

FINAL BILL REPORT

SSB 5191

C 79 L 99

Synopsis as Enacted

Brief Description: Penalizing motor carriers that operate without a permit.

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

Senate Committee on Transportation

House Committee on Transportation

Background: Any for-hire motor freight carrier performing intrastate movements within the state of Washington must receive operating authority from the Utilities and Transportation Commission (UTC) prior to conducting business in the state. An operating permit is granted if the applicant is financially able to provide the service and presents proof of insurance. The insurance must be kept current in order for the permit to be valid. The application/operating permit fee is \$275. The penalty for operating on a highway without a permit carries a fine of \$500.

When the commission discovers an illegal carrier, a letter is sent asking the illegal carrier to obtain operating authority and file proof of insurance. If the carrier continues to operate without a permit, the commission issues a cease and desist order and offers the carrier the opportunity for a hearing. A show cause hearing examines the nature of the transportation service and whether that service falls within the commission's jurisdiction. If the carrier does not respond, the commission seeks an injunction in Thurston County Superior Court to enforce the cease and desist order. Because a show cause hearing or an injunction is a fairly lengthy process, the commission is sometimes prevented from responding in a timely manner.

Summary: The penalty for failure to obtain a for-hire intrastate operating permit from the UTC is increased from \$500 to \$1,500. Language is added that improves and makes more efficient the commission's ability to take administrative action against illegal carriers, and then pursue injunctions in superior court once a cease and desist order is issued.

Votes on Final Passage:

Senate	46	0
House	86	10

Effective: July 25, 1999