

ARIZONA PORTS OF ENTRY
Arizona Department of Transportation
JLBC/OSPB Joint SPAR Report

Overview - The Arizona Department of Transportation (ADOT) has jurisdiction for implementing and enforcing federal and state laws related to motor vehicle size and weight and for collecting highway user revenues. ADOT places these responsibilities within the department's Motor Vehicle Division (MVD) and affects them through various MVD organizational units, including one that operates the port of entry system. This Strategic Program Area Review (SPAR) focuses primarily on non-Mexican border ports of entry that are located on highways within the state. The non-Mexican border ports of entry's primary purpose is to ensure that commercial vehicles driving through Arizona are in compliance with the state's weight, licensing, permit, and tax laws. In addition to ADOT's operations, the Arizona Department of Agriculture (ADA) uses the ports to intercept agricultural pests, weeds, and livestock diseases. The Arizona Department of Public Safety (DPS) also maintains a limited field presence at some ports, usually with one officer to perform safety inspections of commercial vehicles along with his other patrol and field duties.

ADOT's Self-Assessment adequately described its program and the port facilities. The program personnel answered all follow-up questions and worked diligently with OSPB and JLBC Staff to help analysts better understand the issues related to this program. ADOT provided output performance measures for its program. However, ADOT provided neither benchmarks for its program nor comparisons with other states. Further, ADOT did not provide any customer input or feedback from the trucking industry.

The scope of this SPAR did not require that ADA and DPS complete an agency Self-Assessment. However, they did cooperate with the study team and responded to questions related to their involvement and responsibilities at the ports. This SPAR was not designed to specifically focus on the effectiveness of the use of ports for agricultural or vehicle safety purposes.

After reviewing the agency Self-Assessment, JLBC Staff and OSPB reached the following conclusions:

JLBC Staff Findings and Recommendations

- **JLBC Staff and OSPB agree that the involvement at the ports of the Departments of Transportation, Agriculture, and Public Safety has enabled these agencies to share the port of entry facilities and sometimes assist each other. Only JLBC Staff, however, finds that the level of cooperation between agencies has varied considerably. Although it may not be feasible to consolidate the port operations of the three agencies, there are definite opportunities for increased coordination**
- **OSPB recommends that DPS and ADOT establish an interagency agreement covering their port activities, that the present interagency agreement between ADOT and ADA be updated to reflect all major terms of their cooperation, and that ADOT notify in writing the JLBC and OSPB directors on their progress by July 1, 2000. The JLBC Staff believes that the three agencies should be more strongly encouraged to pursue interagency cooperation at the ports,**

and that they should be held more accountable for results by reporting on specific items to the Governor and Legislature by July 1, 2000.

- ✓ **Recommendation:** JLBC Staff recommends that the port of entry program be modified, with the following provisions:
 - JLBC Staff and OSPB agree that the three agencies should jointly examine innovative and efficient ways to further staff cross-training and development. JLBC Staff further recommends that ADOT report specifically on the more extensive use of cross-training to allow one person to conduct all checks, and on the use of interagency team building activities at the ports.
 - JLBC Staff recommends that the three agencies should explore how they can make better use of interagency agreements to foster more cooperation. JLBC Staff recommends putting more specificity into the existing interagency agreement between ADOT and ADA, and establishing separate interagency agreements between ADOT and DPS, and between DPS and ADA. OSPB recommends that ADOT and DPS enter into an interagency agreement to reflect and specify all key components of their cooperative efforts, and that the existing interagency agreement between ADOT and ADA be updated to reflect all major transactions and terms of their cooperation at the ports.
 - JLBC Staff recommends that ADOT, ADA, and DPS report on how the three agencies will work better together at the ports, including but not limited to the specific items mentioned above, to the Governor and Legislature by July 1, 2000.

