



Technical Study



Florida Commercial Vehicle Information Systems and Networks

Florida Port of Entry Feasibility Study

September 2014

Prepared for:

*Florida Department of Transportation
Commercial Vehicle Operations Program
605 Suwannee Street, M.S. 90
Tallahassee, Florida 32399-0450
(850) 410-5600*

Table of Contents

1	Introduction	1
1.1	Reason for Study.....	1
1.2	Study Steps.....	2
2	POE Background	3
2.1	History – Origin of Florida’s Status.....	3
2.2	Literature Search.....	3
2.3	Institutional Knowledge	4
2.4	Results	4
3	National POE Status	5
3.1	The National Picture.....	5
3.2	Variability within the Nation – POE States	5
3.3	Variability of POE Requirements.....	6
3.4	POE Fees and Fines.....	7
4	Financial/Revenue Implications of Changing Florida’s POE Status	8
4.1	Financial Implications and Practices.....	8
4.2	Revenue	8
4.3	Where Do Violations Occur?.....	9
4.4	POE Revenues by Category	11
5	Requirements Regarding Florida’s POE Status	14
5.1	Potential Legislative Changes.....	14
6	POE Considerations from Stakeholder Point of View	15
6.1	Interview Process.....	15
6.2	Stakeholders Surveyed	15
6.3	Interview Questions and Summary of Answers	15
6.4	Overall Consensus.....	16
7	Potential POE Strategies and Systems.....	17
7.1	Potential POE Strategies	17
7.2	Potential POE Systems.....	17
7.3	Implementation Team	18
8	Potential POE Locations	19
8.1	Description of Data Sources	19
8.2	Data Calculations	19
8.3	Inbound Truck Traffic Roadway Rankings	20
8.4	Potential/Logical POE Locations.....	21
9	Costs and Timeline for POE Status Change	22
9.1	Capturing Potential POE Costs and Establishing a Timeline	22
9.2	Cost Components.....	22
9.2.1	Infrastructure Modifications	22
9.2.2	Equipment.....	22

9.2.3	Computer Programming.....	22
9.2.4	Outreach Costs.....	23
9.3	<i>Anticipated Costs for POE Status Change</i>	23
9.4	<i>Establishing a Timeline</i>	23
10	Florida POE Status Change Recommendations.....	25
10.1	<i>Considerations Leading to Recommendations</i>	25
10.1.1	Revenues.....	25
10.1.2	Costs.....	25
10.1.3	Customer Service.....	26
10.1.4	Stakeholders.....	26
10.1.5	Locations.....	26
10.1.6	Legislative Statute Changes.....	27
10.2	<i>POE Status Change Recommendation</i>	27
10.2.1	Timely Opportunity.....	27
10.2.2	POE Transition Committee.....	27

List of Tables

Table 3.1	– Weigh Stations and Designated POEs.....	6
Table 4.1	- Sample POE Violation Data.....	9
Table 4.2	- Total Citations / Revenues (2006-2011).....	9
Table 4.3	- Citation Revenues Association to Closest Weigh Station (2006-2011).....	11
Table 4.4	- Combined Fine Revenues - Top Three Locations.....	12
Table 8.1	- Top 10 Inbound Truck Routes.....	20
Table 9.1	- Potential Kiosk Costs.....	23

List of Figures

Figure 3.1	–State POE Status.....	5
Figure 4.1	- Florida Weigh Station Locations.....	10
Figure 4.2	- Total Fines - Top 6 Stations (2006-2011).....	12
Figure 4.3	- Total Fines - Statewide.....	13
Figure 8.1	- Top 10 Inbound Truck Routes.....	20
Figure 9.1	- Preliminary Timeline for POE Status Change.....	24

List of Acronyms and Abbreviations

AADT	Annual Average Daily Traffic
CVISN.....	Commercial Vehicle Information Systems and Networks
DHSMV	Department of Highway Safety and Motor Vehicles
FAC.....	Florida Administrative Code
FDOT	Florida Department of Transportation
FHP/CVE	Florida Highway Patrol/Commercial Vehicle Enforcement
FMCSA	Federal Motor Carrier Safety Administration
FTL.....	Florida Transportation Information
IFTA.....	International Fuel Tax Agreement
IRP	International Registration Plan
MCSAW	Motor Carrier Size and Weight
OW/OD.....	Overweight/Over Dimensional
POE.....	Port of Entry

1 Introduction

1.1 Reason for Study

In today's society, commercial trucking and on-time delivery of freight plays a significant role in day-to-day operations for suppliers and receivers. To help ensure that commercial motor vehicle operations are safe, the Federal Motor Carrier Safety Administration (FMCSA) and the state of Florida have certain laws to assist the transportation industry. The Florida Department of Transportation's (FDOT) Office of Maintenance's Motor Carrier Size and Weight (MCSAW) Office as well as the Florida Highway Patrol's Office of Commercial Vehicle Enforcement (FHP/CVE) Unit enforce laws relating to commercial vehicle size, weight, and safety as found in Chapter 316 of the Florida Statutes and Title 49 of the Code of Federal Regulations.

Before a commercial carrier can legally transport goods and commodities from one state to another, there are certain requirements that must be met. The basic credential requirements include a valid and current apportioned registration (International Registration Plan [IRP]), international fuel tax agreement (IFTA) license and decals, display of a valid United States Department of Transportation (USDOT) number, and, in some situations, overweight/over dimensional (OW/OD) permits. Certain states allow carriers to purchase all or portions of these credentials at select weigh station facilities or other locations within the state. These locations are generally referred to as ports-of-entry (POE).

Florida is currently a non-POE state, meaning that all applicable permits and credentials must be obtained prior to entering the state and must be carried in the vehicle. If a commercial vehicle operator does not have the necessary permits and credentials upon entering Florida and attempts to purchase them at the first weigh station, by law they will be cited for not having the necessary credentials to operate within Florida and will then be given the opportunity to purchase the necessary permits and credentials.

Florida's Commercial Vehicle Information and Systems Networks (CVISN) Team, which is made up of FDOT, Florida Department of Highway Safety and Motor Vehicles (DHSMV), Florida Department of Agriculture and Consumer Services (DACS), Florida Department of Revenue (DOR), the Florida Trucking Association (FTA), the FMCSA, and various members of the trucking industry, secured funding through the FMCSA CVISN grant program to support the development of the *Florida Port of Entry Feasibility Study*. The goal of this study was to determine why Florida is not a POE state and to also identify what would be required to change its status. The fines associated with entering Florida, as a non-POE state, without first obtaining the proper credentials required by the state can be substantial. The Florida CVISN Team determined that Florida's POE status should be researched before recommendations could be reached regarding modifications to the state's POE status.

1.2 Study Steps

The Florida CVISN Team decided to determine why Florida is a non-POE state; whether that status could be changed; and what would be required to do so. In order to answer these questions it was determined that research should be conducted that would:

- Provide a history of the existing status,
- Explore the implications of changing the status (including any revenue adjustments),
- Estimate the costs of changing the status, and
- Identify the legal requirements for changing the status.

During the course of researching for this study, it was discovered that in order to understand the gravity, implications, and costs of implementing any changes, it is important to understand the definition of a POE. There is very little uniformity concerning this definition at the national level, among other states, and among members of the motor carrier community. Should the decision be made to become a POE state, the first order of business will be for Florida to define what POE means as it relates to commercial motor carriers entering the state.

2 POE Background

2.1 History – Origin of Florida’s Status

Since Florida is currently a non-POE state, questions arose as to the reasons for this status; specifically, finding answers to the following:

- Why is Florida a non-POE state?
- When did Florida become a non-POE state?
- Who made the decision to be a non-POE state and why?
- Has Florida always been a non-POE state?
- If Florida was a POE state at one time, why did it change?

