



**DAN JOHNSON**  
DIRECTOR

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT  
DEVELOPMENT SERVICES BUILDING  
150 BEAVERCREEK ROAD OREGON CITY, OR 97045

October 22, 2020

Board of County Commissioner  
Clackamas County

Members of the Board:

**Approval of Amendment Number 01 for Intergovernmental Agreement #30380 with the State of Oregon, acting by and through its Department of Transportation for Commercial Vehicle, Driver and Cargo Inspection**

<b>Purpose/Outcomes</b>	Amend the 2015 Agreement with ODOT for Commercial Vehicle, Driver and Cargo Inspection adding language about use of ODOT forms and inspection software, ASPEN, and protecting vehicle operator personal protected information (PPI). This creates alignment with current inspection and data protection practices.
<b>Dollar Amount and Fiscal Impact</b>	N/A
<b>Funding Source</b>	N/A
<b>Duration</b>	Effective upon date it is fully executed and approved as required by applicable law
<b>Previous Board Action</b>	Approval of Intergovernmental Agreement – Commercial Vehicle, Driver and Cargo Inspection on January 13, 2015 (agreement attached)
<b>Strategic Plan Alignment</b>	<ol style="list-style-type: none"> <li>1. Build a strong infrastructure by providing commercial motor carrier inspections which help preserve the roads by limiting overweight vehicles</li> <li>2. Ensure safe, healthy and secure communities by inspecting commercial motor vehicles and driver credentials helping to ensure that drivers and equipment meet current safety and operational standards under USDOT regulations.</li> </ol>
<b>Counsel Review</b>	This contract has been reviewed by County Counsel on October 7, 2020
<b>Procurement Review</b>	<ol style="list-style-type: none"> <li>1. Was this item processed through Procurement? <b>NO</b></li> <li>2. No – this amendment agreement addresses procedures for Motor Carrier.</li> </ol>
<b>Contact Person</b>	Joseph Marek – Traffic Safety Program Manager – (503) 970-8987

The Clackamas County Department of Transportation and Development – Traffic Safety Program includes a Motor Carrier Safety team responsible for permitting commercial vehicles and inspecting vehicle in compliance with Oregon and USDOT regulations. All inspections are routed through the ODOT Commerce and Compliance Division. This agreement amendment

updates the procedures to include use of the ODOT ASPEN commercial vehicle inspection software and requirements to protect personal private information (PPI) to be in alignment with current practice.

This contract is effective upon date it is fully executed and approved as required by applicable law all signatures.

**RECOMMENDATION:**

Staff respectfully recommends approval of Amendment Number 01 for Intergovernmental Agreement #30380 with the State of Oregon, acting by and through its Department of Transportation for Commercial Vehicle, Driver and Cargo Inspection.

Respectfully submitted,

*Joe Marek*

Joe Marek, Traffic Safety Program Manager  
Department of Transportation and Development

**AMENDMENT NUMBER 01  
INTERGOVERNMENTAL AGREEMENT  
Commercial Vehicle, Driver and Cargo Inspection**

This is Amendment No. 01 to the Agreement between the **State of Oregon**, acting by and through its Department of Transportation, hereinafter referred to as "ODOT," and **Clackamas County**, acting by and through its Motor Carrier Enforcement Division, hereinafter referred to as "CCMC," entered into on January 23<sup>rd</sup>, 2015.

It has now been determined by ODOT and CCMC that the Agreement referenced above shall be amended to update language to define information submittal requirements.

1. **Effective Date.** This Amendment shall become effective on the date it is fully executed and approved as required by applicable law.

2. **Amendment to Agreement.**

a. **CCMC Obligations, Paragraph 6, Page 3, which reads:**

6. When performing inspections as described herein, said inspections shall be documented on forms provided by ODOT. Whenever possible, inspections shall be conducted electronically using ASPEN™ software provided by ODOT.

**Shall be deleted in its entirety and replaced with the following:**

6. When performing inspections as described herein, said inspections shall be documented electronically using the system(s) provided by ODOT or on paper forms provided by ODOT. All appropriate measures to protect personal protected information (PPI), shall be taken by CCMC prior to submittal. PPI is defined as information that can be used to distinguish or trace an individual's identity or, when combined with other personal or identifying information, is linked or linkable to a specific individual.

3. **Counterparts.** This Amendment may be executed in two or more counterparts (by facsimile or otherwise) each of which is an original and all of which when taken together are deemed one agreement binding on all Parties, notwithstanding that all Parties are not signatories to the same counterpart.

4. **Original Agreement.** Except as expressly amended above, all other terms and conditions of the original Agreement are still in full force and effect. Agency certifies that the representations, warranties and certifications in the original Agreement are true and correct as of the effective date of this Amendment and with the same effect as though made at the time of this Amendment.

**THE PARTIES**, by execution of this Agreement, hereby acknowledge that their signing representatives have read this Agreement, understand it, and agree to be bound by its terms and conditions.

ODOT/CCMC  
Agreement No. 30380-01

**Clackamas County**, by and through its  
Motor Carrier Enforcement Division

By \_\_\_\_\_

Date \_\_\_\_\_

**ODOT Contact:**

Howard "Russ" Russell  
Safety Enforcement Manager  
3930 Fairview Industrial Ave NE  
(503) 373-1979  
[Howard.H.RUSSELL@odot.state.or.us](mailto:Howard.H.RUSSELL@odot.state.or.us)

**CCMC Contact:**

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Transportation Safety MNG  
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503-742-4705  
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**STATE OF OREGON**, by and through  
its Department of Transportation

By \_\_\_\_\_  
Paul Kroll, Motor Carrier Transit Division  
Budget & Fiscal Coordinator

Date \_\_\_\_\_

**APPROVAL RECOMMENDED**

By \_\_\_\_\_  
Howard "Russ" Russell, Safety  
Enforcement Manager

Date \_\_\_\_\_