

Sec. 14-34a-1a. International registration plan numbering system

The International Registration Plan is adopted using the plan numbering system as follows:

Article I

Purpose And Principle

100 Title

This reciprocal agreement shall be referred to, cited and known as the International Registration Plan, (herein referred to as IRP).

102 Fundamental Principle

It is the purpose of this agreement to promote and encourage the fullest possible use of the highway system by authorizing apportioned registration of fleets of vehicles, and the recognition of vehicles apportioned in other jurisdictions, thus contributing to the economic and social development and growth of the jurisdictions.

104 One Registration Plate

It is the purpose of this agreement to implement the concept of one registration plate for one vehicle.

106 Reciprocal Grants Of Fees

It is the purpose of this agreement to grant exemptions from payment of certain fees when such grants are reciprocal.

108 Granting Of Reciprocity

It is the purpose of this agreement to grant reciprocity to apportioned fleets of vehicles, and to provide for the continuance of reciprocity granted to those vehicles that are not eligible for apportioned registration under the terms of this agreement.

109 Discharge Of Registrant Responsibility

The payment to the base jurisdiction for all member jurisdictions of apportioned fees due under this agreement discharges the responsibility of the registrant for payment of such apportioned fees to individual member jurisdictions, except as may be provided in Section 410.

110 Registrant From Non-Member Jurisdiction

(a) Registrants based in any jurisdiction not a member of this agreement, and who have been licensing vehicles in any member jurisdiction under basing point, allocation or proration, may declare the member jurisdiction where the most miles or kilometers have been operated as a base jurisdiction for purposes of this agreement until such time as the registrant's base jurisdiction becomes a member of this agreement.

(b) Whenever the base jurisdiction of a registrant changes through application of this section, the re-registration of the registrant's vehicles in the new jurisdiction shall be accomplished through orderly and equitable procedures to be established by the commissioners of the two jurisdictions involved.

Article II

Definitions

200 Allocated Vehicle

“Allocated vehicle” means a vehicle to which a particular jurisdiction’s basic registration plate or apportioned registration plate is attached upon payment of the jurisdiction’s full basic registration fee. A portion of each fleet of one-way vehicles is “allocated” to each jurisdiction into or through which the fleet travels (each vehicle of the fleet need not enter every jurisdiction.)

202 Apportionable Fee

“Apportionable fee” means any periodic recurring fee required for licensing or registering vehicles, such as, but not limited to, registration fees, license or weight fees.

204 Apportionable Vehicle

(a) “Apportionable vehicle” means any vehicle, except recreational vehicles, vehicles displaying restricted plates, city pick up and delivery vehicles, buses used in transportation of chartered parties, and Government-owned vehicles, used or intended for use in two or more jurisdictions that allocate or proportionally register vehicles and is used for the transportation of persons for hire or designed, used or maintained primarily for the transportation of property and:

1. is a power unit having two axles and a gross vehicle weight or registered gross vehicle weight in excess of 26,000 pounds or 11,793.401 kilograms; or
2. is a power unit having three or more axles, regardless of weight; or
3. is used in combination, when the weight of such combination exceeds 26,000 pounds or 11,793.401 kilograms gross vehicle weight.

Trucks and truck tractors, and combinations of vehicles having a gross vehicle weight of 26,000 pounds or 11,793.401 kilograms or less and buses used in transportation of chartered parties may be proportionally registered at the option of the registrant.

206 Auxiliary Axle

“Auxiliary axle” means an auxiliary undercarriage assembly with a fifth wheel and tow bar used to convert a semi-trailer to a full trailer.

208 Axle

“Axle” means an assembly of a vehicle consisting of two or more wheels whose centers are in one horizontal plane, by means of which a portion of the weight of a vehicle and its load, if any, is continually transmitted to the roadway. For purposes of registration under the IRP, an “axle” is any such assembly whether or not it is load-bearing only part of the time.

For example, a single-unit truck with a steering axle and two axles in a rear-axle assembly is an apportionable vehicle even though one of the rear axles is a so-called “dummy”, “drag,” “tag” or “pusher” type axle.

210 Base Jurisdiction

“Base jurisdiction” means, for purposes of fleet registration, the jurisdiction where the registrant has an established place of business, where mileage is accrued by the fleet and where operational records of such fleet are maintained or can be made available in accordance with the provisions of Section 1602.

212 Base Plate

(a) “Base plate” means the plate issued by the Base Jurisdiction and shall be the only registration identification plate issued for the vehicle by any member jurisdiction.

(b) Base plates shall be identified by having the word “apportioned” or “PRP” and the jurisdiction’s name on the plate. The numbering system and color shall be determined by the issuing jurisdiction.

214 Chartered Party

“Chartered party” means a group of persons who, pursuant to a common purpose and under a single contract, and at a fixed charge for the vehicle in accordance with the carrier’s tariff, lawfully on file with the Interstate Commerce Commission, have acquired the exclusive use of a passenger-carrying motor vehicle to travel together as a group to a specified destination or for a particular itinerary, either agreed upon in advance or modified by the chartered group after having left the place of origin.

216 Commissioner

“Commissioner” means the jurisdiction official in charge of registration of vehicles.

218 Established Place Of Business

(a) “Established Place of Business” means a physical structure owned, leased or rented by the fleet registrant.

(b) The physical structure shall be designated by a street number or road location, be open during normal business hours, and have located within it:

- (1) a telephone or telephones publicly listed in the name of the fleet registrant,
- (2) a person or persons conducting the fleet registrant’s business, and
- (3) the operational records of the fleet (unless such records can be made available in accordance with the provisions of section 1602.)

220 Fleet

“Fleet” means one or more apportionable vehicles.

222 In-Jurisdiction Miles Or Kilometers

“In-jurisdiction miles or kilometers” means the total distance operated by a fleet of apportioned vehicles in a jurisdiction during the preceding year. In those cases where the registrant operated a fleet of apportioned vehicles in jurisdictions that require no apportionment and grant reciprocity, the base jurisdiction may add such miles or kilometers to the in-jurisdiction miles or kilometers.

224 Interjurisdiction Movement

“Interjurisdiction movement” means vehicle movement between or through two or more jurisdictions.

226 Intrajurisdiction movement

“Intrajurisdiction movement” means vehicle movement from one point within a jurisdiction to another point within the same jurisdiction.

228 Jurisdiction

“Jurisdiction” means a state, territory or possession of the United States, the District of Columbia, or a state, province, or territory of a country.

229 Long Term

“Long term” means any period of time exceeding 29 days.

232 Operational Records

“Operational records” means documents supporting the total distance traveled in each jurisdiction and total miles or kilometers traveled such as fuel reports, trip sheets and logs.

