

HOUSE BILL REPORT

SB 5219

As Passed Legislature

Title: An act relating to the limits on liability for loss or damage to baggage by common carriers.

Brief Description: Changing the limits on liability of common carriers for damage or loss of baggage.

Sponsor(s): Senators Patterson, Vognild and Rasmussen; by request of Utilities & Transportation Commission.

Brief History:

Reported by House Committee on:
Transportation, March 25, 1991, DP;
Passed House, April 9, 1991, 91-0;
Passed Legislature, 91-0.

**HOUSE COMMITTEE ON
TRANSPORTATION**

Majority Report: *Do pass.* Signed by 24 members:
Representatives R. Fisher, Chair; R. Meyers, Vice Chair;
Betrozoff, Ranking Minority Member; Chandler, Assistant
Ranking Minority Member; Brough; Cantwell; Cooper; Day;
G. Fisher; Forner; Haugen; Horn; P. Johnson; R. Johnson;
Jones; Mitchell; Nelson; Orr; Prentice; Prince; Schmidt;
Wilson; Wood; and Zellinsky.

Staff: Mary McLaughlin (786-7309).

Background: The maximum amount a passenger or shipper may recover for loss or damage to baggage transported by a for-hire bus (auto stage, airporter, excursion, charter) regulated by the Utilities and Transportation Commission is: (1) \$200 for each trunk and its contents; (2) \$50 for each suitcase, valise or traveling bag and its contents; and (3) \$25 for each box, bundle or package. These free baggage allowance limitations were established in 1961.

When a passenger checks his/her baggage with the carrier, the passenger can declare that the baggage has a value in excess of the statutory limitation and pay an additional charge. The rate varies from 50 cents to 75 cents per \$100 valuation, depending upon the amount contained in the individual carrier's published tariff.

On the federal level, the Interstate Commerce Commission's free baggage allowance limitation is \$250 per adult fare, unless a higher valuation is declared at the time of delivery to the carrier and an additional fee is paid. The carrier may publish a maximum additional value for which they will be liable, but the maximum value may not be less than \$1,000.

Summary of Bill: The free baggage allowance limitation is changed from a statutorily fixed amount to an amount set by the Utilities and Transportation Commission. Periodic review and rate adjust is required of the commission.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Changing the free baggage allowance limitation from a statutorily fixed fee to an amount determined by the commission will better reflect replacement costs.

Testimony Against: None.

Witnesses: Carol Monohon, Utilities & Transportation Commission.