



FEE PAYMENT AGREEMENT

INSTRUCTIONS: COMPLETE AND RETURN THIS FORM TO THE OREGON DEPARTMENT OF TRANSPORTATION AT THE ADDRESS ABOVE. A COPY WILL BE RETURNED TO YOU AFTER APPROVAL OR DISAPPROVAL.

NOTICE: THE FEE PAYMENT AGREEMENT FORM IS INTENDED FOR REGULAR OR FREQUENT LEASE OPERATIONS. THE LESSOR AND LESSEE MUST HAVE OREGON OPERATING AUTHORITY IN GOOD STANDING. THE LESSEE IS REQUIRED TO HAVE LEASE RECORDS AVAILABLE AT THE TIME OF AUDIT TO DETERMINE IF PROPER REPORTING HAS BEEN MADE. FEE PAYMENT AGREEMENT RECORD INFORMATION RECEIVED DURING THE LESSEE'S AUDIT WILL BE USED AT THE TIME OF THE LESSOR'S AUDIT. AGREEMENTS WILL NOT BE APPROVED WITHOUT A SIGNATURE OF OWNER, PARTNER, OR CORPORATE OFFICER.

BY THIS AGREEMENT _____

LESSEE, _____ ENTERS INTO FEE PAYMENT AGREEMENT FOR HIGHWAY USE TAX
(MCTD ACCOUNT NUMBER)

PAYMENT WITH _____

LESSOR, _____
(MCTD ACCOUNT NUMBER)

THE PARTIES MUTUALLY UNDERSTAND AND AGREE:

1. THIS AGREEMENT MUST BE APPROVED BY THE OREGON DEPARTMENT OF TRANSPORTATION, MOTOR CARRIER AUDIT SECTION PRIOR TO THE LESSOR REPORTING TAX RESULTING FROM OPERATIONS WITH THIS LESSEE.
2. COPIES OF VALID LEASE AND APPROVED FEE PAYMENT AGREEMENT FORMS MUST BE IN THE VEHICLES AT ALL TIMES AND AVAILABLE FOR INSPECTION BY LAW ENFORCEMENT OFFICIALS UPON REQUEST.
3. THIS AGREEMENT MAY BE REVOKED FOR NON-COMPLIANCE WITH ANY STATUTE, RULE, OR ORDER OF THE OREGON DEPARTMENT OF TRANSPORTATION.
4. LESSOR WILL REPORT AND PAY ALL HIGHWAY USE TAXES ON VEHICLES WITH OREGON WEIGHT RECEIPTS AND TAX IDENTIFIERS (RECEIPTS) IN THE LESSOR'S NAME AND PLACARDED IN THE LESSEE'S NAME, IN ACCORDANCE WITH OAR 740-045-0120.
5. IN THE EVENT THE LESSOR DEFAULTS OR REFUSES TO BE HELD LIABLE, THE FINAL RESPONSIBILITY FOR THE MILEAGE FEES RESTS WITH THE LESSEE.

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|---|-----------|
| LESSEE BUSINESS NAME | |
| SIGNATURE OF OWNER, PARTNER, OR CORPORATE OFFICER | |
| TITLE | |
| DATE | TELEPHONE |

| | |
|---|-----------|
| LESSOR BUSINESS NAME | |
| SIGNATURE OF OWNER, PARTNER, OR CORPORATE OFFICER | |
| TITLE | |
| DATE | TELEPHONE |

DO NOT WRITE BELOW THIS LINE

APPROVED DISAPPROVED

| | |
|----------|----------------------|
| BY _____ | EFFECTIVE DATE _____ |
|----------|----------------------|

FEE PAYMENT AGREEMENT INSTRUCTIONS

OREGON REVISED STATUTES CHAPTER 825 AND THE ADMINISTRATIVE RULES state that Motor Carriers leasing vehicles are liable for all highway use tax while operating these vehicles on Oregon taxable roads. This applies to all vehicles whether on a permanent or one-way trip lease. If certain criteria are met, tax reporting responsibility may be shifted from lessee to lessor.

PLEASE NOTE:

1. The carriers (Lessee and Lessor) must have Oregon operating authority in good standing. The lessor must have valid ODOT vehicle credentials.
2. The form is to be completed and agreed to by both parties.
3. Signature authorization must be by - - owner, partner or an officer of the corporation (NOT AN EMPLOYEE). Notarization not required.
4. The agreement will become effective after proper completion and final approval by ODOT. Parties will be notified in writing of approval or disapproval.

TEMPORARY PASSES ARE NOT REQUIRED WHEN THE FOLLOWING CONDITIONS ARE MET:

1. A valid lease between the carriers has been effected and is in the possession of the driver.
2. A copy of an approved fee payment agreement must be in the possession of the vehicle driver.
3. The lessor has a valid ODOT plate or Oregon Weight Receipt and Tax Identifier for the leased vehicle.

AND

4. The lessor's vehicle is placarded in the name of the lessee.

Carriers who fail to meet the above conditions may be subject to lease violations and possible cancellation of their fee payment agreements. Leasing of household goods and regular route passenger operations must be in conformance with OAR 740-045-0110.

The lessee is required to have lease records available at time of audit to determine if proper reporting has been made. Approved fee payment agreements are valid until canceled by ODOT.

FEE PAY AGREEMENT RULE

Oregon Administrative Rule (OAR) 740-045-0150, Mileage Fees on Leased Equipment

- (1) The lessee of vehicles being operated under OAR740-045-0110 to 740-045-0140 is responsible for mileage fees due for all operations of those vehicles in Oregon during the term of the lease.
- (2) The lessee may be relieved of responsibility for mileage fees on vehicles with valid identification devices being operated under OAR 740-045-0110 only following written notification to the Department that the lease has been terminated.
- (3) The lessee may enter into fee pay agreements authorizing the owner or lessor to report and pay mileage fees for vehicles carrying the identification devices issued in the lessee's or lessor's name provided:
 - (a) The fee pay agreement is signed by both the lessee and the owner or lessor; and
 - (b) The agreement is filed with and approved by the Department. Such fee pay agreements shall not relieve the lessee of its obligation for payment of mileage fees accruing during the term of the lease and prior to written notification of the termination of the lease.