

CHAPTER 6
FOREIGN COMMERCIAL REGISTRATION
REVISED MARCH 2025
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CHAPTER 6

FOREIGN COMMERCIAL REGISTRATION

1. GENERAL.

a. California Registration Requirements for Foreign Commercial Motor Vehicles. California registration requirements for foreign commercial motor vehicles (CMVs) vary according to the state or province in which the vehicle is operated. The actual requirements are determined by the reciprocal agreement in effect between California and the other state or province. The director of the California Department of Motor Vehicles (DMV) has the sole authority to enter into a reciprocity agreement with other jurisdictions.

b. Superseded by Formal Agreements. Formal agreements between groups of states and provinces, such as the International Registration Plan (IRP), supersede individual reciprocal agreements, and take precedence in areas of apparent conflict.

c. Reciprocal Privileges Granted. Reciprocity agreements between California and other states and provinces allow qualifying foreign-registered CMVs to operate in the same manner as California-based vehicles are allowed to operate in the foreign jurisdictions.

d. Definitions. In order to clearly understand the procedures for determining registration requirements for a given CMV, a clear understanding of certain words and phrases is essential. The following definitions will assist in that understanding. Other words and phrases are defined elsewhere in this chapter.

(1) Reciprocity. Reciprocity refers to the granting of like privileges. As used in this manual, except for three-axle vehicles of any gross vehicle weight (GVW), or two-axle vehicles and combinations of vehicles with a GVW of 26,001 pounds or more, the term refers to the privilege of operating into California from another state without payment of additional registration fees.

(2) Reciprocity State. Any one of the foreign states or provinces which grant reciprocity to California-based vehicles, and vice versa. (Refer to Annex A.)

(3) Owner-operator. The owner of a vehicle which is offered, with a driver, to a for-hire carrier on a lease basis.

(4) Lessor. A person or company which grants the legal control and possession of a vehicle to another (the lessee).

(5) Lessee. The person or company with legal control and possession of a vehicle (carrier), normally through a lease agreement.

(6) Carrier. An individual, firm or corporation engaged in the transportation of goods or persons via a CMV.

(7) Base Jurisdiction. Subject to the exceptions discussed later in this chapter, the base jurisdiction of a foreign vehicle is the state or other jurisdiction from which it is primarily operated or dispatched, or where it is principally garaged, serviced, or maintained.

(8) Dispatched. Refers to the terminal where the vehicle leaves from or is assigned to, not the office of the fleet dispatcher, which could be in another state.

2. DETERMINING REGISTRATION REQUIREMENTS.

a. Registration Determined by Carrier and Base Jurisdiction. In order to determine the applicable registration requirements for a foreign CMV, it is first necessary to determine the carrier under whose direction and control the load is being transported. In the case of a carrier with multiple fleet locations, it is also necessary to know the base jurisdiction of the fleet from which the vehicle is being operated. This may or may not be consistent with the license plates displayed on the vehicle, or with the home state of the vehicle owner.

b. Reciprocity is a Privilege, Not a Right. The carrier must, upon request, reasonably establish their eligibility for reciprocity. If any reasonable doubt exists, the officer may request evidence, as necessary, to satisfy the claim of reciprocity, including those items available but not specifically required to be displayed (e.g., bills of lading, Public Utilities Commission and/or International Fuel Tax Agreement [IFTA] paperwork). If the driver/operator refuses to comply with the request and a reasonable doubt exists as to whether the carrier is entitled to reciprocity, it should not be granted.

c. Determining the Carrier. Officers occasionally encounter an operator who, in an attempt to gain reciprocity privileges, is reluctant to reveal the identity of the true carrier of a load. The following documents may be helpful in determining the rightful carrier. It should be noted that there is no single, foolproof item which will always be present to identify the carrier. However, a review of the following information, when available, will normally substantiate the identity of the carrier when there is uncertainty.

(1) United States Department of Transportation Registration. All interstate and intrastate carriers are required to obtain a carrier ID number from the CHP,

and are required to be registered with the Federal Motor Carrier Safety Administration (FMCSA). The FMCSA does not issue a letter of authority to U.S. or Canadian carriers; these carriers are only required to display United States Department of Transportation (USDOT) numbers.

(2) Lease Agreement. A lease agreement between the carrier and an owner/operator is a good resource to establish the identity of the carrier. Federal regulations (not enforceable by this Department) require the lease agreement to be carried in the vehicle.

(3) Bills of Lading. Virtually all bills of lading identify the shipper, consignee (owner of cargo), and the carrier. The Department's legal authority to demand to inspect bills of lading is located in Sections 2810 and 34510 of the California Vehicle Code (CVC). This authority is limited to cargoes of livestock, timber products, poultry, farm produce, crude oil, petroleum products, inedible kitchen grease, and hazardous materials requiring shipping papers pursuant to Title 49, Section 172.200 of the Code of Federal Regulations (CFR). However, the driver will normally present all bills of lading upon request.

(4) Driver's Record of Duty Status. State and federal laws require the maintenance of an accurate driver's record of duty status, which must be displayed on demand. (Refer to Title 13, California Code of Regulations.) The name of the carrier is required on the form.

(5) The International Fuel Tax Association Permit. All interstate carriers in California operating diesel-powered CMVs with three axles of any GVW, or two-axle vehicles and combinations of vehicles with a GVW of 26,001 pounds or more, must have an IFTA permit in their possession. An IFTA sticker must be affixed to each side of the CMV. This may indicate the carrier's identity, but it may not be indicative of the base location of the fleet.

NOTE: California-based CMVs that operate intrastate only pay fuel taxes at the pump and are not required to possess an IFTA permit. Mexico-based CMVs operating in California are required to possess California fuel permits.

(6) Foreign Registration Documents. Registration documents from other states may indicate a different address, carrier name, etc.

d. Leased Vehicles. Vehicles leased or rented to a company shall be treated as part of that company, and shall be subject to the same privileges and requirements as vehicles properly registered to the company, regardless of the state in which the vehicles are registered.

e. Determining Base Jurisdiction. Once the carrier has been identified, the officer must identify the base jurisdiction from which the vehicle is being operated. Most small companies have only one fleet location. If the carrier is large with multiple fleet locations, the base jurisdiction is the state from which the vehicle is operated or controlled.

