

House Bill 487

In The House

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| January 26, 1981 | Introduced and referred to Committee on Business and Industry. |
| February 21, 1981 | Committee recommend bill do pass. |
| February 23, 1981 | Bill printed and placed on members' desks. Rereferred to Committee on Business and Industry. |
| April 23, 1981 | Died in Committee. |

1 HOUSE BILL NO. 487
2 INTRODUCED BY *Julie Lambert Dave Brown Kanduck*

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW THE MONTANA
5 PUBLIC SERVICE COMMISSION TO DETERMINE AND FIX REASONABLE
6 RATES FOR CLASS D MOTOR CARRIERS IF REQUIRED FOR THE BEST
7 INTEREST OF THE PUBLIC; AMENDING SECTIONS 69-12-201 AND
8 69-12-502, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Section 69-12-201, MCA, is amended to read:
12 "69-12-201. Supervision and regulation of motor
13 carriers. (1) The commission is hereby vested with power and
14 authority and it is hereby made its duty to:

15 (a) supervise and regulate every motor carrier in this
16 state;

17 (b) fix, alter, regulate, and determine specific,
18 just, reasonable, equal, nondiscriminatory, and sufficient
19 rates, fares, charges, and classifications for Class A and
20 Class B motor carriers;

21 (c) regulate the properties, facilities, operations,
22 accounts, service, practices, affairs, and safety of
23 operations of all motor carriers;

24 (d) require the filing of annual and other reports,
25 tariffs, schedules, or other data by such motor carriers;

1 and
2 (e) supervise and regulate motor carriers in all
3 matters affecting the relationship between such motor
4 carriers and the traveling and shipping public.

5 (2) The commission shall have power and authority by
6 general order or otherwise to prescribe rules in conformity
7 with this chapter and applicable to any and all motor
8 carriers.

9 (3) The commission also may fix and determine
10 reasonable maximum or minimum rates for the operations of
11 any Class C or Class D motor carrier when the same are
12 required for the best interests of public transportation."

13 Section 2. Section 69-12-502, MCA, is amended to read:
14 "69-12-502. Prohibition on deviation from rate
15 schedules. It shall be unlawful for any Class A or B motor
16 carrier to charge, demand, receive, or collect any greater
17 or less rate, charge, or fare than that fixed by the
18 commission for the transportation service provided. When
19 maximum or minimum rates have been established for any
20 service provided by any Class C or Class D motor carrier, it
21 shall likewise be unlawful for such carrier to charge,
22 demand, receive, or collect any greater compensation or rate
23 than that established for the service by any applicable
24 maximum rate or any less compensation or rate than that
25 established by any applicable minimum rate. It also shall be

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1 unlawful for any Class A or B motor carrier or any Class C
2 or Class D motor carrier subject to maximum or minimum rates
3 to refund or remit, in any manner or by any device, any
4 portion of the rates, fares, and charges required to be
5 collected under the schedule of the Class A or B carrier on
6 file with the commission or under the maximum or minimum
7 rates established by the commission for the Class C or Class
8 D carrier.*

9 Section 3. Effective date. This act is effective on
10 passage and approval.

-End-

Approved by Committee
 on Business and Industry

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17 (b) fix, alter, regulate, and determine specific,
 18 just, reasonable, equal, nondiscriminatory, and sufficient
 19 rates, fares, charges, and classifications for Class A and
 20 Class B motor carriers;

21 (c) regulate the properties, facilities, operations,
 22 accounts, service, practices, affairs, and safety of
 23 operations of all motor carriers;

24 (d) require the filing of annual and other reports,
 25 tariffs, schedules, or other data by such motor carriers;

1 and
 2 (e) supervise and regulate motor carriers in all
 3 matters affecting the relationship between such motor
 4 carriers and the traveling and shipping public.

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 20 service provided by any Class C or Class D motor carrier, it
 21 shall likewise be unlawful for such carrier to charge,
 22 demand, receive, or collect any greater compensation or rate
 23 than that established for the service by any applicable
 24 maximum rate or any less compensation or rate than that
 25 established by any applicable minimum rate. It also shall be

-2- SECOND READING
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2 or Class D motor carrier subject to maximum or minimum rates
3 to refund or remit, in any manner or by any device, any
4 portion of the rates, fares, and charges required to be
5 collected under the schedule of the Class A or B carrier on
6 file with the commission or under the maximum or minimum
7 rates established by the commission for the Class C or Class
8 D carrier."

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