

Motor Vehicle Division Informational Memo # 21-09

International Registration Plan Administrative Rule Updates

DATE: April 12, 2021

FROM: Sara Siedsma, Compliance Officer, MVD

TO: All Motor Vehicle Division staff

SUBJECT

This informational memo explains updates to administrative rule chapter 761—500, Interstate Registration and Operation of Vehicles and is most applicable to motor carrier staff involved with International Registration Plan (IRP) processing.

SUMMARY

The amendments to this rule chapter align with existing legal authority and department practice and relate to the administration of the IRP for fleet vehicles operated amongst the states of the United States and the provinces of Canada. Below is a description of the amendments:

Terminology updates. We made several updates to terminology used throughout the chapter and within the definitions rule. The term “apportioned registration” replaced the term “prorate registration” throughout the chapter as that is the current terminology used in Iowa Code chapter 326 and the IRP. Rules that reference a set month renewal deadline with fleet registrations expiring at the same time were revised to incorporate a staggered registration process, in which fleet registration renewals are staggered throughout the year. Several duplicative definitions already included in Iowa Code chapter 326 were removed. Other definitions for distance schedule, vehicle schedule, IRP, qualified fleet owner, self-certification of IRP credential destruction, and temporary evidence of apportioned registration were added or amended.

IRP renewals. Several rules related to the IRP registration renewal process were updated to provide flexibility in the renewal process, including accommodating electronic notification and simplified submission methods for required documentation. The rules also clarify the process for adding or deleting a vehicle from the fleet, both at the time of renewal and during non-renewal periods.

Fees and refunds. The rules addressing fees and refunds were updated to align with Iowa Code, the IRP requirements and current department practice. Specifically, the late filing penalty fee rule specifies the approved payment methods and deadlines for payment as well as the process for sending a delinquency notice for invoices which are 30 days overdue as required by Iowa Code section 326.10A. The rule addressing the mailing fee for a replacement cab card or plate was revised to align with current practice that a mailing fee applies when we issue a replacement cab card or plate. A motor carrier does have the option to print their own replacement cab card, in which case, the fee would not apply. The rules governing IRP refunds were amended to clarify that plates and cab cards must be returned to the department if the carrier is seeking a refund of IRP registration unless the registrant qualifies to self-

certify destruction under this rule. The rules also provide that the rules only apply to a refund of Iowa's portion of the IRP fees because we only have the authority under IRP to refund Iowa fees.

IRP credentials. Several updates were made to the rules addressing IRP credentials, including striking outdated language referring to a nonexpiring plate and providing flexibility by not requiring the IRP credentials to be turned in if a vehicle is being deleted at renewal because a deletion at time of renewal will not affect the fees we collect. Further, we already have the authority to assess fees if it is discovered a vehicle was operating under deleted credentials.

IRP records. The rules related to record retention were updated to comply with the IRP, including requiring record retention for the current registration year and the three preceding registration years, requiring a motor carrier to make records available for audit upon request, setting standards for records maintained by the motor carrier to allow us to verify IRP requirements, replacing outdated terminology referring to source records with current terminology referring to summaries, and removing a subrule relating to reaudit and assessment as that subrule was inconsistent with IRP requirements. The amendments also align with the current process of obtaining trip permits through the DOT website, by mail or in-person and remove an outdated provision indicating that a permit could be obtained at truck stop as that is no longer an option. Finally, the rule promoting electronic maintenance of required IRP forms and records was amended to clarify that the federal heavy use tax form is maintained in accordance with Federal Highway Administration and IRS requirements and removed the requirement to collect and submit Federal Highway Administration form (MCS-150).

The administrative rule amendments are effective April 14, 2021.

LINK TO ADMINISTRATIVE RULES

<https://www.legis.iowa.gov/docs/aco/arc/5494C.pdf>

CURRENT

Administrative rule chapter 761—500 previously referenced outdated terms and processes related to motor carrier registration under the IRP.

NEW

As of April 14, 2021, the rules will now clearly address the requirements outlined in the summary above.

BUSINESS IMPACT

This directive does not significantly impact the way that VMCS operates, however these changes are anticipated to increase clarity by ensuring the administrative rules reflect current department practices.