(1) Vehicles Interchanged En Route. If vehicles are interchanged en route (e.g., Oregon-based tractor takes over for a Hawaii-based tractor pulling a Hawaii-based trailer en route to California), the last location of interchange is the fleet location (Oregon) from which the base jurisdiction is determined.

(2) Leased Vehicles. If a vehicle is leased to a carrier, the base jurisdiction is the terminal or fleet location from which the vehicle is controlled or dispatched, subject to the following exceptions:

(a) Vehicles leased to a household goods carrier (e.g., Allied, Atlas, Mayflower Van Lines) may be registered in the lessor's state. (Refer to paragraph 11.)

(b) Some owner-operators are also eligible to maintain their vehicle's registration in their home state when leased to another carrier. (Refer to paragraph 10.)

(3) Evidence of Base Jurisdiction. When there is a question concerning the fleet location from which a vehicle is being operated, the documents listed in paragraph 2.c. may also be used to show the base fleet location in the following manner:

(a) Driver's Record of Duty Status. This provides a running record of recent trips and off-duty hours.

(b) Bills of Lading. The respective fleet location is usually identified or coded on the bill of lading for the carrier's records.

(c) The International Fuel Tax Association Permit. The location where the carrier files their fuel tax may help identify the base jurisdiction.

(d) Lease Agreement. The lease agreement, when available, will frequently identify the fleet assignment of the lessor.

(4) Registration documents from other states may show the fleet address.

(5) The driver's license or location of residence of the driver may indicate the location from which the vehicle is being operated.

(6) Known or Established Facts. Previous investigations may have determined the rightful base of a fleet or a fleet claiming reciprocity illegally.

3. DETERMINING RECIPROCAL PRIVILEGES.

a. Reciprocity Reference. Once the carrier and base jurisdiction are identified, the table contained in Annex A, the flowchart contained in Annex B, and the information contained in Annex C may be used to determine the operating privileges extended to properly registered vehicles, according to the base jurisdiction.

b. Application of Reciprocity. Whenever a vehicle is entitled to registration reciprocity, the vehicle shall be granted the privilege of operating in accordance with specified conditions, without being required to register in California.

c. Types of Operation. Reciprocity may be granted for interstate or intrastate operation (full reciprocity), or for intrastate operation which is the continuation of an interstate operation, as specified in the agreement between contracting states. In determining the type of operation involved, the intent of the shipper at the point of origin of the cargo shall determine the character of the operation. The definitions in paragraph 3.d. may assist in distinguishing between similar types of operations.

d. Vehicle movement is the determining factor when establishing registration requirements of foreign-registered CMVs. The movement of the vehicle, as well as the goods transported in commerce, are the determining factors when establishing hours-of-service requirements.

(1) Interstate Vehicle Movement. For the purpose of establishing the registration requirements of foreign-registered CMVs, interstate vehicle movement is defined as the movement of a vehicle between or through two or more jurisdictions. The following are examples of interstate vehicle movement:

(a) Foreign Cargo with Destination in California. A vehicle based and registered in another state transports a cargo of plumbing supplies originating in that state to a destination in Los Angeles. The vehicle then returns to the base state either unladen or with cargo originating in California; the vehicle movement is interstate in both instances. The trip originated in one state with the ultimate destination of the cargo in another state.

(b) Out-of-State Destination with Cargo Loaded and Unloaded in California. A vehicle registered in another state transports Ice Follies equipment for-hire from San Francisco to Los Angeles, unloads the equipment in Los Angeles, then reloads the equipment and transports it to San Diego, where it is unloaded again. The equipment is then transported by the same vehicle

out of the state. The vehicle movement is interstate. The loading and unloading of the same cargo does not change the interstate classification of the movement when the ultimate destination is out-of-state.

(c) Vehicles Operated Interstate by a Company with Offices in California and Another State. A company has places of business in California and another state. It operates vehicles from the other state into California occasionally for servicing appliances. In one trip, a vehicle may make several stops in California. The vehicles operated are assigned to the foreign business, and are not operated by or controlled from the California office. The interstate classification is not affected by the company having an office in California.

(2) Interstate Commerce. The Federal Motor Carrier Safety Regulations define interstate commerce as trade, traffic, or transportation in the U.S. which is between a place in a state and a place outside of such state (including a place outside of the U.S.) or is between two places in a state through another state or a place outside of the U.S. (Refer to Title 49, Section 13501 of the United States Code, and Title 49, Section 390.5 CFR.) This definition requires that the movement of the goods in commerce be used as the criteria to establish drivers' hours-of-service requirements as described in Highway Patrol Manual 82.6, Commercial Enforcement Manual. Intrastate transportation which is a continuation of an interstate operation refers to the transportation of persons or property within California by a foreign CMV, which is incidental to the interstate transportation of the cargo. In determining whether an operation is intrastate or an intrastate-interstate continuation, the intent of the shipper at the point of origin shall decide the character of the operation. The following example of cargo off-loaded at a warehouse may assist in determining the status of intrastate-interstate continuation operations:

(a) A combination of vehicles transport a load of cargo from Texas to Los Angeles, where the cargo is off-loaded. The cargo is combined with other San Francisco-bound interstate cargoes and loaded onto a different combination of vehicles for transportation to San Francisco. For registration purposes, the vehicles' movement is intrastate; however, for drivers' hours-of-service purposes, these vehicles are engaged in interstate commerce.

(3) Intrastate Vehicle Movement. Intrastate vehicle movement is defined as movement of a vehicle from one point within a jurisdiction to another point within the same jurisdiction. The following is an example of intrastate vehicle movement (no out-of-state movement):

(a) The owner of a foreign-registered logging truck contracts to transport logs from a logging operation to a mill, both located within California. The vehicle movement is intrastate because the trip originated and terminated within California.

4. ALLOCATION REGISTRATION.

a. Allocation Registration Described. Allocation registration is a method of registering large fleets of vehicles on a percentage basis, vaguely similar to apportioned or prorate registration. Under allocation registration, fees are determined based on methods other than miles traveled in the state, when mileage information is not readily available. Once a fee percentage is determined, that number of vehicles in the fleet will be fully registered in California and the remainder will be registered in other jurisdictions.

(1) With allocation registration, enforcement is only practicable through DMV audit procedures.