OSPB Findings and Recommendations

- **The involvement at the ports of the Departments of Transportation, Agriculture, and Public Safety has enabled these agencies to share the port of entry facilities and sometimes assist each other to strengthen their respective enforcement activities. However, OSPB found that ADOT and DPS do not have an interagency agreement reflecting their agreed upon levels of service, and that the current interagency agreement between ADOT and ADA did not reflect all the terms of their respective cooperation. The consolidation of these agencies may not be feasible at this time, since they perform different functions at the ports.**
- ✓ **Recommendation:** OSPB recommends that the port of entry program be modified, with the following provisions:
 - ADOT should increase efforts and explore creative methods to enhance and promote efficient interagency cooperation with DPS and ADA. The involved agencies should jointly examine feasible and innovative ways to further staff cross-training and development.
 - ADOT and DPS should enter into an interagency agreement to reflect and specify all key components in their business, responsibilities, and cooperative efforts at the ports.
 - ADOT and ADA need to update the existing interagency agreement to reflect all major terms and levels of their mutual cooperation.

- It is recommended that ADOT provide to the JLBC and OSPB directors a written update on the progress of these recommendations by July 1, 2000.

Joint Findings and Recommendations

- **The ports of entry are useful in enforcing Arizona's truck size, weight, and tax laws. ADA screens trucks and their cargo for agricultural pests at the ports. DPS benefits from the ports by using certain ports as offices in remote areas. They perform some of their enforcement activities at the ports and some away from the ports.**
- **The lack of national benchmarks and a systematic performance monitoring mechanism have limited the ability of this review to conclusively establish the program's effectiveness or efficiency, including the use of mobile versus fixed scales.**
- **ADOT has implemented some efforts to improve the ports' operations and enforcement, including the use of emerging technologies and mobile scales. However, the agency's Self-Assessment did not provide strong evidence to support their cost-effectiveness and their expansion plan. Furthermore, ADOT's lack of a current 5-Year Master Plan for the ports inhibits our ability to evaluate the present effectiveness and future direction of the program.**
- **Although the number of mobile enforcement units used by ADOT has increased, the fixed port of entry inspection stations continue to be the dominant compliance mechanism.**
- ✓ **Recommendation:** OSPB and JLBC Staff recommend that the program's data tracking system and performance measurements be improved. Specifically, it is recommended that ADOT collect data on the number of trucks weighed, number overweight, revenue generated, and operating budget expenditures separately for both its fixed ports and for its mobile units. Such data would facilitate future cost comparisons between ADOT's use of fixed and mobile scales. This data should be included in ADOT's 5-Year Master Plan for the ports, which is currently being updated (it was last updated in 1989). The updated Master Plan can then be used to help evaluate the future direction of the program, including the best use and mix of fixed scales, mobile scales, and newer technologies. OSPB and JLBC Staff recommend that ADOT submit its updated 5-Year Master Plan for the ports to the Governor and the Legislature by July 1, 2000. In addition, OSPB and JLBC Staff recommend that ADOT submit a report on how it has improved its collection, analysis, and use of data in these areas to the Governor and the Legislature by September 1, 2001.

Program Description - The operations of ADOT's non-Mexican border port of entry are primarily focused on carrying out federal and state mandates related to commercial vehicle size and weight and on collecting fees and charges from those using the highway system in Arizona.

Title 23 of the United States Code requires that the state's size and weight laws (Arizona Revised Statutes, Title 28, Article 18) must be enforced on all Arizona roads that are built with or receiving federal aid. The United States Government could reduce federal highway funds to the state, if the Federal Highway Administration (FHWA) deems that adequate truck size and weight enforcement is not occurring. The program has consistently met this federal mandate, as the department is required to submit annually two reports to FHWA. The first report is the "*The Enforcement Plan*," which is a planning document by which FHWA reviews and evaluates the state's operation as to its acceptability in either

the plan itself or its implementation. The second document submitted to FHWA is “*The Certification Report*” (USC 23-141), which includes a certification by the ADOT director ensuring that the state is enforcing laws regarding maximum vehicle size and weights permitted on federal aid highways and the Interstate System.

