
HOUSE BILL 1455

State of Washington

55th Legislature

1997 Regular Session

By Representatives Koster and Sherstad

Read first time 01/28/97. Referred to Committee on Transportation Policy & Budget.

1 AN ACT Relating to deregulation of household movers; amending RCW
2 81.80.070, 81.80.130, 81.80.140, and 81.80.330; and repealing RCW
3 81.80.150, 81.80.175, 81.80.220, and 81.80.230.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 81.80.070 and 1963 c 242 s 1 are each amended to read
6 as follows:

7 No "common carrier," "contract carrier," or "temporary carrier"
8 shall operate for the transportation of property for compensation in
9 this state without first obtaining from the commission a permit so to
10 do. Permits heretofore issued or hereafter issued to any carrier,
11 shall be exercised by said carrier to the fullest extent so as to
12 render reasonable service to the public. (~~Applications for common or~~
13 ~~contract carrier permits or extensions thereof shall be on file for a~~
14 ~~period of at least thirty days prior to the granting thereof unless the~~
15 ~~commission finds that special conditions require the earlier granting~~
16 ~~thereof.))~~)

17 A permit or extension thereof shall be issued to any qualified
18 applicant therefor, authorizing the whole or any part of the operations
19 covered by the application, if it is found that the applicant is fit,

1 willing, and able properly to perform the services proposed and conform
2 to the provisions of this chapter and the requirements, rules, and
3 regulations of the commission (~~((thereunder, and that such operations
4 will be consistent with the public interest, and, in the case of common
5 carriers, that the same are or will be required by the present or
6 future public convenience and necessity, otherwise such application
7 shall be denied))~~)).

8 Nothing contained in this chapter shall be construed to confer upon
9 any person or persons the exclusive right or privilege of transporting
10 property for compensation over the public highways of the state.

11 **Sec. 2.** RCW 81.80.130 and 1961 c 14 s 81.80.130 are each amended
12 to read as follows:

13 The commission shall supervise and regulate every "common carrier"
14 in this state; (~~((make, fix, alter, and amend, just, fair, reasonable,
15 minimum, maximum, or minimum and maximum, rates, charges,
16 classifications, rules, and regulations for all "common carriers";))~~)
17 regulate the accounts, service, and safety of operations thereof;
18 require the filing of reports and other data thereby; and supervise and
19 regulate all "common carriers" in all other matters affecting their
20 relationship with competing carriers of every kind and the shipping and
21 general public(~~((: PROVIDED, The commission may by order approve rates
22 filed by common carriers in respect to certain designated commodities
23 and services when, in the opinion of the commission, it is impractical
24 for the commission to make, fix, or prescribe rates covering such
25 commodities and services))~~)).

26 **Sec. 3.** RCW 81.80.140 and 1961 c 14 s 81.80.140 are each amended
27 to read as follows:

28 The commission is hereby vested with power and authority, and it is
29 hereby made its duty, to supervise and regulate every "contract
30 carrier" in this state; (~~((to fix, alter and amend, just, fair and
31 reasonable classifications, rules and regulations and minimum rates and
32 charges of each such "contract carrier";))~~) to regulate the account,
33 service and safety of operations thereof; and require the filing of
34 reports and of other data thereby; and to supervise and regulate such
35 "contract carriers" in all other matters affecting their relationship
36 with both the shipping and the general public.

1 **Sec. 4.** RCW 81.80.330 and 1995 c 272 s 5 are each amended to read
2 as follows:

3 The commission is hereby empowered to administer and enforce all
4 provisions of this chapter and to inspect the vehicles, books, and
5 documents of all "motor carriers" (~~((and the books, documents, and~~
6 ~~records of those using the service of the carriers for the purpose of~~
7 ~~discovering all discriminations and rebates))~~) and other information
8 pertaining to the enforcement of this chapter and shall prosecute
9 violations thereof. The commission shall employ such auditors,
10 inspectors, clerks, and assistants as it may deem necessary for the
11 enforcement of this chapter. The Washington state patrol shall perform
12 all motor carrier safety inspections required by this chapter,
13 including terminal safety audits, except for (1) those carriers subject
14 to the economic regulation of the commission, or (2) a vehicle owned or
15 operated by a carrier affiliated with a solid waste company subject to
16 economic regulation by the commission. The attorney general shall
17 assign at least one assistant to the exclusive duty of assisting the
18 commission in the enforcement of this chapter, and the prosecution of
19 persons charged with the violation thereof. It shall be the duty of
20 the Washington state patrol and the sheriffs of the counties to make
21 arrests and the county attorneys to prosecute violations of this
22 chapter.

23 NEW SECTION. **Sec. 5.** The following acts or parts of acts are each
24 repealed:

25 (1) RCW 81.80.150 and 1993 c 97 s 4, 1981 c 116 s 2, 1973 c 115 s
26 11, & 1961 c 14 s 81.80.150;

27 (2) RCW 81.80.175 and 1963 c 242 s 5;

28 (3) RCW 81.80.220 and 1961 c 14 s 81.80.220; and

29 (4) RCW 81.80.230 and 1980 c 132 s 2 & 1961 c 14 s 81.80.230.

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