(2) Allocation-registered fleets shall be granted unlimited reciprocity, as long as the vehicles are currently registered in any jurisdiction.

(3) California-based vehicles registered under allocation registration are issued a California base plate upon which an apportioned sticker is placed.

(4) Any violations or suspected abuse of the allocation registration program should be reported via CHP 216, Arrest – Investigation Report, to Commercial Vehicle Section (CVS) for forwarding to the DMV, Investigations Division.

b. Allocation of Two-Axle, One-Way Rental Fleets. The DMV has authorized the rental companies named below to register their two-axle, one-way rental trucks on an allocated basis. Owner's-responsibility citations issued to any of these three major, national, one-way truck rental companies for a violation of Section 4000(a) CVC may be mailed directly to the parent company. The names of the three companies are:

(1) Ryder Truck Rental, Inc.

(2) The Hertz Corporation.

(3) U-Haul.

5. SPECIAL REGISTRATION REQUIREMENTS AND EXEMPTIONS.

a. Foreign Vehicles Leased by California Residents. When a foreign vehicle is leased by a resident or firm with an established place of business and operated on the highways within California, the vehicle must be registered pursuant to Section 6853 CVC. Vehicles are exempt from this provision if they are operated under an agreement pursuant to Sections 8000 and 8001 CVC.

b. Foreign Vehicles Regularly Operated from a California Business Address. Whenever a foreign-registered vehicle is regularly operated in the course of business from an established business site in California, the vehicle should be registered pursuant to Section 6702 CVC.

NOTE: Enforcement personnel shall use sound, professional judgement when enforcing the provisions of Section 6702 CVC while a vehicle is registered pursuant to Sections 8000 and 8001 CVC, or is a trailer or semitrailer which displays a valid license plate as prescribed by Section 4004(c) CVC.

c. Foreign-Based Commercial Motor Vehicles Owned by California Residents or Companies. Commercial motor vehicles based in foreign jurisdictions and owned by California residents, companies, or corporations are entitled to reciprocity, depending upon the state in which they are based, in accordance with the reciprocity agreement chart shown in Annex A. As an example, if a corporation owns a fleet of vehicles based in California and another based in Hawaii, vehicles from the Hawaii-based fleet may operate into California on an interstate basis without registration becoming due, per Section 8001 CVC.

d. Foreign Commercial Motor Vehicles Registered as Passenger Vehicles. Foreign CMVs registered as passenger vehicles in their home state shall be treated as passenger vehicles for the purpose of registration enforcement when operated on the highways in California. They may be operated laden or unladen and may tow any other vehicle.

(1) A house car—a motor vehicle originally designed, or permanently altered, and equipped for human habitation, or to which a camper has been permanently attached—shall be deemed a passenger vehicle, regardless of the type of license plate displayed.

(2) As an example, Arizona, at one time, issued a special series plate for pickup trucks. This plate had the marking “Noncommercial” on the face of the plate.

e. Permanent License Plates for Trailer Fleets. Except as provided in paragraph 5.g., California no longer collects registration fees for trailers or semitrailers validly registered in foreign jurisdictions.

f. Oregon Vehicle Plates.

(1) The State of Oregon issues farm vehicle license plates to qualified farmers in that state. Oregon farmers operating CMVs in California while displaying Oregon farm vehicle license plates shall be subject to the same registration requirements which would apply if the vehicles were registered as Oregon CMVs. The California-Oregon Border Zone Agreement was rescinded on January 1, 1985.

(2) The State of Oregon does not require a light trailer, with a loaded weight of 1,800 pounds or less, to be titled and registered. However, California requires all vehicles to have a license plate per Section 6700 CVC, including these trailers.

g. Alaska- and Mexico-Based Vehicles. The State of California does not have CMV registration reciprocity with Alaska or Mexico. Therefore, the following requirements apply to CMVs based in those jurisdictions, when operated in California:

(1) They are not eligible for partial-year registration, per Section 9711 CVC.

(2) They may purchase a full year of California registration.

(3) They may, in lieu of a full year of California registration, purchase a four-day trip permit or 90-day temporary registration.

(4) They may purchase a permanent trailer identification (PTI) plate for the trailer.

NOTE: Pursuant to Section 4004(c) CVC, any trailer or semitrailer displaying a valid Alaska or Mexico license plate is not required to be registered in California. Any trailer or semitrailer displaying an expired license plate is subject to the full fees specified in Section 5014.1 CVC.

6. DOCUMENT PREPARATION.

a. Recording of Violations. Violations of registration requirements must be explained on the enforcement document in sufficient detail to enable persons correcting the deficiency to determine the violations. Entries, such as fees due

and improper registration, are not acceptable. The following are suggested explanations for some typical registration violations:

- (1) Hawaii-based and registered vehicle operated intrastate (Hawaii-based vehicles entitled to intrastate reciprocity for only 90 days): registration due.
 - (2) Vehicle leased by a resident and operated in conjunction with their business within California: California registration due.
- b. Required Information. Any enforcement document issued for a CMV which does not display California registration shall, whenever possible, include the vehicle's ID number and the vehicle's make, model, body type, and year. For follow-up purposes, the DMV requests that the document also lists the equipment number, when available.

7. PROPORTIONATE COMMERCIAL REGISTRATION.

a. Proportionate Registration. Proportionate registration is a method by which CMVs that operate into two or more contracting states pay a portion of the normal fees to each state based upon the percentage of miles driven in each state by the operator. California participates in the following two types of proportionate registration programs:

- (1) International Registration Plan.
- (2) Reciprocity agreements.

b. California Registration Options. Foreign CMVs which operate in California may elect to register by methods other than a proportionate registration program, such as:

- (1) Full annual California registration.
- (2) Interstate registration: nontitle registration for vehicles which are fully registered in more than one state.
- (3) Partial-year registration: valid California registration for a portion of a calendar year (1 to 11 months).
- (4) 90-day permit: nonresident commercial temporary registration.
- (5) Four-day permit: nonresident commercial trip permit.

NOTE: The four-day commercial trip permit may not be used for a vehicle permanently based in California, per Section 4004 CVC.

c. Reciprocity. California and specific foreign jurisdictions have established reciprocal agreements for CMV carriers to operate in respective jurisdictions under the registration authority of the base jurisdiction. This arrangement is called a reciprocity agreement.

