

IFCA ALERT

Information on regulatory activities affecting your business

October 1, 2007

A new federal regulation requires companies with interstate motor vehicles to register their fleet with the Illinois Commerce Commission (ICC) each year. According to the ICC and Federal Motor Carrier Safety Administration (FMCSA), motor vehicles fit the definition of interstate commerce if they cross state lines or participate in picking up products during any stage of interstate commerce. For example, if a company or farmer hauls grain to a river terminal or rail terminal that intends to haul grain to another state, then that is considered the first leg of interstate commerce. Keep in mind; farmers are not exempt from this new regulation.

Another example is if your company picks up fertilizer or anhydrous ammonia at a river or rail terminal and delivers it to a retailer. According to FMCSA definitions, picking up product at a rail or barge terminal is considered the last leg of interstate commerce. The ICC considers a tractor/trailer combination as two vehicles. Therefore a company must count the number of power units and trailers pulled by the power units. If your company has five power units and ten trailers used in interstate commerce, then fifteen vehicles must be registered with ICC. If your company has a total of twenty vehicles but only four are used in interstate commerce, you must still register all vehicles on the application form but the fee structure only applies to the four vehicles used in interstate commerce. The fee structure is as follows:

0-2 vehicles=\$39.00
3-5 vehicles=\$116.00
6-20 vehicles=\$231.00
21-100 vehicles=\$806.00
101-1000 vehicles=\$3,840.00
1001 or more vehicles=\$37,500.00

If you have a federal USDOT number AND you clearly are conducting interstate business by crossing state lines or hauling grain or fertilizer from a river, rail or pipeline terminal, IFCA recommends registering with ICC and paying the corresponding fee based upon the number of vehicles you own used in interstate commerce.

Registration forms are available on-line from the ICC website at <http://www.icc.illinois.gov>. ICC and Illinois State Police will be enforcing this new regulation and fines can be as much as \$300 per violation. If you have any questions about this regulation or are not sure if your company activity fits the definition of interstate commerce, please contact Jean or Kevin at the IFCA office.