The answers to these questions could provide valuable input. It is possible that the issues related to the decision made years ago to become a non-POE state still apply and are just as relevant today. Likewise, it may be discovered that the issues of years past are no longer relevant and may in fact unduly hamper the movement of goods entering Florida.

The answers to the previous five questions were sought from two sources: extensive internet literature searches and institutional knowledge from those most heavily involved in Florida’s POE status.

2.2 Literature Search

Internet searches for any information concerning the origins of Florida’s non-POE status did not yield any results. A variety of keyword searches were performed and, aside from information pertaining to Florida’s non-POE requirements, there was no information on the history of the ruling. The lack of internet-accessible information implies two possibilities:

1. The information is archived in Florida’s legislative meeting minutes from years past in hard copy and has never been digitized and placed on the internet.
2. The decision to become a non-POE state was never officially decided, but instead was just established by the course of events during that time. For example, years ago, commercial trucks could have paid an annual conveyance tax as they entered the state, allowing them to enter as many times as they wished for one year without paying any additional penalties on return visits. Local jurisdiction and the Florida state government may have been shared this tax revenue. As time moved forward and tax structures and roadway financing became more sophisticated, the laws/statutes and payment structures were established to accommodate the existing rules for vehicles carrying cargo into the state¹. If this scenario were the case, there would be no documentation stating the

¹ This potential explanation cannot be proven based on the research conducted in the production of this study. These two explanations are highly speculative and only meant as examples.

establishment of Florida's non-POE status because the rules/statutes were grandfathered into place.

In addition to searching for information pertaining to Florida's non-POE status, an internet search was also conducted to identify any other states that have changed their POE status. After a thorough search, no information pertaining to status changes of other states was uncovered. The intent was to determine the reasoning behind the status change in other states to determine if their motivations might be relevant to Florida's situation.

2.3 Institutional Knowledge

In addition to the internet search to determine the origins of Florida's non-POE status, key figures in Florida State Government that work with POE issues on a daily basis were consulted.² Unfortunately, while most of these individuals have served state government in this capacity for many years, none could identify any reasons for Florida's current non-POE status. As with many organizations, the number of senior employees with institutional knowledge of events that transpired early in their careers continues to dwindle. This fact, combined with limited internet availability of historical information, makes the task of determining the historical background of Florida's non-POE status very difficult.

2.4 Results

Although no information was discovered that could answer the history-related POE questions, there is great value in knowing that these questions were asked and also knowing that the answers could not be found. Moving forward to determine the feasibility and ramifications of changing Florida's non-POE status should be, in part, based on lessons learned from the past. Understanding this fact and knowing that those lessons were sought and could not be found is a useful data point.

² CVISN Team member agency personnel were consulted during the period of 2001 – 2012 and included CVISN members from the FDOT's Permit Office, FDOT's ITS/TIM/CVO Central Office, the Florida DHSMV, FDOT's Office of Information Systems, Florida Department of Revenue, the Florida Department of Agriculture and Consumer Services, and the Florida Trucking Association.

3 National POE Status

3.1 The National Picture

An important aspect of any state’s POE status is its relationship to neighbouring states; this is particularly important to the trucking community. A few key considerations regarding POE status include infrastructure investment protection, customer service, and revenue generation. With regard to some organizations/states, the priority order of these three considerations is: infrastructure preservation, industry-friendly policies, and revenue stream.

In order to obtain a national perspective (and subsequently a regional and state-specific understanding of POE perspectives), research was conducted to identify those states with POE status and how they define their POE policies. During the course of this research it became clear that the definitions of POE vary greatly among jurisdictions. In some instances the definition includes the ability to obtain all credentials necessary to operate in the respective state at the state entry point (e.g., at the first weigh station encountered upon entering the state). Yet another state’s definition indicates that there is only one or two POE locations deep within the state’s boundaries and only a limited number of the necessary credentials were offered at those locations. Still another state’s definition stated that all credentials must be obtained before entering the state and could not be obtained at the designated POE locations within the state, which seems to counter the implied definition that the POE location is where motor carrier credentials may be obtained in order to prevent non-compliance violations.

3.2 Variability within the Nation – POE States

For purposes of ascertaining each state’s POE status, the following data was obtained from *Rand McNally Deluxe Motor Carriers’ Road Atlas 2012*. All but two states on the eastern seaboard are non-POE states. Florida shares borders with two states in the south – Alabama, a POE state, and the Georgia, a non-POE state. In total, 28 states are non-POE states while 22 states and the District of Columbia consider themselves POE jurisdictions as shown in Figure 3.1.

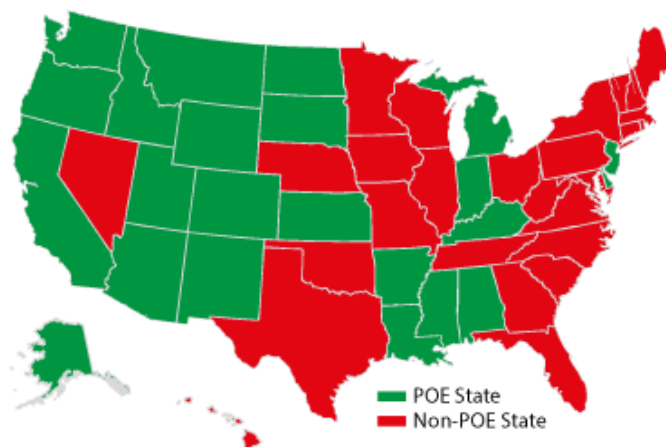


Figure 3.1 –State POE Status

Weigh stations at state entry points can be assumed to be the logical POE site. Typically, the candidate weigh station would be the site closest to the state line for inbound truck traffic to obtain the necessary operating credentials; however, not all POE states follow this logic. Table 3.1 contains data collected from the *Rand McNally Deluxe Motor Carriers' Road Atlas 2012*. Every POE state has multiple entry points, but not all states utilize their weigh station facilities as POEs. Still other states utilize their centrally located weigh stations as POEs.

There is a great deal of variation among states on the number of operational weigh stations. Additionally, some states consider all of their weigh stations as an official POE, while other states with multiple weigh stations only consider some weigh stations as official POEs.

Table 3.1 – Weigh Stations and Designated POEs

State	Total Weigh Stations	Total Designated POE(s)	State	Total Weigh Stations	Total Designated POE(s)
AL	1	1	MI	18	2
AK	13	1	MS	34	20
AZ	27	27	MT	32	3
AR	13	4	NJ	5	2
CA	50	6	NM	12	12
CO	17	10	ND	10	3
DE	2	1	OR	83	5
ID	19	12	SD	21	4
IN	10	6	UT	18	9
KY	14	3	WA	69	5
LA	22	6	WY	32	18

3.3 Variability of POE Requirements

The need for a uniform definition of a POE becomes clear when the research shows that some states consider themselves POE states, but require that all operating credentials must be obtained before entering the state. State requirements include:

- Requiring commercial motor carriers to obtain all OW/OD permits, IFTA temporary permits, and IRP credentials prior to entering the state;
- Requiring that only some credentials are obtained before entering, while other credentials can be obtained at the designated POE locations; or
- Allowing commercial vehicle operators to obtain all credentials at the designated POE if it is close to the state line.

From an interstate operations industry perspective, the POE designation does not provide a lot of information as to what is required before entering a particular state. The commercial motor carrier must conduct his/her own research before the journey and not assume that credentials can be obtained at the designated POE locations for any given state.

3.4 POE Fees and Fines

In addition to considerable variation in the definition of a POE state, there are also wide variations in state fees and fines. Fees are for acquisition of the appropriate operating credentials and fines are the penalty amounts for not purchasing the appropriate operating credentials. Fees for operating credentials, including trip permits for fuel and registration, can cost as little as \$15 (South Dakota) and can increase to as high as \$450 depending on the vehicle's loaded weight. Fines for not having the necessary operating credentials in some states can be as low as \$25, but can cost as high as \$5,000 (Indiana). This sample range of fees and fines applies exclusively to the nation's 22 POE states.