The non-Mexican border ports of entry are part of an integrated motor vehicle enforcement activity that is administered by the Motor Vehicle Division of ADOT. The present network consists of 13 ports (**See Ports Location Map Appendix 1**), 9 mobile stations, 142 officers, and a Phoenix Central Permits office which only issues permits. The ports collected \$13.5 million in revenues and processed a total of 4.6 million vehicles in FY 1998. In FY 1999, the program brought in \$12.3 million and processed approximately 5.4 million vehicles. In addition, the ports at Springerville and Teec Nos Pos provide driver licensing, and the Page and Fredonia ports provide driver licensing and vehicle title and registration services.

ADOT shares its ports with ADA and DPS by providing office or trailer space as working quarters within the port of entry facility (**See Port of Entry Summary Appendix 2**). ADA had 29.7 FTE positions in FY 1999. These positions staffed four interstate ports (Ehrenberg, San Simon, Sanders, and Yuma I-8) 24 hours per day and one interstate port (Yuma Business-8) on weekdays from 8:00 a.m. to 4:00 p.m. At nine other ports, MVD personnel screen trucks for agricultural loads and fax any related paperwork to ADA’s headquarters. This allows ADA’s personnel to follow-up when the load reaches its destination. DPS uses seven ports as offices in remote areas and performs some of its enforcement activities at and some away from the ports.

Program Funding – ADOT’s non-Mexican border ports of entry are funded through appropriations from the State Highway Fund. Although the ports’ funding is not specifically identified in the appropriation format, their operating budget is part of MVD’s appropriated operating budget. The department uses an internal budget allocation to determine the amount to support the operations of each individual port.

ADA services are paid from the state General Fund, and DPS supports its enforcement through appropriations from the General Fund and the State Highway Fund, and federal Motor Carrier Safety Assistance Program Funds.

The amounts for All Other Operating Expenditures reported in Table 1 include monies spent on specialized and general office type equipment. Examples of items in the general office category are computers, printers, fax machines, telephones, etc. Specialized equipment utilized by DPS includes standard vehicle and police equipment, and 25 sets of mobile scales utilized by DPS officers statewide. ADA and ADOT use surveillance cameras, scales, digital imaging, variable message boards, and pre-clearance screening equipment. The cameras are used to detect any unusual activity in the ports of entry surroundings; variable message boards notify commercial motorists about inspection formalities; and pre-clearance screening equipment helps personnel monitor and receive information regarding the origin, destination, and loads of vehicles. Digital imaging helps expedite the process of agricultural pest identification.

Table 1: Port Program Revenues and Expenditures

	FY 1998	FY 1999
MVD's Revenue Collected:		
Highway User Revenue Fund	\$13,484,400	\$12,272,500
MVD's Expenditures:		
FTE Positions	141.0	142.0
Personal Services	\$3,216,900	\$3,751,000
ERE	847,700	940,600
All Other Operating	<u>666,300</u>	<u>560,300</u>
TOTAL	\$4,730,900	\$5,251,900
ADA's Expenditures:		
FTE Positions	29.7	29.7
Personal Services	\$685,800	\$722,900
ERE	195,900	207,800
All Other Operating	<u>174,100</u>	<u>198,800</u>
Total	\$1,055,800	\$1,129,500
DPS's Expenditures:		
FTE Positions	7.5	7.5
Personal Services	\$354,500	\$394,500
ERE	71,200	76,900
All Other Operating	<u>61,200</u>	<u>86,900</u>
Total	\$486,900	\$558,300
Total Expenditures:		
FTE Positions	178.2	179.2
Personal Services	\$4,257,200	\$4,868,400
ERE	1,114,800	1,225,300
All Other Operating	<u>901,600</u>	<u>846,000</u>
TOTAL	\$6,273,600	\$6,939,700

◆ *How does the program mission fit within the agency's overall mission and the program's enabling authority? Is it still necessary?*

The mission of ADOT's non-Mexican border ports of entry reflects ADOT's enabling authority and is consistent with MVD's overall mission to "facilitate licensing, safety programs, and compliance with motor vehicle laws."

