

UNIFIED CARRIER REGISTRATION

HOW IT IMPACTS ILLINOIS FARMERS

OCTOBER, 2007

1 DOES THIS APPLY TO ILLINOIS FARMERS?

Yes, if the farmer operates a commercial vehicle in interstate commerce. There is no exemption for farmers.

2 WHAT IS UNIFIED CARRIER REGISTRATION?

Unified Carrier Registration (UCR) was established by federal law, in the *Unified Carrier Registration Act of 2005*, which was part of the federal highway reauthorization bill known as the *Safe, Accountable, Flexible, Efficient Transportation Equity Act, A Legacy for Users* (SAFETEA-LU.) It replaces the Single State Registration System (SSRS) in participating states, including Illinois.

3 WHEN DID THE UCR TAKE EFFECT?

The federal program began September 10, 2007. In Illinois, truckers were first required to register under UCR by October 15, 2007. Registration is an annual requirement, however it is uncertain what the registration deadline will be for 2008.

4 WHO IS SUBJECT TO THE UCR?

Regulated for-hire motor carriers and unregulated private and exempt carriers, as well as brokers, freight forwarders, and leasing companies who operate commercial vehicles in interstate commerce are required to register and pay fees.

5 WHO IS NOT SUBJECT TO THE UCR?

Purely intrastate motor carriers are not subject to UCR per se. States that participate in UCR can elect to extend the requirements of UCR to its intrastate carrier population. So far, that has not happened in Illinois.

6 WHAT'S THE EASIEST WAY TO FIGURE OUT IF I HAVE TO REGISTER MY TRUCK UNDER THE UCR PROGRAM?

To be required to register under the UCR, your truck must satisfy two conditions:

A. It must be a "commercial vehicle".

That has nothing to do with for-hire hauling. Instead, it is generally based on the vehicle's size. Virtually every farm truck and truck/trailer combination is considered a "commercial vehicle."

For purposes of the UCR and the USDOT number registration, a commercial vehicle is one vehicle or a

combination of vehicles that is operated in commerce (includes farming) and has a gross vehicle weight rating of at least 10,001 pounds or, in the case of a passenger vehicle, is one built to carry 9 or more persons (for hire) or 16 or more persons (not for hire), including the driver. It also includes a vehicle that transports hazardous materials in a quantity that requires the vehicle to be placarded.

B. It must be used in "interstate commerce".

Federal regulations define it as follows [49CFR390.5]:

Interstate commerce means trade, traffic, or transportation in the United States—

(1) Between a place in a State and a place outside of such State (including a place outside of the United States);

(2) Between two places in a State through another State or a place outside of the United States; or

(3) Between two places in a State as part of trade, traffic, or transportation originating or terminating outside the State or the United States

Farming is commerce (you're trying to make a buck), so that part is easy. The more difficult distinction is whether the truck is operated on an "interstate" basis. Crossing the state line is clearly an interstate move. However, traveling point-to-point within the State of Illinois is also considered "interstate" if the load you're hauling is part of an interstate shipment (generally, cargo that originates in one state and is ultimately destined for another.)

7 DOES THE UCR APPLY IF I MEET EITHER DEFINITION?

No, you must meet both definitions.

8 I DON'T REALLY HAVE A COMMERCIAL TRUCK, JUST A "FARM" -PLATED TRUCK.

The term "commercial" has nothing to do with "for-hire" hauling or the license plate. A farm truck is considered "commercial" generally based on its size—if it is over 10,000 pounds.

9 SO, IF I'M HAULING GRAIN TO AN ELEVATOR OR A RAIL TERMINAL THAT THEN SHIPS IT OUT OF STATE, I NEED TO REGISTER MY TRUCK UNDER THE UCR?

If it is probable that the grain a farmer delivers to a location in Illinois will ultimately be delivered out-of-state, then it is also probable that the Illinois Commerce Commission (ICC) will consider that farmer's delivery as the first leg of an "interstate" move, requiring UCR participation. The reverse (improbability) is also true. If an in-state grain elevator resells the bulk of its grain to in-state users (e.g.: livestock feeders, feed mills, ethanol plants, millers) then it is improbable that the ICC would consider deliveries to that elevator from within Illinois to be interstate moves and those trucks would not be subject to UCR participation.

10 DOES THE UCR REPLACE THE USDOT NUMBER?

No. The UCR is in addition to that requirement. The USDOT number is the federal identification. The UCR is the state identification (though it's done through a federal program to ensure uniformity among states.) Eventually, the two systems might be merged, but for now, both are required.

11 IS THERE A FEE ASSOCIATED WITH THE UCR?

Yes. For motor carriers, the fees are based on the total number of commercial motor vehicles operated. (They differ for brokers and freight forwarders.) UCR fees are not dependant on the extent of a carrier's operations, only on the number of commercial vehicles it operates in interstate commerce. Fees are subject to adjustment each year. Check the current application form for amounts. The original minimum fee is \$39 and covers two vehicles.

12 WILL THERE BE A CREDENTIAL FOR CARRIERS UNDER THE UCR?

No. In section 4306, SAFETEA-LU includes a general federal prohibition against state requirements on interstate motor carriers to display any credentials in or on a commercial motor vehicle. Although there are a number of exceptions to this general prohibition, none seems to apply to UCR. The implication is that Congress did not intend for there to be any UCR credential.

13 HOW IS THE NUMBER OF VEHICLES COUNTED?

Unlike some other motor carrier regulations, the UCR considers non-motorized vehicles (trailers) as well as power units. For example, a truck-tractor/semitrailer combination is counted as two (2) vehicles.

14 HOW DO I REGISTER FOR THE UCR?

Complete the form provided by the Illinois

Commerce Commission (ICC). Illinois' UCR form and instructions are available on the ICC website at: <http://www.icc.illinois.gov/downloads/public/mc/UCR.pdf> or you may call 217-782-2593 or 217-782-4654 to request a copy.

There is currently no means of registering directly online. The .pdf application form can be filled out on your computer, then printed out to return to the ICC; or you may simply print out the blank form and complete it by hand writing your responses on the paper form.

Once completed, either:

- mail it in along with your check to the ICC, or
- fax it back to the ICC at 217-785-1448 and make payment using a major credit card.

15 IF I NEED THE UCR, WILL I NEED THE USDOT NUMBER, TOO?

Yes. In fact, you will be required to have the USDOT number before you can register for the UCR. There is no charge to register with the USDOT and it can be done online at https://li-public.fmcsa.dot.gov/LIVIEW/PKG_REGISTRATION_prc_option. The USDOT registration requires that the carrier's name and USDOT number be displayed on the truck.

ADDITIONAL INFORMATION

More information about the UCR program in Illinois is available on the ICC website at <http://www.icc.illinois.gov>.

More information about the USDOT number is available on the USDOT website at <http://safer.fmcsa.dot.gov/faq.aspx> or call 1-800-832-5660

This document is available in electronic format on the Illinois Farm Bureau® website under *Issues/IFB Current Issue/Transportation* at <http://www.ilfb.org>.

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