Based on the research conducted, it appears that most states do not view their POE status and revenues generated as the primary means to maintain the state's infrastructure. Conversely, the non-POE states charge higher fines on average than those that are designated as POE states - \$50 to \$1000 and even as high as \$2500 (Nebraska). It should be noted that the fines for the non-POE violations are associated with vehicles otherwise operating legally without overweight violations and over-dimensional violations. In Florida, a non-POE violation fine for an 80,000 pound truck would be \$2,250. If that same vehicle were overweight and/or over-dimensional, the fines would increase.

4 Financial/Revenue Implications of Changing Florida's POE Status

4.1 Financial Implications and Practices

An important concern that deserves attention is in regard to the revenue implications that might occur when changing Florida's POE designation. In order to address this concern, this study seeks to examine the revenues generated as a result of those commercial motor carriers that entered the state without the proper operating credentials. The implication is that if motor carriers are permitted to obtain their credentials at a designated POE location within Florida, the state stands to lose the revenue generated through fines from commercial motor carriers that do not purchase the necessary credentials before entering the state.

Based on reports from personnel at weigh stations near the Florida state line, commercial motor carriers come into the state and stop at the first weigh station to purchase the necessary credentials in an effort to operate legally within Florida. Because Florida is not currently a POE state, the commercial motor carrier is fined for not having the credentials before entering the state and then sold the necessary credentials, even though they tried to operate in a legal manner. In essence, any commercial motor carrier attempting to operate legally by purchasing the credentials at the first opportunity after entering the state is fined. This occurs in lieu of entering Florida and attempting to bypass the legal process and operate without the necessary credentials in the hopes of not getting caught.

For those commercial motor carriers attempting to do the right thing, this is a customer service low point for the state of Florida and likewise for the state personnel responsible for carrying out Florida's laws. As has been stated, it is often difficult, but required by law, to penalize a commercial motor carrier attempting to operate in a legal manner.

4.2 Revenue

In order to look at the financial implications of permitting commercial motor carriers to purchase credentials at a designated POE location within Florida, records of citations issued during the periods of 2006 through 2011 were reviewed. This period was chosen because it is relatively recent and it can also show recent trends.

Revenue data provided by Florida's commercial vehicle enforcement offices includes weight violations, safety violations, and fuel tax/IRP violations. In order to isolate those citation revenues that pertain to POE violations, only those violation revenues that included fuel tax/IRP violations were considered. It should be noted that the violations pertaining to POE (indicated by fuel tax/IRP violations) may also include weight and/or safety violations. See Table 4.1 for illustrative purposes.

UCCNO	Date of Citation	Scale Road	Scale City	Total Weight Violation Assessment	Total Safety Violation Assessment	Fuel Tax IRP Total Assessment	Total Assessment
60041909	11/11/2008	I10	MADISON	\$37.00			\$37.00
60041912	11/14/2008	I10	MADISON	\$1,692.00		\$30.00	\$1,722.00
60041915	11/15/2008	I10	MADISON	\$133.00	\$250.00	\$30.00	\$413.00
60041917	11/17/2008	I10	MADISON	--	\$100.00		\$100.00
60041919	11/18/2008	I10	MADISON	\$38.00			\$38.00
60041920	11/22/2008	I10	MADISON	\$83.00			\$83.00
60041929	12/6/2008	I10	PENSACOLA	--	\$1,000.00		\$1,000.00
60041940	12/15/2008	I10	PENSACOLA	\$64.00			\$64.00
60041945	12/20/2008	I10	PENSACOLA	\$243.05		\$30.00	\$273.05
60041946	12/20/2008	I10	PENSACOLA	\$19.00			\$19.00
60041947	12/20/2008	I10	PENSACOLA	\$111.00			\$111.00
60041948	12/20/2008	I10	PENSACOLA	\$39.00			\$39.00

Table 4.1 - Sample POE Violation Data

The shaded rows in Table 4.1 are examples of data that is considered for POE revenue purposes because they contain violations under the “Fuel Tax IRP” column. All other violation amounts (non-shaded rows) are violations that, in most cases, do not involve POE issues.

Table 4.2 provides information with respect to revenues generated from violations during the years 2006 to 2011.

Table 4.2 - Total Citations / Revenues (2006-2011)

Florida Totals 2006-2011	Number of Citations	Revenues
POE-Specific	17,670	\$8,248,760.05
Totals (incl. POE)	341,600	\$58,614,555.80

Notice that of the \$58M in total revenues, approximately \$8M is related to non-POE generated violations over the reviewed six-year period. It is important to note that the POE citations would not all disappear if Florida were to become a POE state.

4.3 Where Do Violations Occur?

After identifying the amount of revenue generated from POE violations, it was also important to determine where these citations were issued. This is important because if Florida changes its POE status, it must use its limited resources to provide services where they will be the most beneficial and cost-effective to the industry and to state personnel.

Due to the nature of commercial vehicle enforcement, it is difficult to catalog all of the sites where citations are issued. Citations can be issued roadside and at weigh stations, along with other locations; since enforcement officer can be mobile, the number of places where citations can be issued is almost limitless. While each citation is individually numbered and contains the latitude/longitude coordinates where the violation occurred, it quickly became evident that a logical consolidation strategy would be to associate each citation with the nearest physical weigh

station. This is useful for two reasons. First, it narrows the number of locations down to a manageable figure while still providing a fair representation of where violations occur. Second, should Florida change its POE status, a logical location for commercial motor carriers to obtain the necessary operating credentials would be at existing weigh stations. Figure 4.1 shows existing weigh stations in Florida.

