

Approved by Committee
on Highways & Transportation

SENATE BILL NO. 375

INTRODUCED BY DEVINE

BY REQUEST

A BILL FOR AN ACT ENTITLED: "AN ACT TO REVIVE THE
PROHIBITION AGAINST DISCRIMINATORY CHARGES FOR
TRANSPORTATION ALONG PORTIONS OF RAILROAD ROUTES."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. There is a new R.C.M. section numbered
72-231 that reads as follows:

72-231. Rail rate discrimination -- penalty. (1) It is
unlawful for any railroad subject to this title to charge or
receive any greater compensation in the aggregate for the
transportation of passengers or of like kind of property for
a shorter distance than for a longer distance over the same
line or route in the same direction, the shorter being
included within the longer distance, or to charge any
greater compensation as through rate than the aggregate of
the intermediate rates; PROVIDED THAT UPON APPLICATION TO
THE PUBLIC SERVICE COMMISSION AND AFTER INVESTIGATION, SUCH
CARRIERS, IN SPECIAL CASES, MAY BE AUTHORIZED BY THE
COMMISSION TO CHARGE LESS FOR LONGER THAN FOR SHORTER
DISTANCES FOR THE TRANSPORTATION OF PASSENGERS OR PROPERTY,
AND THE COMMISSION MAY FROM TIME TO TIME PRESCRIBE THE

EXTENT TO WHICH SUCH DESIGNATED CARRIERS MAY BE RELIEVED
FROM THE OPERATION OF THE FOREGOING PROVISIONS OF THIS
SECTION, BUT IN EXERCISING THE AUTHORITY CONFERRED UPON IT
IN THIS PROVISION, THE COMMISSION SHALL NOT PERMIT THE
ESTABLISHMENT OF ANY CHARGE TO OR FROM THE MORE DISTANT
POINT THAT IS NOT REASONABLY COMPENSATORY FOR THE SERVICE
PERFORMED.

(2) Violations of this section shall be punished in
accordance with 72-149.

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