8. INTERNATIONAL REGISTRATION PLAN.

a. Administration of the International Registration Plan. The IRP is a proportionate registration and reciprocity agreement for CMVs which is administered by the American Association of Motor Vehicle Administrators. Currently, there are 69 states, provinces, and territories which are members of the IRP. California became a member of the IRP effective January 1, 1933.

b. Definitions Applicable to the International Registration Plan.

(1) Allocated Vehicle. A vehicle to which a particular jurisdiction's basic 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).

(2) Apportionable Fee. Any periodic, recurring fee required for licensing or registering vehicles, such as, but not limited to, registration fees, license fees, or weight fees.

(3) Apportionable Vehicle. Any vehicle, except recreational vehicles, vehicles displaying restricted plates, and government-owned vehicles, used or intended for use in two or more member jurisdictions that allocate or proportionally register vehicles; and used for the transportation of persons for hire; or designed, used, or maintained primarily for the transportation of property and:

(a) Is a power unit having a GVW in excess of 26,000 pounds; or

(b) Is a power unit having three or more axles, regardless of weight; or

(c) Is used in combination, when the vehicle of such combination exceeds 26,000 pounds GVW.

NOTE: Two-axle vehicles and combinations thereof, having a GVW of 26,000 pounds or less, may be proportionally registered at the option of the registrant. These vehicles are normally granted interstate reciprocity.

(4) Auxiliary Axle. An auxiliary undercarriage assembly with a fifth wheel and tow bar used to convert a semitrailer to a full trailer.

(5) Axle. 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.

(6) Base Jurisdiction. 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. Since IRP registration is based on percentage of miles operated in each state, this procedure does not affect California revenues and is therefore allowed.

(a) It is not the intent of the IRP to permit a registrant to use the flexible provisions of this definition by changing the base jurisdiction of a device to avoid the payment of registration fees.

(b) All vehicles of a registrant's fleet do not need to individually enter the base jurisdiction in order for them to be a member of the IRP.

(c) Registrants based in any jurisdiction and not a member of the IRP, who have been licensing vehicles in any member jurisdiction under basing point, allocation, or proration, may declare the member jurisdiction where the most miles 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 the IRP.

(d) Household goods carriers are a unique business enterprise. Several registration options are authorized to household goods service representatives (also called household goods agents). (Refer to paragraph 11.)

(7) Base Plate. The plate issued by the base jurisdiction shall be the only registration ID plate issued for the vehicle by any member jurisdiction. Base

plates shall be identified by having the word Apportioned and the jurisdiction's name on the plate. The numbering system and color shall be determined by the issuing jurisdiction.

(8) Established Place of Business. A physical structure owned, leased, or rented by the fleet registrant; the location of which is open during normal business hours, and in which the following are located and made available:

- (a) Telephone(s) publicly listed in the name of the fleet registrant;
- (b) Person(s) conducting the fleet registrant's business; and
- (c) Operational records of the fleet.

(9) Fleet. One or more apportionable vehicles.

(10) Jurisdiction. A state, territory, or possession of the U.S., the District of Columbia, or a state or province of another country.

(11) Lessee Considered Owner. Subject to the specific exceptions for determining registration requirements, the lessee (carrier) of a vehicle shall be considered the owner of the vehicle. Any vehicle leased to a carrier of a proportionate fleet, whether a long- or short-term lease, is considered a part of the fleet of the carrier.

NOTE: Paragraph 2. illustrates methods of determining the carrier under whose control a vehicle is being operated.

(12) Long Term. Any period of time exceeding 29 days.

(13) Owner-Operator. A vehicle owner who leases their vehicular equipment with a driver to a for-hire carrier pursuant to federal regulations or similar regulations of a jurisdiction's regulatory body.

(14) Reciprocity. The reciprocal grant by one jurisdiction of operating rights or privileges to properly registered vehicles registered by another jurisdiction.

(15) Reciprocity Agreement. 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.

(16) Records. Information created, received, and maintained as evidence by an organization or person in the transaction of business, or in the pursuance of legal obligations, regardless of media.

(17) Recreational Vehicle. As used in this policy, a vehicle used for personal pleasure or travel by an individual or their family.

NOTE: The term recreational vehicle refers to items such as campers, motor homes, and mobile homes when used exclusively for personal pleasure and travel by an individual and their family. In order to qualify as a recreational vehicle, it must not be used in connection with any business endeavor. When a recreational vehicle is being transported by a vehicle transporter, its weight must be included in the gross vehicle or combination weight of the transporting vehicle or combination of vehicles for purposes of determining appropriate registration fees.

(18) Registrant. A person, firm, or corporation in whose name(s) a vehicle is properly registered.

(19) Registration Year. The 12-month period during which the registration plates issued by the base jurisdiction are valid according to the laws of the base jurisdiction.

(20) Rental Vehicle. Any vehicle(s) which is designated by the registered owner as part of a rental fleet. A rental fleet refers to any vehicle(s) which is offered for rent with or without a driver.

(21) Restricted Plate. A plate that has restrictions of time (less than a registration year), geographic area, mileage, or commodity.

(22) Trip Lease. A lease of vehicular equipment to a common or contract carrier (lessee) for a single movement by another common or contract carrier. The term may also include a similar intrastate movement where such movement is authorized under the laws of the jurisdiction.

(23) Vehicle Type Abbreviation. Vehicles registered through an IRP jurisdiction are identified on the cab card by a distinctive two-letter code. The IRP vehicle type definition may be slightly different from the CVC definition. However, the vehicle type definitions contained in the CVC shall be used to determine axle weight limits and/or a combination of vehicles' length requirements.

- (a) Tractor (TR). A motor vehicle designed and used primarily for drawing other vehicles, but not so constructed as to carry a load other than a part of the weight of the vehicles and load so drawn.
- (b) Truck (Single) (TK). A motor vehicle designed, used, or maintained primarily for the transportation of property.
- (c) Truck Tractor (TT). A motor vehicle designed and used primarily for drawing other vehicles, but so constructed to carry a load other than a part of the weight of the vehicle and load so drawn.
- (d) Full Trailer (FT). A 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.
- (e) Semitrailer (ST). A 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.