234 Owner-Operator

“Owner-operator” means an equipment lessor who leases his vehicular equipment with driver to a carrier.

236 Pool Fleet

“Pool fleet” means a fleet of rental company trailers and semi-trailers having a gross weight in excess of 6,000 pounds or 2,721.554 kilograms, and used solely in pool operation, with no permanent base.

238 Preceding Year

“Preceding year” means the period of twelve consecutive months immediately prior to July 1st of the year immediately preceding the commencement of the registration or license year for which apportioned registration is sought.

240 Reciprocity

“Reciprocity” means that an apportionable vehicle properly registered hereunder shall be exempt from further registration by any other member jurisdiction.

242 Reciprocity Agreement

“Reciprocity agreement” means an agreement, arrangement or understanding governing the reciprocal grant of rights and/or privileges to vehicles which are based in and properly registered under the applicable laws of the jurisdictions which are parties to such an agreement, arrangement or understanding.

244 Recreational Vehicle

“Recreational vehicle” as used in this agreement is one used for personal pleasure or travel by an individual or his family.

246 Registrant

“Registrant” means a person, firm or corporation in whose name or names a vehicle is properly registered.

248 Registration Year

“Registration year” means the twelve-month period during which the registration plates issued by the base jurisdiction are valid according to the laws of the base jurisdiction.

250 Restricted Plate

“Restricted plate” means one that has time (less than a registration year), geographic area, mileage or commodity restrictions.

252 Semi-Trailer

“Semi-trailer” means every vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by the towing vehicle.

254 Service Representative

“Service representative” means one who furnishes facilities and services including sales, warehousing, motorized equipment and drivers under contract other arrangements to a carrier for transportation of property by a household goods carrier.

255 Staggered Registration

“Staggered registration” means a method of distributing fleet registration so that credentials expire in different months during the same registration year.

256 Total Distance

“Total distance” means the total number of miles or kilometers operated by a fleet of apportioned vehicles in all jurisdictions during the preceding year. For purposes of motor bus apportionment, total distance shall be calculated as provided in Article XIII. For purposes of reduced operations total distance shall be reduced by the actual miles or kilometers traveled in the eliminated jurisdictions. When a jurisdiction needs to be added back during the registration year, the carrier must use as a minimum the number of miles or kilometers traveled in that state in the preceding year; the original application percentages that were established will not reflect these changes.

258 Trailer

“Trailer” means every vehicle without motive power, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

260 Trip Lease

“Trip lease” means a lease of vehicular equipment to a carrier (lessee) for a single interjurisdictional movement. The term may also include a similar movement intrajurisdictional where such movement is authorized under the laws of the jurisdiction.

262 Motor Carrier Audit

“Motor carrier audit” means a physical examination of a motor carrier’s operational records including source documentation to verify fleet mileage and accuracy of a carrier’s record keeping system.

Article III

Fees For Apportioned Registration

300 Determination of Fees

A. The registration fee for apportionable vehicles shall be determined as follows:

1. Divide the in-jurisdiction miles or kilometers by the total distance generated during the preceding year.
2. Determine the total fees required under the laws of each jurisdiction for full registration of each vehicle at the regular annual or applicable fees, or for the unexpired portion of the registration year.
3. Multiply the sum obtained under Paragraph 2 of this section by the quotient obtained under Paragraph 1 of this section.

302 Non-Waiver of Fees

This agreement does not waive any fees or taxes charged or levied by any jurisdiction in

connection with the ownership or operation of vehicles and applies only to those apportioned fees specified. All other fees and taxes shall be paid to each jurisdiction in accordance with the laws thereof.

304 Minimum Fees

There shall be no minimum vehicle fees for any apportionable vehicle, except those base jurisdiction statutory fees for issuance of identifications or filing of applications.

Article IV

Application For Apportioned Registration

400 Application Filed With Base Jurisdiction

(a) An applicant for apportioned registration shall file a uniform application with the Commissioner of the base jurisdiction in lieu of registration under other applicable statutes.

(b) The base jurisdiction commissioner shall adopt the following procedures for renewal and expanded operations.

Upon renewal, the registrant shall use the actual mileage operated during the preceding year (or portion of such year) in computing fees due each jurisdiction pursuant to Article III and all second year and subsequent year estimates shall be computed over 100%.

402 Application Filing

Applications for apportioned registration shall be filed on a date and by standard of measure as determined by the base jurisdiction. The base jurisdiction may issue fleet registrations so that all credentials expire in the same month or stagger fleet registration so that credentials expire in different months during the same registration year.

When converting to staggered registration, jurisdictions may issue fleet registrations for a period that may differ from the registration year. The registration period during conversion shall not be less than six months, nor exceed eighteen months.

Every application for apportioned registration shall, at the time and in the manner required by the commissioner, be supported by the payment of the registration fees in the amount determined in Article III. However, the commissioner may postpone payment of fees until after the commissioner has computed the fees due. If a jurisdiction automates its renewal process, use the standard IRP automated renewal transaction codes, field formats and record formats adopted by a majority of the membership and maintained by the repository. The jurisdiction will have at least 90 days notice to implement changes to these field codes.

404 Trailer Apportionment - Exception To Plan

The applicant for apportioned registration of trailers, semi-trailers and auxiliary axles shall use the application form for such vehicles. The apportionment of registration fees shall be computed by using the same factor determined by in-jurisdiction and total distance in Article III and this shall be applied to the registration fee. Jurisdictions may waive trailer, semi-trailer and auxiliary axle apportionment. Jurisdictions requiring apportioned registration of trailers, semi-trailers and auxiliary axles shall provide for such requirement by filing an exception as described in Article XIX.

406 Contents Of Application

The application shall contain the number of power units, number of trailers, semitrailers and auxiliary axles, with such vehicle description as may be required by the jurisdictions

concerned and a uniform mileage schedule.

408 Jurisdiction Notification Of Application Filing

The base jurisdiction shall notify the other declared jurisdictions that an apportioned registration application has been filed, and shall furnish the declared jurisdictions documentation to substantiate and verify the application and fees within forty-five (45) days of collection of fees. The 45-day time limit may be extended for transmittal of small amounts of funds, provided the receiving jurisdiction approves of the additional time delay. The base jurisdiction is responsible for consecutively numbering or dating each set of transmittals and recaps for each registration year.

410 Jurisdiction Cooperation

The base jurisdiction shall cooperate with other declared jurisdictions in connection with applications and fees paid.

