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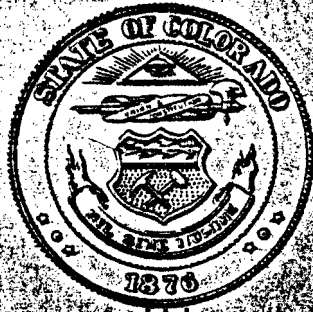
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0011-1a Ports of Entry in Colorado, Part I



LEGISLATIVE COUNCIL

REPORT TO THE

COLORADO GENERAL ASSEMBLY

PORTS OF ENTRY
IN COLORADO

PART I

RESEARCH PUBLICATION NO. 11

1954

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The Legislative Council, which is composed of five Senators, six Representatives and the presiding officers of the two houses, serves as a continuing research agency for the legislature through the maintenance of a trained staff. Between sessions, research activities are concentrated on the study of relatively broad problems formally proposed by legislators and the publication and distribution of factual reports to aid in their solution. During the session the emphasis is on supplying legislators on individual request with personal memoranda providing them with information needed to handle their own legislative problems. Reports and memoranda both give pertinent data in form of facts, figures, arguments and alternatives without these involving definite recommendations for action. Fixing upon definite policies is, however, facilitated by the facts provided and the form in which they are presented.

*Resigned

PORTS OF ENTRY IN COLORADO

PART I

Colorado Legislative Council
Research Report No. 11
December, 1954

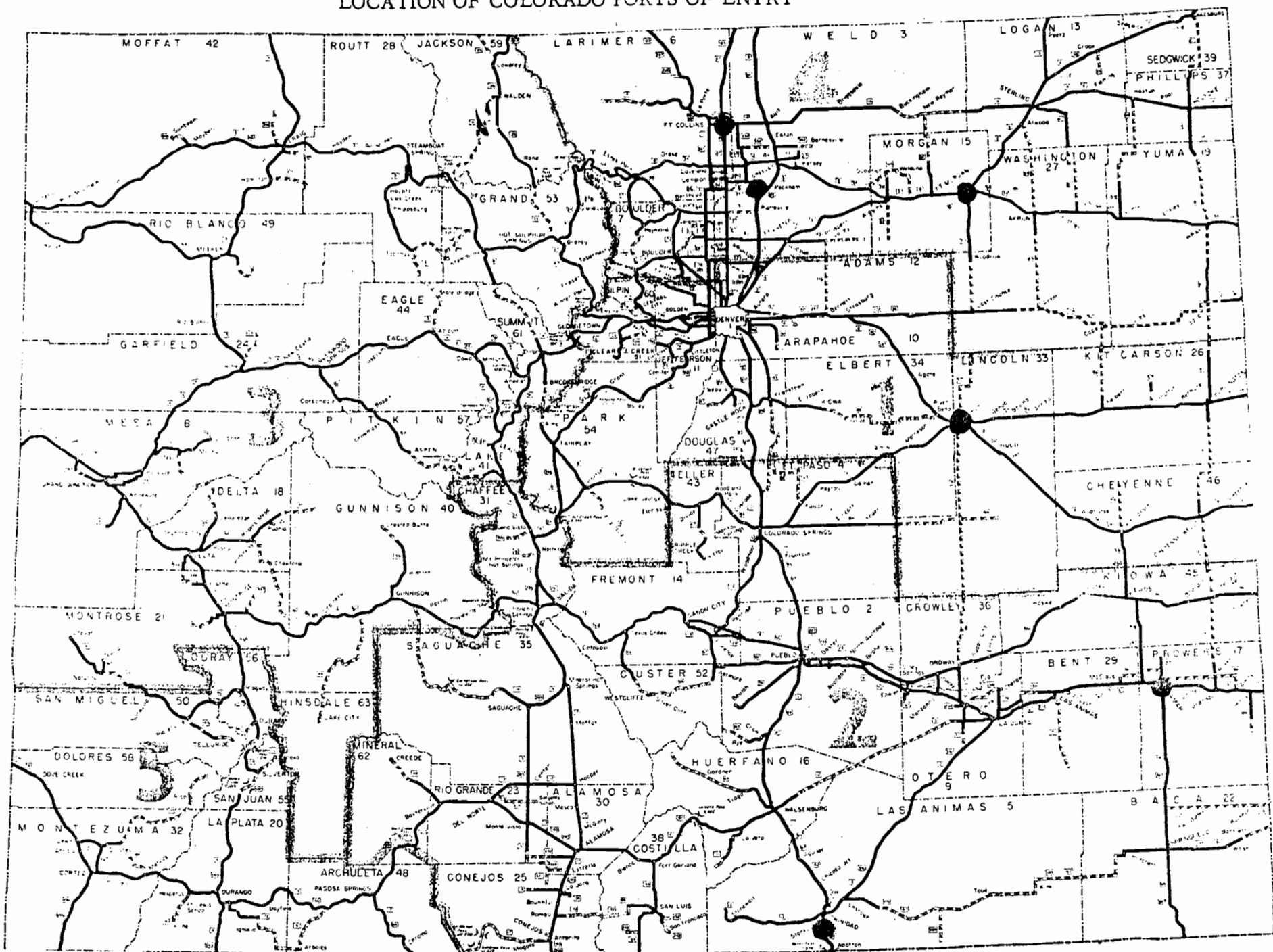
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LOCATION OF COLORADO PORTS OF ENTRY



FOREWORD

This study was undertaken by the Legislative Council as a result of the passage of House Resolution No. 5, 39th General Assembly, regular session, 1954). A copy of the resolution follows.

Whereas, The various ports of entry throughout the state are located at a considerable distance from the state lines, thus making collections at said ports most difficult; and

Whereas, It has become apparent that a study as to the feasibility of locating the ports of entry on or near the state lines to enable better collections is necessary; now, therefore,

Be It Resolved by the House of Representatives of the Thirty-ninth General Assembly, in Second Regular Session now convened.

That the Legislative Council is hereby directed to make a thorough investigation and survey of the port of entry situation in the state with a view to studying the feasibility of locating the ports on the state lines so that better collections may be made; said study should be directed also to determining which state department should be in charge of and administer the ports of entry and the possibility of interstate agreements, so as to operate such ports jointly. The Council shall report its findings and recommendations thereon to the First Regular Session of the Fortieth General Assembly; and,

Be It Further Resolved, That a copy of this Resolution be transmitted to the director of the Legislative Council.

The resolution limited the study to the operation of the Ports of entry in Colorado. This study therefore does not discuss the relative merits of

different methods of highway user taxation. Detailed studies of highway finance fall within the province of such groups as the Long Range Highway Planning Committee. This survey is therefore a study of enforcement problems as they relate to the operation of the Ports of Entry. It is the judgment of the subcommittee of the Legislative Council, under whose direction this survey was prepared, that a port of entry system is required regardless of the type of highway user taxes levied.

The study staff contacted each of the 47 other states about their port of entry programs. Replies were received from 44 states. Thirty-seven had some sort of truck weighing or port of entry program. While all of these states did not call these operations "port of entry," they performed to a greater or less degree the functions of a port. It is significant that of the states having ports only a limited number have the so-called third structure taxes in any form. When this survey refers to Ports of Entry it therefore means any formal system wherein highway users are checked for compliance with taxation and other carrier regulations.

This survey will be published in two parts. The following pages consist of the first part of the survey -- a general description of the enforcement procedures in Colorado statute, an evaluation of these procedures including a preliminary analysis of the results of a comprehensive, 24-hour check of all truck traffic in the state, and a summary of the Ports of entry programs in the 44 states replying to the Legislative Council questionnaire.

Some explanation should be made of the 24-hour road block which was carried on by the State Highway Patrol at the request of the Legislative Council. The sub-committee investigating the Port of Entry program concluded

in May, after hearing testimony from a number of people, that no reliable and accurate information existed on the actual number of trucks using the highways within a 24-hour period, and no reliable estimates of revenue loss could therefore be made. Accordingly it was decided to ask the State Patrol to make a comprehensive 24-hour road check of all truck traffic in the state. Chief Carrel and Deputy Chief Cole of the Patrol were extremely cooperative in this effort. Appreciation must also be expressed to Captains E. A. Beaver and S. W. Hendrick as well as all of the district captains and individual patrolmen for their cooperation and accuracy in making the check.

In order to arrive at the desired information, the Legislative Council staff devised a questionnaire which was evaluated by the State Patrol, the Revenue Department and the Public Utilities Commission. Along with this questionnaire went detailed instructions as to how it should be filled out, and the staff member responsible for this study met with all of the district captains of the State Patrol in a detailed explanation of the questionnaire and its purposes.

To avoid duplication insofar as possible, the checks were staggered both as to days and hours. No point was checked for 24 hours consecutively. Instead, the checks were spread over a period of several weeks at varied hours. Over 30,000 trucks were checked in a 24-hour period. About half of these were empty, and about 12,000 were subject to ton-mile taxation under the laws existing at the time. When the results of this block are fully evaluated, the General Assembly will have an accurate picture of where the truck traffic is within the state, where it comes from, where it is going, and a number of other items of information which may prove helpful in reorienting the Port of Entry program.

This study was prepared by Harry S. Allen, Senior Research Analyst of the Council, under the direction of a special subcommittee consisting of Representative Ted Parsons, Chairman, Representative A. W. Hewett, Representative Bill Yersin, Representative Walter Stalker, and Representative Arthur Wyatt.

The cooperation of the Patrol, individually and collectively, the State Public Utilities Commission, Department of Revenue, Department of Agriculture, the Colorado Motor Carriers Association, and all those who testified before the sub-committee is gratefully acknowledged.

HIGHLIGHTS

	<u>Page</u>
Against the total delinquencies of ^{\$} 39,922 there were deposits on file of \$7,947, or less than 20 percent of the amount due the state in ton-mile taxes.	4
Ports of Entry were started in Kansas in 1933 and since that time have been adopted by 38 states (including Colorado) without regard to tax structure.	8
During 1953 the state patrol, in its truck contact program checked 157,000 trucks at the Ports of Entry and an additional 81,000 in its individual patrol contacts. This makes a total of 238,000 contacts made in 1953.	8
Colorado has the least number of ports of entry of any of the bordering states. Wyoming for example has 9 permanent stations, 3 more than Colorado, and 35 patrolmen assigned to the operation of mobile units throughout the state.	9
In New Mexico, Nebraska, Kansas and Arizona the ports of entry or truck-weighing stations are all operated on a 24-hour 7 day a week basis on annual budgets ranging from \$179,000 for the 33 Nebraska ports, to \$719,000 for the 73 Kansas ports.	9
30,000 trucks were checked in a 24 hour period by the Highway Patrol as against the estimates given to the Council Subcommittee of a maximum of 10,000 trucks per day, and probably the figure was closer to 7,000.	15
On the basis of approximately 12,000 loaded vehicles subject to taxation in a 24 hour period, there are approximately 4,380,000 vehicle trips a year. On the basis of preliminary evaluation of the data secured in the recent road block, about 5% of truck trips are therefore cleared either at a Port of Entry or through a state patrol contact.	15
Preliminary evaluation of the questionnaire indicates that the present port program is not only understaffed as to present ports, but there are not enough ports to handle the volume of the traffic and the geographic dispersion.	17
43% of the accounts registered with the P.U.C. according to a survey made by the Colorado Motor Carriers Association paid ton-mile taxes of less than \$11.00 a year.	19
...only three states use the border of the states as the sole determining factor in locating a port or weighing station while 21 states, or nearly two-thirds of those having truck weighing, locate their ports through a combination of methods. The usual factors considered in locating the ports are the junctions of major highways or the edge of major trucking areas.	30

HIGHLIGHTS (continued)

	<u>Page</u>
The suggestion has been made that Colorado resort to mobile ports of entry only. Only four states use this method, but 21 states, or again nearly two-thirds of the total having ports, rely on both mobile and stationary devices.	30
Preliminary estimates indicate that about 20 additional stationary ports, all equipped with scales, and perhaps the same number of mobile ports, equipped with loadmeters, will be required to adequately enforce Colorado taxation and other carrier regulations.	51
...it is recommended that the Ports of Entry be transferred to the Revenue Department for Administration.	52
In order to provide for closer liaison between the Revenue Department and the State Patrol it is recommended that legislative consideration be given to replacing the Secretary of State with the Director of Revenue on the State Patrol Board.	52
Correspondence between the Legislative Council and those responsible for administering Ports of Entry programs in states bordering Colorado indicates that there is a possibility that in some places joint operation of Ports of Entry are possible.	53

State Claims Trucks Evade \$1 Million Taxes

Colorado's port of entry system was blasted Saturday as a "too little and too late" operation allowing truckers to evade payment of at least \$1 million a year in highway use and fuel taxes.

