

Original sponsors: Bennett, Fahrenkamp
and Parr

Offered: 4/28/82
Referred: Rules

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 CS FOR SENATE BILL NO. 135 (Finance)

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 motor vehicles and carriers; and
7 providing for an effective date."

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

9 * Section 1. AS 42.07 is amended by adding a new section to read:

10 Sec. 42.07.123. OWNER OPERATORS. The commission shall supervise
11 and regulate owner operators in the state and shall prescribe regula-
12 tions concerning the filing of reports by owner operators, the issuance
13 of permits to owner operators based on public convenience and necessity,
14 and the maximum and minimum rates that may be charged by owner operators.
15 In this section "owner operator" means a person who rents, leases, or
16 otherwise provides a motor vehicle for the use of others in transporting
17 passengers or property upon the condition that the person be employed to
18 operate the vehicle and includes common and contract carriers and
19 construction contractor operators but does not include taxicabs.

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

21 (b) A common carrier shall file with the commission, and print and
22 keep open to public inspection, schedules showing the maximum and minimum
23 rates, charges, and classifications for the transportation of property
24 within the state between each point upon its route, and between each
25 point upon its route and each point upon every route leased, operated,
26 or controlled by it, and between each point upon its route or upon any
27 route leased, operated, or controlled by it and each point upon the
28 route of a common carrier, whenever a through route and joint rate has
29 been established or ordered between two such points. If no joint rate

1 over a through route has been established, the carriers in a through
2 route shall file, print, and keep open to public inspection the separ-
3 ately established rates, charges, and classifications applied to the
4 through transportation. The schedules of contract and common carriers
5 shall plainly state the places between which property will be carried,
6 and the schedules of common carriers shall also contain classifications
7 of property in force, and state separately all terminal, storage, icing,
8 and other charges which the commission requires to be stated, all privi-
9 leges or facilities allowed, and rules and regulations which affect or
10 determine any part or the aggregate of the rates and charges, or the
11 value of the service given to the shipper or consignee. The schedules
12 shall be plainly printed in large type. The carrier shall keep a copy
13 of each schedule readily accessible for inspection by the public in
14 every station or office where property is received for transportation
15 when the station or office is in charge of an agent, and in every station
16 or office of the carrier where bills of lading or receipts for property
17 are issued. The carrier shall produce a schedule for inspection upon
18 the demand of any person. The carrier shall keep posted in two public
19 and conspicuous places in each station in which a schedule is kept a
20 notice, printed in bold type, which states that the schedules are on
21 file with the agent and open to inspection by any person, and that the
22 agent will assist the person to determine rates or rules and regulations.
23 The commission shall prescribe the form of schedules. The form shall
24 conform as nearly as practicable to the form of schedules required by
25 the Interstate Commerce Commission.

26 * Sec. 3. AS 42.10.420(7)(A) is amended to read:

27 (A) a person who transports by motor vehicle, [WITH OR]
28 without compensation, property which is owned or is being bought or
29 sold by him, or property of which he is the seller or [,] purchaser

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[, LESSEE OR BAILEE,] and the transportation is incidental to and in furtherance of some other primary business conducted by the person in good faith;

* Sec. 4. This Act takes effect immediately in accordance with AS 01.-10.070(c).