The ports of entry are useful in enforcing Arizona's truck size, weight, and tax laws. ADA screens trucks and their cargo for agricultural pests at the ports. DPS benefits from the ports by using certain ports as offices in remote areas. They perform some of their enforcement activities at the ports and some away from the ports. ADOT has jurisdiction for implementing and enforcing federal and state laws related to motor vehicle size and weight, and for collecting highway user revenues. ADOT reports that approximately 99% of weighing of trucks entering Arizona is conducted at ports of entry for regulatory compliance.

Although there is no *specific* statutory reference in the Arizona Revised Statutes (A.R.S.) that requires the establishment of ports of entry, there are several sections in the statutes that make reference to the ports and require and/or authorize certain enforcement activities to take place at them. Additionally, Title 23 of the United States Code requires that all Arizona roads built with or receiving federal aid be subject to the state's size and weight laws and that enforcement of those laws take place. A reduction of federal highway funds could result if the United States Government determines that adequate enforcement is not occurring.

These weight and size enforcement activities deter overloads and reduce infrastructure damage to pavements and structures due to illegal weights. As illustrated in Table 2, on average, the non-Mexican border ports of entry processed more than 4.8 million commercial vehicles per year. Studies, including a report by the State Auditor General, have found that without weight enforcement, roads designed to last 15-20 years can fail within 2 years. Additionally, ADOT's Intermodal Transportation Division reports that a 10% increase in overweight vehicles could cause a \$20 million annual increase in road repair and maintenance costs.

A.R.S. § 28-5204 requires that DPS enforce motor carrier regulations. DPS also receives federal Motor Carrier Safety Assistance Program Funds, which require that they enforce vehicle safety standards statewide. The 1998 Performance Authorization Review (PAR) found that the DPS safety operations were efficient and effective and that Arizona compared favorably with other border states for the number of accidents involving commercial trucks per million miles. To both the trucking industry and DPS, the port facilities offer a safe and convenient location to conduct vehicle inspections. Motorists have the opportunity to make a single stop at the port of entry and ensure compliance with Arizona laws as administered by ADOT, DPS, and ADA.

The efforts of ADA are designed to exclude and prevent the establishment of hazardous pests in Arizona, minimize delays to motorists, and carry out the mandate of A.R.S. § 3-216, which requires that ADOT and ADA cooperate by "interagency agreement" at ports of entry to enforce the provisions of A.R.S. Title 3, Chapter 2, Article 1, related to agricultural pests. The history of ADA's role at the ports is further described in the last section of this report.

- ◆ *Does the program meet its mission and goals efficiently and effectively, including comparisons with other jurisdictions? Do the program's performance measures and performance targets adequately capture these results?*

The lack of national benchmarks and a systematic performance monitoring mechanism have limited the ability of this review to conclusively establish the program's effectiveness or efficiency, including the use of mobile versus fixed scales. There is no national evidence that establishes the efficiency and effectiveness of the overall program or of using mobile versus fixed scales. Based on available data, ADOT is close to the national average for trucks weighed by mobile scales in FY 1999, with nine mobile units in use. ADOT should be above the national average for trucks weighed by mobile scales in FY 2000 with its projected use of 13 mobile units.

The historical performance measures submitted in ADOT's Self-Assessment were in most cases input and output measurements. The fact that ADOT's reported revenue exceeds its expenditures by a ratio of more than two to one might be considered to be a form of efficiency and/or effectiveness measure. Also, decreased highway maintenance costs, due to reducing the number of overweight trucks, can be

considered to be an effectiveness measure, although the cost savings is not readily quantifiable. The program's Self-Assessment provides the following efficiency measure (Table 2) to indicate ADOT's cost per vehicle processed.