A report prepared by the Legislative Council called for addition of 20 permanent ports of entry and 20 mobile ports to Colorado's present truck-checking system.

The state now operates only

six ports -- some of which are closed as long as 18 hours at a time. Others don't have scales to check truck weights.

\$2 MILLION IN WYOMING

Council members estimate only from five to 10 percent of the state's truck traffic is checked by ports of entry or the State Patrol.

Wyoming, with a 24-hour-a-day port system, collects more than \$2 million a year in motor carrier taxes through the ports, the report said.

Colorado's ports last year collected approximately \$100,000.

24-HOUR CHECK

Council members based their estimate on a 24-hour check of truck traffic in different parts of the state during which drivers were stopped and detailed questionnaires were filled out.

Enough brief roadblocks were set up at varying hours and locations to obtain a full 24-hour check period. The investigation revealed:

1. More than 30,000 trucks were on the road in the 24-hour period—400 to 600 percent more than truck traffic estimates of state officials.

2. Approximately 12,000 of the 30,000 were subject to the self-assessed ton-mile tax, said to be widely evaded in Colorado.

3. Truck traffic volume remains virtually uniform at all hours except between midnight and 5 a.m.

NO PORTS OF ENTRY

4. Very heavy truck traffic was found on the Western Slope -- where there are no ports of entry.

5. Large numbers of trucks in Eastern Colorado were found on secondary roads which bypass ports of entry.

The Legislative Council's report incorporates part of a 1951 study made by the Colorado Motor Carriers Assn. It shows that more than 17 percent of 6887 trucking companies in the state at that time had paid no ton-mile taxes during that year.

An additional 26 percent of the truckers paid 1951 ton-mile taxes of less than \$11. Thus nearly half of the state's truckers paid less

than \$11 in weight-distance taxes that year.

Council members also hit at inadequacies of regulation requiring truckers to post deposits to insure payment of ton-mile taxes. A check of State Public Utilities Commission records revealed deposits of only \$7947 against accounts with delinquencies totaling \$39,922—less than 20 percent.

More than \$19,000 of the delinquencies were those of out-of-state carriers, meaning collections are remote unless their trucks pass through a port of entry.

The Council quoted the supervisor of a large gasoline transport firm as saying truck tax evasion is "common knowledge among truckers."

They quoted a driver supervisor for a large inter-state trucking company—who was also unnamed—as saying he drives through Ft. Collins six times a week.

In three years he was not once checked at a port of entry.



The tie that binds
(If it's a gift),
Bought hastily
Can cause a rift.

News 12-5-57

CHAPTER I

MOTOR CARRIER TAX ENFORCEMENT PROCEDURES IN COLORADO

Enforcement of motor carrier taxes in Colorado is diffused among three agencies: the State Highway Patrol, the Public Utilities Commission, and the Department of Revenue. Prior to the passage of House Bill 9 (1954 Regular Session), the Public Utilities Commission and the Highway Patrol had the principle enforcement functions, the Revenue Department acting solely as a collecting agency. After January 1, 1955, however, the role of the P.U.C. will diminish as all reports by trucking companies will then be made directly to the Revenue Department instead of to the P.U.C. for certification to the Revenue Department for collection. The P.U.C. function after January 1, 1955, will be confined principally to certification and licensing of motor carriers and enforcement of non-revenue regulations. However, except for the transfer of functions from the P.U.C. to the Revenue Department, House Bill 9 did not alter the basic statutory provisions under which collection of motor carrier taxes are enforced. The new law of course changed the tax from a net ton mile basis to a gross ton mile base and made other such significant changes, such as putting the tax on a self-assessed basis, but enforcement provisions remain basically the same under both the existing legislation as well as the law which takes effect January 1, 1955.

A comparison of the principle enforcement features of the present law and House Bill 9 follows:

TABLE I

COMPARISON OF PRINCIPLE ENFORCEMENT FEATURES OF
TON-MILE TAXES BEFORE AND AFTER PASSAGE OF
H. B. 9 (1954)

	<u>Prior to H.B. 9</u>	<u>After H.B. 9</u>
1. Certification of Carriers	P.U.C.	P.U.C.
2. Auditing of Company records for tax purposes	P.U.C.	Revenue Dept.
3. Size of Deposit	\$10.00, maximum of 1-1/2 estimated monthly tax	\$10.00 minimum, maximum of 1-1/2 estimated monthly tax
4. Penalty for fraudulent filing of report	50% of tax due	50% of tax due
5. Computation of tax	P.U.C.	Carriers
6. Penalty for evasion	P.U.C. could order trucks impounded until taxes paid	Revenue Department can order impoundment until taxes paid
7. Agency with whom taxes are filed	P.U.C.	Revenue Dept.
8. Port of Entry	Patrol	Patrol
9. Receive Patrol and Port of Entry reports	P.U.C.	Revenue Dept.

In addition to the enforcement of motor carrier taxes by the three previously mentioned agencies the state Department of Agriculture maintains a 12 man inspection team to enforce regulations pertaining to agricultural products. The role of each of the agencies involved in the collection of motor carrier taxes (excepting fuel taxes) is as follows.

PUBLIC UTILITIES COMMISSION

Under the statutes in force at the time of preparation of this study the overall responsibility for regulating motor carriers rested with the state Public Utilities Commission. Under the Motor Carriers act each carrier for whom P.U.C. license was required had to obtain the necessary certification from the Commission. Such certification, among other items, specified routes over which the carrier was to operate. All carriers except those engaged in private use (hauling one's own material for self use), farm or ranch vehicles or those operating solely within the limits of an incorporated city were exempt from the law. Licensing of vehicles by the P.U.C. provided the basic set of records from which ton-mile taxes could be checked. P.U.C. certification was required for all trucks regardless of the state of registry. H.B. 9 eliminated the certification of commercial carriers.

REPORTS

Once licensed by the P.U.C. the carriers are required under the law to report monthly to the Commission on each trip. Such reports were required to list the trip origin and destination and miles travelled in Colorado as well as the weight carried. On the basis of such reports the P.U.C. computed the taxes due and certified the tax roll to the Revenue Department for collection.

DEPOSITS REQUIRED

Under the law prior to House Bill 9 and under House Bill 9 as well, carriers are required to post a minimum \$10.00 deposit and a maximum deposit not to exceed an estimated one and a half months ton-mile taxes.

These deposits were required at the time of certification. Examination of the records indicates however that the statutory deposit is not sufficient to insure compliance with tax paying requirements.

In order to test the effectiveness of the deposit, Department of Revenue Bulletin Number 7, dated November 17, 1953, "Delinquent P. U. C. Accounts" was examined. This is a sample of a periodic report prepared by the Revenue Department which certifies the tax delinquencies on the rolls which have previously been certified by the Public Utilities Commission. These amounts represent taxes as computed from either carrier reports or port of entry or patrol contacts, and do not take into consideration such taxes as may be due on unreported and undetected hauls within the state.

The total delinquencies on the above stated lists totalled \$39,922. Most of the accounts were delinquent within the year 1953, but some accounts were for taxes due three years or more. Against the total delinquencies there were deposits on file of \$7,947, or less than 20 percent of the amount due the state in ton-mile taxes. In many of the accounts the complete deposit had already been forfeited but there were still taxes due. The bulletin showed more than \$5,000 was delinquent in accounts for which the entire deposit had already been forfeited.

The inadequacy of the deposit is brought into sharper focus by the fact that nearly half of the total past due accounts are from non-Colorado registered companies. More than \$19,000 of the total delinquencies was due from carriers not having the vehicles registered in the state. Unless these carriers pass through a Colorado Port of Entry on a subsequent trip or are stopped on a routine Highway Patrol contact, the likelihood of these

taxes being paid seems remote. The following table shows the state of origin of the non-Colorado delinquent accounts:

TABLE 2

DISTRIBUTION OF DELINQUENT P. U. C. ACCOUNTS
BY STATES

<u>State</u>	<u>Number of Delinquent Accounts</u>	<u>Percent of Total</u>
Texas	33	23.7
Nebraska	28	20.0
Kansas	23	16.5
New Mexico	19	13.7
Utah	11	7.9
Wyoming	6	4.4
Oklahoma	6	4.4
Missouri	5	2.9
All Other	9	6.5
Totals:	140	100.00

ENFORCEMENT

Until January 1, 1955, the Public Utilities Commission has some responsibility for enforcing the payment of the net ton-mile tax. The P.U.C. has statutory authority to audit the books of carriers, to order the arrest of carrier operators who wilfully violate the provisions of the act, and to distrain vehicles for payment of all taxes due. In addition the Commission has the authority to revoke the carriers certificates of necessity thus depriving it of the right to legally operate on the highways of the state.

The Commission also has the authority to ask any county attorney or the attorney general of the state to institute legal actions for violations of the motor carriers act, and the statute requires such persons to take immediate action upon request of the Commission. On the basis of statu-

tory authority, the enforcement powers in the hands of the Commission seem adequate. Indeed, they compare favorably with the enforcement provisions in the statutes of other states with regard to collection of motor carrier taxes. The Commission also has the authority, and does, charge carriers a 50 percent penalty for failure to report trips on their monthly report. The Commission also has the authority to make arbitrary assessments if the carriers fail to report trips.

To carry out its enforcement program the P.U.C. employs a staff of ten field auditors, which functions for all matters under the jurisdiction of the Commission. These ten auditors, as a matter of PUC policy, audit the records of all grain elevators within Colorado to insure compliance with P.U.C. regulations, and make spot audits of other types of haulers as time and administrative decisions dictate. About 85 such audits are made each month. In addition to the audit of records, the field staff of the commission make some visual inspection of trucks to determine compliance with tax and operating regulations.

