

Original sponsors: Moss, Rogers, Brown
and Bettisworth

Offered: 5/12/82
Referred: Rules

1 IN THE HOUSE BY THE TRANSPORTATION COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 12 (Transportation) am S

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the regulation of motor vehicles
7 and carriers by the Alaska Transportation Commission;
8 and providing for an effective date."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. AS 42.10 is amended by adding a new section
11 to read:

12 Sec. 42.10.095. TRANSPORTATION SUBCONTRACTORS. (a) The commission
13 shall supervise and regulate transportation subcontractors in the state
14 and shall prescribe regulations consistent with this chapter concerning
15 the filing of reports by transportation subcontractors, the issuance of
16 nontransferable annual permits to transportation subcontractors based on
17 public convenience and necessity, and the maximum and minimum rates that
18 may be charged by transportation subcontractors.

19 (b) A permit issued under this section shall authorize the specific
20 number and the types of vehicles to be operated by the transportation
21 subcontractor.

22 (c) A permit issued under this section does not transfer with a
23 sale, lease, or other transfer of a vehicle. A permit may only be
24 transferred with the approval of the commission on the death of or
25 injury or economic hardship to the transportation subcontractor who
26 holds the permit.

27 (d) A transportation subcontractor may replace vehicles authorized
28 under a permit but may not increase the number of vehicles authorized
29 under the permit.

1 (e) In this section "transportation subcontractor" means a person
2 who rents, leases, or otherwise provides a motor vehicle for the use of
3 common or contract carriers in transporting property and who provides or
4 arranges for, directly or indirectly, a driver or operator for the
5 vehicle but does not include taxicabs.

6 (f) A person who conducted business as a transportation subcontractor
7 in the state between July 1, 1976, and the effective date of this
8 Act shall upon application be issued an annual permit under this section.

9 * Sec. 2. AS 42.10.280(b) is amended to read:

10 (b) A common carrier shall file with the commission, and print and
11 keep open to public inspection, schedules showing the maximum and minimum
12 rates, charges, and classifications for the transportation of property
13 within the state between each point upon its route, and between each
14 point upon its route and each point upon every route leased, operated,
15 or controlled by it, and between each point upon its route or upon any
16 route leased, operated, or controlled by it and each point upon the
17 route of a common carrier, whenever a through route and joint rate has
18 been established or ordered between two such points. If no joint rate
19 over a through route has been established, the carriers in a through
20 route shall file, print, and keep open to public inspection the separ-
21 ately established rates, charges, and classifications applied to the
22 through transportation. The schedules of contract and common carriers
23 shall plainly state the places between which property will be carried,
24 and the schedules of common carriers shall also contain classifications
25 of property in force, and state separately all terminal, storage, icing,
26 and other charges which the commission requires to be stated, all privi-
27 leges or facilities allowed, and rules and regulations which affect or
28 determine any part or the aggregate of the rates and charges, or the
29 value of the service given to the shipper or consignee. The schedules

1 shall be plainly printed in large type. The carrier shall keep a copy
2 of each schedule readily accessible for inspection by the public in
3 every station or office where property is received for transportation
4 when the station or office is in charge of an agent, and in every sta-
5 tion or office of the carrier where bills of lading or receipts for
6 property are issued. The carrier shall produce a schedule for inspec-
7 tion upon the demand of any person. The carrier shall keep posted in
8 two public and conspicuous places in each station in which a schedule is
9 kept a notice, printed in bold type, which states that the schedules are
10 on file with the agent and open to inspection by any person, and that
11 the agent will assist the person to determine rates or rules and regula-
12 tions. The commission shall prescribe the form of schedules. The form
13 shall conform as nearly as practicable to the form of schedules required
14 by the Interstate Commerce Commission.

15 * Sec. 3. AS 42.10.420(7) is amended by adding a new subparagraph to
16 read:

17 (C) a person who rents, leases, or otherwise provides a
18 motor vehicle for the use of his employer in transporting passengers
19 or property and who operates the vehicle as an employee, if the
20 employer compensates that person with separate disbursements for
21 wages and for the use of the vehicle; and if the agreement for use
22 of the motor vehicle is for 30 days or more and the agreement is
23 filed with the commission and the commission is notified upon the
24 termination of the agreement;

25 * Sec. 4. The Alaska Transportation Commission shall adopt regulations as
26 provided in AS 42.10.095 enacted in sec. 1 of this Act within 90 days after
27 the effective date of this Act.

28 * Sec. 5. This Act takes effect immediately in accordance with AS 01.-
29 10.070(c).