WITHDRAWN FOLLOWING THE FIRST COMMENT PERIOD

IFTA FULL TRACK PRELIMINARY BALLOT PROPOSAL
#01-2016

Sponsor

Agreement Procedures Committee

Date Submitted

March 25, 2016

Proposed Effective Date

January 1, 2018

Manual Sections to be Amended (January 1996 Version, Effective July 1, 1998, as revised)

IFTA Articles of Agreement R160 COMMUNICATION LANGUAGE

Subject

To create one official written communication language for IFTA.

History/Digest

In order for jurisdictions to understand each other, an official language should be defined for written communication between member and associated jurisdictions. This ballot is not meant to prevent the base jurisdiction from communicating with its licensees according to the laws of their jurisdiction. It is proposed to establish a universal written language for all IFTA Jurisdictions to communicate amongst each other

Intent

To create and implement an article that will make English the official written language for communication between jurisdictions and with IFTA Inc.

Interlining Indicates Deletion; Underlining Indicates Addition

ARTICLES OF THE AGREEMENT

R160 Official Communication Language

English shall be the official written language when communicating to IFTA, Inc. And for communicating to member jurisdictions for the following required information: licensee status, transmittals, payments, and audit reports. All other information may be maintained or provided to licensees in the legal language or languages of the base jurisdiction. Base jurisdictions that maintain data in a language other than English, will provide all written documents in English to members of the Review Team when an IFTA Compliance Review is conducted.

REVISIONS FOLLOWING THE FIRST COMMENT PERIOD

-

FTPBP #1-2016
First Comment Period Ending June 15, 2016

Support: 18
Oppose: 15
Undecided: 3

ALABAMA
Support

On line 5 of the ballot language, the word "And" should not be capitalized. Also, the word "for" should be omitted.

ALBERTA
Oppose

Strongly oppose. The ballot is divisive and we do not agree there is a need for the ballot.

ARIZONA
Oppose

I see zero benefit; it is extremely divisive.

BRITISH COLUMBIA
Oppose

BC recognizes that it is common for international agreements to designate a particular language in which everyone is expected to use to communicate and that English is the most commonly chosen language. However the ballot does not provide any compelling reason for such a change at this time and Quebec has been a member of IFTA since 1996.

CONNECTICUT
Support

This ballot is designed to ensure that all written communications between jurisdictions and IFTA, Inc., between jurisdictions and each other, and for presentation to compliance review teams are in English. This ballot does **not** prohibit a jurisdiction from communicating with its licensees in another language if jurisdictional law requires or permits it. While some provinces communicate primarily in French and while there has always been the prospect of adding the Mexican States as a member jurisdiction, it is entirely appropriate to establish English as the official language of written communications for this Agreement as at least 83% of the membership does so.

GEORGIA
Support

IDAHO
Support

ILLINOIS
Support

IOWA
Support

KANSAS
Undecided

LOUISIANA
Oppose

MAINE
Support

MANITOBA
Oppose

MARYLAND
Support

MICHIGAN
Oppose

In light of the many years that jurisdictions have been able to successfully communicate with one another concerning IFTA related issues, there does not appear to be a compelling need for this ballot.

MINNESOTA
Support

Minnesota is supportive of the proposal yet open to further discussion.

MISSISSIPPI
Support

MISSOURI
Support

MONTANA
Support

NEVADA
Support

NEW BRUNSWICK
Oppose

Strongly oppose.

NEW HAMPSHIRE
Support

NORTH CAROLINA
Support

NOVA SCOTIA
Oppose

We are strongly opposed to this ballot. It was a never an issue when Quebec first joined IFTA and it has never been an issue in any of our dealings with Quebec. We are at a total loss as to what this ballot purports to correct.

OKLAHOMA
Oppose

As was just demonstrated by Oregon, it is pretty simple these days to translate the written word. The message below took about 10 seconds.

Qu'est-ce qui est arrivé à provoquer l' APC de proposer ce scrutin ? Comme Virginie, l'absence d'une justification plus convaincante , nous aurons du mal à soutenir ce scrutin . L' ATA et l'IAC font de bons points.

English:

What has happened to cause the APC to propose this ballot? Like Virginia, absent a more compelling justification, we will have a hard time supporting this ballot. The ATA and the IAC make good points.

ONTARIO
Oppose

All of the Canadian jurisdictions are part of a country that has adopted both French and English as its official languages. While ON is not technically a bilingual province, government services may always be accessed in either official language. This is not merely a statutory obligation but strongly encouraged and supported throughout the province in the public or private sector alike.

This ballot is taking direct aim at a single jurisdiction, ignoring the overarching IFTA principle of a cooperative administration and mutual assistance. Language is not a factor in numerical transactions so it’s hard to fathom the concern with transmittals, payments, etc. While it may be problematic on occasions of a scheduled Compliance Review, most of the Canadian provinces are able to offer bilingual staff to assist in the process (and have done so in the past).

At this time there is no justification to impose such exclusionary measures and ON strongly opposes this proposal.

OREGON
Oppose

Mes amis et collègues de l'IFTA , je suis heureux d'inverser mon vote "oui" d'origine "non" pour la simple raison que je ne l'origine pas rendu compte que ce scrutin a été de discorde et pourrait provoquer des sentiments blessés . Il est beaucoup plus important pour moi que nous respectons les uns les autres et de favoriser un environnement positif , collégial .

PENNSYLVANIA
Support

Pennsylvania supports FTPBP #1.

PRINCE EDWARD ISLAND
Oppose

PEI opposes this ballot on the basis that it is potentially divisive and that it does not appear to be necessary.

QUEBEC
Oppose

To our colleagues and friends of APC:
The intent: What has been changed in our IFTA world to propose this ballot? We are forming a strong team together and all Jurisdictions are using the English as a language of communications.
As you may all know, the official language for Quebec is French and we translate all documents sent to the Jurisdictions. Quebec has been complying to all aspects since we joined IFTA. Translating *all* documents that the review team will look at represents a big cost to us, so why adding more points to the compliance? Unless the Review Team Members complained about a specific item that we are not aware of.
Thank you for clarifying this ballot.

RHODE ISLAND
Undecided

Stakeholders

6/2/2016
ATA - Robert Pitcher

Strongly oppose. While the existence of two official languages among IFTA's member jurisdictions can occasion administrative difficulties, they are minor, and a proposal like this, which ignores the problems involved in obtaining reliable translations of highly technical material, will not in fact resolve them. More important, however, the proposal is highly inflammatory, and could have consequences for IFTA far beyond what its sponsors may expect. We agree with Ontario's comments.

6/6/2016
Sandy Johnson, IAC Chair

Strongly oppose. This ballot is extremely inflammatory and could prove to be divisive. We increasingly live in a multi-lingual society and find ways to deal with the communications issues. Industry agrees with Ontario's comments.

UTAH
Undecided

This ballot appears to desire to establish an effective standard of communication. However, from current comments it also seems to be divisive. It makes us wonder if there was specific circumstances and problems that brought this forward or is there an ongoing issue. If there was an issue have requests to

resolve it been made and rejected? The history with the ballot raises more questions than answers due to the sensitive nature of the issue. With that, Utah would consider support because by statute English is the declared official language of Utah. However, is this solving or creating an issue?

VIRGINIA
Oppose

Absent compelling justification Virginia cannot support such a proposal.

WASHINGTON
Support

WEST VIRGINIA
Support

WYOMING
Oppose

I've never heard of an issue with language.... Why change something that is not a problem?

