8 * **R1605 SUBMISSION OF PRELIMINARY EDITS FOR BOARD REVIEW AND DECISION**

9
10 ~~A proposed amendment may also be submitted to the repository for consideration as a Short Track Preliminary~~
11 ~~Ballot Proposal ("Short Track" Proposal). The preliminary comment period requirement may be~~
12 ~~waived if: .100 A proposed amendment is submitted to the repository at least 45 days before the~~
13 ~~next meeting of the member jurisdictions for consideration at that meeting; and .200 At the next~~
14 ~~meeting of the member jurisdictions, the proposed amendment receives the affirmative vote of at~~
15 ~~least three-fourths of the total member jurisdictions of the Agreement.~~

16
17 .100 The Board of Trustees may make minor edits to the Agreement, Procedures Manual and/or Audit Manual.
18 The membership may submit a proposed edit to the repository. The repository will determine if the
19 suggested edit is minor and can move forward for Board review and approval bypassing the ballot
20 process. Edit requests submitted to the Board should be minor edits, i.e., typos, title, font, format, minor
21 grammatical edits, incorrect reference sections, etc. and should not change the content of the current
22 language.

23
24 .200 Suggested edits will be discussed and accepted or denied at the next Board meeting. If denied, the
25 change will need to be later submitted as a proposed ballot and go through the formal ballot process.

26
27
28
29 **R161005 SUBMISSION OF AMENDMENT PROPOSALS FOR COMMENT**

30
31 .100 A proposed amendment is to be submitted to the repository at least 60 days before a
32 meeting of the member jurisdictions. The repository will circulate the proposed
33 amendment as a Full Track Preliminary Ballot Proposal ("Full
34 Track proposal") to all member jurisdictions and the standing committees
35 of the Association for a 4530-day preliminary comment period.

36
37 .200 At the end of the 30-day comment period, the Full Track ballot proposal willis to be submitted
38 to the repository for consideration at the next meeting of the member jurisdictions. The
39 comment period must be completed and notification given to the repository at least
40 45 30 days before the next meeting of the member jurisdictions.

41
42 .300 The repository will notify the member jurisdictions of Full Track ballot proposals that have
43 qualified for consideration at the next meeting of the member jurisdictions and
44 provide the text of the proposals and any comments received.

45
46 **R1615 OPEN MEETING DISCUSSION**

47
48 No amendment proposals will be adopted without a discussion of the amendment at an open meeting of
49 the commissioners. All Full Track and Short Track ballot proposals will be discussed in an open
50 meeting of the commissioners.

51
52 Membership will be able to vote on amendments to pass after they have been discussed at the open meeting.

The amendment will need three-fourths affirmative votes at the open meeting in order to pass.

R1610 SUBMISSION OF PROPOSALS WITHOUT PRELIMINARY COMMENT

~~A proposed amendment may also be submitted to the repository for consideration as a Short Track Preliminary Ballot Proposal ("Short Track" Proposal). The preliminary comment period requirement may be waived if: .100 A proposed amendment is submitted to the repository at least 45 days before the next meeting of the member jurisdictions for consideration at that meeting; and .200 At the next meeting of the member jurisdictions, the proposed amendment receives the affirmative vote of at least three-fourths of the total member jurisdictions of the Agreement. Any member jurisdiction or Board of Trustee (Board) member may propose an amendment and~~

~~may also be submitted it to the repository for consideration as a Short Track Preliminary Ballot Proposal ("Short Track" Proposal) minor edit to the Agreement, Procedure Manual, or Audit Manual bypassing the normal ballot process. The preliminary comment period requirement may be waived if the suggested edit to the document(s) is a corrective grammatical edit or is to provide further clarification of a previously approved statement in the document. The Board will notify member jurisdictions of the proposed edit 30 days prior to the next scheduled Board meeting where the suggested edit will be discussed and voted on by the Board. The may, on amendments that are considered minor edits by the repository, bypassing the normal ballot processBM the nextBMT~~

~~.100 A proposed amendment is submitted to the repository at least 45 days before the next meeting of the member jurisdictions for consideration at that meeting; and~~

~~.200 At the next meeting of the member jurisdictions, the proposed amendment receives the affirmative vote of at least three-fourths of the total member jurisdictions of the Agreement.~~

~~.100 A proposed amendment is submitted to the repository at least 45-3030 days before the next Board of Trustee Mmeeting of the member jurisdictions for consideration at that meeting. The repository will circulate the proposed amendment to all member jurisdictions within 30 days of the Board Meeting for comment and vote. The amendment must receive ¾ affirmative votes to move to vote at the Board Meeting.~~

~~;~~ and

~~the Board will notify member jurisdictions of the proposed edit 30 days prior to the next scheduled Board meeting where the suggested edit will be discussed and voted on by the Board.~~