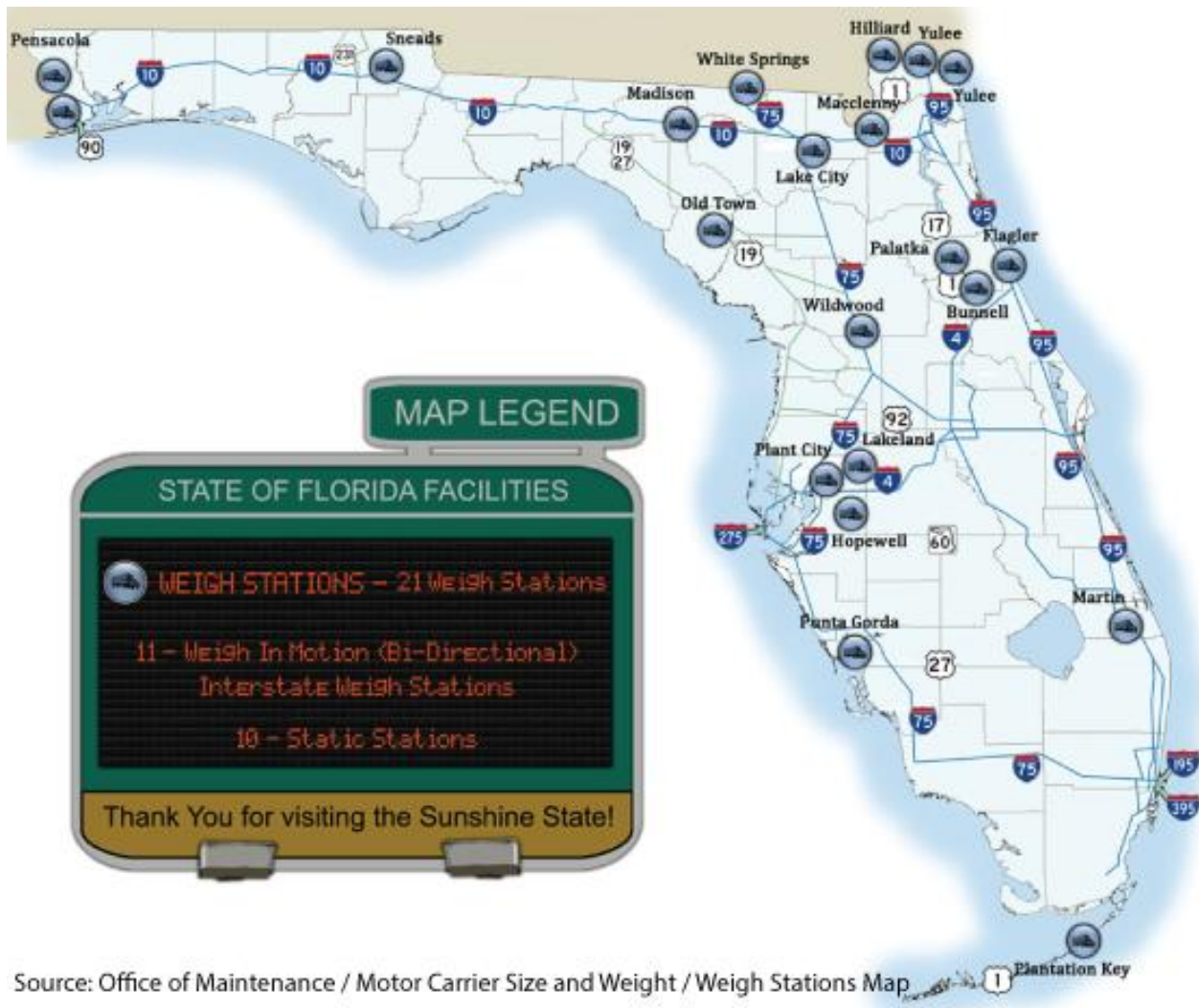


Figure 4.1 - Florida Weigh Station Locations

The citations issued relating to POE requirements are not evenly distributed throughout the state. The revenue data, shown in Table 4.3, is broken out by the weigh station closest to where the citation was issued, citation category, the total non-POE citation revenues, and the total non-POE-related citation count per site. Each non-POE citation consists of fuel tax/IRP violations and weight violations, and may also include safety violations.

Table 4.3 - Citation Revenues Association to Closest Weigh Station (2006-2011)

Location	Violation Type			Total Assessment	Count
	Weight	Safety	Fuel Tax IRP		
Bunnell	\$6,370	\$ -	\$1,290	\$7,660	12
Flagler	\$255,266	\$3,650	\$49,255	\$308,171	437
Hilliard	\$195,115	\$8,490	\$99,415	\$303,020	1,001
Hopewell	\$23,758	\$1,210	\$7,975	\$32,943	77
Lake City	\$15,778	\$1,250	\$5,175	\$22,203	51
Lakeland	\$-	\$-	\$190	\$190	2
Macclenny	\$5,023	\$1,550	\$7,500	\$14,073	78
Madison	\$509,762	\$24,280	\$199,865	\$733,907	1,957
Martin	\$6,798	\$2,850	\$4,470	\$14,118	42
Old Town	\$171,291	\$6,850	\$37,390	\$215,531	350
Palatka	\$9,426	\$600	\$1,475	\$11,501	13
Pensacola	\$1,958,844	\$272,120	\$507,155	\$2,738,119	4,795
Plant City	\$262,438	\$9,480	\$136,245	\$408,163	1,359
Plantation Key	\$11,671	\$1,190	\$2,015	\$14,876	19
Punta Gorda	\$142,764	\$4,740	\$31,165	\$178,669	287
Sneads	\$633,896	\$38,150	\$220,435	\$892,481	2,147
White Springs	\$1,189,773	\$28,280	\$273,905	\$1,491,958	2,533
Wildwood	\$161,606	\$4,690	\$47,100	\$213,396	450
Yulee	\$414,902	\$28,090	\$204,790	\$647,782	2,060
TOTALS	\$5,974,480	\$437,470	\$1,836,810	\$8,248,760	17,670

4.4 POE Revenues by Category

The Pensacola, White Springs, Madison, and Sneads facilities had the highest weight violation revenues generated from those motor carriers cited for operating in Florida in violation of registration requirements associated with POE policies.

Figure 4.2 shows that among the top six revenue-generating locations, the total for weight violations is the single largest fine amount facing those motor carriers in violation of Florida's POE policies, followed by fuel tax/IRP, and then safety. The ratios for each location are very similar with the exception of Pensacola where safety violations are much higher than the other locations.

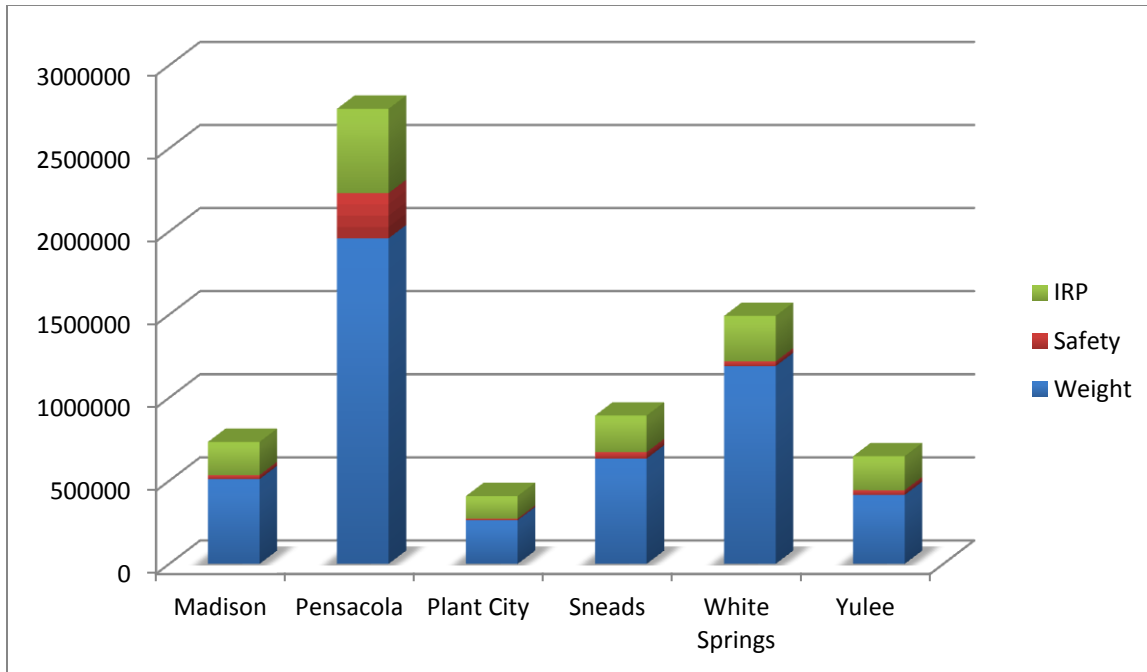


Figure 4.2 - Total Fines - Top 6 Stations (2006-2011)

Pensacola, White Springs, and Yulee are entry points to Florida utilizing I-10, I-75, and I-95, respectively. While revenues at Yulee are not as high as Pensacola and White Springs, combining its revenues with those from Hilliard, which is also in the vicinity of I-95, brings it closer to the I-75 revenues.

Table 4.4 - Combined Fine Revenues - Top Three Locations

Pensacola (I-10)	\$2,738,118.85
White Springs (I-75)	\$1,491,958.45
Yulee (combined with Hilliard) (I-95)	\$303,019.55 + \$647,781.85 = \$950,801.40

Figure 4.3 provides a representation of all assessed fines assessed, whether POE-related or not. This larger picture of the revenues from citations shows a decreasing trend in fine assessments. On average, the percentage of Florida's total violation revenues generated due to the non-POE status is relatively small.