FOR VOTE BY FEBRUARY 9, 2017

IFTA FULL TRACK FINAL BALLOT PROPOSAL
#02-2016

Sponsor

Agreement Procedures Committee

Date Submitted

March 31, 2016

Proposed Effective Date

Upon passage

Manual Sections to be Amended (January 1996 Version, Effective July 1, 1998, as revised)

IFTA Article of Agreement Section R630

Subject

An amendment to the IFTA Article of Agreement to change the one month allowable timeframe to display the next year's IFTA credentials to two months.

History/Digest

Currently, within the IFTA Articles of Agreement, carriers are allowed to travel interstate on their renewal credentials one month prior to the effective date shown on the credentials. This causes confusion for some carriers based in a jurisdiction that issues and releases the renewal credentials more than one month prior to the effective date. In this situation, the carrier receives the renewal credentials before the one month prior to the display date, puts the decals on the vehicle and operates his vehicle. The carrier does not understand they may now be subjected to a citation for displaying credentials prior to the allotted timeframe. Changing the display date to two months prior to the effective date will alleviate the carrier's confusion and benefit jurisdictions also by allowing an extra month to issue and mail renewal credentials to carriers.

Intent

The intent of this ballot is to amend the IFTA Articles of Agreement to allow carriers to display their IFTA renewing credentials two months prior to the effective date shown on the license and decals.

Interlining Indicates Deletion; Underlining Indicates Addition

***R630 DISPLAY OF RENEWAL CREDENTIALS**

Carriers renewing credentials may operate with the IFTA decals and license ~~one~~ two months prior to the effective date shown on the credentials. However, those carriers are responsible for filing a fourth quarter report for the year preceding the effective date of the new credentials, including all operations for ~~the last month of~~ that quarter.

NO REVISIONS FOLLOWING THE SECOND COMMENT PERIOD

FTPBP #2-2016
First Comment Period Ending June 15, 2016

Support: 33
Oppose: 1
Undecided: 2

ALABAMA
Support

According to R655.200, the carrier must display either valid current or prior year IFTA license and decals from the base jurisdiction during the January and February grace period. We are unsure as to whether carriers will be permitted to display credentials the 2 months prior to the grace period (November and December), when they're allowed to renew.

ALBERTA
Undecided

We are currently reviewing our system impacts regarding the proposal.

ARIZONA
Support

BRITISH COLUMBIA
Support

CONNECTICUT
Support

This ballot changes the allowable timeframe to display the new year's decals from one month (e.g. December 1) to two months before the effective date of the decals. Renewal processes generally start in either October or November. Allowing the two month window enhances a base jurisdiction's ability to process renewals and issue decals. We are not sure whether we would change our current policy, but this proposal does not force us to change anything as it is designed to be permissive. Since many jurisdictions wish to begin their renewal period earlier, this makes some sense. Because this really doesn't affect us and it makes the issuance and display earlier than currently allowed permissive, **Connecticut agrees with this ballot.**

GEORGIA
Support

IDAHO
Support

IOWA
Support

KANSAS
Support

LOUISIANA
Support

MAINE
Support

MANITOBA
Support

MARYLAND
Support

MICHIGAN
Undecided

MINNESOTA
Support

MISSISSIPPI
Support

MISSOURI
Support

Missouri supports this ballot. The language will work with our automated IFTA license renewal process to ensure Missouri customer's can display thier credentials timely.

MONTANA
Support

NEVADA
Support

NEW BRUNSWICK
Support

NEW HAMPSHIRE
Support

NEW JERSEY
Support

NORTH CAROLINA
Support

Although NC supports the ballot, if the ballot passes the proposed effective date "Upon Passage" will most likely not allow us to communicate the ballot passage during our renewal process which begins in August 2016 with the mailing of our license/decal renewal application and our IFTA Compliance Manual

because these items would have already been printed and sent out to licensees without the effective changes of a passed ballot.

NOVA SCOTIA
Support

OKLAHOMA
Support

ONTARIO
Support

If there is a significant confusion as to when renewal decals may be displayed, there may be merit in advancing the window but perhaps what is also needed is an accompanying communications strategy by each jurisdiction to help remove the uncertainty.

OREGON
Support

PENNSYLVANIA
Oppose

Pennsylvania does not see an advantage or purpose for displaying credentials two months early.

PRINCE EDWARD ISLAND
Support

QUEBEC
Support

RHODE ISLAND
Support

Stakeholders

6/6/2016
Sandy Johnson, IAC Chair

Neither support nor oppose

Industry doesn't understand why this is even an issue. The jurisdictions control when the decals are issued. Why wouldn't it make sense to allow a carrier to display the decals as soon as they receive them, so why does that language even exist in the plan.

Better yet, simply get rid of the decals altogether.

UTAH
Support

VIRGINIA
Support

The second sentence of R630 should be changed to recognize the shift from one month to two months. The sponsor might consider: However, those carriers are responsible for filing a fourth quarter report for the year preceding the effective date of the new credentials, including all operations for that quarter.

WASHINGTON
Support

WEST VIRGINIA
Support

WYOMING
Support

FTPBP #2-2016
Second Comment Period Ending November 25, 2016

Support: 33
Oppose: 0
Undecided: 1

ALABAMA
Support

ALBERTA
Support

BRITISH COLUMBIA
Support

CONNECTICUT
Support

While we would not necessarily change our own process, we do not have an issue with the proposal which will help other jurisdictions and carriers alike.

IDAHO
Support

ILLINOIS
Support

IOWA
Support

KANSAS
Support

LOUISIANA
Support

MANITOBA
Support

MARYLAND
Support

MISSISSIPPI
Support

MISSOURI
Support

Missouri supports. The display effective date change will allow Missouri to complete its IFTA Auto Renewal process one week earlier than we have in the past.

MONTANA
Support

NEBRASKA
Undecided

Nebraska sees no harm in this ballot but remains unconvinced that this is a problem that needs fixing. Carriers who renew timely already have 3 months to get decals distributed (Dec 1 - Mar 1) and if there is confusion regarding when to display renewed decals because they are sent out early, then simply send them out later.... lets hope this change just doesn't add another month where enforcement is confused.

ps Nebraska begins processing renewals Oct. 1, but doesn't send out any renewed decals/permits until the week of Thanksgiving.

NEVADA
Support

NEW BRUNSWICK
Support

NEW JERSEY
Support

NORTH CAROLINA
Support

NORTH DAKOTA
Support

NOVA SCOTIA
Support

ONTARIO
Support

PENNSYLVANIA
Support

PRINCE EDWARD ISLAND
Support

QUEBEC
Support

RHODE ISLAND
Support

SASKATCHEWAN
Support

SOUTH CAROLINA
Support

SOUTH DAKOTA
Support

UTAH
Support

We believe this timing change will benefit carriers and our renewal process.

VIRGINIA
Support

WEST VIRGINIA
Support

WISCONSIN
Support

Support. This is helpful to carriers in general, by allowing carriers to get decals onto vehicles with less fighting with the calendar, weather, and the availability of interstate vehicles operating far from home. For WI this easily outweighs any concerns about the always-tiny percentage that might try to use such a feature in an attempt to operate without current year license.