Article V

Registration Of Apportionable Vehicles

500 Base Jurisdiction Registration

The commissioner of the base jurisdiction shall register apportionable vehicles upon application and payment of the registration fees as provided in Articles III and IV. Payment of additional fees for each vehicle so registered may be required by the commissioner of the base jurisdiction, in an amount provided by statute or regulation of the base jurisdiction for issuance of a plate. A registration card shall be issued for each vehicle registered by the commissioner of the base jurisdiction and the card shall appropriately identify the vehicle for which it is issued, list the jurisdictions in which the vehicle has been apportioned, and the weight for which registered according to the applications. Such registration card shall be carried in or upon the vehicle, for which it has been issued, at all times.

502 Identification Plates and Cab Cards

The base jurisdiction, after receiving its proportionate fees shall supply the necessary identification plates and prepare cab cards, listing on the front of the cab cards the jurisdiction where the vehicles are proportionally registered, the weight (shown in pounds for states and in kilograms for provinces) for which registered and other necessary information in each of the jurisdictions. The base jurisdiction may, in its discretion, withhold issuing plates and cards until it has received evidence of payment due other member jurisdictions.

504 Cancellation Of Plates and Cab Cards

All plates and cards and reciprocal exemptions are subject to cancellation and revocation in the event of erroneous issuance thereof, or if any fees remain unpaid.

506 Operation Under Apportioned Registration

Vehicles registered as provided in Section 500 of this Article shall be deemed fully registered in all jurisdictions where apportioned for any type of movement or operation. The registrant must have proper interjurisdiction or intrajurisdiction authority from the appropriate regulatory agency if not exempt from regulation by the regulatory agency.

508 Variance Of Registered Weights

The commissioner of the base jurisdiction may require supporting documentation for any vehicle if the highest and lowest weights requested for jurisdictions registering by gross vehicle weight vary by ten (10) percent or more and may reject or deny registration for those vehicles if the variance does not reflect actual operating practice.

Article VI

Registration Of Additional Fleet Vehicles

600 Application Of Mileage Percentage

Vehicles acquired by the registrant after the commencement of the registration year and added to the apportioned fleet shall be registered by applying the mileage percentage used in the original application for such fleet for such registration period to the regular registration fees due with respect to such vehicles for the remainder of the registration year.

602 Filing Of Applications

All applications for additional fleet vehicles shall be filed and processed in the same manner as the original application.

Article VII

Withdrawal Of Fleet Vehicles, Credits, Replacement Vehicles And Accounting

700 Vehicle Withdrawn; Disposition Of Fees

If a vehicle is withdrawn from an apportioned fleet during the period for which it is registered, the registrant of such fleet shall so notify the Commissioner on appropriate forms provided by the Commissioner. The Commissioner shall require the registrant to surrender the cab card and identification plates to the base jurisdiction with respect to any such vehicle. If a vehicle is permanently withdrawn from an apportioned fleet because it has been destroyed, sold or otherwise completely removed from the service of the registrant, the unused portion of the fees paid with respect to such vehicle, where permitted by statute, shall be refunded by each jurisdiction or be applied against liability of such registrant for subsequent additions to such fleet during such registration year or for additional fees upon audit.

702 Replacement Vehicles

If the registrant is replacing a vehicle for one withdrawn from the fleet and such vehicle is of the same weight category as that replaced, the registrant shall file a supplemental application with the base jurisdiction. The base jurisdiction shall, in accordance with provisions in Section 602, issue a new cab card and transfer the identification plates, to the new vehicle. When a replacement vehicle is of a greater weight or requires a larger registration fee, the registrant shall file the re-registration with the base jurisdiction in the manner set forth in Article VI for the registration of additional fleet vehicles.

704 Temporary Registration

Each jurisdiction may provide a means of temporary registration for the movement of new or unlicensed equipment pending receipt of apportioned license plates and cab cards.

Article VIII

New Operations

800 Application for initial registration

Initial application for apportioned registration shall state the mileage data in all jurisdictions for the preceding year with respect to such vehicle or vehicles. If no operations were conducted with such vehicle or vehicles during the preceding year, the application shall contain a full statement of the proposed method of operation and estimates of annual mileage in each of the jurisdictions. The registrant shall determine the in-jurisdiction and total mileage to be used in computing the proportional registration fee for the vehicle or vehicles. The base jurisdiction Commissioner may adjust the estimate in the application if the base jurisdiction Commissioner is not satisfied with its correctness.

Article IX

Registration Of Owner-Operator Vehicles

900 General Provisions

Apportioned registration for owner-operators who lease vehicles to motor carriers may be accomplished in accordance with the provisions of this Article.

902 Owner Operator As Registrant

The owner-operator (lessor) may be the registrant and the vehicle may be registered in the name of such owner-operator. The allocation of fees shall be according to the operational records of such owner-operator. The identification plates and cab card shall be the property of the lessee and may reflect both the owner-operator's name and that of the carrier as lessee. Should an owner-operator, registered pursuant to this section, leave the fleet of the lessee, the lessee may proceed in accordance with Article VII.

906 Place Of Business

If an owner-operator desires to register under the provisions of this Article, but cannot fully comply with the provisions of Section 218 "Established Place of Business," the base jurisdiction shall register the vehicle provided the registrant furnishes a street address and telephone number and such other information as the Commissioner may require. The registrant must satisfy the Commissioner that the owner-operator can be located within the base jurisdiction for purposes of audit under the provisions of Article XV.

908 Trip Permit Requirements

Vehicles of owner-operators that are not apportioned or not fully registered in a jurisdiction having a separate reciprocity agreement with the jurisdiction in which the vehicle is being operated shall be subject to the trip permit requirement as set forth in Article XIV.

910 Hunter's Permit

Each jurisdiction shall provide a means of registration for owner-operators not operating as a lessor. Such registration shall be a restricted plate or permit issued for a minimum fee and for a registered gross weight not in excess of the empty weight of the vehicle.

The temporary registration credential issued by a member jurisdiction shall be honored as a valid registration in all other IRP jurisdictions.

Article X

Trip Leasing

1000 Registration Responsibility And Requirements

The lessee, except as provided for service representatives in Section 1200 and apportioned operator may lease equipment to another apportioned fleet operator and the lessor shall be responsible for reporting on the application the total distance traveled by the leased equipment. The lessee shall be the person using and operating the equipment by the lease agreement. The leased vehicle must bear apportioned registration credentials and be operated only in the jurisdictions to which fees have been paid or a trip permit will be required. The service representative in Section 1200 shall have the same responsibility for qualifying vehicles.

Article XI

Registration Of Rental Vehicles

1100 Effect Of Definitions

In applying the provisions of this Article, member jurisdictions shall adhere to the definitions herein set forth.

