

**SENATE BILL REPORT**

**SB 5219**

**AS PASSED SENATE, FEBRUARY 27, 1991**

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

**SPONSORS:** Senators Patterson, Vognild and Rasmussen; by request of Utilities & Transportation Commission.

**SENATE COMMITTEE ON TRANSPORTATION**

**Majority Report:** Do pass.

Signed by Senators Patterson, Chairman; Nelson, Vice Chairman; von Reichbauer, Vice Chairman; Barr, Conner, Erwin, Hansen, Oke, Sellar, Skratek, Snyder, Thorsness, and Vognild.

**Staff:** Mary McLaughlin (786-7309)

**Hearing Dates:** February 5, 1991

**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 ICC's free baggage allowance limitation is \$250 per adult fare, unless a higher valuation is declared at the time of delivery to 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:**

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.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** available

**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

**TESTIFIED:** Carol Monohon, UTC (for)