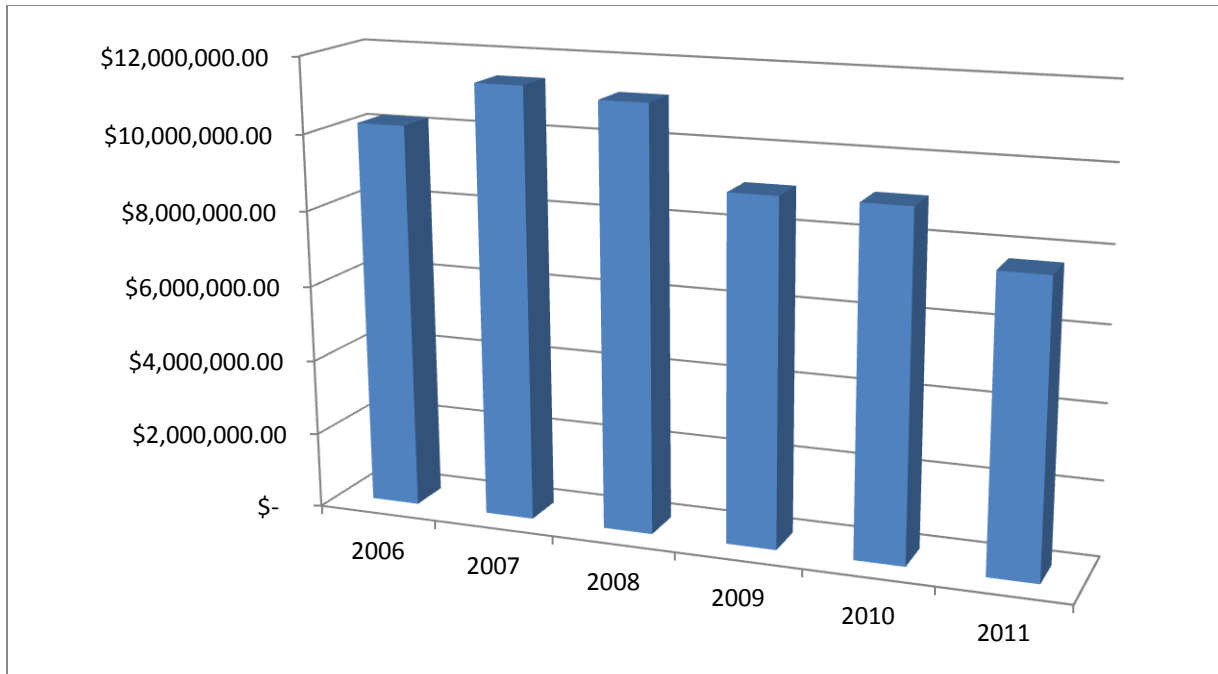


Figure 4.3 - Total Fines - Statewide

In 2006-2011, Florida's non-POE citation revenue equaled \$8,248,760.05, while the total citation revenues from commercial vehicles totaled \$58,614,555.80. This indicates that 14.07 percent of all commercial vehicle citation revenues come from non-POE violations, due in large part to the large difference in fine amounts between the various citations.

An equally important statistic is the percentage of citations issued for non-POE violations versus all citations issued to commercial vehicles. In 2006-2011, the number of Florida non-POE citations totaled 17,670, while the total commercial vehicle citations totaled 341,600, equaling 5.17 percent of non-POE related commercial vehicle citations.

While revenues are an important data point for determining the impact of Florida changing its POE designation, another decision will be identifying the proposed locations for new designated POE sites, which is discussed in a later section of this study.

5 Requirements Regarding Florida's POE Status

5.1 Potential Legislative Changes

Florida Statutes and Florida Administrative Code (FAC) define the requirements for commercial carriers entering the state of Florida. Specific references were identified during discussions with Florida DHSMV and FDOT personnel. The following list of statutes and rules identifies a portion of the potential legislative changes required and provides an indication of the complexity of the issue.

Florida Statutes that may need modification to existing language:

Tax On Operation Of Commercial Motor Vehicles

- s. 207.004 – Registration of motor carriers; identifying devices; fees; renewals; temporary fuel-use permits and drive-away permits
- s. 207.023 – Authority to inspect vehicles, make arrests, seize property, and execute warrants
- s. 207.026 – Allocation of tax

State Uniform Traffic Control

- s. 316.003 – Definitions.
- s. 316.3026 – Unlawful operation of motor carriers
- s. 316.545 – Weight and load unlawful; special fuel and motor fuel tax enforcement; inspection; penalty; review
- s. 316.605 – Licensing of vehicles

Motor Vehicle Licenses

- s. 320.01 – Definitions, general.
- s. 320.02 – Registration required; application for registration; forms
- s. 320.07 – Expiration of registration; renewal required; penalties
- s. 320.0715 – International Registration Plan; motor carrier services; permits; retention of records
- s. 320.072 – Additional fee imposed on certain motor vehicle registration transactions
- s. 320.08 – License taxes
- s. 320.1325 – Registration required for the temporarily employed

Insurance Rates and Contracts

- s. 627.7415 – Commercial motor vehicles; additional liability insurance coverage

FAC Rules that may need modification to existing language:

Safety Regulations And Permit Fees For Overweight And Overdimensional Vehicles

- Rule: 14-26.00411 – Procedure for Issuance of Permits
 - Rule: 14-26.0043 – Multi-State Travel
-

6 POE Considerations from Stakeholder Point of View

6.1 Interview Process

The primary impacts of changing Florida's POE status will be experienced by both public and private stakeholders, requiring changes in the way business is conducted. For purposes of this study, questions were devised that captured perceptions of what impacts would be experienced by all parties. In addition, each stakeholder was asked for their perceptions on how their respective organization would be impacted. This set of questions allowed for each of the interviewees to explain how their respective jobs would be affected and also asked them to give thought to potential impacts that might be experienced by other stakeholders based on their knowledge of the overall commercial vehicle industry and processes.

6.2 Stakeholders Surveyed

The stakeholders interviewed for this exercise represented multiple entities and included representatives from the following agencies:

- FDOT Traffic Engineering and Operations Office (Florida CVISN Program Manager)
- FDOT State Permit
- FDOT Motor Carrier Size and Weight (MCSAW)
- FHP/CVE
- Florida Trucking Association

Florida DHSMV personnel also provided invaluable input.

6.3 Interview Questions and Summary of Answers

This section lists interview questions and a compilation of the answers. Although many issues were identified, most were repeated by multiple stakeholders.

The questions asked in the interviews were as follows:

- Are you aware of any changes in your organization that may be caused due to a change in Florida Port of Entry status?
 - Processes?
 - Revenues?
 - Costs?
 - *What impact do you feel will be experienced by the motor carrier industry if there is a change in Florida POE status?*
 - *Positive impacts?*
 - *Negative impacts?*
-

- *What impact do you feel will be experienced by Florida's public agencies if there is a change in Florida POE status?*
 - *Positive impacts?*
 - *Negative impacts?*
- *Can you identify potential reasons why Florida should change POE status?*
- *Can you identify potential reasons why Florida should not change POE status?*

The following list provides a very brief and high-level overview of the opinions expressed during the stakeholder interviews. They include:

- The logical approach is to use the weigh stations as POEs, but this approach must consider the potential risks associated with bridges that would require a permit before crossing to enter the state. Drivers may be confused and incorrectly assume that stopping at a POE facility negates the need to obtain OW/OD permits before entering the state.
- Enforcement personnel must be properly trained as well as training and protocols for department of transportation staff answering POE questions at weigh stations.
- The configuration of the physical layout of weigh stations to accommodate POE operations needs to be considered.
- A status change would be a positive step in Florida becoming more business-friendly and customer-oriented for the motor carrier community.
- Revenue impacts to the state are speculative at this point. This fact does not necessarily outweigh the risk associated with moving forward with becoming a POE state.
- Comprehensive and thorough outreach to the motor carrier community must be conducted to ensure a complete understanding of new processes and requirements.
- Florida needs to address the many details associated with POE locations, equipment and communications requirements, parking spaces, time needed for permit acquisition, paper or electronic verification of POE documentation, operating hours, customer support, and electronic payments.