REVENUE DEPARTMENT

Prior to House Bill 9 the Revenue Department acted solely as a collection agency for motor carrier taxes. The carriers made no reports of trips to the department, nor did the revenue department become involved in auditing the records or tax returns of the reporting carriers. The Department had no real place in the enforcing of the tax collections.

House Bill 9 transferred to the Revenue Department the auditing and report receiving functions formerly in the Public Utilities Commission. After

January 1, 1955, the carriers will make their monthly reports directly to the Department of Revenue, the Department will also acquire the right to inspect the records, to order impoundment of vehicles for failure to comply with the provisions of the act and all other enforcement provisions which were formerly in the Public Utilities Commission.

Presumably the Revenue Department will send copies of monthly reports to the P.U.C. so that that agency will be able to determine compliance with other sections of the motor carriers act which will still be within the province of the Commission. For example the P.U.C. will still have the obligation to maintain compliance with route approvals, type of haul, etc.

The Revenue Department is intending to act in enforcing the collection of ton-mile taxes principally through its field offices. A detailed manual of procedures which the Revenue Department is developing will be available in December.

Under House Bill 9, the ton-mile tax becomes a self-assessed tax rather than one which will be computed by the state. Prior to January 1, as has been previously indicated, the actual computation of the tax was made by the P.U.C. on the basis of trip reports filed by the carriers. After January 1, the carriers themselves will compute the tax and send payment at the time a report is filed.

Under the new procedures as approved by the 39th General Assembly, license fees may be payable quarterly rather than a year in advance. While this procedure is intended to provide some relief for the carriers whose fees will be relatively high, it does create some administrative problems. The

plates will be on a yearly basis, but the payments will be made quarterly. This problem is pointed out in passing merely to indicate some of the problems which arise in the administration of motor carrier taxes, regardless of type.

HIGHWAY PATROL AND PORTS OF ENTRY

The Port of Entry system and the individual patrol contacts constitute the key link in the enforcement of motor carrier taxes. Under the statutes the State Patrol is given the specific authority to set up a port of entry system, to stop trucks, and to generally enforce tax and other motor carrier regulations. House Bill 9 did not alter this situation. Ports of Entry were started in Kansas in 1933 and since that time have been adopted by 38 states (including Colorado) without regard to tax structure. Table 5 compares the states having Ports of Entry and those having the third structure taxes. During 1953 the state patrol, in its truck contact program checked 157,000 trucks at the Ports of Entry and an additional 81,000 in its individual patrol contacts. This makes a total of 238,000 contacts made in 1953.

The operation of the present Colorado ports program is however on a considerably smaller scale than is true in the bordering states as is pointed out in Chapter II of this study. At the present time there are six ports of entry in the state as follows:

- #1 4 miles east of Fort Collins on U.S. 87 (at traffic circle).
- #2 La Salle, 5 miles south of Greeley, U.S. 85 -- Denver to Cheyenne via Greeley.
- #3 Brush, east edge of junctions U.S. 6-34-138.
- #4 Limon, east edge of junctions U.S. 24-40-287.
- #5 Lamar, west edge of junction U.S. 50-287.
- #6 Trinidad, 5 miles south on U.S. 85-87.

Colorado has the least number of ports of entry of any of the bordering states. Wyoming for example has 9 permanent stations, 3 more than Colorado, and 35 patrolmen assigned to the operation of mobile units throughout the state. In addition, Wyoming follows the practice of all patrolmen reporting truck taxes direct to the P.U.C. without stopping the vehicle. The operating budget of the Wyoming port of entry program is approximately \$125,000 yearly, or 2-1/2 times the cost of the Colorado program in 1953. It may also be noted for example that, while the Colorado ports are sometimes closed for as long as 18 hours at a time, the Wyoming ports are open 7 days a week in all cases, and in 3 of the 9 ports are open 24 hours a day. Colorado ports are open on an average of 12 hours a day. Six of these ports/are open 7 days a week but only 18 hours a day.

In New Mexico, Nebraska, Kansas and Arizona the ports of entry or truck-weighing stations are all operated on a 24-hour 7 day a week basis on annual budgets ranging from \$179,000 for the 33 Nebraska ports, to \$719,000 for the 73 Kansas ports. The annual cost of the Colorado ports from 1946 to 1953 follows.

TABLE 3

ANNUAL COST OF INSPECTION STATIONS

	<u>1946</u>	<u>1947</u>	<u>1948</u>	<u>1949</u>	<u>1950</u>	<u>1951</u>	<u>1952</u>	<u>1953</u>	<u>Average</u>
	<u>1947</u>	<u>1948</u>	<u>1949</u>	<u>1950</u>	<u>1951</u>	<u>1952</u>	<u>1953</u>		
Salaries	44,642.55	50,742.82	52,259.74	56,733.77	52,365.34	54,279.09	43,405.33		50,632.66
Equipment	79.70	22.20	387.71	40.34	601.18				161.59
Travel Expense	753.62	826.25	799.66	741.30	1,058.25	975.45	653.20		829.68
Vehicular Expense	291.72		418.04	335.73	15.13				151.52
Office Expense	879.65	596.94	813.08	878.66	742.70	730.40	897.78		791.32
Maintenance	<u>1,864.34</u>	<u>2,010.48</u>	<u>2,158.56</u>	<u>1,879.68</u>	<u>3,304.34</u>	<u>1,809.57</u>	<u>2,219.97</u>		<u>2,178.13</u>
Totals:	<u>48,511.58</u>	<u>54,198.69</u>	<u>56,836.79</u>	<u>60,609.48</u>	<u>58,086.94</u>	<u>57,794.51</u>	<u>47,176.28</u>		<u>54,744.90</u>

After January 1, reports by carriers will be filed directly with the Department of Revenue rather than being first filed with the Public Utilities Commission, and then being certified by the P.U.C. to the Revenue Department for collection. Presumably, patrol contacts and port of entry contacts will then also be made directly to the Department of Revenue rather than to the P.U.C. The Public Utilities Commission will presumably receive a memorandum copy of reports filed by the motor carriers to check compliance with overall P.U.C. regulations governing route, places of operation, and other matters.

PERSONNEL AT PORTS

Personnel at the ports of entry are presently fully uniformed and fully qualified members of the State Highway Patrol, a practice which is not followed in many states. The ports of entry in a number of states are manned by civilian employes who have lower qualifications than those which exist for highway patrolmen. They are, in many cases, supervised by a highway patrolman. In those cases where the Highway Patrol is not the port of entry administrative body, there are, of course, no patrolmen connected with the program. It might be entirely feasible in Colorado to have the weigh clerks and other personnel at the ports of entry civilian employes and place them under the supervision of a highway patrolman. The precedent for this already exists in the State Highway Patrol where most of the radio technicians are civilian employes under the overall jurisdiction of the uniformed members of the Patrol.

SUMMARY

1. Enforcement of Motor Carrier Taxes, prior to passage of House Bill 9, (1954 regular session) was diffused between the State Patrol, the Public Utilities Commission, and to some extent the Revenue Department. House Bill 9 eliminated the Public Utilities Commission from the enforcement picture by transferring its enforcement role to the Revenue Department.
2. H. B. 9 did not basically alter the enforcement features of the motor carrier tax laws. The enforcement provisions transferred to the revenue department are the same as are now exercised by the Public Utilities Commission.
3. The statutory deposit of \$10.00 minimum and a maximum not to exceed one and one half-months ton mile taxes does not appear sufficient to guarantee tax payment.
4. The Colorado Port of Entry program is of much smaller scope than the programs in the border states. Wyoming, for example spends two and one half times the annual budget of the Colorado Ports and Kansas spends about 14 times the amount budgeted for the Colorado Ports.
5. Motor Carrier taxes, collected through the ports of entry, now average about \$2,000 to \$3,000 a month compared to previous averages of about \$5,000 a month.

CHAPTER II

ADEQUACY OF PRESENT PORT PROGRAM

The State Patrol, in cooperation with the Legislative Council conducted a complete 24 hour road block of all traffic in the state during the latter part of September and October. In a 24 hour period approximately 30,000 trucks were stopped. Of this number it appears that half were running empty. About 20% of the remainder were, on the basis of very preliminary examination, not subject to ton-mile taxation. This leaves about 12,000 trucks in a 24 hour period which seem to be subject to highway-use tax. Because the volume of this traffic was substantially greater than had originally been estimated, it is necessary to issue the detailed findings of this road check as a supplement to this report. At the time the supplemental report is ready, which should be in early January, at the time the General Assembly convenes, there will be specific information on the following subjects:

- a. point of origin of Colorado traffic
- b. destination
- c. location of greatest volume of traffic
- d. percentage of trucks which clear a Colorado Port of Entry
- e. time of day trucks operate on Colorado Highways
- f. type of cargo
- g. weight distribution (weight classes were very broad ones. As a result of detailed findings as to weight in a previous study made by the University of Denver, it was not felt necessary to go into this field again. The questionnaire used by the Patrol required about 3 minutes per truck to fill out -- a more detailed one would have spread the check-out for a longer

period of time and caused considerable inconvenience to the industry.

- h. state of registry
- i. percentage registered with the P.U.C.

At the time all of the questionnaires are tabulated a detailed answer will be available to a number of questions relating to the operation of the Ports of Entry, and the amount of revenue which the State of Colorado may be losing in its present operation.

Testimony presented to the Legislative Council Subcommittee which has been studying the problem, indicates however that the present port program consisting of six ports of entry is inadequate. Such testimony was presented by representatives of the Trucking Industry, state agencies responsible for the operation of the ports and the taxation of trucks, and competent observers, familiar with the field.

A driver supervisor for one of the larger inter-state trucking firms appeared before the Legislative Council subcommittee in May, 1954. He testified that he makes an average of six trips a week which carry him through the Fort Collins area (3 round trips). In the past three years this driver reported that he had never been checked in a port of entry. In 13 years he has been checked by P.U.C. inspectors once, and about four times by the State Patrol.

The safety supervisor of a large gasoline transport firm testified, "Evasion of Colorado Ports and highway use taxes is common knowledge among truckers." This same person estimated that a minimum of 25% of truck operators do not clear through a Colorado port or pay highway use taxes. It was estimated by the same trucking company official that as a

comparison, evasion in Wyoming was less than 10%.

NUMBER OF TRUCKS

Some additional idea of the inadequacy of information on the movement of truck traffic may be had from the fact that over 30,000 trucks were checked in a 24 hour period by the Highway Patrol as against the estimates given to the Council Subcommittee of a maximum of 10,000 trucks per day, and probably the figure was closer to 7,000. In other words the estimates of those who were in the best position to know what the volume of truck traffic was, were off by from 400 to 600 percent.

PORT CLEARANCES

In this connection it should be pointed out that in 1953 157,000 trucks cleared through Colorado Ports of Entry. Another 81,000 trucks were contacted by the State Patrol, outside of the Ports. This makes a total of 238,000 contacts which were made in 1953. On the basis of approximately 12,000 loaded vehicles subject to taxation in a 24 hour period, there are approximately 4,380,000 vehicle-trips a year. On the basis of preliminary evaluation of the data secured in the recent road block, about 5% of truck trips are therefore cleared either at a Port of Entry or through a state patrol contact.