~~.200 At the next meeting of the member jurisdictions, the proposed amendment receives the affirmative vote of at least three-fourths of the total eligible member jurisdictions of the Agreement. At the next Board of Trustee Mmeeting of the member jurisdictions, the Board of Trustees will vote on the proposed amendment. The amendment will need at least ¾ affirmative votes from the Board of Trustees to pass.~~

~~.300 If the suggested amendment passes, the edits will be made to the document and membership will be notified. If the suggested amendment fails, the Repository will notify membership and it will need to go through the full track ballot process. receives the affirmative vote of at least three-fourths of the total member jurisdictions of the Agreement Board Members.~~

R1615 OPEN MEETING DISCUSSION

~~No amendment will be adopted without a discussion of the amendment at an open meeting of the commissioners. All Full Track and Short Track ballot proposals will be discussed in an open meeting of the commissioners.~~

R1620 "SHORT TRACK" VOTING

~~.100 In the open meeting, the sponsor may request the eligible member jurisdictions to vote for or against~~

111 [placing a Full Track proposal on the Short Track ballot process described in IFTA Articles of](#)
112 [Agreement Section R1625. An affirmative vote of at least three fourths of the total eligible](#)
113 [member jurisdictions is required to place a ballot on the Short Track ballot process.](#) In the open
114 meeting, the sponsor may request the member jurisdictions to vote for
115 _____ or against placing a Full Track proposal on the Short Track ballot process described
116 _____ in IFTA Articles of Agreement Section R1625. An affirmative vote of at least three-
117 _____ fourths of the total member jurisdictions is required to place a ballot on the Short
118 _____ Track ballot process.

120 _____ **.200** [In the open meeting, a vote must be made by the eligible member jurisdictions for or against continuing](#)
121 [each Short Track proposal on the Short Track ballot process described in IFTA Articles of](#)
122 [Agreement Section R1625. An affirmative vote of at least three fourths of the total eligible](#)
123 [member jurisdictions is required for continuation of a ballot on the Short Track ballot process.](#) In
124 the open meeting, a vote must be made by the member jurisdictions for or
125 _____ against continuing each Short Track proposal on the Short Track ballot process
126 _____ described in IFTA Articles of Agreement Section R1625. An affirmative vote of at
127 _____ least three fourths of the total member jurisdictions is required for continuation of a
128 _____ ballot on the Short Track ballot process.

130 **R1625 "SHORT TRACK" 30-DAY BALLOT PROCEDURES**

131 _____
132 [Proposals that receive the required three fourths affirmative vote of the total eligible member jurisdictions at the](#)
133 [open meeting of the commissioners may proceed as follows:](#)

134 Proposals that receive the required three fourths vote at the open meeting of the
135 _____ commissioners may proceed as follows:

137 _____ **.100** Within 30 days of the open meeting, the sponsoring jurisdiction or committee must
138 _____ submit its proposal to the repository for circulation as a preliminary ballot proposal.

140 _____ **.200** The repository will circulate the preliminary ballot proposal to the member
141 _____ jurisdictions and the standing committees of the Association for a 30-day comment
142 _____ period.

144 _____ **.300** At the end of the 30-day comment period, the preliminary ballot proposal is
145 _____ submitted to the repository as a final ballot proposal and circulated, together with all
146 _____ comments received, to the member jurisdictions. Jurisdictions have 30 days in
147 _____ which to vote on final ballot proposals submitted under this section.

149 ***R16301620 "FULL TRACK" PRELIMINARY BALLOT PROPOSAL PROCEDURES**

150 _____
151 Full Track Ballot proposals [will be discussed and voted on at the open meeting.](#) Ballots that are not voted on at
152 the open meeting [of member jurisdictions](#) or do not receive the three-
153 fourths affirmative vote [of the total eligible member jurisdictions](#) may still proceed as follows:

155 _____ **.100** [A second comment period of 30 days will be allowed postfollowing the membership meeting.](#) Within 45 **30**
156 days of the open meeting, the sponsoring jurisdiction or committee must
157 submit its proposal to the repository for circulation [of a second comment period as a preliminary ballot](#)
158 [proposal.](#)

160 _____ **.200** The repository will circulate the [preliminary](#) ballot proposal to the member
161 jurisdictions and the standing committees of the Association for a 45**30**-day comment
162 period if [needed to be](#) determined at the annual membership meeting.

164 _____ **.300** At the end of the 45**30**-day comment period, the preliminary ballot proposal is
165 submitted to the repository as a final ballot proposal and circulated, together with all
166 comments received, to the member jurisdictions. Jurisdictions have ~~60~~ **45** days in
167 which to vote on final ballot proposals submitted under this section.