6.4 Overall Consensus

The overall consensus from the interviewed participants is that the benefits of Florida pursuing the path toward becoming a POE state outweigh any negative consequences. Based on the stakeholder interviews, Florida should consider modifying its practices regarding POE.

7 Potential POE Strategies and Systems

7.1 Potential POE Strategies

During research conducted for this study, strategies emerged on how to manage the shift to a POE state. One of the most common strategies was that Florida should provide credential acquisition facilities/mechanisms just inside the state line at strategically located points. While not without some level of complication, some of the most recommended sites are the existing weigh stations with a self-service kiosk system for the commercial motor carrier to do self-issuance of temporary IFTA/IRP trip permits.

In order for this strategy to be effective, motor carriers would need to understand the conditions under which credentials can be obtained; what operating credentials are required; have access to those credentials; and have some mechanism to verify that the credentials have been obtained. In addition, since motor carriers operate 24-hours per day, the ability to obtain credentials at identified POE locations needs to be accessible on a 24-hour basis.

The primary strategy for issuance of IFTA/IRP credentials involves utilizing self-service kiosks located at select weigh station facilities. Two kiosk system management approaches have been identified; one approach is that FDOT manage the system and the other would utilize third-party service providers.

The FDOT-managed approach requires that all capital costs, operating costs, and maintenance costs be borne by the state. In all likelihood, the FDOT-managed approach, utilizing kiosks in the weigh stations, would be a 'free' service to commercial motor carriers.

When weighing the viability and sustainability of providing the appropriate credentials at weigh stations, the possibility of partnering with private industry should be considered. A potential strategy is for the private sector to institute a solution at no cost to the state that provides 24-hour credential acquisition at weigh stations via a kiosk or other method for a minimal convenience fee to the customer. This private sector convenience fee-based model is currently in place for electronic screening and OW/OD permit processing.

7.2 Potential POE Systems

The potential POE system's functional requirements and processes are straight forward. They include adequate communications channels, protocols, and security, and consist of seven basic steps:

1. Driver pulls into POE weigh station and parks vehicle
 2. Drivers walks up to the designated POE kiosk and initiates transaction
 3. Driver provides the necessary information necessary to process the required operating credentials
 4. Kiosk interfaces with relevant state agency system (e.g. Florida Highway Safety and Motor Vehicle electronic credentials processing system)
-

5. Driver chooses method of payment for purchasing the credentials
6. Kiosk provides driver with a transaction number and also prints out credentials documentation
7. Driver closes kiosk transaction, returns to vehicle, and continues trip

An added benefit of the kiosk approach is the ability to accommodate multiple languages.

7.3 Implementation Team

Both the potential strategies and systems identified are not intended to be all inclusive. If it is determined that Florida becomes a POE state, then the key to a successful implementation is to have all parties involved in the development of the system. The team should not only include partners from the state (i.e. FDOT, DHSMV, FHP/CVE, etc.), it should also include members of the trucking industry as well.

This team will need to look at all issues related to implementation and education of the trucking industry on what can be purchased at the POE locations (i.e. IFTA/IRP temporary permits). Also included in the education component is what is required before the carrier enters the state (i.e. OW/OD permits).

8 Potential POE Locations

Proposed locations for POE facilities can be based on several factors:

- Location of existing facilities that could potentially serve as POEs,
- Identification of regions/sites where POE violations occur and citations are issued, and
- Locations where the majority of commercial vehicle traffic enters the state.

The first two factors were previously discussed in this study.

8.1 Description of Data Sources

Two data sources were used to determine which roadways entering Florida had the highest volume of truck traffic. FDOT's Traffic Data Section collects and publishes traffic counts throughout the state each year. The 2011 FDOT Florida Transportation Information (FTI) DVD was the major source of this data. Additionally, data collected by the FDOT MCSAW office was used. MCSAW data was used to determine the annual truck volume for inbound I-10 in Pensacola. The reported FDOT FTI data for I-10 is mislabeled and is actually data from a sensor that was not located on the interstate. Only traffic data for 2011 was used for the purposes of this study.

8.2 Data Calculations

Because this study was focused solely on vehicles entering Florida, it was necessary to calculate the truck annual average daily traffic (AADT) volumes from the available data contained in the 2011 FDOT FTI DVD. The Florida truck AADT DVD map was studied to determine which roadways had the overall highest volume of truck traffic in northern Florida. This method was used to determine the top ten truck volume roadways. The data for truck volumes in the FDOT FTI DVD is provided as the total truck AADT for a sensor location (combining both directions of the roadway). The DVD does, however, provide direction specific data for all vehicular traffic. Only data for the inbound lane was considered. To determine the portion of the AADT that was due to truck traffic at each location, the following calculation was used:

Truck AADT = AADT for all inbound vehicular traffic x T24 (percentage of truck traffic for 24 hours).

The truck AADT was then multiplied by 365 to determine the annual incoming truck volume for each roadway. Because the FDOT FTI DVD data for I-10 was incorrect, the annual truck volume on eastbound I-10 in Pensacola was calculated by adding the annual MCSAW weigh-in-motion vehicle count annual total, plus the annual PrePass[®] bypass vehicle counts, plus the annual number of vehicles that passed the I-10 weigh station when the station was closed.

8.3 Inbound Truck Traffic Roadway Rankings

Based on the 2011 FDOT FTI truck AADT map, the following roadways were determined to have the highest daily truck volumes. From west to east they are: US90, I-10, US29, US231, SR2, US27, US19, I-75, US301/US1, and I-95, as shown in Figure 8.1. The numbered boxes in Figure 8.1 represent the rankings of the top ten highest truck traffic POEs into the state from the largest truck counts to the lowest – from one to ten respectively, as shown in Table 8.1.

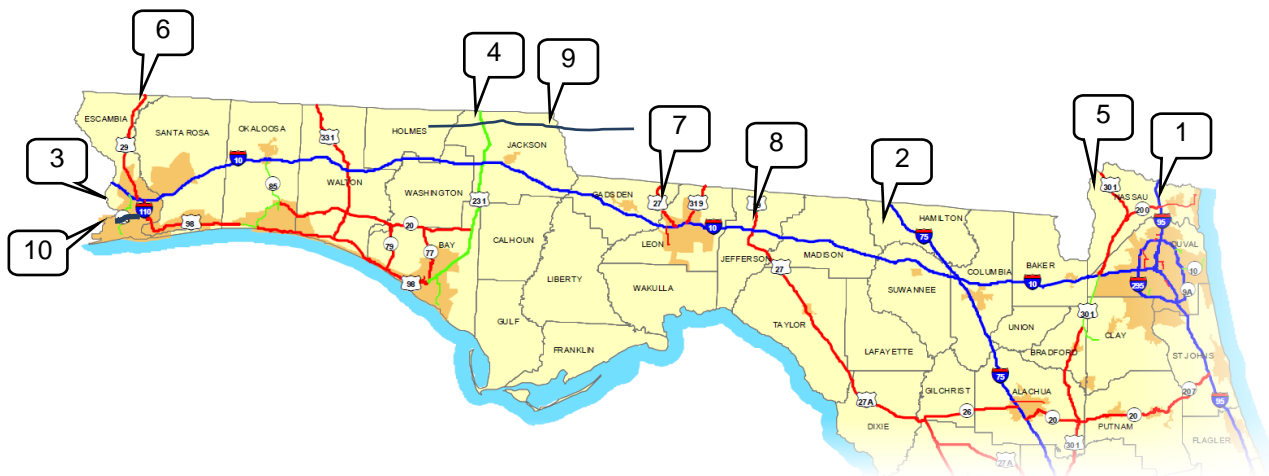


Figure 8.1 - Top 10 Inbound Truck Routes

Table 8.1 identifies the ranking and percentage of top truck traffic sites. Based on the data collected, close to 72 percent of all truck traffic enters Florida along three roadways. Further, the top five routes represent approximately 85 percent of all truck traffic entering Florida.