STAFFING AT PORTS

There is little question that the present ports are seriously under-staffed. Chief Carrel of the State Patrol, testifying before the Council subcommittee, said, "It was originally intended that all ports should be operated on a full time basis with full crews; but for the past several years, due to personnel problems, these ports have been closed more than one-third of the time. On the subject of

making routine contact by the members of the patrol, Chief Carrel offered this comment, "The first and most important duty of the patrol is that of regulating traffic --- leaving all other problems as secondary and making contacts only when they have nothing else to do." The committee would concur in this observation by the head of the state patrol.

HOURS OF OPERATION

Some indication of the hours at which the Ports of Entry are operated may be gained from the schedules of the ports for selected weeks. Port one which is located 4 miles east of Fort Collins on U.S. 87 was operated from 8 A.M. to midnight during the period September 27 through October 25, 1954. On two of the seven days there was only one man, on five days there were two men at the port. Station 2 located at La Salle, 5 miles south of Greeley on U.S. 85 was operated during the week of October 18 on the following schedule: 9:00 A.M. to 5:00 P.M. on Monday; 3:00 P.M. to 11:00 P.M. on Tuesday; 1:00 P.M. to 9:00 P.M. on Wednesday. Thursday the Port was closed. The final three days of the week the port was operated for eight hours a day only. Station number 3 was operated in October from 8:00 A.M. to midnight every day. Station number 4 was operated between October 11 and October 17, on alternate 8 hour shifts, and was closed one day of the week. Station number 5 was during the first fifteen days of October operated every day of the week from 7:00 A.M. to 11.00 P.M. Station number 6, during the first fifteen days of October operated on alternate sixteen hour shifts from 8:00 A.M. to midnight and was closed each Tuesday.

Preliminary evaluation of the data from the Road check conducted by the Patrol at the requested of the council indicates that truck traffic is virtually

uniform in its volume at all hours of the day except the early morning hours from midnight to about 5:00 A.M. Operation of the Ports at irregular hours would therefore miss a substantial amount of truck traffic even of those trucks, which would normally clear a port. A complete analysis of the time of truck traffic in relation to the hours of operation of the Ports will be presented in the supplement to this report.

LOCATION OF PORTS

Preliminary evaluation of the questionnaire indicates that the present port program is not only understaffed as to present ports, but there are not enough ports to handle the volume of the traffic and the geographic dispersion. The present port program is virtually, "too little and too late." For example there are no ports of entry at all in the western part of the state, yet the road checks indicate very heavy traffic in this area. The road block at Edwards on U.S. 6 was one of the largest counts in the state. There is no Port on U.S. 6 leading out of Denver going west. Similarly significantly large numbers of trucks were stopped at other western slope points such as near Rifle in Garfield County, Grand Junction in Mesa County and Naturita in Montrose County. On the eastern part of the state a large number of trucks were checked on state highways and secondary roads over which it is possible to travel without clearing a port of entry on the U.S. numbered highways. These results are of course preliminary, but it is not felt that the final analysis will do more than firmly establish the fact that the present port of entry program is not large enough to contact more than a small percentage of the trucks operating on the Colorado Highways.

ESTIMATES OF REVENUE LOSS

A more accurate estimate of the amount of revenue the State of Colorado is losing as a result of its current limited port of entry system will be made as soon as the results of the road checks are fully tabulated and checked against the trip reports filed with the Public Utilities Commission covering the same period of time. Present plans call for checking each trip contacted in the road block with the report of the carrier for the same period filed with the P.U.C. In this way the number of trips which are unreported can be estimated. This percentage may then be applied to the revenue collections for an estimate of probable tax collections under a system whereby there is 100% percent enforcement. Even with a greatly expanded port system there will probably not be complete enforcement and as a result these estimates will have to be adjusted accordingly.

Estimates of revenue loss as presented to the Legislative Council seemed to center around the figure of \$1,000,000 as the probable loss. A representative of the Public Utilities Commission estimated that about \$300,000 to \$500,000 annually was lost in highway use taxes and an equal amount of motor fuel taxes. The Revenue Department felt that the figure of \$1,000,000 might not be far out of line. Representatives of the state patrol, which now administers the ports program made estimates as high as \$2,500,000 in annual revenue loss. All of these estimates were based on the net-ton mile tax base rather than the gross ton mile base, which will go into effect January 1.

REVENUE STUDY OF COLORADO MOTOR CARRIERS ASSOCIATION

The Colorado Motor Carriers Association made a detailed study of motor carrier tax payments. This study covered the year 1951, and was

a survey of all payments made by motor carriers in that year. While the study was never published as such the Motor Carriers Association, made the complete survey available to the Legislative Council sub-committee.

This study showed that in 1951 there were a total of 6887 separate trucking companies registered with the P.U.C. Of this total 1275 accounts made no ton-mile tax payments in the year. This is slightly more than 17% of the P.U.C. registered accounts. In other words it would appear that 17% of the firms hauled no cargo during the year, or if they did operate, failed to pay the required taxes. Another 1796 accounts paid ton-mile taxes of less than \$11.00. This is just slightly more than 26% of the accounts in this category. In other words 43% of the accounts registered with the P.U.C., according the survey made by the Motor Carriers Association paid ton-mile taxes of less than \$11.00 a year.

These figures do not take into account the lack of payment by carriers who have failed to register with the P.U.C. The Motor Carriers Association study did analyze the reasons for failure on the part of some carriers to pay ton-mile taxes. These figures do indicate, however, that any tax which is largely self assessed, requires extensive enforcement. This applies with equal emphasis to all such taxes from the Federal Income tax on down.

PROBLEMS IN PRESENT PORT OPERATION

As a supplement to this study there will be presented a detailed survey of the truck traffic in the State of Colorado as determined from a 24 hour "round the clock" check by the State Patrol. The results of this check will be compared to the present port program principally to deter-

mine the adequacy of our present ports in term of numbers and location.

There are however a substantial number of administrative problems in connection with the ports of entry program which require solution regardless of the number of ports established, or the department in which their administration is placed.

Functions of Ports

At the present time the Ports of Entry are engaged to more or less degree in all of the following functions:

Check all lights, brakes, break-a-way brakes (pull up tests required on both types of brakes) to be checked by experienced Patrol personnel. Observation of driver-hours on road (sleepy or not) whether drinking and general ability to properly operate a motor vehicle. Also check for drivers permit, chauffeur's or operator's (whichever required). Check safety equipment, i.e. flags, flares, fuses, their place and usage.

Enforcement of Public Utilities Laws, and Rules and Regulations -- non-revenue.

Proper markings (PUC Rules and Regulations). Check cab cards to see if properly registered with the Public Utilities Commission. To write Port Clearance tickets, showing load pounds, origin, destination, carrier holding permit, type of cargo, for checking by the Public Utilities Commission. This involves both road tax and authority of carrier.

Revenue: Direct collections on persons who are subject to register under Public Utilities Laws and contacted for the first time when entering or leaving the State. (Ports only -- '53 collections \$113,467.31)

Non-Revenue: To check all trucks, truck-tractors using special fuels, such as, Diesel, Propane-Butane etc., for special fuel users permit, Department of Revenue, Motor Fuel Division. To enforce the law and require the securing of these permits when found not previously registered for the current year.

Non-Revenue: Proper papers for the load on livestock movements, showing ownership or right of movement (State Brand Commission Laws & Regulations). To check health certificates (State Veterinerian, Department of Agriculture) on all types of interstate movements, livestock.

Non-Revenue: To check proper papers required by the Department of Agriculture as permits on loads of spuds, onions, most vegetables, hay, etc. To check for dealers permits required for eggs. To check loads of bees, bee

equipment, shrubs, etc., in inter-state shipment for required health certificates. To assist in the enforcing of quarantine regulations. (This last is a seldom duty). The balance above a daily duty in some form.

Giving tourists information (quite heavy during summer). Also maps and other pamphlets for their information. Such supplies principally maintained at Ports of Entry, as they have storage space.

The giving of emergency First Aid. Quite a few of these cases handled by the Ports of Entry during a year. Some of a fairly serious nature when after a serious accident injured people are first brought to the Port of Entry by some passing motorist.

The ports are multi-purpose at the present time. Despite the number of services the ports are expected to perform the staff at each port is limited to a maximum of two men and the annual budget devoted to their operation is quite small in relationship to the budgets of port programs in other states. Not all of Colorado's six ports are even equipped with scales.

One of the basic decisions which must be made in regard to the ports program is the direction which the legislature wishes it to take.

Are the ports to be principally tax collecting units, or are they continue as overall multi-purpose stations which serve a variety of needs? It might well be, for example, that a more comprehensive port of entry program could eliminate the need for a separate set of enforcement officials in the Department of Agriculture. This is basic policy question which should be answered before any changes are made in the present administrative function of the ports program.

Responsibility for Ports

There has been some discussion of the proper agency to activate the ports. Those who favor relocating administration of the ports within

the Revenue Department point to the facts that (a) under House Bill 9 the Revenue Department will have a large degree of responsibility as regards the administration of motor carrier taxes and should have the ports as a corollary to that program, (b) the principle purpose of the ports is to act as a tax collecting agency and they should therefore be located within the Revenue Department, (c) the Revenue Department can combine the administration of the ports with their field offices, thus providing a "package" administration of motor carrier taxes.

Arguments advanced for retention of the ports within the general responsibility of the State Patrol point out that (a) the ports involve what is basically a police function, and should therefore be within the "State Police Force", (b) The Ports should serve many functions not just the single one of tax collection, and the Patrol is more suited than a department having a single purpose. Under the statutes, the Port of Entry Program is set up as an integral part of the overall Highway Patrol functions. Indeed Chapter 120-10-5 CRS gives more emphasis to the duties of the patrol in enforcing tax laws and carrier regulations than it does on safety. Chapter 120-10-14 CRS gives the chief specific authority to set up ports of entry, but no where is the port program set out as an autonomous unit.

The past operation of the Ports of entry highlights a problem which will exist in either department, unless the program is set up as a separate administrative unit within either department, with a continuity of direction, staff, and program.

One of the difficulties in the Ports program is that while it has been a separate unit within the Patrol, lack of staff has prevented the Port

system from being fully developed as a co-equal division with the Highway Patrol. The general policy is to assign new patrolmen to the ports and then move them into other operations. Because of the press of other duties, all of which are important, the Ports of entry occupy a position of secondary importance. This will undoubtedly remain so until such time as there is a comprehensive program under at least division status.

These two basic policy questions -- functions of the ports and setting the ports up on a functional basis with divisional status -- remain to be solved regardless of the decisions reached on where the ports are to be placed for administrative purposes.

In considering the future policies of the Port of entry program, and the over-all purposes of the ports, the minutes of a meeting held between representatives of the State Highway Patrol, Public Utilities Commission, and the Highway Department in May, 1952, would be of value. The meeting was for the purpose of drafting a report to the State Patrol Board and the Public Utilities Commission in relation to an expanded program of truck weighing and inspection. In order that the General Assembly might have the thinking of the people then involved in administration of the Ports, the contents of the memorandum reporting the results of the meeting is hereby reprinted in full.

Recommendations of Highway Patrol, P.U.C. and Highway Department

(A) Any weighing program should in effect consider both the enforcement of legal load limits and the tax collection function.