WYOMING
Support

IFTA FULL TRACK FINAL BALLOT PROPOSAL 2-2016
VOTING RESULTS

JURISDICTION	LANGUAGE		EFFECTIVE DATE	
	YES	NO	YES	NO
ALABAMA	1		1	
ALBERTA	1		1	
ARIZONA	1		1	
ARKANSAS	1		1	
BRITISH COLUMBIA	1		1	
CALIFORNIA	1		1	
COLORADO				
CONNECTICUT	1		1	
DELAWARE	1		1	
FLORIDA	1		1	
GEORGIA	1		1	
IDAHO	1		1	
ILLINOIS	1		1	
INDIANA	1		1	
IOWA	1		1	
KANSAS	1		1	
KENTUCKY	1		1	
LOUISIANA	1		1	
MAINE	1		1	
MANITOBA	1		1	
MARYLAND	1		1	
MASSACHUSETTS	1		1	
MICHIGAN	1		1	
MINNESOTA	1		1	
MISSISSIPPI	1		1	
MISSOURI	1		1	
MONTANA	1		1	
NEBRASKA		1	1	
NEVADA	1		1	
NEW BRUNSWICK	1		1	
NEW HAMPSHIRE	1		1	
NEW JERSEY - INELIGIBLE				
NEW MEXICO				
NEW YORK	1		1	
NEWFOUNDLAND	1		1	
NORTH CAROLINA	1		1	
NORTH DAKOTA	1		1	
NOVA SCOTIA	1		1	
OHIO				
OKLAHOMA	1		1	
ONTARIO	1		1	
OREGON				
PENNSYLVANIA	1		1	
PRINCE EDWARD ISLAND	1		1	
QUEBEC	1		1	
RHODE ISLAND	1		1	
SASKATCHEWAN	1		1	

IFTA FULL TRACK FINAL BALLOT PROPOSAL 2-2016
VOTING RESULTS

JURISDICTION	LANGUAGE		EFFECTIVE DATE	
	YES	NO	YES	NO
SOUTH CAROLINA	1		1	
SOUTH DAKOTA	1		1	
TENNESSEE	1		1	
TEXAS	1		1	
UTAH	1		1	
VERMONT	1		1	
VIRGINIA	1		1	
WASHINGTON	1		1	
WEST VIRGINIA	1		1	
WISCONSIN	1		1	
WYOMING	1		1	
TOTALS	**52**	**1**	**53**	**0**

Bold font and shading indicate that the jurisdiction did not vote.
Failure to vote for the ballot language counts as a "No" vote.
Failure to vote for the alternative effective date counts as a "No" vote.

Number of "YES" votes necessary to pass: 44
Effective Date: Upon Passage - February 10, 2017

LANGUAGE:

NUMBER OF "YES" VOTES RECEIVED: **52**

NUMBER OF "NO" VOTES RECEIVED: **1**

NUMBER OF VOTES NOT RECEIVED: **4**

NUMBER OF INELIGIBLE JURISDICTIONS: **1**

RESULT: **PASSED**

ALTERNATIVE EFFECTIVE DATE:

NUMBER OF "YES" VOTES RECEIVED: **53**

NUMBER OF "NO" VOTES RECEIVED: **0**

NUMBER OF VOTES NOT RECEIVED: **4**

NUMBER OF INELIGIBLE JURISDICTIONS: **1**

RESULT: **PASSED**

Ballot Intent:

The intent of this ballot is to amend the IFTA Articles of Agreement to allow carriers to display their IFTA renewing credentials two months prior to the effective date shown on the license and decals.

FOR VOTE BY FEBRUARY 9, 2017

IFTA FULL TRACK FINAL BALLOT PROPOSAL
#3-2016

Sponsor

Jurisdictions of Illinois and Nevada

Date Submitted

April 20, 2016

Proposed Effective Date

January 1, 2018

Manual Sections to be Amended **(Effective July 1, 1998 Last Revised July 2015)**

IFTA Articles of Agreement	R1600	R1635
	R1610.200	R1650.200
	R1620.100	R1650.300
	R1620.200	R1650.400
	R1625	R1655
	R1630	R1720.100

Subject

The outcome of any ballot or CBI being voted upon should not be influenced by non-voters (i.e. those not eligible to vote or those not physically casting a vote). However, today's voting process assigns a vote of "NO" to jurisdictions that are ineligible to vote due to

- having sanctions imposed upon them, thereby losing their voting privilege,
- not having a Commissioner named, and/or;
- being absent at the ABM without naming a delegate (voting proxy)

Today, jurisdictions classified by the above categories continue to be included in the base (i.e. "denominator") on which the final tally of the vote is figured. For example, today if two jurisdictions are sanctioned and cannot vote, two jurisdictions do not have a Commissioner named, and two jurisdictions do not attend the ABM, nor name a delegate, the base denominator remains at 58. This constant denominator of 58 is not reflective of the actual, eligible-to-vote jurisdictions.

Moreover, today's voting process assigns a vote of "NO" to jurisdictions that do not physically cast a vote, whether that is their intention or not.

Continuing on with this example of now 52 eligible jurisdictions (58 minus the six from the dot points above), if,

of these 52 jurisdictions, four jurisdictions do not physically cast a vote of “YES” or “NO”, the denominator should now be 48 on which the three-quarters affirmative vote must be met.

With either of these scenarios, or combination of scenarios, the outcome of a ballot can potentially be adversely affected.

History/Digest

At the 2012 ABM in Grand Rapids, the jurisdiction of Illinois first brought the varying voting issues to light via Short-track Ballot #6-2012. It failed. Comments received indicated this was “too heavy” of a ballot for the short-track route in that it included changing the various percentages to a single factor of needing a three-quarters passage of the votes cast.

The following year in Reno, the Agreement Procedures Committee (APC) joined Illinois in presenting the repackaged ballot as a Full-Track Ballot. This ballot was withdrawn based on a straw poll from the floor. The biggest concerns feared the ballot could possibly denigrate the jurisdiction expulsion process. Other comments received indicated that by including the language to align all Agreement voting measurements (simple majority, 2/3, 3/4, etc) into just a vote of three-fourths of those votes cast was too aggressive or simply not needed.

Today, we still live in an IFTA world where jurisdictions that do not vote, cannot vote, do not feel compelled to vote, or simply “forget” to vote distort the voting process. In recent years, the IFTA community has witnessed the following:

- a jurisdiction that had lost its voting privilege, and therefore not eligible to vote, is actually being counted as a “NO” vote on ballots
- a short track ballot regarding electronic credentials failed to move forward (STPBP #06-2013)
- a short track ballot regarding standardizing a conversion rate for LNG failed to move forward (STPBP #05-2014)
- the vote for FTFBP #06-2015 2015 ABM in San Antonio was misrepresented by the final tally when some jurisdictions were out of the room when the vote occurred

This list is not a judgment on the merits of these proposals, but a statement about IFTA’s process. The current rules allowed non-voters to determine the outcome in each of these instances.

However, the most poignant of all examples is the final voting on Ballot #1-2012. This ballot attempted to clarify data elements captured on IFTA returns regardless if filed on paper or filed electronically; a seemingly non-controversial ballot. Attached are the voting results of Ballot #1-2012*. You will notice this ballot failed by only one vote. You will also notice that six jurisdictions did not cast a final vote. Of those six jurisdictions, four jurisdictions indicated they supported the ballot during the comment periods, including New Jersey, though ineligible to vote. Why would a jurisdiction take the time to go into the voting booth to comment in favor of a ballot, ***then not cast a final vote*** on a fairly non-controversial ballot? Regardless of any possible answer, the result of the final tally included votes of “NO” that were assigned to those jurisdictions not casting a vote: jurisdictions that previously indicated they supported the ballot through two comment periods. Had only one of those jurisdictions cast a vote to reflect their support as they did in the comment periods, this ballot would have passed. Instead, the sponsors committed more of their time to resubmit the ballot during the next balloting cycle. With a new ballot, more time was once again expended by IFTA, Inc., and the entire IFTA membership. Having the same intent of Ballot #1-2012, Ballot #1-2013 passed successfully the following year.