Table 8.1 - Top 10 Inbound Truck Routes

Ranking	Location	Annual Truck Volume	Top 10 Total Volume	Data Source
1	I-95 SB	1,752,386	33.1%	2011 FTI (Calculated)
2	I-75 SB	1,329,863	25.1%	2011 FTI (Calculated)
3	I-10 EB	713,100	13.5%	MCSAW
4	US231 SB	358,283	6.8%	2011 FTI (Calculated)
5	US301/US1 SB	333,914	6.3%	2011 FTI (Calculated)
6	US29 SB	253,252	4.8%	2011 FTI (Calculated)
7	US27 SB	238,688	4.5%	2011 FTI (Calculated)
8	US19 SB	118,479	2.2%	2011 FTI (Calculated)
9	SR2 WB	109,992	2.1%	2011 FTI (Calculated)
10	US90 EB	85,341	1.6%	2011 FTI (Calculated)

8.4 Potential/Logical POE Locations

In addition to the highest truck traffic volumes and their associated entry routes, the locations of weigh stations, locations of the top five revenue generation sites, and locations of non-POE citation sites should also be considered. The POE location site decision data previously presented includes:

- Top ranked truck routes entering the state,
- Locations of weigh stations,
- Locations of top five citation issuance sites for non-POE violations, and
- Locations of top five revenue generation sites for non-POE violations.

Pensacola, White Springs, Sneads, Yulee, and Madison were the top five weigh station locations where citations were issued between 2006 and 2011 (not revenues generated).

Based on the data collected for this study, the top five recommended POE sites in priority order are I-95, I-75, I-10, US231, and US301.

While the recommended sites emerge as clear priority areas, some possible issues must also be considered, including sufficient truck parking, weigh station operating hours, and proximity to the state line. If Florida plans to move forward with implementing POE changes, an implementation team should be created to determine the most effective way to support potential POE services while maintaining infrastructure integrity, ensuring public safety, and maximizing Florida's limited resources.

9 Costs and Timeline for POE Status Change

9.1 Capturing Potential POE Costs and Establishing a Timeline

The costs associated with modifying Florida's POE status are varied and some will be borne whether Florida's status changes or not. The timeline for conversion depends on what infrastructure modifications may be needed and the budget cycle.

9.2 Cost Components

There are several potential cost components, including infrastructure modifications, equipment, and computer programming. Additional costs may include costs associated with industry outreach and training for both industry and state personnel.

9.2.1 Infrastructure Modifications

If it is determined that certain Florida weigh stations will be utilized as initial POEs, an analysis of each individual location will need to be performed. Each location will need to be reviewed to determine if the geometrics are conducive to allowing additional parking for commercial carriers receiving temporary operating credentials.

If a self-issuance kiosk system is used, then the facility will need to be reviewed to determine if there is enough room for the kiosk as well as ensuring that the kiosk is not in the way nor impairs the day-to-day weigh station facility operations and officers' duties.

9.2.2 Equipment

One of the first things needed if Florida's POE status changes will be to identify the system requirements for a self service kiosk system. A proposed kiosk system was identified in a recent research project conducted by FDOT's Permits Office. The proposed kiosk system included a Wyse C class thin client processor, a 17-inch touch screen display, and a LaserJet Enterprise printer. The trio setup of the thin client, touch screen display, and printer will be deployed at each weigh station.

9.2.3 Computer Programming

FDOT's Permit Office and the Florida DHSMV are preparing the necessary programming to allow motor carriers to obtain operating credentials and permits on the internet. This multi-phase system to allow online-permitting is being completed through FMCSA CVISN funding grants; therefore, the costs for programming will not be included in any POE project work. As well as being available through the internet, the system will also be available through kiosks that are currently scheduled to be placed in all Florida weigh stations. Likewise, DHSMV has proposed using FMCSA CVISN grant funding to develop the capabilities necessary for motor carriers to complete electronic credentialing applications, including those required under any new POE policies. It is estimated that a majority of the programming costs will be paid by utilizing existing funding mechanisms that are separate from any potential POE policy change initiatives.

9.2.4 Outreach Costs

Florida agencies that interface with the motor carrier community currently engage in various outreach efforts. These efforts include development of flyers for inclusion in mailings, brochures that are provided at public agency offices as well as weigh stations, and briefings at industry related meetings and workshops designed to educate commercial vehicle industry stakeholders. These activities will continue regardless of any POE status change. Should there be any changes with respect to Florida's POE status, outreach efforts can be combined with existing efforts. Any costs resulting from add-on POE efforts will be minimal and, in all likelihood, absorbed by existing funding mechanisms.

9.3 Anticipated Costs for POE Status Change

Determining the total direct costs for changing the POE status will be challenging. Each POE location will have to be reviewed to determine the infrastructure modifications needed to allow commercial carriers to receive the appropriate permits required.

Table 9.1 highlights the potential costs associated with a kiosk based system. These costs are much simpler to calculate, due to the pre-identified components proposed by FDOT's Permit Office.

Table 9.1 - Potential Kiosk Costs

Item	Unit Cost	No. of Units	Subtotal Cost
Dell Thin Client	\$350	5	\$1,750
Elo Touchmonitor	\$560	5	\$2,800
HP Printer	\$675	5	\$3,375
Kiosk Programming	\$50,000	1	\$50,000
Total			\$57,925

The estimated cost for the kiosk system is approximately \$58,000 based on having the system at five locations. Regardless of the operating strategy utilized (i.e., a state-managed system versus a third-party service provider managed system) these costs are minimal compared to the benefit. This estimated cost does not include the day-to-day operational cost and/or maintenance of the system.

9.4 Establishing a Timeline

Timing is important should Florida decide to change its POE status. Many activities must take place in order to minimize confusion, operate within the appropriate Florida statutes, and move forward with the most effective transition approach that meets the needs of industry as well as Florida public agencies. A preliminary plan for transitioning to a POE state includes the following items:

1. Make Go, No/Go Decision to become POE state
 2. Establish a POE transition committee
 3. Educate commercial vehicle industry
-

4. Educate agencies responsible for commercial vehicle enforcement
5. Educate agencies responsible for commercial vehicle administration
6. Identifying and coordinating required legislative change
7. Work with legislative staff to help them understand potential impacts
8. Provide public agency and industry input as needed to state legislators
9. Conduct well-planned rollout of new tools and new policies

Theoretically, the entire process can be completed within one year once the decision has been made to move forward. Several steps identified in the preliminary plan can be carried out in parallel. The key component to POE status is the legislative schedule. All other activities are not tied to any set dates and, therefore, can be adjusted as a transition committee deems appropriate.

An important aspect of the timeline is the planned date for completion of the statewide kiosk deployment at Florida weigh stations. While statewide kiosk deployment is funded through the FMCSA CVISN grant, the timing of Florida’s POE status change and the availability of the necessary equipment to process operating credential applications must work in unison. However, should Florida decide to pursue a no-cost alternative option by entering into an agreement with a third-party service provider, the FMCSA CVISN grant project involving FDOT-deployed OW/OD permit acquisition kiosks is no longer an issue.

A preliminary timeline for changing Florida’s POE status is shown in Figure 9.1.