Table 2: Cost per Vehicle Processed

	FY 1996	FY 1997	FY 1998	FY 1999
Budget	\$4,775,839	\$4,478,012	\$4,730,939	\$5,251,893
Vehicles processed	4,669,000	4,517,000	4,697,000	5,401,092
Cost/vehicle processed	\$1.02	\$0.99	\$1.01	\$0.97

◆ *Are there other cost-effective alternative methods of accomplishing the program's mission?*

ADOT has implemented some efforts to improve the ports' operations and enforcement, including the use of emerging technologies and mobile scales. However, the agency's Self-Assessment did not provide strong evidence to support their cost-effectiveness and their expansion plan. Furthermore, ADOT's lack of a current 5-Year Master Plan for the ports inhibits our ability to evaluate the present effectiveness and future direction of the program. Typically, operations of ports of entry must ensure that their workloads are processed timely to avoid traffic congestion, safety risks, and unreasonable delays to the trucking industry. ADOT is using newer technologies at some of the ports, including weigh-in-motion scales so that trucks do not have to come to a complete stop to be weighed. While it is acknowledged that in general mobile enforcement units may have deterrent effects and provide flexibility in deploying enforcement, this review recommends that before expanding the program ADOT should evaluate the efficiency and effectiveness of the current operations.

From a use of technology standpoint, five interstate ports have weigh-in-motion scales so that trucks do not have to come to a complete stop to be weighed. Also, seven interstate ports have pre-clearance technology, which allows pre-approved trucks to continue past the ports at highway speed without stopping at the port, after receiving electronic clearance to proceed as the truck approaches the port. In order to receive ADOT's approval for pre-clearance, a trucking company must meet ADOT's criteria for truck safety, weight, and driver compliance. A random 5% of trucks in the pre-clearance program receive an electronic signal telling them to stop at the port, which allows ADOT to maintain a quality control check on the trucking companies in this program.

From a federal evaluation standpoint, the FHWA annually subjectively assesses the adequacy of each state's truck size and weight enforcement program. Data from FHWA indicate that nationwide 99.1% of trucks weighed in FY 1998 were weighed at fixed stations, while only 0.9% were weighed by mobile units. ADOT reports that 99.4% of Arizona's truck weighings were on fixed scales at the ports, with 0.6% weighed by six mobile units in FY 1998. However, ADOT reports an increase to nine mobile units in FY 1999, which should bring Arizona close to the national average in FY 1999 for trucks weighed by mobile units. In addition, ADOT projects a further increase to 13 mobile units in FY 2000, which should put Arizona above the national average for trucks weighed by mobile units in FY 2000.

Recognizing the importance of enhanced enforcement, ADOT has developed a plan to increase its mobile enforcement. In part, the scheduled increase of mobile units was developed in response to a February 1997 report by the Auditor General, which recommended that ADOT should increase the use of mobile units to better ensure compliance with the weight-distance tax law. Subsequently, after the

weight-distance tax was repealed by Laws 1997, Chapter 8, the Auditor General still felt that mobile enforcement should be increased but not as much as originally thought. In fact, ADOT reports that mobile enforcement has increased from 6 mobile units in FY 1998 to 9 mobile units in FY 1999, with a further projected increase to 13 mobile units in FY 2000.

There are 33 roads leading into the state, of which only 21 have fixed ports of entry, 13 of which are non-Mexican border ports. The 12 remaining roads are commonly used by commercial vehicles entering and operating illegally and/or in violation of size and weight laws. The severity of the situation is also increased since only 7 of the 13 ports are open on a 24-hour basis. The number of vehicles circumventing/bypassing the ports of entry has been estimated at 7%, based upon the 1989 Arizona Ports of Entry Master Plan. Based on the 6.7 million vehicles passing through Arizona ports in FY 1999, 472,000 vehicles are likely circumventing/bypassing the ports. However, OSPB and JLBC Staff believe that alternative enforcement scenarios should be based on solid data regarding the cost effectiveness of fixed ports versus mobile units and ADOT's updated 5-Year Master Plan for the ports.

Although the number of mobile enforcement units used by ADOT has increased, the fixed ports of entry inspection stations continue to be the dominant compliance mechanism. While ADOT's Self-Assessment asserts that the increased use of technology and mobile enforcement would improve the program's efficiency and streamline its operations, it provides no assessment of their implementation and their effectiveness. The costs to operate mobile scales reportedly is higher than those of fixed ports as they require higher travel, per diem, and overtime costs. Additionally, fixed ports have the capacity to weigh and process higher volumes of trucks in a given time period. On the other hand, mobile scale units have some deterrent enforcement effect by catching overweight intrastate trucks, which do not travel through the ports. Besides a 1996 study completed for ADOT by JHK and Associates outlining the benefits and suitability of mobile enforcement strategies in Arizona, the program has not presented evidence of the cost-effectiveness of further expanding its use of mobile scales.