(B) In consideration of the statement made in paragraph numbered (A) above, there is a necessity for both fixed and roving ports.

(C) Before the financial necessities of the program can be determined, it must be decided, first, the number of permanent sites that would be required to carry out the program, and, second, the desirable number of roving crews necessary to proper policing and to the picking up of seasonal haul in farm production areas. In consideration of this matter, the location of the existing ports is tabulated:

1. S.H.No. 185, immediately south of the Ft. Collins traffic circle.
2. S.H.No. 2, immediately east of the town of Brush.
3. S.H.No. 6, between Lamar and Wiley Junction.
4. S.H.No. 1, between Morley and Starkville.
(It is recommended that this Port be moved immediately south of Trinidad.)

Each of the above listed stations is presently equipped with platform scales.

The following listed two stations are permanent stations but do not have weighing equipment:

5. S.H.No. 8, just east of Limon.
6. S.H.No. 3, south of Greeley, near LaSalle.

At these two stations it is recommended that weighing equipment be installed. The following additional stations are recommended in order to pick up the greatest number of both intrastate and interstate vehicles:

7. S.H.No. 2, just east of Idaho Springs. This station would pick up all of that traffic having origin or destination in Denver and routed into or out of Denver over U.S. 40 or U.S. 6-24.
8. S.H.No. 15, immediately north of Salida Junction. This station would pick up traffic having origin or destination in Colorado Springs or Denver and routed via Monarch Pass or the San Luis Valley.

9. S.H.No. 6, immediately east of Salida. This station would pick up U.S. 50 through-line traffic or traffic having origin or destination in Pueblo and inward or outward bound on U.S. 50 or via the San Luis Valley.
10. S.H.No. 10, immediately east of Fort Garland. This station would pick up all through-line traffic using this highway and routed via Walsenburg.
11. S.H.No. 1, immediately north of Colorado Springs. This station would pick up the major portion of the interstate traffic between Denver and points south to the New Mexico line.

At each of the above listed stations it is recommended that weighing equipment be installed on both sides of the highway, and that at those stations presently having only one scale that an additional scale be installed. This recommendation is made with recognition of the expense of such installation but with the idea that highway safety in the area of state operated ports is highly important and that it would expedite the movement of traffic through the ports. In addition to the fixed installations above referred to, it is recognized as desirable to install roving port stations as follows:

- 1a. South of Springfield, for seasonal use in the hay and broomcorn season.
- 1b. Roving in the three approaches to the town of Cortez on S.H.Nos. 10 and 106. This port would have the function of picking up seasonal produce in the bean area and the transportation of concentrates and ores to the smelter at Durango or farther north.
- 3a. A roving port on S.H.No. 51, which would cover the entire area between Granada and Julesburg during the wheat season.
- 4a. A roving port in the vicinity of Grand Junction on S.H.Nos. 4 and 6, to be seasonally operated during the fruit season.

It is entirely probable that the roving parties could be assigned to sections of the state, possibly four in number, to aid not only in tax collection but

in the enforcement of size and weight restrictions.

(D) It is recommended that all permanent ports be operated on a 24-hour basis, with four men assigned to each port. This would require 44 men for the operation of the 11 recommended fixed installations.

The roving ports should be manned by seven men, and, presuming four such parties, an additional 28 men would be required, or a total of 72, with a presumption that existing supervision is adequate.

(E) It is recommended that the persons assigned to this work need not have the full physical requirements for state patrol operation. Limited disability which would not be disqualifying for the work to be performed should be permitted. It is believed that a man with a disability such as the loss of one eye, one hand, or even one leg might be assigned. A definite age limit should be established for entrance on duty which would insure that the personnel assigned would have an expectancy of long service. No recommendation is made as to the authority under which the men should operate. It is recognized that there are three existing state agencies in the State Patrol, the State Public Utilities Commission, and the State Department of Revenue which might with proper legislative authority carry out the desired task. In reference to the personnel, it is further recommended that the persons assigned should be of high capacity mentally because of the complex duties to be assigned, the necessity of mature judgment, and the capacity to understand complex duties with a minimum of schooling. The reporting group believes that a minimum of six weeks' schooling would be required prior to the time the ports might be put on an operating basis.

With the accomplishment of this report, which is handed to the

Patrol Board and the Public Utilities Commission, the committee believes no further work should be attempted until such time as further direction is available from the governing body.

SUMMARY

1. Preliminary tabulations indicate that there are more than 30,000 truck trips in an average 24 hour period in Colorado. Of this number about half of the trucks are empty, and approximately 15,000 truck trips a day are subject to ton-mile taxation.
2. Preliminary calculations show that less than 5% of truck trips in Colorado are cleared through a Port of Entry or by a patrol contact. On the basis of 12,000 tax paying trips a day there are 4,380,000 such trips a year. In 1953 157,000 trucks were cleared through the Ports, another 81,000 were contacted by the Highway Patrol, for a total of 238,000 contacts.
3. The six ports of entry in Colorado are largely too little and too late. Preliminary calculations show that very heavy truck traffic exists where there are no ports. It is also indicated that even the present ports, by failing to operate on a "round the clock" basis miss a substantial amount of traffic. The limited operation is principally due to lack of highway patrolmen to man the stations. Only ten men are assigned to the six ports, and even this takes men away from patrol and safety functions of the group.
4. Estimates of revenue lost (on a net ton-mile basis) under the present limited enforcement vary from \$300,000 to \$2,500,000. A more accurate

estimate will be possible as soon as the road block results are checked against the P.U.C. reports.

5. A previous study by the Colorado Motor Carriers Association indicated that 17% of the accounts registered with the P.U.C. in 1951 failed to pay any ton-mile taxes, and that another 26% paid less than \$11.00. Thus 46% of the P.U.C. accounts paid less than \$11.00 in ton-mile taxes in 1951.
6. The six ports of entry are now set up as multiple-purpose ports which have as their function enforcing a number of regulations in addition to motor carrier taxation. A basic legislative determination is required to set forth the specific purposes of Colorado Ports of Entry. This determination would largely decide the agency to have the administrative responsibility for their operation.
7. One of the difficulties in the ports program is that it has never had the full status of a separate operation. In the Highway Patrol, which has been operating with a limited budget for all purposes, the Port program has necessarily had to be of secondary importance. This is no reflection on the administration of the Patrol -- it is merely a fact that since the budget was "tight" the decision had to be made somewhere as to what functions would have to be restricted. The Patrol has wished to operate an expanded program, but felt that the first call upon its funds and personnel must be in other areas.
8. Administrative responsibility for operation of the ports may, with some logic, be continued either in the patrol or transferred to the Revenue Department. Whichever determination is made, however,

an expanded program will require a greatly expanded budget. A fairly accurate estimate of the cost of a port operation will be presented in phase 2 of this study which will be published early in January.

CHAPTER III

PORTS OF ENTRY IN OTHER STATES

Replies to a questionnaire sent by the Legislative Council to all other states indicate that 37 states have either port of entry or truck weighing programs, while only seven states have neither ports nor truck weighing stations. Three states did not reply to the questionnaire. There are, however, wide variations in the methods, purposes and operation of the ports or truck weighing stations among the states. Table 4 analyzes the six principal areas in which the council sought information about port operation in other states.

Location of Ports

It will be noted that only three states use the border of their states as the sole determining factor in locating a port or weighing station while 22 states, or nearly two-thirds of those having truck weighing, locate their ports through a combination of methods. The usual factors considered in locating the ports are the junctions of major highways or the edge of major trucking areas. There are some states, however, which locate their ports simply on the basis of traffic surveys.

Type of Port

The suggestion has been made that Colorado resort to mobile ports of entry only. Only four states use this method, but 21 states, or again nearly two-thirds of the total having ports, rely on both mobile and stationary devices. It has also been suggested at various times that the cost of the ports of entry might be reduced by manning these stations with people other than fully qualified

TABLE 4

SUMMARY OF PORTS OF ENTRY QUESTIONNAIRES

Number of states replying	44
Number having ports or truck weighing stations	37
Number without ports or truck weighing	7
<u>TYPE OF PORTS USED</u>	
Mobile Only	4
Stationary only	11
Mobile and stationary	21
Data not supplied	<u>1</u>
	37
<u>ADMINISTRATIVE RESPONSIBILITY</u>	
Highway Department	9
State Police	10
Police and highway departments jointly	3
Police and other agency jointly	3
Other agencies*	10
Data not supplied	<u>2</u>
	37
<u>HOURS OF OPERATION</u>	
24 hours a day	14
Varied	21
Data not supplied	<u>2</u>
	37
<u>LOCATION OF PORTS</u>	
At border points only	3
Edge of major trucking areas only	3
Confluence of major highways only	1
Locations varied using combination of methods	22
Data not supplied	<u>8</u>
	37
<u>PERSONNEL</u>	
Manned by fully qualified patrolmen	12
Manned by civilian employees	20
Data not supplied	<u>5</u>
	37
<u>SALARY SCHEDULES</u>	
Median entrance salary	\$2,760
Median peak salary	\$4,000

*1 state, Agricultural Dept.; 3 states, Public Safety Depts.; 2 states, special agencies; 3 states, Motor Vehicle Department; 1 state, Tax Commission.

highway patrolmen, perhaps using disabled veterans, or some other less physically qualified people. Most states having ports have resorted to using lower paid personnel for manning the stations than highway patrolmen. In 20 states the ports or weighing stations are manned by civilian employees, while in only 12 states are they manned by fully qualified highway police. In some cases states have used highway patrolmen as the supervisory personnel while using civilian employees as clerks and weighmasters.

Administrative Responsibility

The state police forces are the most predominant agencies administering port of entry programs. Table 4 shows that in 10 states the state patrol or police has exclusive responsibility for the ports, and in six other states they share the responsibility, either with the Highway Department or some other agency. In nine states the Highway Department has the exclusive administrative responsibility for the ports of entry or weighing stations. Two states, New Mexico and Kansas, have separate departments to administer ports of entry. In Kansas a special Ports of Entry Board administers the 73 border stations, while in New Mexico the ports are managed by the Department of Courtesy and Hospitality. In only one was a taxing agency, the Tax Commission, involved in operation of the ports of entry; in three others Motor Vehicle Departments were responsible for the program.

Analysis by States

Alabama: Alabama maintains two roving crews of the State Highway Department to continually check trucks. These crews carry loadmeters and weigh trucks at stationary concrete ramps which have been constructed at

strategic points throughout the state.

Arkansas: The Arkansas State Police administer 14 stationary and 12 mobile or roving ports. The ports, which are open 24 hours a day, are equipped with pit scales at the stationary ports, and loadmeters are standard equipment at the mobile ports. Arkansas spends approximately \$347,000 per year on its port of entry program, and each port is manned with from two to four people. Salary schedules run from \$2,700 to \$3,000 a year for non-supervisory employees.

Arizona: The Arizona ports are operated jointly by the State Highway Commission and the Arizona Commission of Agriculture and Horticulture. The total cost of operation is \$379,000 annually. All trucks and buses are required by law to clear through one of the 12 stationary ports which, with one exception, are open 24 hours a day. Arizona locates its ports on state lines, at the confluence of major highways, and between border points and populated areas. Salary schedules for non-supervisory employees range from \$250 to \$306 per month.

