
SUBSTITUTE SENATE BILL 5191

State of Washington

56th Legislature

1999 Regular Session

By Senate Committee on Transportation (originally sponsored by Senators Goings, Benton, Haugen, Sellar, Patterson, Winsley, T. Sheldon and Costa)

Read first time 02/11/1999.

1 AN ACT Relating to motor carriers operating without a permit;
2 amending RCW 81.80.070; and prescribing penalties.

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

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

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

16 (2) A permit or extension thereof shall be issued to any qualified
17 applicant therefor, authorizing the whole or any part of the operations
18 covered by the application, if it is found that the applicant is fit,
19 willing, and able properly to perform the services proposed and conform

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

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

11 (4) A common carrier, contract carrier, or temporary carrier
12 operating without the permit required in subsection (1) of this
13 section, or who violates a cease and desist order of the commission
14 issued under RCW 81.04.510, is subject to a penalty, under the process
15 set forth in RCW 81.04.405, of one thousand five hundred dollars.

16 (5) Notwithstanding RCW 81.04.510, the commission may, in
17 conjunction with issuing the penalty set forth in subsection (4) of
18 this section, issue cease and desist orders to carriers operating
19 without the permit required in subsection (1) of this section, and to
20 all persons involved in the carriers' operations.

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