History also acknowledges a high percentage of voting participation (92%) as seen on the attached

spreadsheet. In view of this, the well-voiced concern that only a few jurisdictions can wield the power necessary to change the Agreement is a fear that has been unfounded. In fact, since 2008, three-quarters of the membership have voted more than 90% of the time. It is with these historical numbers the sponsors of this ballot cannot help but to continue to respect the integrity of the entire IFTA community and its due-diligence towards protecting the Agreement.

And finally, different from the First Comment Period, this ballot proposal no longer includes language setting forth a quorum requirement or minimum number needed in order to proceed with a vote. By setting a minimum number needed to take a vote, we are, in fact, no different from today where non-voters (those not casting a vote) can effectively halt a ballot from going forward. For example, if a quorum of 30 jurisdictions must cast a vote in order for the vote to become official, those not wanting the ballot to pass would simply not cast a vote, thereby not becoming part of the necessary quorum. Without having a quorum met, the vote is influenced and effectively stopped by those "non-voters".

* Please find included with this ballot a spreadsheet presenting the voting history of jurisdictions since 2008. This information was compiled directly from IFTA, Inc.'s website. When viewing this very revealing spreadsheet, be sure to use the scroll bar as this is a wide spreadsheet with several tabs.

Intent

The outcome of any ballot or CBI should not be influenced by jurisdictions that do not physically cast a vote of "YES", "NO", or "ABSTAIN", and by jurisdictions not eligible to vote. The intent of this ballot is three-fold:

1. To ensure a vote's final outcome is representative of the jurisdictions' true voting position.

2. To ensure the "denominator" on which the final vote is tallied represents only those **eligible** jurisdictions that have cast a vote.

3. To ensure jurisdictions retain the right to abstain from voting.

This proposal continues to recognize that a jurisdiction may not want the community to know where they stand on the issue being voted upon. This proposal also continues to recognize that a jurisdiction is not required to vote at all. A position of abstention will be recorded, but will not be included in the final disposition of the vote as no vote was cast. For this reason, and possible others, this ballot does not change the jurisdictions' right to abstain from voting as provided in R1650.300.

Essentially this ballot proposes the denominator on which the three-quarters affirmative vote is tallied be based only on eligible jurisdictions casting a vote.

Interlining Indicates Deletion; Underlining Indicates Addition

ARTICLES OF AGREEMENT

***R1600 AMENDMENTS**

Proposals for amendment of the Agreement, Procedures Manual, or Audit Manual may be made by any member jurisdiction, the Audit Committee, the Agreement Procedures Committee, the Clearinghouse Advisory Committee, the Law Enforcement Committee, the Program Compliance Review Committee or the Board of Trustees of the Association. In all matters in which a vote to amend the Agreement, Procedures Manual, or Audit Manual is taken, an affirmative vote of three-fourths of those eligible member jurisdictions that have cast a vote is required for ratification. Eligible member jurisdictions do not include:

- jurisdictions that have lost their voting privileges,
- jurisdictions that do not have a Commissioner identified at the time of the vote, and;
- jurisdictions that have not named a voting delegate in their Commissioners' absence (i.e. the jurisdiction did not submit an official voting proxy).

[SECTION R1605 REMAINS UNCHANGED]

R1610 SUBMISSION OF PROPOSALS WITHOUT PRELIMINARY COMMENT

A proposed amendment may also be submitted to the repository for consideration as a Short Track Preliminary Ballot Proposal ("Short Track" Proposal). The preliminary comment period requirement may be waived if:

***[SUB-SECTION .100 REMAINS UNCHANGED*]**

.200 At the next meeting of the member jurisdictions, the proposed amendment receives the affirmative vote of at least three-fourths of the total eligible member jurisdictions of the Agreement that have cast a vote.

[SECTION R1615 REMAINS UNCHANGED]

R1620 "SHORT TRACK" VOTING

.100 In the open meeting, the sponsor may request the member jurisdictions to vote for or against placing a Full Track proposal on the Short Track ballot process described in IFTA Articles of Agreement Section R1625. An affirmative vote of at least three-fourths of the total eligible member jurisdictions that have cast a vote is required to place a ballot on the Short Track ballot process.

.200 In the open meeting, a vote must be made by the member jurisdictions for or against continuing each Short Track proposal on the Short Track ballot process described in IFTA Articles of Agreement Section R1625. An affirmative vote of at least three-fourths of the total eligible member jurisdictions that have cast a vote is required for continuation of a ballot on the Short Track ballot process.

R1625 "SHORT TRACK" 30-DAY BALLOT PROCEDURES

Proposals that receive the required three-fourths affirmative vote of the votes cast by eligible member jurisdictions at the open meeting of the commissioners may proceed as follows:

***[SUB-SECTIONS .100, .200, AND .300 REMAIN UNCHANGED*]**

***R1630 "FULL TRACK" BALLOT PROCEDURES**

Full Track proposals that are not voted on at the open meeting or do not receive the three-fourths affirmative vote of the votes cast may still proceed as follows:

***[SUB-SECTIONS .100, .200, AND .300 REMAIN UNCHANGED*]**

R1635 VOIDED "SHORT TRACK" PROPOSALS

Short Track proposals that do not receive the three-fourths affirmative vote of the votes cast by eligible member jurisdictions are void. Sponsoring jurisdictions or committees may again submit the proposal through the process outlined in IFTA Articles of Agreement Section R1605. However, the proposal is ineligible for the expedited processes outlined in Sections R1610 or R1620.

[SECTIONS R1640 and R1645 REMAIN UNCHANGED]

R1650 ACCEPTANCE OF AMENDMENTS

***[SUB-SECTION .100 REMAINS UNCHANGED*]**

.200 An affirmative vote in writing of three-fourths of the total eligible member jurisdictions that have cast a vote is required to amend the Agreement, Procedures Manual, or Audit Manual. For purposes of this section, a vote submitted electronically through a mechanism provided by the International Fuel Tax Association, Inc. is deemed a vote in writing.

.300 ~~Jurisdictions may abstain from voting, but a final ballot proposal may still not be adopted without the affirmative vote of three-fourths of the total member jurisdictions~~. An eligible member jurisdiction may formally abstain from voting, and will be so noted in the final tally; however, an abstention is not to be counted as casting a vote.

.400 Jurisdictions that do not vote on an amendment within the required time limits ~~are~~ shall not be considered ~~to have voted in the negative, except as provided in IFTA Articles of Agreement Section R1655~~ in the disposition of the vote.

***R1655 EFFECTIVE DATE OF AMENDMENTS**

The effective date of all amendments, unless otherwise specified, is the first day of January or July, whichever occurs first, following the completion of 12 complete months following the close of the voting period. An alternate effective date may be allowed if it receives the support of three-fourths of the total eligible member jurisdictions that have cast a vote. If an alternate effective date is requested, it must be

voted separately from the amendment. ~~Jurisdictions that do not vote on an alternate effective date within the required time limits are considered to have voted in the negative.~~

[SECTION R1660 REMAINS UNCHANGED]

R1700 ISSUE PAPERS AND CONSENSUS BOARD INTERPRETATIONS

[SECTION R1710 REMAINS UNCHANGED]

***R1720 CONSENSUS BOARD INTERPRETATIONS**

.100 The Board of Trustees of the Association shall issue Consensus Board Interpretations in response to requests for clarification or notify the requesting party why a Consensus Board Interpretation will not be issued. Consensus Board Interpretations will be presented for consideration at the annual business meeting and requires an affirmative vote of three-fourths of the eligible member jurisdictions that have cast a vote for ratification and inclusion as commentary in the IFTA governing documents.