California: The California ports of entry, operated by the Department of Agriculture, are principally for checking state quarantine and agricultural regulations. There are 17 stationary ports, and they are usually located on or near state lines. All except two of the 17 stations are open 24 hours daily. Salary schedules run from \$325 to \$436 a month for non-supervisory employees, but qualifications require two years of general college education, or one year of specialization in plant science or inspection. The total cost for operation of the ports for the fiscal year 1952-1953 was approximately \$957,000.

Connecticut: This state has a truck weighing program but no actual ports of entry. It maintains seven weighing scales at various points throughout the state, which are operated at infrequent intervals by the State Police Department. The scales, however, are owned by the State Highway Department. No data is available from Connecticut on salary schedules, cost, or hours of operation of the various scales.

Delaware: Delaware has a truck weighing program wherein each truck must be weighed at one of the regular permanent state police stations, but no fee is collected at the time. The State Police Stations are open 24 hours a day, and every truck is required to be weighed as it passes one of them. No other data is available on the operation of the Delaware program.

Florida: The Florida Highway Patrol and the State Department of Agriculture share the operation of the 20 ports of entry located in this state. Ten of these ports are exclusively for truck-weight inspection, and 10 are for livestock inspection. All personnel at the ports of entry are uniformed members of the Florida Highway Patrol, and salary schedule for non-supervisory employees is from \$3,300 to \$4,200 per year. The ports are operated at varied hours, and, when open, are manned with from one to six patrolmen, depending upon the location of the port in relationship to truck traffic.

Georgia: This was one of the seven states reporting no ports of entry or truck weighing program.

Idaho: The port of entry system is administered by the Idaho State Police and consists of five stationary, and six mobile or roving ports, all

manned by personnel of the State Police Department. The stationary ports are located at the confluences of major highways, and the roving ports are operated by a crew of four men who function from the central headquarters. There is very little per diem paid to those manning the roving ports, because they are seldom more than a day's travel from the district State Police Headquarters. Idaho budgets \$271,000 per year for their port of entry program, and their salary scale for personnel ranges from \$275 a month to \$325 for non-supervisory employees. Four to five people are assigned to each of the stationary ports in Idaho. This was one of the few states which reported that an attempt had been made to operate a port program jointly with another state. A program was tried in cooperation with Utah in 1948 but, for reasons unreported, did not prove successful.

Illinois: There is no port of entry program as such, but the Department of Public Safety operates 22 weighing stations with platform scales, and three weighing stations at which portable scales are used on specially constructed ramps. In addition to the 25 permanent stations, portable scales are operated at other sites throughout the year as the Department of Public Safety feels the situation requires. The principal purpose of the weighing stations is to enforce the truck weight law, but arrests are also made for other law violations. Illinois keeps its permanent stations open 24 hours a day, and assigns six men to each port. No information is available as to cost or salary schedules.

Indiana: The State Police operate 18 stationary and 10 mobile

ports in this state. Though the ports are operated by the Indiana State Police Department, the clerks are civilian employees, supervised by state patrolmen. The salary grade for clerks is \$2,530 a year as contrasted to the salary range for Indiana state troopers of \$2,760 to \$4,000 annually. Indiana does not maintain its ports on a 24 hour schedule but generally operates them three days a week on varied hours. Their ports are located at two principal places: 1. The confluence of major highways, and 2. The edge of principal trucking areas.

Iowa: Iowa maintains no permanent ports of entry but does have a crew of about 40 men operating under the State Highway Commission. This crew checks size, weight and load, and other truck regulations. Personnel are all uniformed officers whose salaries range from \$2,820 to \$4,320 per year. Checking is only for weights and sizes, and officers have no authority for enforcing any other regulations.

Kansas: The Port of Entry system originated in Kansas in 1933, and this is one of the few states which has what might be called a 100 per cent Port of Entry system. Each border county in Kansas has a permanent port of entry, the total of which are 73. All ports are open seven days a week, 24 hours a day, and are operated by a special Port of Entry Board. The employees are civil service employees and are not members of the uniformed state police. Their salary schedule is from \$220 to \$254 a month for non-supervisory employees. Annual cost is \$719,000.

Louisiana: The State Police Department operates 10 stationary and mobile ports. The stationary ports are located principally at the edge of

major trucking areas, and are operated seven days a week, 24 hours a day. The cost of operation of the port program is \$250,000 a year, salary schedules range from \$180 to \$230 a month for civilian supervisory personnel, and from \$280 to \$500 a month for commissioned supervisors. Louisiana uses its state troopers as supervisors, and civilian employees as weigh clerks and other employees for the program. As a general rule, each port is manned by two people, one state trooper and one civilian weigh clerk.

Michigan: Very little information is available about the port of entry and truck weighing program in this state, except that both stationary and mobile ports are used. Apparently the program is under the supervision of the State Highway Department and the Public Service Commission.

Minnesota: No truck weighing or port entry system is used; however, the Highway Department from time to time operates weighing stations scattered throughout the state.

Missouri: No port of entry or truck weighing program is reported by Missouri.

Montana: Forty-two truck weighing stations of the stationary type are maintained at various points throughout the state. Montana places its truck weighing stations at the state lines, at the confluence of major highways, at the edge of principal trucking areas, and along principal truck routes. The majority of stations are at the confluence of major highways. The purpose of the Montana weighing stations is to enforce size and weight

limitations and other tax and licensing laws. Infractions are reported to the Highway Patrol for enforcement by the Highway Commission which operates the ports. Expenditures for the port of entry program were \$86,979 in the 1953 fiscal year. The ports are operated on a varied schedule which the department feels is sufficient to control the trucking situation. The trucks are operated by semiskilled labor, for whom no salary information is available. Supervisors are division maintenance engineers of the State Highway Commission, who supervise the ports in conjunction with other duties.

Mississippi: Twenty-one stationary and two mobile ports of entry are maintained within the state. Nineteen of these stations are located at state lines; one is at the confluence of two major highways; and one is at the edge of a principal trucking area. All stations are operated for 24 hours a day, seven days a week, and are under the direct supervision of the Motor Vehicle Comptroller. Annual cost for operating all ports and stations is approximately \$480,000 a year. Salary schedules for personnel run from \$225 to \$250 a month, and employees must possess only the qualifications of a qualified elector and be men of good character. They are not members of the State Highway Patrol. From two to four people are assigned to each port of entry.

Nebraska: The 33 stationary ports or weighing stations are operated under the supervision of the Motor Fuels Department and the Department of Agricultural Inspection. They are open for 24 hours a day. No mobile or roving ports are used. The expenditures in 1953 for the Nebraska port of

entry program were \$179,045. Personnel for whom there are no special qualifications receive from \$170 to \$190 per month, and supervisory employees receive \$285 per month. Three people are regularly assigned to each port of entry, all of which are located on or near the state boundaries.

Nevada: Two permanent ports of entry and no mobile ports are maintained by the State Highway Patrol; one is near a state boundary, and one is at the edge of a principal trucking area within the state. Information as to the total cost of operation is not available, but the monthly salary of highway patrolmen, who man both ports, runs from \$347 to \$421 per month. Ports are open for 24 hours a day, and three men are permanently assigned to each port.

New Mexico: This is one of the two states which has placed its ports under a special agency. In New Mexico the ports are under the jurisdiction of the Department of Courtesy and Information. All 24 ports are stationary and are located at or near state lines or at the confluence of major highways. They are all open for 24 hours a day, and seven days a week. Cost of operating the ports for the fiscal year 1953 was \$219,520, and salary schedules for the civilian employees range from \$200 to \$260 per month for non-supervisory employees, and from \$260 to \$290 for supervisory personnel. The Department of Courtesy and Information enforces all third structure taxes within the state through the ports of entry.

New Jersey: No ports of entry or truck-weighing station program is reported by this state.

New York: New York has a port of entry program consisting of 20

stationary weighing stations and an indeterminate number of mobile units, all administered by the Department of Public Works. All ports, including the mobile stations, are operated on a 24 hours a day, seven days per week basis. The state police operate the mobile ports, using loadmeters. The permanent ports are manned by civilian employees who are required to have only a grade-school education. Salaries range from \$2,208 to \$2,989 annually. Nine people are assigned to each of the stationary ports, and eight to the mobile units. New York estimates that it needs at least 120 additional ports to operate its truck tax program.

North Carolina: The North Carolina Department of Motor Vehicles operates a total of ten stationary and 100 mobile or roving units. This is the largest number of mobile units found in any of the states replying to the Council's questionnaire. The location of all weighing stations and ports is determined on the basis of traffic surveys. The ports are normally operated six days a week, and on those days on which they are operated, are open for 24 hours. Cost of operating the ports in the last fiscal year for which information is available (1954), was \$936,000. The personnel, who are not members of the Highway Patrol, receive a minimum of \$2,652 per year, and a maximum of \$4,548 a year for non-supervisory employees. From 10 to 20 people are assigned to the permanent ports, and one to four to the mobile ports, depending on the location of each individual unit and the traffic involved.

North Dakota: This is one of the states which use only a stationary port of entry or weighing-station procedure, there being ten such locations.

Five are located on or near the North Dakota state line, and five at the confluence of major highways within the state. The Hours of operation are varied according to traffic, and the judgment of the State Highway Department and the State Highway Patrol (who operate the ports jointly), as to means of checking heavy truck traffic. The Planning Survey Engineer is the chief administrative officer of the ports, and personnel employed have no general qualifications. There is no set wage scale but generally people start at \$225 a month. Since the system has been in operation for less than a year, no data is available on annual cost.

Ohio: Ohio operates eight stationary and nine mobile ports under the general supervision of the State Patrol and the Highway Department. These ports are placed principally at the confluence of major highways and at the edge of principal trucking areas within the state. One of the eight stationary ports is manned on a 24 hours a day basis, and the others are manned on a part-time basis, the personnel moving from station to station at varied hours. Highway patrolmen have the authority to haul trucks to 20 pit stations located throughout Ohio as part of their regular patrol duties on the highways. Supervisory personnel for the Ohio weighing stations are highway patrolmen, and highway patrolmen operate the mobile units. Load limit inspectors are civilian employees who generally work at the fixed stations, and who have a salary range of from \$276 to \$315 per month. Ten persons are assigned to each stationary port, and the mobile or roving ports are manned by two inspectors, one of whom is a uniformed patrolman. No estimate is available of the annual cost of the

port of entry program in Ohio.

Oklahoma: Oklahoma repealed its port of entry law in 1939, and now maintains 15 stationary and ten mobile units for the purpose of truck-weighing. These stations are scattered at various points throughout the state and are operated at various hours. The Oklahoma Tax Commission is responsible for the administration of the weighing stations and this is the only state in which a Tax Commission, or similar body, was found to have administrative authority for the operation of a weighing program. The Tax Commission in Oklahoma has assigned ten enforcement officers to work with ten members of the Highway Patrol to enforce the provisions of their motor vehicle laws. In addition to this program, field representatives of the Motor Vehicle Division and Motor Fuel Division are also assigned throughout the state to enforce respective motor vehicle and tax laws.

