

INTERNAL ROUTING SLIP

FROM:

May

DATE:

2/28/97

☐ DUANE R. COLE, City Mgr
☐ TERRENCE MAHR, City Atty.
☒ Peggy Hall, Paralegal
☐ KATHY TRI, Fin. Director
☐ Diane Padilla, Asst Fin. Dr.
☐ Pauline Maben, Sr Acct Clk
☐ MICHAEL SHERMAN, FD Chief
☐ LEAH GRIFFITH, Librarian
☐ Carol Foutts, Asst. Lib.
☐ ROBERT TARDIFF, PD Chief

☐ GREG SCOLES, Com. Dev. Dir
☐ Larry Anderson, Eng. Mgr.
☐ Darla Baldoni, Office Mgr.
☐ Michael Hailey, Bldg. Off.
☐ John Knight Planning Mgr.
☐ Alan Lee, Oper. Sup.
☐ Chuck Liebert, Utly. Mgr.
☐ Barb Mingay, Plan. Tech
☐ Russ Thomas, Maint. Sup.
☐ Hal Turpen, PW Sup.

(Other) _____

*Please file this original
envelope. We retained
a copy for our files.*

May

F:\SHARED\RTE.SLP

January 28, 1997

DEPARTMENT OF
TRANSPORTATION

Motor Carrier
Transportation Branch

NEWBERG POLICE DEPARTMENT
ATTN BOB TARDIFF, CHIEF
414 E FIRST ST
NEWBERG OR 97132

FILE CODE:

Oregon's 67th legislative assembly transferred the State of Oregon's Motor Carrier Safety responsibilities from the Public Utility Commission (PUC) to the Oregon Department of Transportation (ODOT).

Enclosed are two original updated Noncompensatory Agreements reflecting minor changes in your department's involvement in the State of Oregon's commercial motor vehicle inspection program. The updated version reflects the change in agency responsibilities, i.e. changing PUC to ODOT.

Please review the agreement and sign if you concur with the terms and conditions. Return one signed original to my attention. Retain one signed original for your records.

Thank you for your interest and desire for being involved in commercial motor vehicle safety in Oregon.



Paul R. Henry, Manager
Investigations, Safety & Federal Programs
(503) 378-6736
Fax: (503) 378-8815

Enclosures (2)

i/nrh/nonltr1.doc



MEMORANDUM OF AGREEMENT
BETWEEN
OREGON DEPARTMENT OF TRANSPORTATION
AND
NEWBERG POLICE DEPARTMENT

In order to maximize the utilization of commercial vehicle, driver, and cargo inspection resources; to avoid duplication of effort; to expand the number of inspections performed; to advance uniformity of inspection; and to minimize delays in schedules incurred by industry inherent to this type of enforcement activity, the undersigned parties enter into this Memorandum of Agreement.

Signatories to this Memorandum agree that their authorized inspection representatives, Certified as commercial vehicle inspectors by the Oregon Department of Transportation, ORS 810.560, will implement inspection procedures in accordance with minimum standards contained herein.

In order to advance international uniformity in the inspection of commercial motor vehicles, their drivers, and hazardous material cargo, parties to this Memorandum agree to enforce the North American Uniform Inspection Out-of-Service Criteria as authored and published by the:

Commercial Vehicle Safety Alliance

Part I - North American Uniform Inspection Driver
Out-of-Service Criteria

Part II - North American Uniform Inspection Vehicle
Out-of-Service Criteria

Part III - North American Uniform Inspection Hazardous
Material Out-of-Service Criteria

The above standards are adopted into Oregon law by ODOT under Oregon Administrative Rules (OAR);

OAR 740-100-0090, Part I - Driver.

OAR 740-100-0070, Part II - Vehicle.

OAR 740-100-0080, Part III - Hazardous Materials.