1102 Rental Owner

“Rental owner” means an owner principally engaged, with respect to one or more rental fleets, in renting to others or offering for rental the vehicles of such fleets, with or without drivers.

1104 Rental Fleet

“Rental fleet” means vehicles which are rented or offered for rental with or without drivers, and which are designated by a rental owner as a rental fleet.

1106 Rental Vehicle

“Rental vehicle” means a vehicle of a rental fleet.

1108 Renting And Leasing

“Renting and leasing” means the giving of possession and control of a vehicle for valuable consideration for a specified period of time.

1110 Rental Transaction

“A rental transaction” for the rental of a vehicle shall be deemed to occur in the jurisdiction where such vehicle first comes into possession of the user.

1111 Rental Vehicle: Base Jurisdiction

The “base jurisdiction” definition in Section 210 of Article II applies under this Article and the conditions therein specified must be met by the rental company as registrant of the fleet; except when the rental agreement is for more than sixty (60) days, the rental customer must have an established place of business and his fleet must accrue miles or kilometers in the jurisdiction selected as the base jurisdiction for the registration year.

1112 Interjurisdiction and Intrajurisdiction Privileges

Rental fleets registered by any person or firm engaging in the business of renting vehicles shall be extended full interjurisdiction and intrajurisdiction privileges, when such person or firm complies with all provisions of this section:

- (a) The vehicles are part of a rental fleet which are identifiable as being a part of such

fleet.

(b) The person or firm registers the vehicles in accordance with the provisions set forth in this article.

1114 Rental Trucks and Truck Tractors

Rental trucks and truck tractors shall be registered in accordance with Articles III, IV, V, VI and VII of this agreement, except that the base jurisdiction selected by the rental owner shall conform to the definition of base jurisdiction in Section 1111.

1116 Rental Passenger Cars

To determine the percentage of total fleet vehicles that shall be registered in a jurisdiction, divide the gross revenue received in the preceding year for use of such rental vehicles arising from passenger car rental transactions occurring in the jurisdiction by the total gross revenue received in the preceding year for the use of such rental vehicles arising from passenger car rental transactions occurring in all jurisdictions in which such vehicles are operated. The resulting percentage shall be applied to the total number of passenger cars in the fleet and that figure shall be the number of rental passenger cars that shall be fully registered in the jurisdiction.

1118 Rental Trailers and Semi-Trailers

(a) Trailers and semi-trailers not in separate pool fleets and used in normal tractor-trailer operations shall be licensed according to Section 404.

(b) Where required, trailers and semi-trailers, over 6,000 pounds or 2,721.554 kilograms gross vehicle weight and used solely in pool fleets shall be licensed by dividing the gross revenue received in the preceding year for the use of such rental vehicles arising from rental transactions occurring in the jurisdiction by the total gross revenue received in the preceding year for the use of such rental vehicles arising from rental transactions in all jurisdictions. The resulting percentage shall be applied to the number of units in such fleet, and that number of vehicles fully registered and plated in the jurisdiction.

1120 Utility Trailers

Owners of utility trailers, 6,000 pounds or 2,721.554 kilograms gross vehicle weight and under, engaged in the business of renting such trailers for use in a jurisdiction, shall register a number of trailers equal to the average number of such trailers rented in or through the jurisdiction during the preceding year.

1122 One-Way Vehicle

Owners of trucks of less than 26,000 pounds or 11,793.401 kilograms gross vehicle weight operated as part of an identifiable one-way fleet will allocate vehicles to the respective jurisdictions based on the mileage factor procedure in Article III and fully plate said allocated vehicles in such jurisdiction. All trucks of such one-way fleet so qualified will be allowed to perform both interjurisdiction and intrajurisdiction movements in all jurisdictions.

Article XII

Household Goods Carriers

1200 Equipment Leased From Service Representatives

Household goods carriers using equipment leased from service representatives may elect, with respect to such equipment, to base such equipment in the base jurisdiction of the service representative, or that of the carrier.

1202 Owner-Operator Leased Equipment

For equipment owned and operated by owner-operators, other than service representatives, and used exclusively to transport cargo for the household goods carrier, the equipment shall be registered by the carrier in the base jurisdiction of the carrier, but in both the owner-operator's name and that of the carrier as lessee, with the apportionment of fees according to the records of the carrier.

1204 Registration In Base Of Service Representative

In those cases where household goods carrier equipment is elected to be registered in the base jurisdiction of the service representative, the equipment shall be registered in said service representative's name and that of the carrier as lessee with the apportionment of fees according to the combined records of the service representative and those of the carrier, and such records must be kept or made available in the service representative's base jurisdiction.

1206 Registration In Base Of Carrier

If the election is the base jurisdiction of the carrier, and such jurisdiction is a member jurisdiction, the equipment shall be registered by and in the name of the carrier and that of the service representative as lessor with the apportionment of fees according to the records of the carrier and the service representative which must include intrajurisdiction miles or kilometer operated by those vehicles applicable under this agreement. The records must be kept or made available in the base jurisdiction of the carrier. Service representatives properly registered under this election shall be fully registered for operations under their own authority as well as under the authority of the carrier.

Article XIII

Motor Bus Apportionment

1300 Apportionment Of Fees

The apportionment of motor bus registration fees shall be based solely on the relationship of base jurisdiction miles or kilometers versus total distance operated. Apportionment shall be accomplished as provided in this article.

1302 Application Filing

The registrant shall file an application for apportioned registration with the base jurisdiction listing buses assigned in pools.

1304 Determination of Total Miles or Kilometers

At the option of the registrant, total distance may be the sum of all actual in-jurisdiction miles or kilometers or a sum equal to the scheduled route miles or kilometers per jurisdiction from the farthest point of origination to the farthest point of origination to the farthest point of destination of the scheduled pool.

1306 Determination Of In-Jurisdiction Mileage Percent

After determining the total distance as specified in Section 1304, in-jurisdiction mileage

percent factors shall be derived by dividing the total distance into the in-jurisdiction miles or kilometers.

1308 Miles or Kilometers Operated Outside Of Pool Area

Miles or kilometers generated outside the designated pool are deemed to be reciprocity miles or kilometers and the base jurisdiction may add such miles or kilometers to the base jurisdiction's mileage total.

Article XIV

Trip Permit Registration

1400 Trip Permit Authority

Trip permit registration may be issued for any vehicle or combination of vehicles, which could be lawfully operated in the jurisdiction if full registration or apportioned registration were obtained.

1402 Application For Trip Permit

A person desiring a trip permit registration shall make application therefore on forms provided by the Commissioner. Every such application shall be accompanied by the required fee. Every trip permit shall be carried in the cab of the vehicle for which such permit is issued.