Oregon: Oregon has no regular ports of entry but does maintain truck-weighing stations at 56 permanent locations and 21 mobile locations. Most of the permanent stations are located at the edge of the principal trucking areas, but some are located on or near the state lines, or at the confluence of major highways. The ports are operated on a varied schedule, both as to hours and the days of the week. In addition to the truck-weighing stations, the Public Utilities Commissioner of Oregon has established 17 field offices throughout the state, eight near the Oregon border, to assist motor carriers in complying with the transportation code. The Oregon State Highway Department is responsible for the administration of the entire truck-weighing program, which cost \$371,037 in the calendar year 1953. Personnel must

be high school graduates, but are not members of the Oregon State Patrol. Salary schedules range from \$272 to \$364 per month.

Pennsylvania: Pennsylvania reports that they have no highway ports of entry, or any type of truck-weighing or inspection stations.

Rhode Island: This is another of the states which reports that it has no port of entry or truck-weighing system in effect.

South Carolina: Only mobile ports are used in South Carolina. The exact number was not specified. These mobile ports are generally set up at the confluence of major highways, or at the edge of principal trucking areas. When in operation they are open five days a week, from eight to 12 hours a day. The ports are under the administration of the State Highway Department, and port personnel must have highway patrol qualifications. Salary schedule for non-supervisory employees runs from \$200 to \$350 per month.

South Dakota: South Dakota does not have ports of entry, nor does it maintain check stations on a full-time basis. Specialized inspection functions are carried out by the agencies responsible, on a spot-check basis. During the summer season seven stationary weighing stations and two mobile or roving stations are maintained. They are operated by the State Highway Patrol on a varied schedule. Two people are assigned to these ports at these times. No data is available on cost or salary schedules.

Tennessee: Tennessee has no regular highway ports of entry or truck-checking stations, but does have some stationary scales and some portable scales which they use at irregular times to check truck weights.

Texas: This is one of the four states which relies exclusively on mobile

checking units. A total of 65 mobile units are used, and, when in operation, they are placed on or near state lines, at confluence of major highways, or at the edge of principal trucking areas. The ports are under the direction of the Department of Public Safety, and expenditures in the last fiscal year were \$436,830. The personnel are under civil service, but are not members of the Texas Patrol. Salary schedules for non-supervisory employees range from \$3,660 to \$4,404 annually. One or two men are assigned to each port, depending on the size of the district to be covered.

Vermont: Vermont maintains no ports of entry but does have some loadmeters which are used on a selective basis at irregular intervals.

Virginia: This state maintains seven stationary and three roving ports of entry under the supervision of the Department of Highways. The approximate cost in the last complete calendar year was \$300,000, and the salary schedules ranged from \$2,304 to \$3,168 annually for non-supervisory personnel. The stations are operated 24 hours daily, seven days a week. They are placed on or near the state lines, as well as a number of internal locations, as directed by administrative decision within the State Highway Department.

Washington: The State Patrol operates 37 permanent stations and 50 mobile or roving ports of entry for the weighing and checking of truck loads. These ports are located, both at the confluence of major highways, and at the edge of principal trucking areas. Normal operating hours are on an irregular basis.

West Virginia: Truck-weighing stations are maintained under the supervision of the State Road Commission. The four stationary units are placed at

the confluence of major highways and at the edge of principal trucking areas. The five mobile units operate on a statewide basis. Hours of operation are varied according to the discretion of the station supervisors. Cost of operation of the West Virginia ports was \$141,570 in 1953, and salary schedules for the personnel (not members of the patrol, but required to have a high school education) range from \$1,980 to \$3,480 for non-supervisory personnel. Five people are stationed both at the stationary and mobile ports. The personnel at ports of entry do not have police powers; therefore a member of the State Police assists at each checking station, to issue warrants and make arrests.

Wyoming: The Wyoming State Police operate nine stationary ports of entry and in addition have 35 patrolmen assigned to mobile or roving checking stations. The permanent stations are located in the first county seat along the major highways. Three are operated on a 24-hour, seven day a week basis; and six operate 18 hours daily for a seven day week. The approximate cost of operating the Wyoming program is \$125,000 a year, and salary schedules of personnel range from \$250 to \$350 a month. Personnel are patrol clerks and are not members of the uniformed highway patrol as such.

Wisconsin: The Motor Vehicle Department of Wisconsin operates five stationary and 12 mobile ports within the state. These ports are all operated on an indefinite schedule. The salary schedules of the patrolmen who man the ports run from \$245 to \$305 a month for non-supervisory employees.

Ports of Entry in the Western States

While the practice in all states in regard to ports of entry and truck-weighting is of interest, it is of particular significance to note the programs which prevail in the western states and in those states which border Colorado. Presumably these states have more in common with Colorado than such states as New York and others. For purposes of this comparison the states of Wyoming, Washington, Texas, Oregon, Oklahoma, Nebraska, Nevada, Kansas, Montana, New Mexico, Idaho and Arizona were used. California was not included since their ports of entry deal exclusively with agricultural inspections. Each of the states mentioned maintains a truck-weighting or port of entry program even though not all of the states have the so-called third structure tax. Seven of the 12 states do have third structure taxes on trucks while the remainder do not. It is apparent that a port of entry fills a function even though it may not specifically check on third structure taxes. A comparison of Port of Entry and third structure taxes is found on Table 5.

It might also be noted that on a national pattern it was found that ports of entry do exist in states other than those having a third structure tax on trucks. In other words, most states have some sort of port or truck-weighting station regardless of the particular tax structure used in assessing taxes on the motor carrier industry.

Since all of the states mentioned in the list do have ports of entry, an evaluation was made of the location, the type, the administrative responsibility, and the hours of operation in each of these states. In only two states are ports located exclusively at the state line. These are Nebraska and Kansas.

TABLE 5

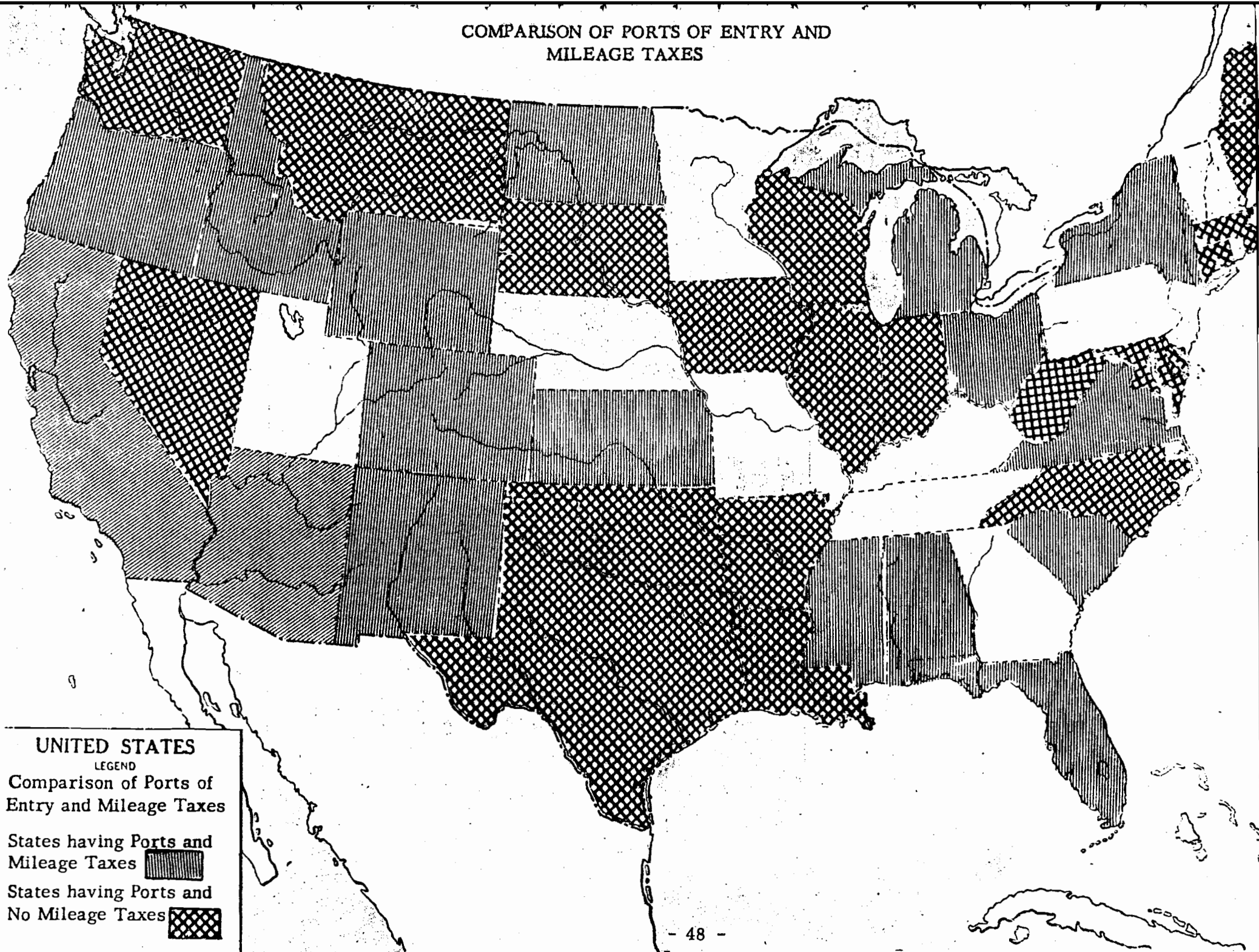
COMPARISON OF PORT OF ENTRY PROGRAMS AND MILEAGE TAXES

State	Port of Entry	Mileage Tax	State	Port of Entry	Mileage Tax
Alabama	Yes	Yes	Nebraska	Yes	No
Arkansas	Yes	No	Nevada	Yes	No
Arizona	Yes	Yes ¹	New Jersey	No	No
California	Yes	Yes ¹	New Mexico	Yes	Yes
Colorado	Yes	Yes	New York	Yes	Yes
Connecticut	Yes	No	North Carolina	Yes	No
Delaware	Yes	No	North Dakota	Yes	Yes
Florida	Yes	Yes	Ohio	Yes	Yes
Georgia	No	No	Oklahoma	Yes	No
Idaho	Yes	Yes	Oregon	Yes	Yes
Illinois	Yes	No	Pennsylvania	No	No
Indiana	Yes	No	Rhode Island	No	No
Iowa	Yes	No	South Carolina	Yes	Yes
Kansas	Yes	Yes	South Dakota	Yes	No
Louisiana	Yes	No	Tennessee	No	Yes
Maine	Yes	No	Texas	Yes	No
Maryland	Yes	No	Utah	INA	Yes ²
Massachusetts	Yes	No	Vermont	No	No
Michigan	Yes	Yes	Virginia	Yes	Yes ¹
Minnesota	No	No	Washington	Yes	No
Mississippi	Yes	Yes ²	West Virginia	Yes	No
Missouri	No	No	Wisconsin	Yes	No
Montana	Yes	No	Wyoming	Yes	Yes

1. Gross receipts tax
2. Optional for interstate operators

Source: Port of entry data from states
Tax data from Colorado Motor Carriers Association


COMPARISON OF PORTS OF ENTRY AND
MILEAGE TAXES




UNITED STATES

LEGEND

Comparison of Ports of
Entry and Mileage Taxes

States having Ports and
Mileage Taxes 

States having Ports and
No Mileage Taxes 

In all other western states, as well as those states which border on Colorado, the location of the ports of entry or truck-weighing stations was determined by a number of other factors, the most predominant being the edge of major trucking areas and the confluence of major highways. It seems, therefore, that in the western states, experience of these states has dictated that the weighing program or port of entry program has produced more satisfactory results when stations are located, not only at the state lines, but at other points within the state as dictated by experience and requirements.

