

WAC 480-30-XXX Driver status

The driver of a vehicle operated by an auto transportation company must be the certificate holder or under the complete supervision, direction and control of the operating carrier as:

- An employee of the certificate holder; or
- An employee of a sub-carrier; or,
- An independent owner-driver who holds sub-carrier charter carrier authority and is operating as a sub-carrier.

New definitions:

SUB-CARRIER means a passenger charter carrier that provides transportation services for an auto transportation company under a charter sub-carrier agreement filed with and approved by the commission.

PRIME CARRIER means an auto transportation company that uses another carrier's (sub-carrier) vehicles and drivers to provide its authorized service under a sub-carrier agreement.

SUB-CARRIER AGREEMENT means the written agreement under which an auto transportation company is authorized to use the transportation services of another carrier (sub-carrier) that provides both vehicles and drivers.

WAC 480-30-xxxx Sub-carrier agreements

1. An auto transportation company (prime carrier) may enter into a sub-carrier agreement with a passenger charter carrier (sub-carrier) to use the sub-carrier's vehicle and drivers to perform transportation services authorized under the prime carrier's certificate.
2. A sub-carrier agreement must be in writing, signed, and dated. A sub-carrier agreement must be submitted to the commission for approval prior to any service being provided. The prime carrier and the sub-carrier agreement must include, but is not limited to:
 - (a) The prime-carrier name and the sub-carrier name.
 - (b) The prime carrier auto transportation company certificate number.
 - (c) The sub-carrier charter certificate number.
 - (d) The effective date and expiration date of the agreement.
 - (e) A complete description of the services to be performed.

WAC 480-30-xxx Sub-carrier agreements, operations

1. Reporting requirements. A private carrier is responsible for the transportation services provided under its certificate, reporting gross revenue, calculating, and paying regulator fees based, including revenue generated from services provided under a sub-carrier agreement.

2. Certificate authority. Operations conducted under a sub-carrier agreement must be authorized in the prime-carrier certificate.

(a) No service may be provided under a sub-carrier agreement if the prime carrier auto transportation company certificate is suspended or cancelled.

(b) No service may be provided under a sub-carrier agreement if the sub-carrier passenger charter certificate is suspended or cancelled.

3. Tariffs and time schedules. Rates and charges collected and services performed under a sub-carrier agreement must be authorized in the prime-carrier tariff, and the time schedule.

(a) Sub-carriers must collect only those fares authorized in the prime carrier's tariff as filed with the commission, including any authorized reduced rates or promotional fares.

(b) Sub-carriers must accept tickets, passes, and other prepaid fares presented by passengers.

(c) Sub-carriers must operate within the terms of the prime carrier's time schedule.

4. Sub-carrier vehicle identification. In addition to the vehicle marking requirements of WAC 480-30-xxx, any vehicle operated by a sub-carrier under an approved sub-carrier agreement must be identified as and independently owned and operated sub-carrier of the prime carrier.