***[SUB-SECTIONS .100 and .200 REMAIN UNCHANGED*]**

NO REVISIONS FOLLOWING THE SECOND COMMENT PERIOD

Support: 12
Oppose: 16
Undecided: 9

ALABAMA
Support

Alabama fully supports this ballot proposal. As we read the proposal however, we were uncertain as to whether abstentions will be included in the quorum count. Please ensure that this point is clarified in the ballot.

ALBERTA
Oppose

We agree with Oregon's comments.

ARIZONA
Oppose

BRITISH COLUMBIA
Support

BC believes that jurisdictions' forgetting to vote, or not caring to vote should not influence the IFTA ballot/decision making process.

CONNECTICUT
Oppose

This ballot changes the way abstentions are treated when ballots are being considered for ratification. Currently in most circumstances 75% of the IFTA membership (58 jurisdictions) must vote in the affirmative to approve a ballot. In most cases, an abstention counts as a "No" vote. There is some level of concern that some jurisdictions do not vote, and therefore their "non" vote is counted as a "no" vote. We do not believe that this has been a broad and far reaching problem since Connecticut became a member in 1996. In fact, we do not believe it (abstentions) has been an impediment to the passage of worthwhile and needed language. The examples presented in the ballot's "History/Digest" are not indicative of the membership's failure to ratify much needed language. We do agree with the concern that a jurisdiction who has had their voting rights suspended (e.g. New Jersey) is counted as a "no" vote. We believe that the denominator for determining the threshold for ballot passage should be reduced by those jurisdictions not eligible to vote (e.g. 58 to 57 jurisdictions). We have further concerns that this ballot provides for a *simple* majority (30 jurisdictions) of votes cast constituting the denominator for determining the ratification threshold needed to pass a ballot (three fourths of 30 rather than three fourths of 58). This would mean that 23 jurisdictions (75% of the 30 casting a vote) could impact the Agreement affecting 35 other members. **What we would recommend are three things: First, language that establishes that any jurisdiction prohibited from voting be removed from the "membership count" in determining the threshold needed to ratify a ballot. Second, language which requires a minimum of a super majority (three fourths of the membership) must vote. Therefore, a minimum of 44 jurisdictions must cast a vote (given a total of 58 eligible jurisdictions). This would result in needing 33 affirmative votes to ratify proposed language; a clear majority of the membership. Lastly, the current proposal does not spell out what happens if the minimum number of votes cast is not met (e.g. fewer than 30 votes cast). While it is implied that the ballot**

would automatically fail, it is not spelled out. This will inevitably lead to the same debate we have right now. Jurisdictions need to be mindful that the Agreement and its accompanying procedural manuals should not be easy to amend. In fact, it should be rather difficult to amend. The current voting rules somewhat prevent a plethora of meaningless (or even harmful) ballots from being presented for consideration. Lowering the thresholds invites a bigger problem than we have right now. For these reasons, **Connecticut is opposed to this ballot as written.**

GEORGIA
Undecided

IDAHO
Support

ILLINOIS
Support

IOWA
Support

KANSAS
Support

LOUISIANA
Undecided

MAINE
Undecided

Oregon raises some good points. Non-votes are counted either as no votes or yes votes depending on the specifications of the Agreement.

MANITOBA
Undecided

Both Oregon and Ontario make good points.

MARYLAND
Oppose

Maryland is opposed to the ballot as presented. As the agreement currently stands, it can be quite challenging to make changes to both the Procedures Agreement and Audit Agreement. We agree that a suspended jurisdiction should not have a right to vote as long as that status stands, and further, that jurisdiction should not be part of the requirement for passage. However, in this proposal, a minority may be able to change the agreement. We are concerned that there is a possibility that a small group (even with a majority of votes cast) could determine the outcome of a measure that would affect all 58 member jurisdictions, even below the total 29 member majority.

MICHIGAN
Undecided

I am torn. On the one hand, I think the ballot could compel jurisdictions that do not vote or otherwise participate in the IFTA ballot process to do so because, knowing that more ballots might pass under the new language (including ones they did not like) and knowing that they could potentially be impacted by the passing of a ballot accomplished by a minority of jurisdictions, they might choose to become more involved in the process--leading hopefully to better outcomes.

I also think this would allow the jurisdictions who take the time and trouble to consider, comment and vote on ballots to have essentially a stronger voice in IFTA's affairs--which seems appropriate.

But I am concerned that this ballot if passed could potentially mean that a higher percentage of future ballots would pass resulting in the extra work that jurisdictions must engage in at times to implement new ballot language. Given the relatively small amount of revenue from IFTA and the relatively large staff needed to adminster it (in order to meet the 3% audit requirement), it would be difficult to add addtional work or expense to our IFTA unit.

So, still undecided.

MINNESOTA
Support

MISSISSIPPI
Oppose

MISSOURI
Support

Missouri feels jurisidiction should use thier voting priveleges and vote in suport or opposed.

MONTANA
Support

NEVADA
Support

NEW BRUNSWICK
Oppose

We agree with the comments from Oregon.

NEW HAMPSHIRE
Oppose

NEW JERSEY
Oppose

We agree with Oregon's comments.

NORTH CAROLINA
Undecided

NC is undecided on this ballot. We agree that abstaining should not be considered a "NO" vote. However, our research shows that voter participation is relatively strong over the last five years ballots and that this change may have impacted only 2 of the last 19 ballots. Our biggest concern is that by reducing the quorum to 30 (from the current 44), 75% of the needed votes means that only 23 jurisdictions (only 40% of total of 58 jurisdictions) voting in the affirmative could change the agreement, which is significantly less than the current 75% requirement.

NOVA SCOTIA
Oppose

OKLAHOMA
Undecided

Oklahoma is undecided on this ballot and looks forward to further discussion. But I would like to offer a suggestion to address the concern that a minority of the member jurisdictions could change the Agreement. The drafters could insert a floor into the ballot without the confusing quorum language. For example, the revised language could read, "In all matters in which a vote to amend the Agreement, Procedures Manual, or Audit Manual is necessary, an affirmative vote of three-fourths of the member jurisdictions that cast a vote is required for ratification. In no case will the Agreement, Procedures Manual, or Audit Manual be amended without a minimum of 30 affirmative votes."

Something like this removes the possibility that a minority of jurisdictions could change Agreement, Procedures Manual, or Audit Manual. That seems to be a major concern of those who are currently in opposition.

ONTARIO
Support

While preliminary comment periods allow for an “uncertain” position, final voting does not and there are but two choices. To abstain at that time is not a vote, meaning participation is relinquished and only logical that a surrendered vote should no longer count in determining the outcome. There may be a genuine need to abstain when there is a potential for a conflict of interest or if for political reasons a voting member is not permitted to take a position.

It is suggested this proposal may result in major changes decided by a minority rather than a full two thirds (or other standard) of the membership. ON also has concerns in this regard but believe by quantifying a lesser number for a vote tally, it will still absolve jurisdictions from casting a vote. As noted in the ATA comment, we need to demonstrate responsibility and cast our vote when the issue arises. If a jurisdiction chooses to abstain and the vote tally is reduced accordingly, they are directly accountable in handing decision making to something less than the full voting membership.