ADOT may also need to examine its current data collection and surveillance systems, which appear to provide limited information on truck volumes, classifications, and weights. Improving truck data collection systems should be a program priority. Such data is essential to the program's enforcement efforts and will help to guide the program's strategic directions.

Recommendation: OSPB and JLBC Staff recommend that the program's data tracking system and performance measurements be improved. Specifically, it is recommended that ADOT collect data on the number of trucks weighed, number overweight, revenue generated, and operating budget expenditures separately for both its fixed ports and for its mobile units. Such data would facilitate future cost comparisons between ADOT's use of fixed and mobile scales. This data should be included in ADOT's 5-Year Master Plan for the ports, which is currently being updated (it was last updated in 1989). The updated Master Plan can then be used to help evaluate the future direction of the program, including the best use and mix of fixed scales, mobile scales, and newer technologies. OSPB and JLBC Staff recommend that ADOT submit its updated 5-Year Master Plan for the ports, to the Governor and the Legislature by July 1, 2000. In addition, OSPB and JLBC Staff recommend that ADOT submit a report on how it has improved its collection, analysis, and use of data in these areas to the Governor and the Legislature by September 1, 2001.

- ◆ *Should the program area be consolidated into one budget unit if the area is administered by more than one budget unit?*

There is no positive evidence to support that consolidation into one budget unit would improve or lead to a more efficient resource allocation. However, OSPB and JLBC Staff recommend modifying the Ports of Entry Program by having the three agencies jointly examine innovative and efficient ways to further staff cross-training and development.

JLBC Staff Perspective

JLBC Staff and OSPB agree that the involvement at the ports of the Departments of Transportation, Agriculture, and Public Safety has enabled these agencies to share the port of entry facilities and sometimes assist each other. Only JLBC Staff, however, finds that the level of cooperation between agencies has varied considerably. Although it may not be feasible to consolidate the port operations of the three agencies, there are definite opportunities for increased coordination

The JLBC Staff believes that the three agencies should be more strongly encouraged to pursue interagency cooperation at the ports, and that they should be held more accountable for results by reporting on specific items to the Governor and Legislature by July 1, 2000. OSPB recommends that DPS and ADOT establish an interagency agreement covering their port activities, and that ADOT increase efforts and explore creative methods to enhance and promote efficient interagency cooperation with DPS and ADA. OSPB also recommends that the current interagency agreement between ADOT and ADA be updated to reflect all major terms of their cooperation, and that ADOT provide to the JLBC and OSPB directors a written update on the progress of these recommendations by July 1, 2000.

OSPB Perspective

OSPB finds that the involvement at the ports of the Departments of Transportation, Agriculture, and Public Safety has enabled these agencies to share the port of entry facilities and sometimes assist each other to strengthen their respective enforcement activities. However, OSPB found that ADOT and DPS do not have an interagency agreement reflecting their agreed upon levels of service, and that the current interagency agreement between ADOT and ADA did not reflect all the terms of their respective cooperation. The consolidation of these agencies may not be feasible at this time, since they perform different functions at the ports.

OSPB recommends that ADOT and DPS enter into an interagency agreement to reflect and specify all key components in their business, responsibilities, and cooperative efforts at the ports. It is also recommended that the current interagency agreement between ADOT and ADA be updated to include all major terms and levels of their mutual cooperation, and that ADOT provides to the JLBC and OSPB directors by July 1, 2000, a written update on the progress of these recommendations.

Joint Perspective

All three state agencies benefit by sharing the port of entry facilities and by sometimes assisting each other as circumstances warrant or permit, although the level of cooperation between agencies has varied. Since ADOT, ADA, and DPS conduct different functions at the ports, it may not be feasible to consolidate them.