9. APPORTIONED AND PRORATE REGISTRATION INDICIA.

a. Vehicle License Indicia—California-Based Vehicles. California-based vehicles that are prorate- or apportion-registered are issued a distinctive license plate. The license plates, which have the words “Cal Apportioned” on the top, are issued to vehicles registered under the IRP program when based in California.

(1) Motor vehicles are issued license plates beginning with any letter followed by the letter “P” then followed by numeric characters (e.g., WP67319).

(2) Trailers and semitrailers shall display a permanent trailer ID sticker upon the existing trailer plate, indicating that the trailer or semitrailer is registered under the PTI program. The display of a license plate (grandfathered or PTI) on an auxiliary dolly or tow dolly is permissible.

b. Vehicle License Indicia—Foreign-Registered Vehicles. Vehicles which are registered in a foreign jurisdiction under the IRP will display the license plate issued by their base jurisdiction, which will bear the word “Apportioned.” No other external plates or indicia are required to be displayed.

NOTE: Sections 5200(a) and 4850.5 CVC, relating to the display of license plates, apply only to license plates issued by the DMV. Section 5202(a) CVC requires license plate(s) issued in any jurisdiction to be attached to the vehicle for which the

plates were issued. This section, unlike Section 5200 CVC, does not specify display requirements. Therefore, sound, professional judgement shall be used when enforcing the display of license plates of foreign-registered vehicles.

c. Registration Documents—California-Based Vehicles. California-based vehicles which are prorate- or apportion-registered may display any one of several different registration documents. The following information is provided to assist officers in recognizing the various documents issued by the DMV. California-based vehicles which are registered under prorate or the IRP will be issued a California apportioned cab card.

(1) Prior to January 1, 2015, a cab card issued to a power unit registered under the IRP only listed the IRP jurisdictions in which the vehicle may legally be operated, under the heading “Jurisdictional Weights,” and the declared gross weight (DGW). Under the Full Reciprocity Plan implemented on that date, the registrant does not have to indicate the jurisdictions in which they wish to operate; the cab card is issued with all the participating jurisdictions listed, as well as the DGW.

(2) The IRP allows based jurisdictions to issue electronic cab cards. This electronic cab card, or the traditional paper copy of the IRP cab card, is in compliance with Section 4454 CVC.

(3) All IRP, California-based vehicles have staggered registration. Expiration dates will be listed on the cab card.

d. Registration Documents—Foreign-Based Vehicles.

(1) Foreign-registered vehicles which are registered under the IRP will possess a cab card having the same format as California-based vehicles.

(a) Some states, such as Louisiana and Tennessee, enter the word “QUAL” as the DGW to indicate the vehicle is properly registered.

(b) Many foreign jurisdictions have converted to a staggered IRP registration system. Vehicles based in jurisdictions with staggered registration should have tabs on the license plates indicating the month and year of expiration.

(2) Foreign-registered vehicles which are registered under prorate registration will be issued a California IRP registration (cab) card and year tab. All prorate-registered vehicles are assigned a “Q” record number for record-keeping purposes only.

e. Temporary Registration Documents. Late additions to prorate- or apportion-registered fleets may display one of the following temporary registration documents to show that the vehicle has been registered as part of a fleet. These forms may be used by vehicles added to prorate- or IRP-registered fleets.

(1) REG 2126—California International Registration Plan Temporary Registration Authorization. This nonaccountable form is completed by the carrier or registration service when registering a vehicle(s) or adding a vehicle(s) to an existing fleet. The DMV validates the form and returns the copy to the carrier as proof of registration authority. The original is maintained by the DMV's IRP Unit.

(a) A copy must accompany each vehicle named on the form and must be visible if the vehicle is left unattended on a highway.

(b) The form is valid only if validated by the DMV.

(2) Nonresident Commercial Trip Permit. Commercial motor vehicles properly registered in another jurisdiction, but which are also required to register in California, may operate under the terms of a foreign commercial vehicle trip permit.

(a) The permit issued to a power unit is yellow in color (copy is green).

(b) The permit is valid for four consecutive days.

(c) The permit authorizes interstate or intrastate operation.

(d) To be valid, the permit must be properly completed and signed prior to operation on the highway.

(e) To prevent tampering or other misuse, the permit must be kept in a location inaccessible from the cab of the vehicle.

(f) The carrier's IFTA permit number must be shown on the form in order to be valid. (If the carrier has an IFTA permit, the operator should be given the opportunity to enter the number on the permit without the trip permit losing its validity.) If the carrier does not have an IFTA permit, the permit shall be invalid.

1 Suspected violations of IFTA regulations should be reported to the California Department of Tax and Fee Administration (CDTFA) via a memorandum forwarded through CVS.

2 A four-day fuel tax trip permit is available to carriers entering California on an irregular or first-time basis. This permit, if properly completed and displayed, complies with the CDTFA fuel tax reporting requirements, but does not affect registration requirements.

3 A permit may not be used for a vehicle which is primarily based at an address in California. Suspected violations should be reported to the DMV via a memorandum forwarded through CVS. Enforcement action is justified only if the officer can conclusively show the vehicle was primarily based in California during the registration year.

(3) A 90-Day Commercial Temporary Registration (Refer to Section 4004 of the California Vehicle Code). Commercial motor vehicles which are properly registered in another state, but are also required to be registered in California may, as an alternative to full California registration, obtain a 90-day Commercial Temporary Registration.

(4) Enforcement personnel may encounter vehicles being operated which are displaying a one-trip permit or a no-fee moving permit as described in Chapter 2, Evidence of California Registration, of this manual.

(5) A hunter's permit allows for the unladen operation of a CMV or combination of vehicles which were proportionately registered by a California resident. The permit is valid for 15 consecutive days and the California resident must provide proof of financial responsibility. A hunter's permit may not be used for any vehicle for which past registration fees and penalties are due per Section 4004.7 CVC.

10. INTERNATIONAL REGISTRATION PROGRAM REGISTRATION OPTION FOR OWNER-OPERATORS. As a general rule, when an owner-operator is under a long-term lease agreement, the vehicles must be registered in the name of the carrier (lessee). Under the IRP, an exception is allowed under specific circumstances that allows an owner-operator to retain the vehicle in their own name while leased to another carrier. This option applies only to an owner-operator based in an IRP state and leased to an operator in an IRP state. If the owner-operator elects to register under their name, the vehicle must have apportioned registration in their base state.