While in the nation as a whole, most states use a combination of permanent and mobile ports and weighing stations, in the western states the division is almost equal as to type and station. Six states use both permanent and mobile stations, while the other six use stationary ports only. Only one state, Texas, uses mobile ports alone. Seven states in the western area operate all or part of their ports on a seven-day week, 24-hour daily basis. Administration of the ports is split almost equally between State Police Departments and other departments of state government. In five states the state police operate the ports, and in six states they are operated by other agencies, including two independent boards. One of these boards is in Kansas, and the other is the State Department of Courtesy and Information in New Mexico.

Summary

From a review of the ports of entry programs in all states in the Union, plus a review of the program in the western states alone, it is

possible to draw certain conclusions even though there is a wide variation in the method of operation among the states. These conclusions may be summarized as follows: 1. It is general practice to have either a port of entry or a weighing-station program in the state regardless of the type of tax structure or type and kind of taxes levied on the motor carrier industry. 2. The most common practice among states is to use both mobile and stationary methods of checking truck weights and general conformance, observance of tax laws and other rules, and regulations concerning the industry.

* * * * *

PRELIMINARY RECOMMENDATIONS

There seems little question, on the basis of the evidence available, and a preliminary review of the 24 hour road block of truck traffic, that the Colorado Port of Entry program is not adequate to enforce payment of motor carrier taxes. Estimates of revenue lost vary from \$300,000 to \$2,500,000. A more accurate estimate will be available when the supplement to this report is issued. Preliminary analysis indicates that perhaps not more than 10 percent of Colorado truck traffic is cleared through one of the existing Ports or stopped in a routine Patrol Contact.

At the present time there are no ports of entry covering roads with substantial truck traffic, particularly in western Colorado. Those ports which do exist are not open on a 24 hour basis, are not equipped to handle traffic in both directions, and are seriously understaffed. Unofficial advice to the Council indicates, for example, that the Wyoming port system is collecting in excess of \$2,000,000 a year from motor carrier taxes as compared to Colorado's collections of approximately \$100,000 in 1953.

Since the evidence from other states indicates that ports of entry are used regardless of the tax structure, it is the basic recommendation of this study that the port of entry program be expanded, without reference to possible future decisions as to the most equitable method of computing highway user taxes, and that an ample budget be provided for their operation from highway user revenues. Preliminary estimates indicate that about 20 additional stationary ports, all equipped with scales, and perhaps the same number of mobile ports, equipped with loadmeters, will

be required to adequately enforce Colorado taxation and other carrier regulations. A more accurate estimate of the number of such units needed will be available when the road block data is complete evaluated.

During the course of this study, the committee took special cognizance of the work of the State Highway Patrol in administering the program, under its present limited budget, and its problems of meeting the pressing problems of highway safety. However, the principal justification for expanding the Ports of Entry program lies in the revenue producing function. It is for this reason that it is recommended that the Ports of Entry be transferred to the Revenue Department for Administration. The Ports, to function most effectively, might well be established as a separate division within the Department in much the same manner as the Motor Vehicle Department. It might be feasible to combine all highway user tax functions, including the administration of Ports of Entry, into a highway use tax division.

Transferring the Ports of Entry to the Revenue Department will still require close liaison with the State Patrol. In order to provide for closer liaison between the Revenue Department and the State Patrol it is recommended that legislative consideration be given to replacing the Secretary of State with the Director of Revenue on the State Patrol Board. The Secretary of State was a logical member of the board when that office was responsible for the administration of the drivers license program. It was because of this function being there that the office was placed on the board. The drivers license program was then transferred to the Revenue Department, but the Secretary of State remained a board

member. Should the Ports of Entry be assigned to the Revenue Department, one more reason would then exist for placing the Director of Revenue on the Patrol Board.

Correspondence between the Legislative Council and those responsible for administering Ports of Entry programs in states bordering Colorado indicates that there is a possibility that in some places joint operation of Ports of Entry are possible. This is primarily an administrative problem, beyond the jurisdiction of the legislature. This study merely calls the possibility to the attention of the responsible administrative officials for possible action.

APPENDIX A

PORTS OF ENTRY PROGRAMS IN OTHER STATES

STATE	Does State*		Type of Port			ADMINISTRATION OF PORTS					HRS. OF OPR		LOCATION OF PORTS			
	Have Port	No	Sta.	Mo.	Both	Hwy. Dept.	Pa-trol	Hwy. & Patrol	Patr. & Other	Other Agcy.	24	Less Than 24	State Line	Edge of Trkg. Area	Jct. of Major Hwys.	Comb. of Plans
Alabama (a)	x			x		x						irregular			INA	
Arkansas	x		14	12	26		x				x					x
Arizona (b)	x		12	0	12				x		x					x
California (c)	x		17	0	17					x	x		x			
Connecticut (d)	x		7	0	7		x					irregular	INA	INA	INA	
Delaware (e)	x		ina	ina	ina		x							INA		
Florida (f)	x		20	0	20				x			irregular		x		
Georgia		x														
Idaho	x		5	6	11		x				x				x	
Illinois (g)	x		22	3	25					x	x					x
Indiana (h)	x		18	10	28		x					varied				x
Iowa (i)	x		20		20	x						irregular		INA		
Kansas (j)	x		73	0	73					x	x		x			
Louisiana (k)	x		10	10	20		x				x			x		
Maine (l)	x		4	1	5		x					varied				x
Maryland	x		5	15	20	x						varied				x
Massachusetts	x		0	10	10			INA				varied		x		
Michigan	x		11	32	43			INA				INA		INA		
Minnesota		x														
Missouri		x														
Montana	x		42	0	42			x				varied				x
Mississippi (m)	x		21	2	23					x	x					x
Nebraska	x		33	0	33	x					x		x			
Nevada	x		2	0	2		x				x					x
New Mexico (n)	x		24	0	24					x	x					x
New Jersey		x														
New York (o)	x		20	ina	20				x		x			INA		
No. Carolina (p)	x		10	100	110					x		varied				x
North Dakota	x		10	0	10			x				varied				x
Pennsylvania		x														
Ohio (q)	x		8	9	17			x				varied				x
Oklahoma (r)	x		15	10	25					x		varied				x
Oregon (s)	x		56	21	77	x						varied				x
Rhode Island		x														
So. Carolina	x				x	x						varied				x
South Dakota	x		7	2	9	x						varied				x
Tennessee (t)		x														
Texas (u)	x		0	65	65					x		INA				x

Annual Cost of Ports	Salary Range (non-Super- visory)	No. Men Ea. Port	Mbrs. of Patrol
INA	INA	INA	Yes
347,000.	2700. -3600.	2-4	Yes
379,300.	250. - 306.	4-15	No
957,933.	325. - 436.	4-12	No
INA	INA	INA	Yes
INA	INA	INA	Yes
INA	3300. -4200.	1-6	Yes
271,000.	275. - 325.	2-5	Yes
INA	INA	6	INA
INA	2530. -4000.	3	No
INA	2820. -4320.	INA	Yes
719,056.	220. - 280.	2-8	No
250,440.	180. - 355.	2-7	Yes
1,664.	INA	INA	Yes
INA	INA	INA	INA
INA	3360. -4320.	7	INA
INA	INA	INA	INA
86,979.	INA	1-2	No
480,000.	225. - 250.	2-4	No
179,045.	170. - 190.	1-3	No
INA	347. - 421.	3	Yes
219,520.	200. - 260.	4	No
INA	2208. -2898.	8-9	No
536,000.	2652. -4518.	1-20	No
INA	INA	2	No
INA	276. - 315.	10	No
INA	INA	INA	No
371,037.	272. - 336.	2-7	No
INA	200. - 350.	INA	No
INA	INA	2	No
436,830.	3660. -4404.	1-2	No

APPENDIX A (continued)

PORTS OF ENTRY PROGRAMS IN OTHER STATES

STATE	Does State		Type of Port			ADMINISTRATION OF PORTS					HRS. OF OPR.		LOCATION OF PORTS			
	Have Port		Sta.	Mo.	Both	Hwy. Dept.	Pa-trol	Hwy.& Patrol	Patr.& Other	Other Agcy.	24	Less Than 24	State Line	Edge of Trkg. Area	Jct. of Major Hwys.	Comb. of Plans
	Yes	No														
Vermont (v)	x			x						x		varied		INA		
Virginia	x		7	3	10	x					x					x
Washington	x		37	50	87		x					varied				x
West Virginia	x		4	5	9	x						varied				x
Wisconsin (w)	x		5	12	17					x		varied		INA		
Wyoming (x)	x		9	0	9		x				x					x
TOTALS	37	7	11	4	21	9	10	3	3	10	14	21	3	3	1	22

* includes truck weighing programs.

SOURCE: Questionnaires filled in by each state in response to Legislative Council request.

REMARKS

- a. Permanent ramps for truck weighing have been built at various locations and Highway Department crews with loadometers operate at various intervals.
- b. Ports administered by Agricultural Commission and State Patrol.
- c. Ports administered by Agricultural Department.
- d. Weigh scales only operated at infrequent intervals.
- e. Trucks are weighed at permanent State Police Stations. No tax collected.
- f. Department of Agriculture operates ten ports as livestock inspection stations.
- g. Department of Public Safety operates weighing stations.
- h. Supervisors are State Patrolmen, weigh clerks are civilian employees.
- i. A crew of 40 men is assigned to weight checking, and trucks are taken to closest scales for checking.
- j. Ports administered by independent board.
- k. Patrolmen act as supervisors, weight clerks are civilian employees.
- l. Truck checking is included in regular duties of State Patrolmen.
- m. Ports operated by Motor Vehicle Department.
- n. Ports administered by Department of Courtesy and Information.
- o. State Police operate mobile ports, Department of Public Works operate permanent ports.
- p. Ports operated by Motor Vehicle Department.
- q. Highway Patrol mans roving ports as part of regular duties.
- r. Tax Commission has ten enforcement officers working with Highway Patrol.
- s. Truck weighing only.
- t. Mobile scales are occasionally operated.
- u. Department of Public Safety operate ports.
- v. Department of Public Safety uses loadometers on a selective basis.
- w. Motor Vehicle Department operate ports.
- x. Three ports operated 24 hours a day, 6 ports operated 18 hours a day, all ports open 7 days a week.

Annual Cost of Ports	Salary Range (non-Super- visory)	No. Men Ea. Port	Mbrs. of Patrol
INA	INA	INA	INA
00,000.	2304.-3168.	3-10	No
INA	INA	1-2	Yes
11,570.	1980.-3480.	5	No
INA	245.- 305.	3-4	Yes
25,000.	250.- 350.	1-6	No

eters use facilities at infrequent