1404 Interjurisdiction or Intrajurisdiction Operation

Any vehicle or combination of vehicles for which a trip permit has been issued may be operated in interjurisdiction or intrajurisdiction commerce in the jurisdiction for the period allowed under such permit.

1406 Misuse Of Trip Permits

Trip permits shall not be used to evade or circumvent this agreement.

1408 Issuance Of Trip Permits

Jurisdictions, members to this agreement, may provide a system of issuing trip permits for other jurisdictions, members of this agreement, so that vehicles may move without waiting for telegraphic or other emergency authorization. The issuing jurisdiction shall collect the necessary trip permit fee and forward it to the jurisdiction for which the permit was issued and deliver to the registrant the permit for movement in the other jurisdiction or jurisdictions.

Article XV

Preservation Of Records And Audit

1500 Preservation and Availability Of Records

Any registrant whose application for apportioned registration has been accepted shall preserve the records on which it is based for a period of three years after the close of the registration year. Such records shall be made available to the Commissioner at his request for audit as to accuracy of computation, payments, and assessments for deficiencies or allowances for credits, during the normal business hours of the day.

1502 Failure To Preserve Or Maintain Records

If any registrant fails to make records available to the Commissioner upon proper request or if any registrant fails to maintain records from which true liability may be determined, the commissioner may, thirty days after written demand for an availability of records or notification of insufficient records, impose an assessment of liability based on the Commissioner's estimate of the true liability of such registrant as determined from information furnished by the registrant, information gathered by the Commissioner at his own instance, information available to the Commissioner concerning operations by similar registrants and such other pertinent information as may be available to the Commissioner.

1505 On-Board Recording Devices

On-board recording devices may (at the option of the carrier) be used in lieu of or in addition to handwritten trip reports for apportioned registration record keeping purposes. If a registrant exercises this option, any device or electronic system used in conjunction with a device shall meet the requirements identified in the Audit Guidelines. Other equipment monitoring devices, such as those, which transmit or may be interrogated as to vehicle location or travel, may (at the option of the carrier) be used to supplement or verify handwritten or electronically-generated trip records.

Article XVI

Audits

1600 Frequency Of Audits

The base jurisdiction shall audit the registrants displaying a base plate of the jurisdiction as to authenticity of mileage figures derived from operational records and registrations. The base jurisdiction shall audit at least 15% of its carriers every five (5) year period.

1602 Records Not Maintained In Base Jurisdiction

In the event that the registrant's operational records are not located in the base jurisdiction and it becomes necessary for the base jurisdiction to send auditors to the place where such records are normally kept, the base jurisdiction may require the registrant to reimburse the base jurisdiction for per diem and travel expense of its auditors incurred in the performance of such audit.

1604 Notification Of Audit Findings

Upon the completion of the audit of a registrant, the base jurisdiction shall provide the audit findings to the registrant and to all member jurisdictions in which the registrant was apportioned or in which it accrued miles. The findings shall include a determination of any fees owed by the registrant, net of any fees owed to the registrant. The time periods specified in Sections 1608 and 1610 shall begin with the date on which the base jurisdiction mails the final audit findings to the registrant and to the other member jurisdictions.

1606 Multiple Audits By Commissioners

Audits may be made by the Commissioners of the several jurisdictions.

1608 Audit Appeals

The registrant shall have thirty days from the date it is notified of the findings of an audit or a reexamination to file a written appeal of the audit or reexamination with the base jurisdiction. Such an appeal shall be resolved under the administrative and appellate

procedures of the base jurisdiction. Once these procedures have been exhausted, it may be submitted to the Dispute Resolution Committee under Article XXIII. In the conduct of an appeal, the base jurisdiction shall act on behalf of all member jurisdictions. Upon the resolution of an appeal, the base jurisdiction shall notify all member jurisdictions of the results.

1610 Reexaminations

A jurisdiction shall have forty-five days from the date it is notified under Section 1604 of the findings of an audit to notify the base jurisdiction and the registrant in writing of any error in the findings and of its intent to conduct a reexamination of the records of the registrant. A reexamination conducted under this Section shall be based exclusively on the audit sample period used by the base jurisdiction in conducting its audit, and shall be performed within a reasonable time and in cooperation with the base jurisdiction, which shall notify other affected jurisdictions of the reexamination. The expenses of such a reexamination shall be borne by the jurisdiction or jurisdictions performing the reexamination.

1612 Findings Of A Reexamination

Any adjustment to the original audit findings which occurs as a result of a reexamination conducted pursuant to Section 1610 shall be reconciled with the original findings issued by the base jurisdiction, and revised findings shall be issued by the base jurisdiction pursuant to Section 1604.

1614 Finality Of Audit Findings

The findings of an audit shall be final as to member jurisdictions and the audited registrant, if they do not act as specified in Sections 1608 and 1610 except in conditions of fraud.

Article XVII

Assessment Claims Under Audit

1700 Assessments — Time Periods

Upon audit, the Commissioner shall assess for any deficiency found to be due. No assessment for deficiency or claim for credit may be made for any period for which records are not longer required.

1702 Jurisdiction Statutory Authority

Assessments based on audit, interest on assessments, refunds, or credits or any other amounts including auditor's per diem and travel shall be made in accordance with the statute of each jurisdiction involved with the audit of a registrant.

1704 Netting Of Audit Adjustments

When the findings of an audit result in a net underpayment by the registrant, the base jurisdiction shall collect the amount of the underpayment from the registrant, pursuant to the base jurisdiction's laws and procedures. When the result is a net overpayment by the registrant, the base jurisdiction shall refund the amount of overpayment to the registrant. If the records are not made available, or if the records made available are inadequate for an examination, any credits calculated for jurisdictions, which are caused by, the inadequacy

of records will not be reflected in the fees netted under Article XVI.

1706 Audit Transmittals

Fees adjusted pursuant to audit shall be transmitted to member jurisdictions in the form of appendages to the transmittals of fees among member jurisdictions. Audit transmittal information shall include each audited registrant's name and account number, the registration year or years audited, each registrant's adjusted fees due to or from the member jurisdiction, and the total of adjusted fees transmitted or due.

Article XVIII

Entry And Withdrawal

1800 Jurisdiction Entry Into IRP

Any jurisdiction may become a party to this agreement by executing the prescribed adopting resolution specifying the proposed registration year of entry, and sending it to the IRP, Inc. Repository (hereinafter referred to as IRP, Inc.); however, such resolution must be approved and endorsed by all member jurisdictions using procedures contained in Article XXI, and must provide at least six months notice prior to the beginning of all member jurisdictions' registration years.

