

Original sponsors: Bennett, Fahrenkamp  
and Parr

Offered: 5/8/82

1 IN THE SENATE

BY THE RULES COMMITTEE

2 CS FOR SENATE BILL NO. 135 (Rules)

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 42.10 is amended by adding a new section to read:

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

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

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

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

28 (e) In this section "transportation subcontractor" means a person  
29 who rents, leases, or otherwise provides a motor vehicle for the use of

1 common or contract carriers in transporting property and who provides or  
2 arranges for, directly or indirectly, a driver or operator for the  
3 vehicle but does not include taxicabs.

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

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

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

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

13 \* Sec. 3. The Alaska Transportation Commission shall adopt regulations as  
14 provided in AS 42.10.095 enacted in sec. 1 of this Act within 90 days after  
15 the effective date of this Act.

16 \* Sec. 4. This Act takes effect immediately in accordance with AS 01.-  
17 10.070(c).