11. THE HOUSEHOLD GOODS INDUSTRY.

a. Household Goods Carriers. Household goods carriers represent a unique relationship between lessee and lessor. For this reason, when certain conditions are met, representatives of household goods carriers have been granted an

exemption under the IRP from the requirement that a vehicle which is permanently leased to a carrier must register in the name of the carrier.

b. Definitions.

(1) Household Goods. Pursuant to Title 49, Section 375.103, CFR, “household goods, as used in connection with transportation, means the personal effects or property used, or to be used, in a dwelling, when part of the equipment or supplies of the dwelling. Transportation of the household goods must be arranged and paid for by the individual shipper or by another individual on behalf of the shipper. Household goods includes property moving from a factory or store if purchased with the intent to use in a dwelling and transported at the request of the householder, who also pays the transportation charges.”

(2) Household Goods Carrier. A company in the business of transporting household goods as defined in this chapter. A carrier transporting items other than household goods is not entitled to any option or exemption.

(3) Household Goods Agent/Service Representative. A local business enterprise, subject to regional business license and tax requirements, who furnishes facilities and services, including a warehouse, motor vehicles, drivers, etc., under a contract or franchise agreement to a household goods carrier.

(4) Household Goods Owner/Operator. An owner/operator who leases long-term to a household goods carrier or household goods service agent.

c. Registration Requirements/Options.

(1) A household goods carrier using an apportionable vehicle leased from a service representative may elect the IRP base jurisdiction for such vehicle to be either that of the service representative or that of the household goods carrier.

(2) When a household goods carrier elects to register a vehicle in the base jurisdiction of the service representative, the vehicle shall be registered in the name of the service representative, with the name of the household goods carrier shown as the lessee.

(3) When a household goods carrier elects to register a vehicle in their base jurisdiction, the vehicle shall be registered in the name of the carrier, with the service representative shown as the lessor.

12. GREY MARKET VEHICLES.

- a. Grey Market Vehicles. Grey market vehicles are new or used vehicles manufactured outside the U.S., legally imported from another country through channels outside the manufacturer's official distribution system.
- b. Federal Safety Equipment Standards. Grey market vehicles, when initially imported, may or may not meet federal safety equipment and emissions standards, and may need to be modified after importation to comply.
- c. Certification Labels. Regulations adopted by the National Highway Traffic Safety Administration (NHTSA) contained in Title 49, Section 592.6(c), CFR, require certification labels be applied to grey market vehicles.

(1) The NHTSA is an agency within the USDOT charged with writing and enforcing safety, theft-resistance, and fuel-economy standards for motor vehicles. The NHTSA also licenses vehicle manufacturers and importers; allows or blocks the import of vehicles and safety-regulated vehicle parts; administers the vehicle ID number system; develops the anthropomorphic dummies used in safety testing, as well as the test protocols; and provides vehicle insurance cost information.

(2) If a valid certification label is missing from a grey market motor vehicle or trailer, departmental personnel should submit a memorandum to the nearest DMV Investigations Unit office with all relevant information pertaining to the vehicle and owner. Section 8800(a) CVC allows the DMV to revoke registration that was fraudulently or erroneously issued. Reciprocity agreements require, for enforcement or other purposes, that grey market vehicles legally registered in another state be treated as any other foreign-registered vehicle.

(3) A registered importer must certify that a vehicle conforms to Federal Motor Vehicle Safety Standards (FMVSS).

(4) Section 24011 CVC prohibits a dealer or person from offering for sale a vehicle that does not comply with federal standards.

NOTE: Some vehicles, based on their inherent design, cannot be modified to meet the FMVSS and are not eligible for importation. Refer to Title 49, CFR, Part 593, for further guidance.

- d. Registration Requirements. Grey market vehicles are subject to all registration requirements and exemptions as provided by the CVC.

(1) The DMV will not register grey market vehicles without the following documentation.

(a) Form REG 343, Application for Title or Registration.

(b) Vehicle verification.

(c) Foreign Titling Document. If the vehicle was not registered in the applicant's name, the foreign title must be properly endorsed by the owner(s) on the title.

(d) Evidence of Customs Clearance. United States Customs forms 7501, 4361, 6059, 3299, or 3311 stamped or endorsed by U.S. Customs and Border Protection.

(e) United States Department of Transportation Bond. The USDOT bond release letter issued by the NHTSA.

(f) Conformance Certificate. A Certificate of Conformance issued by a California Air Resources Board-licensed laboratory or, if a heavy-duty diesel truck, by the U.S. Environmental Protection Agency.

(g) Weight Certificate. A weight certificate identifying a vehicle's unladen weight.