1802 Membership Cancellation — Credentials Issued

This agreement shall continue in full force and effect, after its original adoption, as to each jurisdiction until canceled or revoked by proper officials of any jurisdiction upon thirty days written notice to IRP, Inc. who shall immediately notify the officials of the other member jurisdictions of this agreement. However, cancellation by one jurisdiction shall not effect the agreement between other jurisdictions. All credentials issued under this agreement shall be valid until the end of the current registration year of the applicable jurisdiction.

Article XIX

Exceptions

1900 Jurisdiction Exceptions

Each signatory jurisdiction to this agreement shall list its exceptions, if any. These exceptions will be made a part of the adopting resolution and of this agreement by appendix listing and will be effective upon approval by each member jurisdiction using procedures contained in Article XXI.

1902 Amendments To Exceptions

Any jurisdiction may amend its exceptions by serving copies of the proposed changes on IRP, Inc. and all member jurisdictions. Upon approval of all contracting jurisdictions, the amended or proposed exception shall be effective in the next succeeding registration year provided at least 30 days notice has been given.

1904 Cancellation Of Exceptions

The withdrawal or cancellation of an exception shall be accomplished by filing due notice of such action with IRP, Inc., and becomes effective upon notification to all member jurisdictions using the procedures contained in Article XXI. The withdrawal or cancellation of an exception shall not require approval by the member jurisdiction.

1906 Prohibited Exceptions

There shall be no exceptions taken, however, to the concepts included in this section.

1. A single registration plate or set of license plates shall be issued only by the base jurisdiction.
2. A single registration (cab) card shall be issued only by the base jurisdiction.
3. Fleets registered under this agreement shall have the ability to perform both interjurisdiction and intrajurisdiction vehicle movements.

Article XX

Other Agreements

2000 Other Agreements

This agreement shall supersede any reciprocal or other agreement arrangement or understanding between any two or more of the member jurisdictions covering, in whole or in part, any of the matters covered by this agreement; but this agreement shall not affect any reciprocal or other agreement, arrangement or understanding between a member jurisdiction and any non-member jurisdiction.

Article XXI

Administration

2100 Board Responsibilities

To provide a facility within this agreement for the handling of matters relating to substantive issues of Plan administration or compliance with this agreement, the power shall be vested in the Board of Directors and shall hereinafter be referred to as the Board.

2102 Composition Of The IRP., Inc. Board Of Directors

The Board shall consist of (10) ten members. The American Association of Motor Vehicle Administrators (hereinafter referred to as AAMVA) chairman of the board shall appoint (4) members, (1) one from each region. These members shall serve staggered three-year terms and may serve for no more than two successive terms as appointed members.

The AAMVA regions shall elect (4) four members, one from each region. The AAMVA regional presidents shall nominate a minimum of (2) two, but not more than (3) three candidates for their respective regional position. The regional nominations shall be balloted and voted on by the members as stated in Section 2106. These members will serve staggered, three-year terms, and may not serve more than two successive terms as elected members.

One member shall be elected to a rotating position through the AAMVA regions. The regional president, beginning with Region I, shall nominate a minimum of (2) two, but not more than (3) three candidates for the rotating position. The nominations shall be balloted and voted and voted on by the member as stated in Section 2106. This member shall serve a single, two-year term, after which the position shall rotate to the next AAMVA region.

The tenth member shall be the AAMVA president, who would serve Ex Officio.

2104 Nomination For Board Membership

Nominations shall be held using the procedures specified in this section.

(a) The regional presidents shall solicit nominations from the IRP jurisdictions in their AAMVA region and shall submit no more than three nominees per available position to the

IRP repository.

2106 Election Procedures

Elections shall be held using the procedures specified in this section.

(a) The IRP, Inc. shall prepare a ballot and mail by certified mail, return receipt requested, to all IRP member jurisdictions within the region where the vacancy exists;

(b) The ballot shall remain open for a period of 60 days;

(c) The nominee(s) with a simple plurality shall be declared the winner;

(d) The repository shall notify the elected Board members, the Board Chair and the IRP membership of the results of the election.

2108 Term Of Office

Members of the Board shall be appointed or elected as stated in Sections 2102 through 2106. The term of office for a board member appointed by the international chair shall begin on January 1st and end on December 31st of the third year. The term of office for a Board Member elected to a (3) three-year term shall begin on January 1st and end on December of the third year. The term of office for the board member elected to a (2) two year term shall begin on January 1st and end on December 31st of the second year. Upon reaching the end of a term, a board member shall continue to serve until his or her successor has been appointed or elected as stated in Section 2102. Members of the industry advisory panel may be appointed annually at the IRP Board chair's discretion for one-year terms beginning January 1st without limitations to the number of consecutive meetings. All appointments shall be limited to the unexpired term of the replaced member.

2110 Vacancies — Replacements

Vacancies occurring in Board membership shall be filled by appointment made by the President of the Region lacking the representative as required by Section 2102. The Board, through majority action, shall have the right to ask the Regional President to appoint a replacement when said member is absent for two or more consecutive meetings. All appointments shall be limited to the unexpired term of the replaced member.

2112 Adopting Actions — Voters Required

Each member of the Board shall have one vote and Board actions shall require at least five (5) concurring votes to achieve adoption.

2114 Bylaws

The Board shall adopt Bylaws for the conduct of its business.

2116 Official Repository

The IRP, Inc. shall be the official repository of this agreement and shall be responsible for the duties in this agreement. The Board shall establish the repository duties required by this agreement.

2118 Adopting Resolution — Processing

When two or more jurisdictions become signatories to this agreement, and as each jurisdiction thereafter joins the agreement, each new jurisdiction shall complete the prescribed adopting resolution, indicate the proposed registration year of entry, the time period of its registration and submit to the International Registration Plan, Inc. Upon receipt

of such resolution, IRP, Inc. shall provide a copy to each member jurisdiction for the purpose of obtaining the required endorsement. Each member jurisdiction shall notify IRP, Inc. as to its endorsement or rejection of the applicant jurisdiction.

2120 Notification Of Status Of Agreement

The IRP, Inc. shall keep all jurisdictions apprised of the current status of the agreement in the manner determined by the Repository to best accomplish this purpose.