In order to better implement and maintain the standards and agreements contained in this Memorandum of Agreement, in the State of Oregon agreement with the Commercial Vehicle Safety Alliance, (CVSA) and to effectively administer the applicable terms and conditions contained under Title IV of the Intermodal Surface Transportation Efficiency Act of 1991,"(the Act) parties hereto further agree:

The OREGON DEPARTMENT OF TRANSPORTATION agrees to:

1. Train and/or retrain inspection resources employed by the political subdivision when such training or retraining is mutually agreed to by parties to this agreement; test, and certify inspectors in accordance with agreements between ODOT, Oregon Board on Public Safety Standards and Training, and as applicable CVSA;
2. Supply inspection forms for all inspections conducted in conformance with this agreement;
3. Supply vehicle and driver out-of-service stickers;
4. Supply monitoring service relative to inspection write-up techniques and violations recorded; inspection procedures, application of Motor Carrier Safety Regulations and Out-of-Service Criteria required by the Federal MCSAP and ORS 810.560;
5. Review, code, and input each inspection in the 'Safetynet' National Truck Safety database.
6. Pursuant to the Governor's directive, function as the lead agency for purposes of administering Oregon's participation in the Intermodal Surface Transportation Efficiency Act of 1991, and to the maximum extent possible coordinate commercial vehicle and driver enforcement activities between all certified and participatory agencies.

The NEWBERG POLICE DEPARTMENT agrees to:

1. Ensure that all personnel who engage in the inspection of commercial motor vehicles and their drivers are trained and certified by ODOT pursuant to ORS 810.560. (ORS 810.560, enacted by the 67th Legislative Assembly, requires, in part, that all personnel stopping commercial motor vehicles and drivers for purposes of enforcing the motor carrier safety regulations must be trained and certified by ODOT as a commercial vehicle inspector.);
2. As a matter of general policy, inspection levels shall be defined by the CVSA;
3. Level II inspections may be initiated only after a traffic stop, size and weight enforcement stop, or when an out-of-service defect is detected during the normal duty activities of a certified inspector;
4. No inspection activity shall take place at a motor carrier's terminal unless such inspection has been authorized by ODOT;
5. Whenever possible, certified inspectors will be made available to participate in multiagency commercial motor vehicle/driver, special enforcement actions;

Page Three

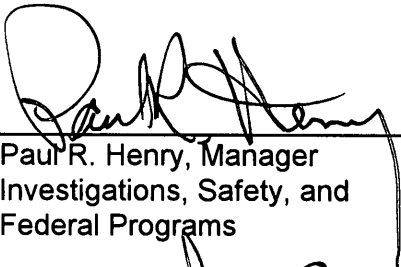
6. When performing inspections as described herein, said inspections shall be documented on forms provided by ODOT; and
7. Completed inspection documents shall be forwarded to ODOT within five (5) days of the date of inspection for processing and final compliance.

Paul Henry, Manager of ODOT's Investigations, Safety, and Federal Programs, will be the Department's contact person for purposes of administering this agreement.

This agreement is effective until one of the parties desires to terminate it by providing written notice to the other party not less than sixty (60) days prior to the date of termination. In addition, if a political subdivision does not adhere to the terms of the Memorandum of Agreement, it shall become null and void.

By my signature herein, I certify compliance with the terms and conditions contained in this Memorandum of Agreement.

OREGON DEPARTMENT OF TRANSPORTATION



Paul R. Henry, Manager
Investigations, Safety, and
Federal Programs

Date

27 Jan 97

NEWBERG POLICE DEPARTMENT



Bob Tardiff, Chief

Date

2/28/97



**Interoffice
Memorandum**

To: Peggy Hall
From: Mary Newell *may*
Subject: Memorandum of Agreement
Date: June 10, 1996

Peggy,

Attached is an original copy of a **Memorandum of Agreement Between Oregon Department of Transportation and Newberg Police Department** for inspection services for commercial vehicles.

A second original has been forwarded directly to ODOT and I have retained a copy for our files.

MEMORANDUM OF AGREEMENT
BETWEEN
OREGON DEPARTMENT OF TRANSPORTATION
AND
NEWBERG POLICE DEPARTMENT
NONCOMPENSATORY AGREEMENT

In order to maximize the utilization of commercial vehicle, driver, and cargo inspection resources; to avoid duplication of effort; to expand the number of inspections performed; to advance uniformity of inspection; and to minimize delays in schedules incurred by industry inherent to this type of enforcement activity, the undersigned parties enter into this Memorandum of Agreement.

