



Rollin' On



An Electronic and Facsimile Newsletter for the Transportation Industry

Volume VII, Issue 5

Copyright © 2001

May 2001

FUEL, TAXES, MOTHERS, WIVES AND YARDWORK.

Everyone knows that fuel prices are high, unless you're from anywhere other than the U.S. where we have lower fuel prices than just about anywhere else in the world. It reminds one of the early 1970's fuel crisis, when gas lines, rationing, odd-even days and 50 mph freeways were abundant. Many believed then, and still do, that the so-called crisis was concocted by the oil companies, and that there was no shortage.

Turn the clock to the summer of 2001, and you'll find fuel prices that, remarkably enough, are no higher than they were on Labor Day two years ago. The prediction is that motorists will travel far and wide this summer, even more so than last year. Meanwhile, the nation's truckers, many of whom have upside down operating ratios due to the cost of fuel, are struggling. Although some are successful at passing along fuel surcharges to their customers, others have not been able to do so. More and more carriers are going out of business.

President Bush's energy policy provides no short term relief, as it is based upon increasing production, which will take time, instead of conservation. And the VP, Mr. Cheney, has been appointed the energy czar. Now whether you're a Republican or a Democrat or an Independent or from Vermont or whatever, there is a certain amount of cynicism that emanates from a decision by one oilman to appoint another oilman to establish the nation's energy policy. But, hey, he's the president, albeit without winning the popular vote, and those are the perks of the job.

The Obligatory Disclaimer

This newsletter is for informational purposes, does not provide legal advice and does not create an attorney-client relationship

LARRY R. DAVIDSON
Attorney at Law
1850 Benj. Franklin Plaza
One SW Columbia St.
Portland, Oregon 97258
(503) 229-0199
Fax (503) 229-1856
E-Mail: larry@rollin-on.com
www.rollin-on.com

Weight Mile Tax

An item related to fuel prices is Oregon's weight mile tax. Most of you know that Oregon is one of the few states in the nation that still has a weight mile tax. Idaho's tonnage tax was ruled illegal last year by the courts, so that state has dropped out. The American Trucking Associations has filed a lawsuit challenging the Oregon tax. "Summary judgment" motions have been filed, whereby the court was asked to rule, assuming, your honor, for the purpose of discussion only, that even if all of the lies asserted by the other side are true, that as a matter of law the other side still loses, the moving party wins and there is no trial. The court denied the motions, and a trial will be held within the next few months when the lies, I mean assertions, will get sorted out.

The weight mile tax opponents have long argued that the tax is expensive to administer, both by the carriers and by the state, and that it is easily evaded. They want a fuel tax that is easily collected, with much lower administrative costs and that is tougher to evade. Triple A and the railroads have opposed the change. Now the matter is up to the courts.

Change from fax to email

In the past, I have mentioned the option of receiving this newsletter via email instead of fax. I'm now more actively pushing that idea since it makes it easier on distribution. It's in the same format as the fax. There is no difference. Also, please keep in mind that you can go to my website for

past issues. If you don't remember the password, just let me know and I'll get it to you.

To switch from fax to email, please send me an email message with the fax number and name of company and individual recipient. I'll take you off of the fax list (unless you state otherwise) and put you on the email list. Very quick and simple.

Musings about Mother's Day

Mother's Day has come and gone, all too quickly. Okay, it's not the one day of the year that you hold above all others, but it's an important day for those of us with mothers or wives or soon-to-be wives or significant others or maybe even insignificant others. Mothers and wives are special and it's only right that we honor them.

So there we were working in the yard, on this-her-day-to-relax-day. We have a big yard, including a big lawn. The wife says lawns are low maintenance. I wonder if that's because I am the one elected to mow it. She won't let me get a riding mower, claiming that I need the exercise. I guess that it's nice to be loved so much. We also have a utility trailer. We used to have a smaller one, where she would park the wheelbarrow for me to unload. So I went and got a bigger trailer, with a ramp so that she could push the wheelbarrow up the ramp on to the back of the trailer. You know, to make things easier for her. But she didn't get too excited about that. I guess it was somewhat like getting her a vacuum cleaner for her birthday. It was not a big hit.

That's all for now. Keep the cargo **rollin'**!

Short Bio

Admitted to the state bars of Oregon, Alaska, Florida and Massachusetts. Practicing law for over 20 years and emphasizing transportation law, business law and related litigation