2122 Ballots — Jurisdiction Approval Or Agreement

All issues requiring approval, or agreement, of the member jurisdictions shall be determined by ballot mailed by the repository, by certified mail return receipt requested, to each member jurisdiction. Entry into the Plan, defined in Article XVIII, and exceptions to the Plan, defined in Article XIX, require approval and endorsement by all member jurisdictions. On all other issues failure on the part of a member jurisdiction to respond to any ballot on matters pertaining to interpretations and amendments as set forth in Sections 2200 and 2310 of the IRP within 120 days of its receipt shall be deemed as an abstention by that jurisdiction. Each member jurisdiction shall be entitled to one vote and shall designate the person who shall cast the vote for the member jurisdiction prior to the commencement of any meeting where a vote may be required.

2124 Member Jurisdictions In Good Standing

A member jurisdiction shall be considered in good standing when the dues requirement of such member jurisdiction has been met and whose rights and privileges have not been suspended under the terms of the plan.

Only member jurisdictions in good standing shall be entitled to vote.

2126 Dues

Annual dues for member jurisdictions shall be for the fiscal year, commencing October 1st and ending on September 30th, and shall be payable to IRP, Inc. on or after the first day of October each year but no later than December 31st of the fiscal year. The payment of full dues of the jurisdiction by any one agency of a state, province or other political subdivision entitles every eligible official for such state, province or political subdivision to active membership. A jurisdiction may bill and collect from its registrants an amount sufficient to pay its annual dues to IRP, Inc.

The IRP member jurisdiction dues shall be proposed from the Board of Directors. The Board shall propose the dues and the jurisdictions shall vote on their approval. Such fee structure may incorporate a minimum or maximum, and may or may not be based on a rate per power unit. The IRP, Inc. Board of Directors proposes a dues structure as follows:

- 15,000 or less power units equals \$6,000.00
- 15,001 to 30,000 power units equals \$12,000.00
- More than 30,000 power units equals \$18,000.00

The Repository shall provide the Board a list of all jurisdictions that fail to pay dues on or before December 31st of each year. Jurisdictions failing to pay dues shall be referred to the Board of Dispute Resolution in Article XXIII.

2128 Peer Review

Each member jurisdiction's administrative procedures and audit programs will be

reviewed on a periodic basis for compliance with the Plan and Audit Guidelines. The Program Compliance Guide utilized for the review will be maintained and updated by the Board or its designee to ensure its compliance with the Plan. The Board will determine the schedule for the periodic review of all jurisdictions assuring each jurisdiction will be audited.

A jurisdiction which is determined by the Peer Review Committee to be in material non-compliance with the Plan will be audited within one year if necessary to determine if corrective action has been taken.

Any jurisdiction that is found to be in material non-compliance, and takes no action to correct the problem area, will be brought before the Board by the Peer Review Committee, as stated in Section 2300.

Article XXII

Amendments

2200 Amendments to Agreement

This agreement may be amended, subject to approval, by three-fourths of the member jurisdictions casting a vote on the amendment, acting through the officials thereof authorized to enter this agreement. Any member jurisdiction not casting a vote shall be deemed to have abstained, and such abstention shall not be considered in determining passage or failure of a ballot.

2202 Amendment Introduction Process

(a) Before being balloted, any proposed amendment shall be submitted in draft form to the repository at least sixty (60) days prior to the open meeting of Commissioners where it is to be discussed. An “open meeting of Commissioners” means the annual AAMVA Motor Carrier Services Committee and IRP Workshop or a meeting so designated by the IRP Board of Directors.

(1) The draft of the proposed amendments shall show the complete text of the section(s) to be amended, identifying new language by underlining and deleted language shown by strikeout.

(2) Such proposed amendment shall be accompanied by a memorandum setting forth the intent and purpose of the proposed amendment which memorandum shall be filed by the repository along with the amendment.

(b) Upon receipt of the proposed amendment, the repository shall assign a proposed ballot number and distribute the proposed amendment, within 10 days, to the Commissioners of all member jurisdictions, and the members and advisors of the IRP Board for a review and comment period prior to an open meeting of commissioners. Comments may be submitted to the repository prior to the open meeting or submitted to the repository at the open meeting. All proposed amendments shall be discussed at the open meeting. Upon conclusion of the open meeting the sponsor(s) of the proposed amendment shall have forty-five (45) days to resubmit the proposed amendment in final form to the repository. The resubmitted proposed amendment may include changes received through written comments and during discussion at the open meeting.

(c) Upon receipt of the final form proposed amendment, the repository will ensure that the final form proposed amendment is in proper format, complete and ready for distribution

to IRP Commissioners.

(d) Any proposed amendment that is not officially balloted during the ninety (90) days after an “open meeting of Commissioners” must be resubmitted as required under section 2202(a).

2204 Amendment Ballot Process

(a) After a final form proposed amendment has met the requirement of section 2202, a member jurisdiction may direct the repository to prepare and distribute an official ballot to the Commissioner of each member jurisdiction with copies to the members and advisors of the IRP Board.

(b) Each official ballot shall contain the following:

- (1) A ballot number assigned by the repository.
- (2) A ballot date which shall be the date of distribution by the repository.
- (3) A vote due date which shall be 120 days from the ballot date.
- (4) A ballot effective date shall be in accordance with section 2206
- (5) The complete text of the section being amended, identifying new language by underlining and deleted language by strikeout.

(c) The repository, upon receipt of all jurisdictions’ ballots or immediately upon the close of the voting period, shall prepare a report of the ballot by ballot number, shall list the votes of all jurisdictions as well as abstentions as of the final voting date. If the ballot has been approved, the repository shall distribute a text of the new or amended provision.

2206 Effective Date

Notwithstanding other provisions of this agreement, amendments to the International Registration Plan become effective and enforceable with the next succeeding registration year of each member jurisdiction, provided however, such amendments must be ratified a minimum of six (6) months prior to the member jurisdiction having the earliest succeeding registration renewal period. For an amendment to become effective at an earlier date requires concurrence by all member jurisdictions.

Article XXIII

Dispute Resolution

2300 Board Action — Raising Of Issues

Substantive issues of Plan administration or compliance, matters involving Plan procedures, questions of Plan interpretations, or instances of a member jurisdiction failing to pay Plan repository fees may be raised before the Board by any member jurisdiction, and IRP registrant, or the IRP repository staff.

All disputes brought before the Board shall be classified as follows:

- Class 1 A member jurisdiction’s noncompliance with the Plan, which results in a monetary loss: Disputes between jurisdictions or registrants in which a jurisdiction or a registrant suffers a monetary loss as the result of a member jurisdiction’s asserted noncompliance with the Plan.
- Class 2 A member jurisdiction’s noncompliance with the Plan which does not result in a monetary loss: Asserted procedural violations by a member jurisdiction which

do not result in a monetary loss to a jurisdiction or registrant.

Class 3 Failure to pay IRP repository dues: Failure or refusal by a member jurisdiction to make timely payment of IRP repository dues.

