

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE SENATE BILL 5191**

Chapter 79, Laws of 1999

56th Legislature  
1999 Regular Session

MOTOR CARRIERS WITHOUT A PERMIT--PENALTIES

EFFECTIVE DATE: 7/25/99

Passed by the Senate March 3, 1999  
YEAS 46 NAYS 0

BRAD OWEN  
**President of the Senate**

Passed by the House April 8, 1999  
YEAS 86 NAYS 10

CLYDE BALLARD  
**Speaker of the  
House of Representatives**

FRANK CHOPP  
**Speaker of the  
House of Representatives**

Approved April 22, 1999

GARY LOCKE  
**Governor of the State of Washington**

CERTIFICATE

I, Tony M. Cook, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5191** as passed by the Senate and the House of Representatives on the dates hereon set forth.

TONY M. COOK  
**Secretary**

FILED

April 22, 1999 - 3:41 p.m.

**Secretary of State  
State of Washington**

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**SUBSTITUTE SENATE BILL 5191**

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Passed Legislature - 1999 Regular Session

**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.

Passed the Senate March 3, 1999.

Passed the House April 8, 1999.

Approved by the Governor April 22, 1999.

Filed in Office of Secretary of State April 22, 1999.