



# AMERICAN TRUCKING ASSOCIATIONS

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**Bill Graves**  
**President and Chief Executive Officer**

May 8, 2009

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Executive Director  
Commercial Vehicle Safety Alliance  
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Washington, DC 20036

Robert Morris, President  
National Conference of State Transportation  
Specialists  
West Virginia Public Service Commission  
P.O. Box 812  
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Charles D. Gray  
Executive Director  
National Association of Regulatory  
Utility Commissioners  
Suite 200  
1101 Vermont Avenue, N.W.  
Washington, DC 20005

Dear Messrs. Campbell, Morris, and Gray:

Thank you for your letter of April 23 concerning the Unified Carrier Registration Agreement (UCRA). I have read it with interest. However, your arguments in no way alter ATA's position that the UCRA program needs to be replaced, and that its replacement, done appropriately, will not have an adverse effect on motor carrier safety.

Contrary to what you assert, the UCRA is not primarily a safety program; in most states the agency that administers the UCRA is not the lead agency for the federal Motor Carrier Safety Assistance Program (MCSAP), and thus not the state's primary motor carrier safety agency. In fact, about a third of the state agencies that administer UCRA are public service commissions, whose primary mission, with respect to motor carriers, is not safety but the continuation of the vestiges of intrastate economic regulation. Another third of the agencies administering UCRA are departments of motor vehicles, whose main focus also lies elsewhere. Nor is UCRA a plausible means, as your letter suggests, for the purging and correction of the U.S. Department of Transportation (US DOT) Motor Carrier Management Information System (MCMIS). At the very best, a continuation of UCRA will provide spotty, incremental improvements in MCMIS. That system needs a much more thorough overhaul, one which Congress has in fact provided for in the Uniform Carrier Registration System (see 49

Good stuff.



LETTER TO MESSRS. CAMPBELL, MORRIS, AND GRAY

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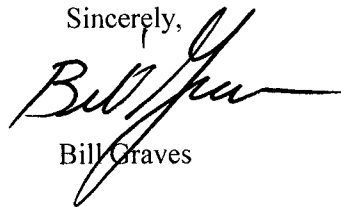
USC §13908), although US DOT does not seem to have made much progress to date on that system (which is unrelated to UCRA).

UCRA was designed to replace state revenues derived from the obsolete Single State Registration System (SSRS). UCRA is primarily a revenue program for states, and was expected to provide participating states with monies for a variety of purposes, including highway safety in some instances. Although UCRA has not been in effect for long, it has amply demonstrated in its short life that it will never be a satisfactory generator of revenue for the states, but instead a continuing focus of controversy and uncertainty over such collections, both as to timing and adequacy. States have found UCRA enforcement a burden, and they have not on the whole done an adequate job of it. Such enforcement will always be burdensome for the states, and collections of the UCRA fees will suffer accordingly. As the UCRA is set up, the temptation will always be for the states simply to ask US DOT to raise the level of the fees on compliant carriers rather than to increase their efforts to collect from the noncompliant.

That is what has happened this year, of course, when the UCRA Board recommended to US DOT that next year's UCRA fees be increased by more than 115% on a per-vehicle basis. Such an increase is particularly insupportable for the motor carrier industry in such hard economic times as these, and we will oppose it for that reason alone. ATA continues to believe that states and carriers alike would be better served by the replacement of the UCRA program by an increase in states' MCSAP grants, funded by a negligible increase in the federal excise tax on diesel fuel. In contrast to UCRA, the fuel tax is equitable and easily administered. We believe that the difficulties associated with an increase in the MCSAP program which you cite in your letter are not insuperable, and could in fact be eliminated by the removal of the current state matching requirement with respect to the increased MCSAP funding.

As you suggest at the conclusion of your letter, the American trucking industry is indeed deeply concerned about highway safety. Would it not be better to eliminate the UCRA program, which has shown itself to be at best an awkward, unfair, and undependable means of raising funds for highway safety – for which UCRA was in fact not designed – and to replace it with an expansion of MCSAP, a program which has proven its effectiveness for highway safety over many years?

Sincerely,



Bill Graves

cc: The Honorable John D. Rockefeller IV  
The Honorable Kay Bailey Hutchison  
The Honorable James Oberstar  
The Honorable John Mica  
Avelino Gutierrez, Chair, UCRA Board