

---

HOUSE BILL 2213

---

State of Washington                      56th Legislature                      1999 Regular Session

By Representatives Haigh, Lovick and Fisher

Read first time 02/19/1999. Referred to Committee on Transportation.

1            AN ACT Relating to criteria for granting motor carrier permits; and  
2 amending RCW 81.80.070.

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            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            The commission shall issue a permit ~~((or extension thereof shall be~~  
17 ~~issued))~~ to any qualified applicant ~~((therefor, authorizing the whole~~  
18 ~~or any part of the operations covered by the application,))~~ if it is  
19 found that the applicant is fit, willing, and able ~~((properly))~~ to

1 perform properly the proposed services (~~((proposed))~~) and conform to  
2 (~~((the provisions of))~~) this chapter and the (~~((requirements,))~~) rules  
3 (~~((and regulations))~~) of the commission (~~((thereunder, and that))~~). In the  
4 case of common carriers of household goods, as defined by rule of the  
5 commission, such operations (~~((will))~~) must be consistent with the public  
6 interest(~~((, and, in the case of common carriers, that the same are or~~  
7 will be required by the present or future public convenience and  
8 necessity, otherwise such application shall be denied)).

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

12       For the purposes of this section, fit, willing, and able to provide  
13 a transportation service in the public interest is based on an  
14 applicant's financial fitness, financial responsibility, regulatory  
15 fitness, willingness, and ability to provide the public with safe,  
16 secure, reliable, and competitive transportation service.

17       The commission may determine if an applicant is fit, willing, and  
18 able to provide a transportation service in the public interest through  
19 a course of personal background checks, on-site inspections, written  
20 examinations, and provisional operations through which the applicant  
21 may be required to demonstrate sufficient ability to conform with this  
22 chapter and the rules of the commission.

--- END ---