169 .400 If a second comment period is not needed, the ballot proposal will be voted on during
170 the annual membership meeting. If it does not receive three-fourths affirmative votes the ballot
171 will be circulated as a final proposal for a 45-day voting period after the annual
172 membership meeting.

173 **R1635 VOIDED "SHORT TRACK" PROPOSALS**

174 ~~Short Track proposals that do not receive the three-fourths affirmative vote of the total eligible member~~
175 ~~jurisdictions are void. Sponsoring jurisdictions or committees may again submit the proposal through the process outlined~~
176 ~~in IFTA Articles of Agreement Section R1605. However, the proposal is ineligible for the expedited processes outlined in~~
177 ~~Sections R1610 or R1620.~~

178 Short Track proposals that do not receive the three-fourths affirmative vote are void.

179 ~~Sponsoring jurisdictions or committees may again submit the proposal through the process~~
180 ~~outlined in IFTA Articles of Agreement Section R1605. However, the proposal is ineligible~~
181 ~~for the expedited processes outlined in Sections R1610 or R1620.~~

182 ***R1640 R1625 AMENDMENTS TO PRELIMINARY BALLOTS**

183 A preliminary ballot proposal may be amended to incorporate comments received in the
184 comment period or to make technical or grammatical changes prior to circulation as a final
185 ballot proposal. ~~If the changes are made to a preliminary ballot proposal, are substantive,~~
186 ~~it must be the sponsoring jurisdiction or committee may resubmitted the proposal as a new preliminary~~
187 ~~ballot proposal for an additional 45-30-day comment period or circulate as a final ballot~~
188 ~~proposal for vote.~~ The sponsoring jurisdiction or committee has discretion to determine whether
189 changes are substantive or non-substantive. However, if two or more jurisdictions indicate
190 in writing to the repository that they consider a change substantive, it must be resubmitted
191 for an additional 45- 30 day comment period.

192 **R1645 R1630 FINAL BALLOT PROPOSAL REQUIREMENTS**

193 Final Ballot proposals must contain the following:

- 194 .100 The precise language to be considered;
- 195 .200 The language originally contained in the preliminary ballot proposal;
- 196 .300 All comments received during the comment period;
- 197 .400 The date by which voting must be completed; and
- 198 .500 The effective date of the amendment.

199 ***R1650 R1635 ACCEPTANCE OF AMENDMENTS**

200 .100 Votes on amendments or interpretations or roll calls must be cast by the commissioner or a
201 delegate named in writing by the commissioner. ~~If a jurisdiction's commissioner seat~~
202 ~~is vacant, the assistant commissioner should be allowed to vote in place of the~~
203 ~~jurisdiction's commissioner. All voting jurisdictions must be in good standing at the time of the voting~~
204 ~~period and considered eligible to vote. If a jurisdiction's commissioner seat is vacant the~~
205 ~~jurisdiction is unable to cast a vote as the jurisdiction is deemed not eligible.~~
206 **Or as stated in .200 below;**

207 ~~If a jurisdiction's commissioner seat is vacant the jurisdiction is unable to cast~~
208 ~~a vote as the jurisdiction is deemed not eligible.~~

209 .200 An affirmative vote in writing of three-fourths of the total eligible eligible member jurisdictions is
210 required to amend the Articles of Agreement, Procedures Manual, or Audit Manual. For
211 purposes of this section, a vote submitted electronically through a mechanism
212 provided by the International Fuel Tax Association, Inc. or by means of a Board approved

~~electronic platform~~ is deemed a valid vote, in writing. An eligible member jurisdiction is one that has an active voting member and the jurisdiction is in good standing at the time of the voting period.

.300 Jurisdictions may abstain from voting, but a final ballot proposal may still not be adopted without the affirmative vote of three-fourths of the total eligible eligible member jurisdictions. Abstention from voting will result in a null vote that will not be included in the final vote total.

.400 Eligible member jEligible member jJ Jurisdictions that do not vote on an amendment within the required time limits are considered to have a null vote which will not be included in the tally of votes. ~~voted in the negative, except as provided in IFTA Articles of Agreement Section R1655.~~

~~*R1655~~ **R1640** EFFECTIVE DATE OF AMENDMENTS

The effective date of all amendments, unless otherwise specified, is the first day of January or July, whichever occurs first, following the completion of 12 complete months following the close of the voting period. An alternate effective date may be allowed if it receives the support of three-fourths of the total eligible eligible member jurisdictions. If an alternate effective date is requested, it must be voted separately from the amendment.

Eligible member jEligible member jJ Jurisdictions that do not vote on an alternate effective date within the required time limits are considered to have voted in the negative a null vote.

~~R1660~~ **R1645** WITHDRAWAL OF AMENDMENT PROPOSALS

An amendment proposal may be withdrawn by the sponsoring jurisdiction or committee at any time during the amendment process.