However, although each agency has duties for which it has primary responsibility, some overlap exists in responsibilities between the three departments, particularly between ADOT and DPS. This is mostly due to the fact that the commercial trucking industry is a main client/customer to each of these three agencies, and they may have official business to conduct with any one or more of these departments.

ADOT has the principal responsibility for examining commercial vehicles for compliance with Arizona's laws regarding registration, licensing, fees, financial responsibility, and size/weight regulations. DPS has truck size and weight enforcement as a secondary responsibility. DPS remains the lead state agency for conducting truck and driver safety inspections, while for ADOT this is a secondary responsibility. DPS is also the state agency responsible for training state and local personnel to do these truck safety inspections. ADA is principally charged to inspect incoming commercial vehicles for plant infestations, livestock diseases, and to conduct enforcement of quarantine laws.

These agencies cooperate with and assist one another to enhance their respective enforcement activities and to overcome field challenges, but also to meet either federal guidelines and/or state laws. FHWA, for instance, encourages local agencies to coordinate efforts when enforcing motor carrier laws. ADA's border inspection stations were closed and its budget reduced in FY 1993. Then in FY 1994, ADA border inspections were re-established, with department personnel operating out of four ADOT ports of entry. A.R.S. § 3-216 requires that ADOT and ADA cooperate (via an interagency agreement) at ports of entry to enforce the provisions of A.R.S. Title 3, Chapter 2, Article 1, regarding dangerous plants and diseases. Since 1996, ADA and ADOT have had an interagency agreement, which provides for ADOT personnel to assist ADA in its agricultural screening functions, including performing certain tasks at ports where no ADA personnel are stationed.

JLBC Staff Perspective

The JLBC Staff received some anecdotal reports from each of the three agencies of interagency personnel conflicts at the ports, which the involved agencies have addressed on an ad hoc basis in the past. Levels of cooperation and conflict have varied among the three agencies, at different ports and at different times. ADOT and ADA have an interagency agreement dated January 1996, specifying terms of cooperation between them at the ports. There are no such interagency agreements between DPS and ADOT, or between ADA and DPS. Several years ago DPS and ADOT had an interagency agreement to cooperate on running a joint agency task force for truck safety inspections, which ADOT staffed with port personnel. The DPS director ended that interagency agreement, effective October 31, 1998, due to conflict and disagreement between the two agencies over its implementation, and with each agency accusing the other of bad faith efforts to make the interagency agreement work. The JLBC Staff found that there are definite opportunities for improved and increased coordination and cooperation, between the three agencies at the ports.

JLBC Staff Recommendation: JLBC Staff recommends that the port of entry program be modified, with the following provisions:

- JLBC Staff and OSPB agree that the three agencies should jointly examine innovative and efficient ways to further staff cross-training and development. The JLBC Staff further recommends that ADOT report specifically on the more extensive use of cross-training to allow one person to conduct all checks, and on the use of interagency team building activities at the ports.

- JLBC Staff recommends that the three agencies should explore how they can make better use of interagency agreements to foster more cooperation. JLBC Staff recommends putting more specificity into the existing interagency agreement between ADOT and ADA, and establishing separate interagency agreements between ADOT and DPS, and between DPS and ADA.
- JLBC Staff recommends that ADOT, ADA, and DPS report on how the three agencies will work better together at the ports, including but not limited to the specific items mentioned above, to the Governor and Legislature by July 1, 2000.

OSPB Recommendation: OSPB recommends that the port of entry program be modified, with the following provisions:

- ADOT should increase efforts, and explore creative methods to enhance and promote efficient interagency cooperation with DPS and ADA. The involved agencies should jointly examine feasible and innovative ways to further staff cross-training and development.
- ADOT and DPS should enter into an interagency agreement to reflect and specify all key components in their business, responsibilities, and cooperative efforts at the ports.
- ADOT and ADA need to update the existing interagency agreement to reflect all major terms and levels of their mutual cooperation.
- It is recommended that ADOT provide to the JLBC and OSPB directors a written update on the progress of these recommendations by July 1, 2000.