Voting is a privilege that comes with certain obligations, such as exercising that vote. Opting out simply because there is not enough interest does little to support the voting concept and perhaps without realizing it, the jurisdiction has effectively cast a vote of no (in most cases). In many environments, voting results are based on the actual number of votes cast. Let us follow suit and allow those who do not wish to cast a vote (even silently as with an abstention) to be removed from the final tally and have the result based on the number of votes actually cast.

OREGON

Oppose

I'm fundamentally opposed for two reasons.

First, the purpose of the current policy is to ensure that a majority of the member jurisdictions approves changes to the Agreement. The net effect of this ballot is to create the possibility that a minority of the member jurisdictions that somehow also represents the majority of voting jurisdictions in any particular ballot can effect changes to the Agreement. It should not be the case that a minority of the actual member jurisdictions can change the Agreement. This might seem an unlikely scenario but why create the possbility for such an outcome to occur? The crafters of the existing Agreement no doubt intended to include this protection.

Second, I'd suggest the underlying premise is false. "The outcome of any ballot should not be influenced by non-voters.." A non-vote is a vote. It is a "No" vote. There have been occasions on which I have opted to simply not vote for ballots I chose to not support that had not engendered much of a passionate response from me one way or the other.

Others may see this differently and I respect that possibility. In the spirit of this election season, I'll just say, "I'm Gregg Dal Ponte and I approve this message."

PENNSYLVANIA
Oppose

Pennsylvania opposes and agrees with the comments posted by Maryland and Oregon.

PRINCE EDWARD ISLAND
Oppose

PEI opposes this ballot . We agree with Oregon's comments.

QUEBEC
Undecided

First, I agree with Oregon's comments.
Second, since I don't have the necessary skills to form an opinion on this ballot, I would like to ask our **IFTA Attorneys' Section Steering Committee** to give their legal opinion on this ballot.

RHODE ISLAND
Oppose

Stakeholders

4-9-2016
ATA - Robert Pitcher

It is time for this change in the way IFTA is amended. Although it is important that the Agreement not be amended frivolously, the proposal would in no way allow this to occur. Significantly, however, the

proposal would compel every jurisdiction to take responsibility for a definite position on every proposal that comes to a vote. That can't be too much to ask from a member whose vote helps to determine how revenues from billions of gallons of motor fuel is shared out across North America!

6/6/2016
Sandy Johnson, IAC Chair

Support

Belonging to an agreement would suggest a commitment to participate in the outcome of changes to the agreement and to take the responsibility for same. Failing to vote is unfair to those who have taken a position of either yes or no. It leaves a hole in the cohesive nature of the IFTA agreement.

UTAH
Oppose

We do not believe that change to the agreement or manuals should be made based on 40% of the total membership. This is an organization with an agreement where a minority of the membership should not change that organization and agreement for the majority. Valid and positive changes should be supported sufficiently to generate adequate votes to pass, by a true majority of the membership.

VIRGINIA
Undecided

Virginia tends to agree with Oregon's observations, but will remain open-minded through the discussion.

WASHINGTON
Oppose

We agree with Oregon's comments.

WEST VIRGINIA
Oppose

WYOMING
Support

I agree that the outcome of a ballot should not be influenced by a non-voter. If you want a voice, then vote.

FTPBP #3-2016
Second Comment Period Ending November 25, 2016

Support: 11
Oppose: 14
Undecided: 7

ALABAMA
Support

ALBERTA
Oppose

BRITISH COLUMBIA
Support

BC believes that jurisdictions' forgetting to vote, or not caring to vote should not influence the IFTA ballot/decision making process.

CONNECTICUT
Oppose

We agree that a jurisdiction that is barred from voting or does not have either a Commissioner or a proxy in place to do so should not be included in the formula used to determine the threshold for ratification of a ballot proposal. However, we still disagree that the denominator used to establish the three fourths threshold should be based on the total number of votes cast. While historically a significant percentage of jurisdictions do in fact vote (over 92% per the authors for the period of 2008 through 2015) and there would appear to be minimal risk in changing this language (since most, if not all, of those eligible to vote do so), we do not believe any changes beyond addressing those barred from voting or do not have a voting Commissioner or proxy in place are needed. We remain opposed to this ballot as written.

IDAHO
Support

ILLINOIS
Support

I support this ballot simply because a vote should be representative of all jurisdictions' actual intent. This cannot be assured when a vote of "no" is automatically "assigned" to jurisidictions that did not vote as is being done today. This ballot also adresses the much-needed "sliding denominator" to represent only those jurisdictions that are eligible to vote, while also providing language to allow for a true "abstention". Simply put, we as voting commissioners have an obligation to review the ballots proposed and cast an informed vote for every ballot presented in order to represent our jurisdiction's true/actual postion on said ballot.

KANSAS
Support

LOUISIANA
Oppose

MANITOBA
Undecided

MARYLAND
Undecided

MISSISSIPPI
Oppose

MISSOURI
Undecided

Our general counsel is currently reviewing the language.

MONTANA
Undecided

NEVADA
Support

This process works well with the IRP ballots as it still requires 3/4 of the votes cast to approve a ballot and make a change to the official language. Unless jurisdictions are required to vote, it is often difficult to get more than 75-80% of the jurisdictions to respond, even during the comment periods. If jurisdictions feel strongly for or against a ballot, they can always lobby other jurisdictions that have not voted to ensure their voice is heard. Nevada's position is if we want to make sure our voice heard, we will vote.

NEW BRUNSWICK
Oppose

NORTH CAROLINA
Undecided

no change from previous comments

NORTH DAKOTA
Support

NOVA SCOTIA
Oppose

ONTARIO
Support

Ontario recognizes the concern in allowing changes to take place if achieved by less than a full majority of the entire voting membership. The cautionary comments being raised by the ASSC and others opposed to this ballot are not without merit however it is precisely because of this unease that “non-voting” ought to be addressed.

In any environment, voting is both a right and an obligation. When a vote is not exercised, a decision has been made to opt out of any subsequent decision making. It is therefore hard to justify including the abstention as part of the overall vote count.

PENNSYLVANIA
Oppose

Pennsylvania agrees with the comments made by Utah and opposes this ballot.

PRINCE EDWARD ISLAND
Oppose

QUEBEC
Oppose

RHODE ISLAND
Oppose

SASKATCHEWAN
Support

SOUTH CAROLINA
Support

SOUTH DAKOTA
Undecided

Stakeholders
Oppose

11/22/2016 - Respectfully submitted by the following members of the IFTA Attorney Section:
Jack Frehafer (Pennsylvania) and Clark Snelson (Utah) Ed Beaudette (Montana)

The proper context for the IFTA amendment process is based on receiving a certain number of affirmative votes. Jurisdictions gave up a degree of jurisdictional sovereignty in joining the agreement, as written. The Agreement which we agreed to join should be considered to be correct as written; therefore the Amendment Process is designed to ensure that a super majority of affirmative votes of the total membership are cast in order to alter the agreement.
We believe the ballot drafters are missing the point: Effecting a change to this very thoughtfully-drafted agreement is not simply about there being more "YES" votes than "NO" votes. The "NO" votes have nothing to do with this. Making an amendment effective is all about garnering the necessary AFFIRMATIVE support to effect a change or addition to the agreement. This goes to the heart of Jurisdictional sovereignty. The individuals voting to change the agreement are not elected representatives of the jurisdiction, but administrative managers appointed by the agency. Joining the agreement as it was drafted at the time required legislative approval. While the agreement provided a mechanism to make alterations in the agreement it was made deliberately difficult to insure that there was overwhelming support for the change. Therefore, it should not be an easy thing to change the agreement. It has been approved by Congress, and it may be amended in the manner approved by congress, however this ballot changes the congressionally approved method by which changes to the agreement may be made. This is the type of change that could lead to a challenge to the validity of the agreement, something that may affect our ability to collect the taxes that we are all relying on.