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ANNEX A

COMMERCIAL VEHICLE RECIPROCAL AGREEMENTS

| Jurisdiction | Commercial Vehicles | Authorized Movements of Two-Axle Commercial Vehicles Less than 26,001 Pounds GVW Not Registered with the IRP (No fees due to California) | | | IRP Apportioned Registration | | |
|----------------------|-----------------------|--|-------|-------------|------------------------------|--------------|-------------------|
| | Reciprocity Agreement | Inter | Intra | Inter/Intra | Expiration Dates | Grace Period | Enforcement Dates |
| ALABAMA | IRP | Yes | No | No | Staggered | None | Monthly |
| *ALASKA | None* | No | No | No | None | None | None |
| ALBERTA | IRP | Yes | No | No | 3/31 | 4/14 | 4/15 |
| *ARIZONA | IRP | * | No | No | Staggered | None | Expires Quarterly |
| *ARKANSAS | IRP | Yes | No | No | Staggered | None | Monthly |
| BRITISH COLUMBIA | IRP | Yes | No | No | Staggered | None | Monthly |
| COLORADO | IRP | Yes | No | No | Staggered | 30 days | Monthly |
| CONNECTICUT | IRP | Yes | No | No | Staggered | None | Monthly |
| DELAWARE | IRP | Yes | No | No | Staggered | None | 15 & 31 |
| DISTRICT OF COLUMBIA | IRP | Yes | No | No | Staggered | None | Monthly |
| FLORIDA | IRP | Yes | No | No | Staggered | None | Monthly |
| GEORGIA | IRP | Yes | No | No | Staggered | None | Monthly |
| *HAWAII | Reciprocity | * | * | * | None | None | None |
| IDAHO | IRP | Yes | No | No | Staggered | None | Monthly |
| ILLINOIS | IRP | Yes | No | No | 3/31 | None | 4/1 |
| INDIANA | IRP | Yes | No | No | Staggered | None | Monthly |
| IOWA | IRP | Yes | No | No | 12/31 | 3/14 | 3/15 |
| KANSAS | IRP | Yes | No | No | 12/31 | 3/1 | 3/2 |
| KENTUCKY | IRP | Yes | No | No | Staggered | None | Monthly |
| LOUISIANA | IRP | Yes | No | No | 12/31 | 2/28 | 3/1 |
| MAINE | IRP | Yes | No | No | Staggered | None | Monthly |
| MANITOBA | IRP | Yes | No | No | Staggered | None | Monthly |
| MARYLAND | IRP | Yes | No | No | Staggered | None | Expires Quarterly |
| MASSACHUSETTS | IRP | Yes | No | No | 6/30 | None | 7/1 |
| *MEXICO | None | No | No | No | None | None | None |
| *MICHIGAN | IRP | Yes | No | No | Staggered | None | Expires Quarterly |
| MINNESOTA | IRP | Yes | No | No | 2/28 | None | 3/2 |
| MISSISSIPPI | IRP | Yes | No | No | Staggered | 15 days | Monthly |
| MISSOURI | IRP | Yes | No | No | Staggered | None | Expires Quarterly |
| MONTANA | IRP | Yes | No | No | Staggered | None | Expires Quarterly |

ANNEX A

COMMERCIAL VEHICLE RECIPROCAL AGREEMENTS *(continued)*

| Jurisdiction | Commercial Vehicles | Authorized Movements of Two-Axle Commercial Vehicles Less Than 26,001 Pounds GVW Not Registered with the IRP (No fees due to California) | | | IRP Apportioned Registration | | |
|----------------------|-----------------------|--|-------|-------------|------------------------------|--------------|-------------------|
| | Reciprocity Agreement | Inter | Intra | Inter/Intra | Expiration Dates | Grace Period | Enforcement Dates |
| NEBRASKA | IRP | Yes | No | No | 12/31 | 1/31 | 2/1 |
| *NEVADA | IRP | * | No | No | 12/31 | None | 1/1 |
| NEW BRUNSWICK | IRP | Yes | No | No | Staggered | None | Monthly |
| NEWFOUNDLAND | IRP | No | No | No | Staggered | Monthly | None |
| NEW HAMPSHIRE | IRP | Yes | No | No | Staggered | None | Monthly |
| NEW JERSEY | IRP | Yes | No | No | Staggered | None | Monthly |
| NEW MEXICO | IRP | Yes | No | No | Staggered | None | Monthly |
| NEW YORK | IRP | Yes | No | No | Staggered | None | Monthly |
| NORTH CAROLINA | IRP | Yes | No | No | 12/31 | 2/15 | 2/16 |
| NORTH DAKOTA | IRP | Yes | No | No | Staggered | None | Expires Quarterly |
| NOVA SCOTIA | IRP | Yes | No | No | Staggered | None | None |
| OHIO | IRP | Yes | No | No | Staggered | None | None |
| OKLAHOMA | IRP | Yes | No | No | Staggered | 60 Days | 60 Days |
| ONTARIO | IRP | Yes | No | No | Staggered | None | Monthly |
| OREGON | IRP | Yes | No | No | 12/31 | 3/15 | 3/16 |
| PENNSYLVANIA | IRP | Yes | No | No | 5/31 | None | 6/1 |
| PRINCE EDWARD ISLAND | IRP | Yes | No | No | Staggered | None | Monthly |
| QUEBEC | IRP | Yes | No | No | 3/31 | None | 4/1 |
| RHODE ISLAND | IRP | Yes | No | No | 5/31 | None | 6/1 |
| SASKATCHEWAN | IRP | Yes | No | No | 12/31 | None | Monthly |
| SOUTH CAROLINA | IRP | Yes | No | No | Staggered | None | Monthly |
| SOUTH DAKOTA | IRP | Yes | No | No | Staggered Quarterly | None | Expires Quarterly |
| TENNESSEE | IRP | Yes | No | No | Staggered | None | Monthly |
| *TEXAS | IRP | Yes | No | No | Staggered* | 5 Days* | Monthly |
| UTAH | IRP | | No | No | Staggered | None | Expires Quarterly |
| VERMONT | IRP | No | No | No | Staggered | None | Monthly |
| VIRGINIA | IRP | Yes | No | No | Staggered | None | Monthly |
| WASHINGTON | IRP | Yes | No | No | Staggered | None | Monthly |
| WEST VIRGINIA | IRP | Yes | No | No | 6/30 | None | 7/1 |
| WISCONSIN | IRP | Yes | No | No | Staggered | None | Monthly |
| WYOMING | IRP | Yes | No | No | 12/31 | 3/31 | 4/1 |

ANNEX A

COMMERCIAL VEHICLE RECIPROCAL AGREEMENTS (*continued*)

