

From: [Cullen, Bob](#)
To: [Gutierrez, Avelino A., PRC](#)
Subject: Re: Logos
Date: Friday, February 26, 2016 10:14:30 PM

While the image in question does somewhat resemble the AASHTO-trademarked Interstate System shield in terms of shape and colors, I do not see any cause for concern with respect to your proposed use of the image. As the AASHTO staff person who customarily reviews and responds to requests to reproduce and display likenesses of the Interstate System shield, I tend to have stronger reservations if the proposed use involves an exact replica of the shield and in particular if the replica features an actual highway route number. Your proposed use of the shield, of course, poses no such problems. If you would like me to formally confirm my response here in a letter for your files, please let me know and I will be happy to prepare that correspondence for you. Again, I am sorry for not getting back with you about your original inquiry and I thank you for your patience.

From: Cullen, Bob
Sent: Friday, February 26, 2016 8:37 AM
To: Gutierrez, Avelino A., PRC
Subject: RE: Logos

Good morning, and thank you for your follow-up email. I am sorry that I never got back with you about your inquiry this past fall. I will check on the status of that inquiry, and touch base with you about it later today.

From: Gutierrez, Avelino A., PRC [<mailto:Avelino.Gutierrez@state.nm.us>]
Sent: Thursday, February 25, 2016 5:12 PM
To: Cullen, Bob
Subject: RE: Logos

Mr. Cullen--
Has your organization been able to review our inquiry? Thank you.
--Avelino
Avelino A. Gutierrez
Staff Counsel/Legal Division
New Mexico Public Regulation Commission
(505) 827-4565

From: Cullen, Bob [<mailto:bcullen@ashto.org>]
Sent: Thursday, October 01, 2015 6:29 AM

To: Gutierrez, Avelino A., PRC
Subject: RE: Logos

Good morning, and thank you for your email. I will review your inquiry and follow up with you soon about it.

Sincerely,

Bob Cullen
Information Resource Manager
AASHTO

From: Gutierrez, Avelino A., PRC [<mailto:Avelino.Gutierrez@state.nm.us>]
Sent: Wednesday, September 30, 2015 6:09 PM
To: Subscription Services
Cc: Morris, Scott
Subject: Logos

To Whom It May Concern--

My name is Avelino A. Gutierrez. I am Chair of the Unified Carrier Registration Plan Board of Directors ("Board") which is established by federal law under 49 U.S.C. § 14504a(d). The Board would like to establish a logo for use in identifying the Board in correspondence and all other methods of communication, public and private. Federal law establishing the Unified Carrier Registration System Plan and Agreement ("UCR") links the Board to the Federal Motor Carrier Safety Administration ("FMCSA") of the United States Department of Transportation ("USDOT"). *See, e.g.* 49 U.S.C. § 13908(a) – (c). [USDOT had and has a continuing responsibility to establish UCR, ensure access to the UCR System, and prescribe regulations that establish procedures to enable a motor carrier to correct erroneous information]; 49 U.S.C. § 14504a(d) [appoint the Board]; and 49 U.S.C. § 14504a(d)((7) [set the level of fees to be assessed in any registration year based on the Board's recommendation]. For these reasons, when the Board has a question, it often asks FMCSA for its opinion.

In response to the Board's request for an opinion as to whether the Board's selection of a proposed logo was objectionable, FMCSA responded that while the draft logos do not resemble the USDOT seal or the FMCSA logo, one of the Board's proposed logos may resemble the logo that the Association of State Highway and Transportation Officials ("AASHTO") has service marked in the red and blue shield. FMCSA also noted that the Board's draft logos contain a similar shield to AASTO's shield with the same configuration and in one version use the same colors. For that reason, the Board would like to know whether AASHTO has concerns with the Board's use of the attached proposed logos. If you would like to discuss this issue further, please contact me at your convenience. Thank you.

Avelino A. Gutierrez
Staff Counsel/Legal Division
New Mexico Public Regulation Commission
Chair, Unified Carrier Registration Plan Board of Directors
(505) 827-4565