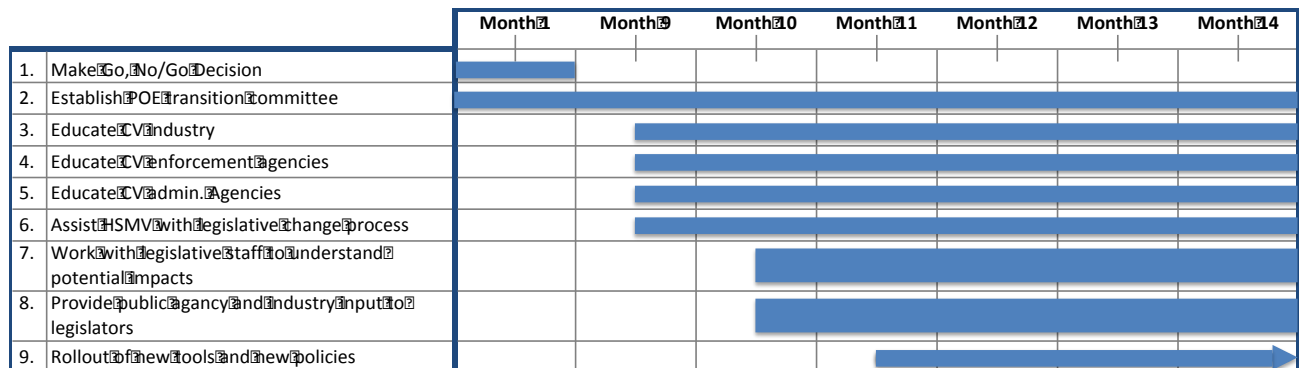


Figure 9.1 - Preliminary Timeline for POE Status Change

This preliminary timeline has a duration of 13 months. However, it is important to remember that Florida has existed as a non-POE state for decades. Because of this, it is anticipated that the legislative process will require industry input, a thorough examination of the revenue implications, and multiple committee hearings.

10 Florida POE Status Change Recommendations

10.1 Considerations Leading to Recommendations

The decision to change Florida's status to a POE state ultimately rests with the stakeholders that would be affected by the policy changes. For the purposes of this study, based on the research conducted in the production of this study, the recommendations provided are derived from several key findings. The primary categories leading to the recommendations are revenues, costs, customer service, stakeholder preferences, locations, and legislative statute changes.

10.1.1 Revenues

Revenues generated from Florida's non-POE policies/laws violations are substantial. Changes to Florida's policies have the potential to greatly reduce the number of violations and revenues generated. While the revenues collected under today's non-POE policies are substantial, this amount is small in comparison to the total amount of revenues collected from motor carriers for all categories of violations. In fact, non-POE related revenues collected from 2006 through 2011 amounted to only 14 percent of the total revenues collected for all motor carrier violations in the state. To break this down further, on average, approximately \$1.4M of \$9.8M is attributable to non-POE citation revenues per year.

An important aspect regarding revenues and changing Florida's status to a POE state is the anticipated revenues generated from collecting fees at the designated POE sites where the appropriate credentials can be obtained without penalty. The fees collected at these sites will help offset, if not surpass, the revenues generated under the current policies. As stated earlier in this study, the costly penalties/citations issued to motor carriers that stop at the first weigh station upon entering Florida to purchase the necessary credentials are a significant reason for motor carriers to bypass Florida's non-POE laws and take their chances at not getting caught. With new POE policies, those carriers that enter Florida without the necessary credentials will be able to obtain them without penalty upon entering the state. In addition to generating revenues through new POE policies, Florida also has the opportunity to increase fines/penalties for those motor carriers that continue to bypass Florida's laws even though they know that the POE kiosks (or other mechanisms) are deployed to assist them in operating legally.

10.1.2 Costs

Changing Florida's non-POE policies will require funds to develop and support the infrastructure necessary to accommodate the acceptance and processing of applications for the credentials necessary to satisfy compliance with Florida's laws. Fortunately, most of the funds necessary to deploy the needed systems are already funded through other means. Deployment of the technologies and the programming support that would be necessary to accommodate POE policies are already underway in other Florida initiatives. These other initiatives utilize the same equipment and will require very slight modification to make them compatible with any change to Florida's POE policies. It is estimated that costs for all POE sites combined will not exceed

\$58,000. Costs to the state will be even less if the private sector is brought in to deploy the systems under a motor carrier borne transaction fee model.

10.1.3 Customer Service

Florida stands to position itself in a favorable light with the motor carrier community by instituting a business-friendly service/policy aimed at facilitating commerce in the state. The Florida Commercial Motor Vehicle Review Board has heard many complaints from the motor carrier industry concerning Florida's current non-POE laws. Changing these policies will go a long way toward demonstrating to motor carriers that Florida has heard their concerns and is partnering with industry to find solutions that make a positive difference.

10.1.4 Stakeholders

Stakeholders were interviewed to determine the pros and cons of changing Florida's POE status. All stakeholders discussed the challenges faced by their agency/industry if a change were to take place. They discussed the practical realities that would have to be overcome for this change to be successful. Every stakeholder also discussed what they felt would be the benefits to such a policy change. At the end of each interview, the stakeholders all felt that Florida should change its status to a POE state.

10.1.5 Locations

The locations identified as POE sites were chosen based on revenues collected, citations issued, and truck traffic counts. The data all pointed to five top sites. The revenue collection sites and the citation issuance sites were both associated with the nearest weigh stations. The traffic counts were associated with the roadway entrances into Florida. Those sites are the first five sites previously shown in Table 8.1 - Top 10 Inbound Truck Routes.

One challenge that will have to be addressed is the adequacy of space for motor carriers to park their trucks while they obtain their operating credentials. The graphics below illustrate the truck parking situations. The I-95, I-10, and I-75 locations are weigh stations with ample parking. The US 231 southbound entrance to Florida is near a welcome station, but there are no weigh stations on US 231. The nearest weigh station to that roadway is on I-10 at the Sneads location (approximately 44 miles away). Truck parking at the US 231 welcome station is available, but a kiosk would have to be deployed and available staffing might be an issue. The US 301/US 1 weigh station (Hilliard location) does not have sufficient parking and the nearest weigh station with ample parking is the I-95 southbound Yulee location (approximately 25 miles away).

Truck parking availability at each of the top five locations will have to be addressed should Florida decide to move forward with becoming a POE state. While this parking challenge is not trivial, it is not impossible to overcome. One alternative is to reduce the POE site locations from five down to three locations at the interstate entrances to the state. This alternative, however, may prove to be a hardship on those motor carriers entering the state from US 231 and US 301.

10.1.6 Legislative Statute Changes

A major requirement for Florida to become a POE state will be changes to the Florida Statutes. The legal requirements will have to be changed, the revenue implications understood, and a compelling reason will have to be put forth by the affected stakeholders. It is widely understood that changes to Florida Statutes take considerable time. The process is lengthy and thorough preparation is key. The time required to change the legislation can be used to prepare for deployment of the infrastructure technology, train the enforcement personnel on the new procedures, and conduct the necessary outreach to the motor carrier industry. If and when the POE status changes, Florida must have all the necessary tools and procedures tested, approved, and in place. One possible course of action is to have the statutes changed, but not become effective until a future date to ensure that all of the necessary preparations have been completed.

10.2 POE Status Change Recommendation

Based on the data collected for this study, including revenue issues, costs, customer service, stakeholder preferences, locations, and legislative statute changes, it is recommended that Florida should pursue a POE status change. A coordinating committee of stakeholders should be charged with determining the initial number of POE sites that will be available to the motor carrier community and the roles, if any, that a public-private partnership may play in the process.

10.2.1 Timely Opportunity

The deployment costs are relatively low given that other fully funded projects can be modified slightly to accommodate the POE system requirements. It will be more costly in the future to deploy a stand-alone project instead of moving forward now when the time window to modify fully funded projects in their development phases is possible.

10.2.2 POE Transition Committee

A POE transition committee should be commissioned to oversee the transition process from concept of operations development to legislative language changes to staff training to industry outreach. A committee of this nature should be composed of stakeholders at varying levels from the regulatory, enforcement, industry, and legislative arenas. This committee should have designated staff to support the committee members' activities as well as the necessary subcommittee tasks. The POE transition committee should reach agreement on a concept of operations, develop a detailed plan of action, assign responsibilities, and commit the necessary resources to see the process through to completion. Many of the members are already active on the Florida CVISN Team where the necessary structure is already in existence. The POE transition committee will be the body best able to weigh the various alternatives that provide the best value to the state and industry.