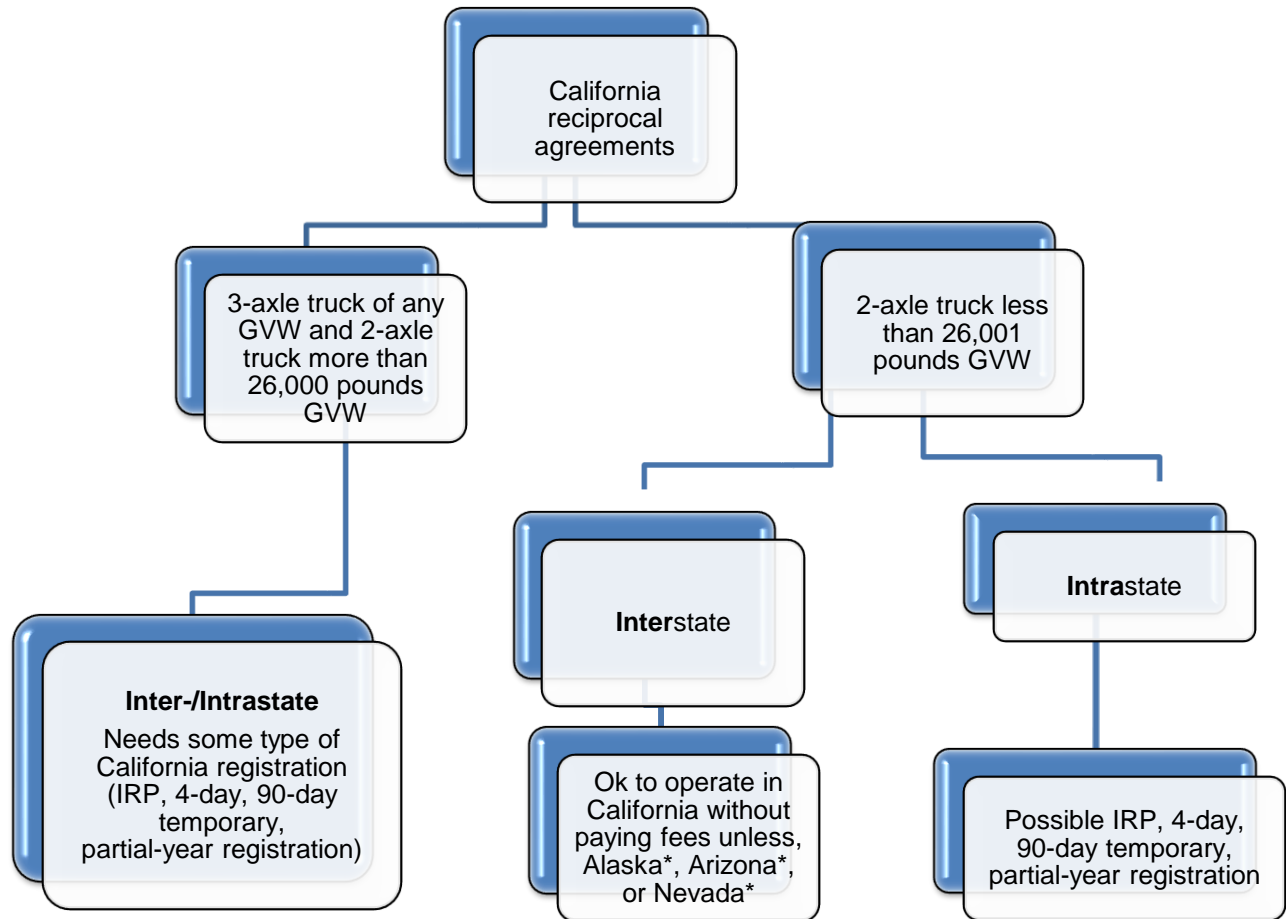
*Specific Agreement details:

| | |
|----------|---|
| Alaska | With the exception of trailers and semitrailers, a commercial vehicle of 6,000 pounds or more is not extended interstate reciprocity. Vehicles with Alaska-based plates are not eligible for prorate registration in California. These vehicles may be issued a commercial trip permit or 90-day temporary commercial registration. These vehicles must display full-year registration. |
| Arizona | A commercial vehicle operated inter- or intrastate to further a business enterprise is required to display some form of registration. A commercial vehicle displaying Arizona noncommercial plates will be extended reciprocity, but is subject to the provisions of Sections 6700–6702 CVC. Refer to the Border Zone Agreement in Annex C for additional information regarding vehicles registered in Arizona. |
| Arkansas | A commercial vehicle displaying Arkansas noncommercial plates will be extended reciprocity, but is subject to the provisions of Sections 6700–6702 CVC. |
| Hawaii | Inter- or intrastate operation is permitted for 90 days after entry. If applicable, Sections 6700–6702 CVC apply. |
| Mexico | A trailer or semitrailer displaying a valid Mexico license plate is not required to be registered in California. Any trailer or semitrailer displaying an expired Mexico license plate is subject to the full fees specified in Section 5014.1 CVC. |
| Michigan | Civic-event plates are issued to be used in conjunction with community events. These plates are considered valid indicia in California and no grace periods are authorized after they expire. |
| Nevada | Commercial motor vehicles with a GVW of 10,001 pounds or greater must pay some form of registration fees to California (e.g., trip permit, IRP) prior to traveling in or through California. |
| Texas | Upon expiration, Texas allows a five working-day registration grace period. |

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ANNEX B

COMMERCIAL VEHICLE RECIPROCAL FLOW CHART



*Alaska-based vehicles, except for trailers with valid registration, do not have registration reciprocity with California. They are not eligible for partial-year registration, but may purchase full-year California registration, a four-day trip permit, or a 90-day temporary registration.

*Arizona has a border zone agreement within a 25-mile radius from the border zones of California and Arizona for inter- and intrastate operations.

*Nevada-based vehicles with a GVW of 10,001 pounds or more must pay some form of registration fees to California (trip permit or IRP).

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ANNEX C

BORDER ZONE AGREEMENT

BORDER ZONE AGREEMENT. California entered into border zone agreements (BZA) with the states of Arizona (1968), Nevada (1968), and Oregon (1968). The BZA with Nevada and Oregon were rescinded on July 1, 1985.

PURPOSE OF THE AGREEMENT. The agreement with Arizona was entered into for the purpose of relieving the owners or operators of certain specified vehicles from burdensome and unnecessary restrictions upon inter- and intrastate movement within the border zones of California and Arizona.

The California Reciprocity Commission and the State of Arizona have agreed that full reciprocity will be granted to properly licensed commercial vehicles of either state within a 25-mile radius of the California-Arizona border.

Arizona CMVs may operate in California in the 25-mile zone adjacent to Arizona on an inter- or intrastate basis without securing California registration or a permit, provided they are:

1. Currently registered in Arizona.
 - a. During Arizona's grace period of January 1 through February 28 (or 29), vehicles with the previous year's registration will be considered currently registered.
2. Based within the California-Arizona border zone.
3. Not transporting passengers or property for-hire. (Ambulances and tow trucks are not considered to be operating for-hire.)
4. Not used in a place of business of the owner, other than in Arizona.

Arizona CMVs not meeting the above-outlined provisions may not be operated in California unless California registration or an appropriate permit is secured. A vehicle or a combination of vehicles with a GVW of 26,001 pounds or more does not fall within the provisions of this BZA.

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