Note that the intent section of this ballot contains the following statement: "The issue of changing the various vote-passage requirements (simple majority, 2/3, 3/4) is NOT being addressed in this ballot." While those specific provisions (simple majority, 2/3, 3/4) are not being changed, the comment is misleading, the real effect of this ballot is to nullify the purpose of those sections. Example:
Suppose we are looking at a provision, such as a full-track ballot, subject to the 3/4 voting provision. It is intended by the agreement that a full-track ballot requires at least 3/4 of the current membership (58) cast an affirmative vote in favor of amending the Agreement. This means 44 AFFIRMATIVE votes are needed to pass the ballot. However, suppose only 35 jurisdictions actually cast a vote. In that case, the 3/4 provision would allow passage of an amendment even if only 27 members cast affirmative votes. 27 votes represent less than a majority of the membership approving an amendment that was not supported by 31 members. This is changing the current requirement of ¾ of the membership voting in the affirmative to effect a change.

Finally, we note this ballot lacks justification because it presents no compelling evidence of a problem with the current system. The key example cited, that it took two attempts to make a change is not

compelling, but serves simply to illustrate the need to gather affirmative support for a proposed change. There is no evidence given to support the assertion that the “non-voters” simply forgot to vote, or that they didn’t care enough to vote. It is just as likely that the non-voters recognized it is not necessary to actually cast a vote if you do not support an amendment since the rules require a certain number of affirmative votes. Non-voters may have simply concluded that, since they did not support the ballot or felt uncomfortable or uncertain, or unconvinced for the need for a change there was no motivation and hence no compelling reason to cast a vote.

The agreement was drafted to require affirmative votes. If a member jurisdiction is convinced of the need for a change that jurisdiction member will cast an affirmative vote. Jurisdictions should not have to be concerned that a substantive change in the agreement could be made by less than a majority of the appointed administrators casting a ballot.

UTAH
Oppose

In consideration of eligibility to vote, we agree that a member that has lost voting privileges should not be included in the base (line 14). We also see circumstances and could agree that jurisdictions that do not have a commissioner or voting member identified at time of a vote be excluded from the base (line 15).

We do not support diluting the responsibility of member jurisdictions eligible to vote from exercising their right and obligation to vote. Ballots to change Bylaws, Articles of Agreement or manuals should be well thought out for a positive or necessary change. Those should then be presented to members to gain support of a majority of eligible voting jurisdictions. As has been discussed there will be times when a jurisdiction does not vote by choice, jurisdiction requirement or through the "I forgot" scenario. Also discussed is that some of these non-votes may be due to the fact that not voting is counted a no vote. We believe that this process is preferable to excluding these eligible voting members allowing a passionate minority to implement ballot changes that may lack majority support.

VIRGINIA
Oppose

WEST VIRGINIA
Oppose

WISCONSIN
Undecided

Undecided, leaning to oppose. Not seeing a compelling reason to make a change to how the Agreement, our "constitution," is amended. In addition to the stated intent, the practical outcome of the ballot would be to allow a lesser proportion of jurisdictions to adopt changes. The current method is a conservative approach, requiring a set, certain level of support for adoption. Many democratic bodies have a variety of super-majority requirements with the practical outcome of limiting organizational tiller movements.

WYOMING
Support

IFTA FULL TRACK FINAL BALLOT PROPOSAL3-2016
VOTING RESULTS

JURISDICTION	LANGUAGE		EFFECTIVE DATE	
	YES	NO	YES	NO
ALABAMA	1		1	
ALBERTA		1		1
ARIZONA		1		1
ARKANSAS	1		1	
BRITISH COLUMBIA	1		1	
CALIFORNIA		1		1
COLORADO				
CONNECTICUT		1		1
DELAWARE		1		1
FLORIDA		1		1
GEORGIA	1		1	
IDAHO	1		1	
ILLINOIS	1		1	
INDIANA	1		1	
IOWA	1		1	
KANSAS	1		1	
KENTUCKY		1		1
LOUISIANA		1		1
MAINE		1	1	
MANITOBA		1		1
MARYLAND		1		1
MASSACHUSETTS	1		1	
MICHIGAN		1		1
MINNESOTA		1		1
MISSISSIPPI		1		1
MISSOURI	1		1	
MONTANA		1		1
NEBRASKA	1		1	
NEVADA	1		1	
NEW BRUNSWICK		1		1
NEW HAMPSHIRE		1		1
NEW JERSEY - INELIGIBLE				
NEW MEXICO				
NEW YORK		1		1
NEWFOUNDLAND	1		1	
NORTH CAROLINA		1		1
NORTH DAKOTA		1		1
NOVA SCOTIA	1		1	
OHIO				
OKLAHOMA	1		1	
ONTARIO	1		1	
OREGON				
PENNSYLVANIA		1		1
PRINCE EDWARD ISLAND		1		1
QUEBEC		1		1
RHODE ISLAND		1	1	
SASKATCHEWAN	1		1	

IFTA FULL TRACK FINAL BALLOT PROPOSAL3-2016
VOTING RESULTS

JURISDICTION	LANGUAGE		EFFECTIVE DATE	
	YES	NO	YES	NO
SOUTH CAROLINA	1		1	
SOUTH DAKOTA	1		1	
TENNESSEE	1		1	
TEXAS		1		1
UTAH		1		1
VERMONT		1		1
VIRGINIA		1	1	
WASHINGTON		1		1
WEST VIRGINIA		1		1
WISCONSIN		1		1
WYOMING	1		1	
TOTALS	**22**	**31**	**25**	**28**

Bold font and shading indicate that the jurisdiction did not vote.
Failure to vote for the ballot language counts as a "No" vote.
Failure to vote for the alternative effective date counts as a "No" vote.

Number of "YES" votes necessary to pass: 44
Effective Date: N/A

LANGUAGE:
NUMBER OF "YES" VOTES RECEIVED: **22**

NUMBER OF "NO" VOTES RECEIVED: **31**

NUMBER OF VOTES NOT RECEIVED: **4**

NUMBER OF INELIGIBLE JURISDICTIONS: **1**
RESULT: **FAILED**

ALTERNATIVE EFFECTIVE DATE:
NUMBER OF "YES" VOTES RECEIVED: **25**

NUMBER OF "NO" VOTES RECEIVED: **28**

NUMBER OF VOTES NOT RECEIVED: **4**

NUMBER OF INELIGIBLE JURISDICTIONS: **1**
RESULT: **FAILED**

IFTA FULL TRACK FINAL BALLOT PROPOSAL3-2016
VOTING RESULTS

Ballot Intent:

The outcome of any ballot or CBI should not be influenced by jurisdictions that do not physically cast a vote of "YES", "NO", or "ABSTAIN", and by jurisdictions not eligible to vote. The intent of this ballot is three-fold:

To ensure a vote's final outcome is representative of the jurisdictions' true voting position.

To ensure the "denominator" on which the final vote is tallied represents only those **eligible** jurisdictions that have cast a vote.

To ensure jurisdictions retain the right to abstain from voting.