Signatories to this Memorandum agree that their authorized inspection representatives, (Oregon Department of Transportation (ODOT), and Commercial Vehicle Safety Alliance (CVSA) certified Level II inspectors) will implement their inspection procedures in accordance with minimum standards contained herein and/or attached hereto.

In order to advance uniformity in the Level II inspection of commercial motor vehicles and their operators, parties to this memorandum agree to adopt the North American Uniform Inspection Out-of-Service Criteria as authored and published by the:

Commercial Vehicle Safety Alliance

Part I - North American Uniform Inspection Driver
Out - of - Service Criteria

Part II - North American Uniform Inspection Vehicle
Out - of - Service Criteria

Part III - North American Uniform Inspection Hazardous
Material Out - of - Service Criteria

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In order to better implement and maintain the standards and agreements contained in this Memorandum of Agreement, and to effectively administer the applicable terms and conditions contained under Title IV of the "Intermodal Surface Transportation Efficiency Act of 1991," (the Act) parties hereto further agree:

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The Oregon Department of Transportation agrees to:

1. Train and/or retrain inspection resources employed by the political subdivision when such training or retraining is mutually agreed to by parties to this agreement; test, and certify inspectors in accordance with agreements between ODOT, CVSA, and Oregon Board on Public Safety Standards and Training;
2. Supply inspection forms for all inspections conducted in conformance with this agreement;
3. Supply vehicle and driver out-of-service stickers;
4. Supply monitoring service relative to inspection write-up techniques and violations recorded; and
5. Review, code, and input each inspection in the "Safetynet" National Truck Safety database.
6. Pursuant to the Governor's directive, function as the lead agency for purposes of administering Oregon's participation in the Surface Transportation Assistance Act of 1982, and to the maximum extent possible coordinate commercial vehicle and driver enforcement activities between all certified and participatory agencies.

The Newberg Police Department agrees to:

1. Ensure that personnel who engage in the inspection of commercial motor vehicles and their drivers shall be trained and certified by ODOT pursuant to Senate Bill 125 and in accordance with the international standards prescribed by the CVSA, and as provided for in the Act. (Senate Bill 125, enacted by the 67th Legislative Assembly, requires, in part, that all personnel stopping commercial motor vehicles and drivers for purposes of enforcing the motor carrier safety regulations must be trained and certified by ODOT as a commercial vehicle inspector.);
2. As a matter of general policy, inspections shall be those defined by the CVSA as "Level II, Walk-Around Driver/Vehicle Inspections:"
3. Level II inspections shall be initiated only after a traffic stop, size and weight enforcement stop, or when an out-of-service defect is detected during the normal course of weighing a commercial motor vehicle;
4. No inspection activity shall take place at a motor carrier's terminal unless such an inspection is in the furtherance of non-inspection law enforcement duties;
5. Whenever possible, certified Level II inspectors will be made available to participate in multiagency commercial motor vehicle/driver, special enforcement actions;

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6. When performing inspections as described herein, said inspections shall be documented on forms provided by ODOT; and
7. Completed inspection documents shall be forwarded to ODOT within five (5) days of the date of inspection for processing and final compliance.

Paul Henry, Manager of ODOT's Transportation Services and Federal Programs, will be the Department's contact person for purposes of administering this agreement.

This agreement is effective until one of the parties desires to terminate it by providing written notice to the other party not less than sixty (60) days prior to the date of termination. In addition, if a political subdivision does not adhere to the terms of the Memorandum of Agreement, it shall become null and void.

By my signature herein, I certify compliance with the terms and conditions contained in this Memorandum of Agreement.

OREGON DEPARTMENT OF TRANSPORTATION

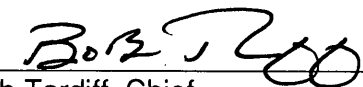


Paul R. Henry, Manager
Transportation Services and
Federal Programs

6.4.96

Date

NEWBERG POLICE DEPARTMENT



Bob Tardiff, Chief

6.7.96

Date