Class 4 Interpretation: Questions of interpretation of the Plan and the policies, procedures, and guidelines issued thereunder.

Issues brought before the Board must be submitted in writing to IRP, Inc. With respect to an issue in Class 1,2, or 4, the submission shall include (a) the question to be resolved, (b) relevant Plan references, (c) documents supporting claims made (d) correspondence documenting prior actions taken by the parties to resolve the issue, and (e) other background information.

Within thirty (30) days of the submission of an issue in class 1,2, or 4, the Board shall place the matter on its agenda for action or discussion.

With respect to a Class 3 issue, the repository shall, fifteen (15) days following the delinquent date of repository dues, send a certified letter to any jurisdiction which has not paid its dues, requesting immediate payment. The Board chair shall be notified immediately if the repository fails to receive payment within thirty (30) days of receipt of said certified letter. Such notification shall constitute submission of the issue to the Board, which may place the matter on its agenda for further action or discussion.

2302 Investigation Of Issues

With respect to issues placed on its agenda, the Board is empowered to (a) receive testimony, (b) make inquiries, (c) conduct investigations, (d) weigh evidence, (e) review facts, (f) make findings, (g) recommend interpretations, (h) prepare and file a report of its decisions, interpretations, findings, and recommendations, and (i) exercise the powers granted in section 2304. The Board shall provide for a public notice of all meetings and allow all interested parties to attend and be heard.

2304 Power And Duties Of The Board

(a) With respect to a Class 1 issue, the Board is empowered to grant relief to a jurisdiction or registrant by ordering a jurisdiction found by the Board to be out of compliance with the Plan to refund, credit, or transmit fees, at the current interest rate as the Board may decide.

If within forty-five (45) days of such order by the Board, the jurisdiction subject to the order has failed or refuses to comply with the order, the Board may:

(1) extend the time period for compliance,

(2) suspend any and all rights and privileges granted under the Plan to include but not limited to all voting rights, participation on the Board, submission of issues to the Board, input at meetings or working groups, participation in the peer review process,

(3) apply a penalty up to ten (10) per cent of the amount to be refunded credited or transmitted under the Board's order, payable by the jurisdiction to the party granted relief hereunder.

(4) order all member jurisdictions to suspend distribution of fees payable under the Plan to the jurisdiction subject to the order,

(5) permit the jurisdiction or registrant granted relief under the order to withhold distribution or payment of fees payable hereunder to the jurisdiction subject to the order, in

an amount not to exceed the amount specified in the order, plus any penalty added hereunder. Parties withholding distribution or payment under this paragraph shall report to the repository by the last day of each month all amounts withheld hereunder during the preceding month. Registrants withholding distribution or payment shall have the retention verified in writing by their base jurisdiction before reporting to the repository, or

(6) petition the Secretary of Transportation to request the U.S. Justice Department to initiate a civil action for injunctive relief in a Court of Competent Jurisdiction.

(b) With respect to a Class 2 issue, the Board is empowered to notify a jurisdiction that the Board finds it to be out of compliance with the Plan. In the event an issue for which such notification has been made under this paragraph is subsequently resubmitted to the Board as a Class 1 issue, such notification shall be prima facie evidence that the jurisdiction so notified was out of compliance with the Plan.

(c) With respect to a Class 3 issue, the Board chair shall suspend any and all voting and Board participation rights of a member jurisdiction which has been certified by the repository under section 2300 to be in arrears with the IRP repository dues. A jurisdiction whose voting rights have been suspended shall not be considered a member of the Plan in good standing.

The Board may further restrict the jurisdiction's participation in decision-making under the Plan. If the jurisdiction continues in arrears for more than ninety (90) days following the Board's finding, the Board may exercise against the jurisdiction any or all of the powers granted the Board in paragraph (a) with respect to a Class 1 issue. Payment of repository dues shall result in the restoration of a jurisdiction's rights and privileges, which may have been suspended hereunder.

(d) With respect to a Class 4 issue, the Board is empowered to issue an interpretation of the Plan and the policies issued thereunder which shall be binding on all jurisdictions.

Nothing in this section shall preclude a jurisdiction from seeking judicial relief after exhausting all of the Plan's dispute resolution procedures.

2305 Disposition Of Board Decision

(a) With respect to a Class 1 issue, the Board shall, within thirty (30) days of making a decision, report its findings and actions to the repository. Within fifteen (15) days of receiving the Board's report, the repository shall notify the parties to the issue of the Board's findings, actions, and orders. A jurisdiction found out of compliance by the Board shall have forty five (45) days from receipt of such notice to comply with the Board's decision or to present the Board with an acceptable plan for compliance. Failure to comply will subject the jurisdiction, at the discretion of the Board to the remedies enumerated in section 2304 for a Class 1 issue. A record of all Board decisions and findings in Class 1 issues shall be maintained by the repository.

(b) With respect to a Class 2 issue, the Board shall, within thirty (30) days of making a decision, report its findings to the repository. Within fifteen (15) days of receiving the Board's report, the repository shall notify the parties to the issue of the Board's findings. The repository shall maintain a copy of its notice and the Board's report.

(c) With respect to a Class 3 issue, the Board chair shall, within ten (10) days of suspending the voting and Board participation rights of a member jurisdiction under section 2304, notify the member jurisdiction of the action taken. If the Board takes further action

against a jurisdiction that is the subject of a Class 3 issue, it shall, within thirty (30) days of taking such action, report its action to the repository, which shall within fifteen (15) days of receiving the Board's report, notify the member jurisdiction of the action taken.

(d) With respect to a Class 4 issue, the Board shall, within thirty (30) days of making an interpretation, report its findings to the repository. Within fifteen (15) days of receiving the Board's report, the repository shall notify the parties to the issue of the Board's decision. The repository shall record all Board interpretations in the official Appendix of the IRP.

2308 Refusal To Act On Issue

If the Board refuses to place an issue on its agenda, or fails to reach a decision in an issue, the issue shall be referred for resolution to the member jurisdictions.

2310 Issues Referred To Jurisdictions

Within a reasonable time following the failure of the Board to consider or decide an issue, the Board shall submit the issue to the repository in a form, which may be accepted or rejected by the member jurisdictions. Within thirty (30) days following the receipt of the issue by the repository, the repository shall submit the issue, in ballot form, to each member jurisdiction for approval or rejection. Decision of the issue shall be determined by a majority of the member jurisdictions in good standing casting a vote within one hundred twenty (120) days following submission of the issue. Such a decision shall be binding upon all member jurisdictions, and a record of all such decisions shall be included in the official Appendix of the IRP.