This proposal continues to recognize that a jurisdiction may not want the community to know where they stand on the issue being voted upon. This proposal also continues to recognize that a jurisdiction is not required to vote at all. A position of abstention will be recorded, but will not be included in the final disposition of the vote as no vote was cast. For this reason, and possible others, this ballot does not change the jurisdictions' right to abstain from voting as provided in R1650.300.

Essentially this ballot proposes the denominator on which the three-quarters affirmative vote is tallied be based only on eligible jurisdictions casting a vote.

FOR VOTE BY NOVEMBER 30, 2016

IFTA SHORT TRACK FINAL BALLOT PROPOSAL
#04-2016

Sponsor

Audit Committee

Date Submitted

June 7, 2016

Proposed Effective Date

July 1, 2017

Manual Sections to be Amended (January 1996 Version, Effective July 1, 1998, as revised)

AUDIT MANUAL	A300 IFTA AUDITING STANDARDS *A310 NUMBER OF AUDITS

Subject

Amend the Audit Manual to indicate when an audit, based on the number of returns audited, can be counted toward a jurisdiction's satisfaction of the audit quota requirement.

History/Digest

When A310 was amended to change registration year to license year, for purposes of audit counts, audits of four consecutive quarters that were not from the same license year (January – December), were not counted during a Compliance Review for a jurisdiction's audit count. Previously they had been counted. This resulted in some jurisdictions being found out of compliance with A310.

Discussions held at annual business meetings and audit workshops have indicated a desire to include as audits the audits of licensees that either did not file or may not have been required to file returns for an entire license year or four consecutive quarters.

Intent
The intent of this ballot is to allow:

1. The audit of any 4 consecutive quarters to count toward a jurisdiction's total number of audits for compliance with A310.

2. The audit of all returns required to be filed in a license year to count toward a jurisdiction's total number of audits for compliance with A310.

Interlining Indicates Deletion; Underlining Indicates Addition

A300 IFTA AUDITING STANDARDS

*A310 NUMBER OF AUDITS

Base jurisdictions will be held accountable for audits and will be required to complete audits of an average of 3 percent per year of the number of IFTA accounts required to be reported by that jurisdiction on the annual reports filed pursuant to the IFTA Procedures Manual, Section P1110.300.005 excluding new licensees, for each year of the program compliance review period, other than the jurisdiction's IFTA implementation year. Such audits shall cover all of the returns that were filed or required to be filed during a license year ~~at least one license year~~ or shall cover at least four (4) consecutive quarters. This does not preclude audits of individual licensees several times during the program compliance review period. However, audits for a licensee selected that cover multiple license years, fuel types, or both shall be counted as one audit for program compliance review purposes.

NO REVISIONS FOLLOWING THE SECOND COMMENT PERIOD

STPBP #4-2016
Second Comment Period Ending October 25, 2016

Support: 27
Oppose: 0
Undecided: 0

ALABAMA

Support

ALBERTA

Support

BRITISH COLUMBIA

Support

IDAHO

Support

IOWA

Support

KANSAS

Support

LOUISIANA

Support

MANITOBA

Support

MARYLAND

Support

MISSISSIPPI

Support

MISSOURI

Support

MONTANA

Support

NEBRASKA

Support

Nebraska enthusiastically supports this ballot! For those jurisdictions that conduct both IRP and IFTA audits this should be very helpful.

NEW BRUNSWICK

Support

NORTH CAROLINA

Support

NORTH DAKOTA

Support

OKLAHOMA

Support

ONTARIO

Support

PRINCE EDWARD ISLAND

Support

QUEBEC

Support

SOUTH CAROLINA

Support

SOUTH DAKOTA

Support

UTAH

Support

VERMONT

Support

VIRGINIA

Support

WEST VIRGINIA

Support

WV has no opposition to this ballot.

WISCONSIN

Support

WI supports. This proposal correctly provides credit for completed audits, just on a four quarters requirement basis, rather than limited to a license year only basis. It does so without increasing any incentive to conduct shorter-period audits just to obtain credit towards the jurisdiction audit count requirements.

IFTA SHORT TRACK FINAL BALLOT PROPOSAL 4-2016
VOTING RESULTS

JURISDICTION	LANGUAGE		EFFECTIVE DATE	
	YES	NO	YES	NO
ALABAMA	1		1	
ALBERTA	1		1	
ARIZONA	1		1	
ARKANSAS	1		1	
BRITISH COLUMBIA	1		1	
CALIFORNIA	1		1	
COLORADO	1		1	
CONNECTICUT	1		1	
DELAWARE	1		1	
FLORIDA	1		1	
GEORGIA	1		1	
IDAHO	1		1	
ILLINOIS	1		1	
INDIANA	1		1	
IOWA	1		1	
KANSAS	1		1	
KENTUCKY	1		1	
LOUISIANA	1		1	
MAINE	1		1	
MANITOBA	1		1	
MARYLAND	1		1	
MASSACHUSETTS	1		1	
MICHIGAN	1		1	
MINNESOTA	1		1	
MISSISSIPPI	1		1	
MISSOURI	1		1	
MONTANA				
NEBRASKA	1		1	
NEVADA	1		1	
NEW BRUNSWICK	1		1	
NEW HAMPSHIRE	1		1	
NEW JERSEY - INELIGIBLE				
NEW MEXICO	1		1	
NEW YORK	1		1	
NEWFOUNDLAND	1		1	
NORTH CAROLINA	1		1	
NORTH DAKOTA	1		1	
NOVA SCOTIA	1		1	
OHIO				
OKLAHOMA	1		1	
ONTARIO	1		1	
OREGON				
PENNSYLVANIA	1		1	
PRINCE EDWARD ISLAND				
QUEBEC	1		1	
RHODE ISLAND	1		1	
SASKATCHEWAN	1		1	

IFTA SHORT TRACK FINAL BALLOT PROPOSAL 4-2016
VOTING RESULTS

JURISDICTION	LANGUAGE		EFFECTIVE DATE	
	YES	NO	YES	NO
SOUTH CAROLINA	1		1	
SOUTH DAKOTA	1		1	
TENNESSEE				
TEXAS	1		1	
UTAH	1		1	
VERMONT				
VIRGINIA	1		1	
WASHINGTON				
WEST VIRGINIA	1		1	
WISCONSIN	1		1	
WYOMING	1		1	
TOTALS	**50**	**0**	**50**	**0**

Bold font in the voting total columns and shading indicate that the jurisdiction did not vote.
Failure to vote for the ballot language counts as a "No" vote.
Failure to vote for the alternative effective date counts as a "No" vote.

Number of "YES" votes necessary to pass: 44
Effective Date: July 1, 2017

LANGUAGE:

NUMBER OF "YES" VOTES RECEIVED:	**50**
NUMBER OF "NO" VOTES RECEIVED:	**0**
NUMBER OF VOTES NOT RECEIVED:	**7**
NUMBER OF INELIGIBLE JURISDICTIONS:	**1**
	58
RESULT:	**PASSED**

ALTERNATIVE EFFECTIVE DATE:

NUMBER OF "YES" VOTES RECEIVED:	**50**
NUMBER OF "NO" VOTES RECEIVED:	**0**
NUMBER OF VOTES NOT RECEIVED:	**7**
NUMBER OF INELIGIBLE JURISDICTIONS:	**1**
	58
RESULT:	**PASSED**

Ballot Intent:

The intent of this ballot is to allow:

1. The audit of any 4 consecutive quarters to count toward a jurisdiction's total number of audits for compliance with A310.

2. The audit of all returns required to be filed in a license year to count toward a jurisdiction's total number of audits for compliance with A310.