

File TV-971477



GroupSnoop@aol.com on 08/11/98 09:45:21 PM

*written comments
from the
Assoc. of Independent
Movers*

To: Pat Dutton/WUTC
cc:
Subject: Revision to Alternate Language

Sorry I had the wrong number below.

WAC 480-15-300 What conditions may be attached to my temporary authority?
Based on a review of your application and supporting statements, we may impose any of the following conditions when granting temporary authority:

- (1) Driver and equipment safety training;
- (2) Rates and billing practices training;
- (3) Surety bond, or other means to ensure compliance;
- (4) Special compliance audits;
- (5) Special customer notices and comment forms which evaluate your services;
- (6) Other reporting as the commission may require, such as customer lists, and financial reporting;
- (7) Vehicles must pass inspection and be issued a valid Commercial Vehicle Safety Alliance (CVSA) inspection decal; and
- (8) Other conditions depending on the circumstances surrounding the application.

Alternate language proposed by the Association of Independent Movers:

Delete numbers 2,3, 4, 5, 6 and 8 above and renumber 7 to 2.

*m address
RMS
001077*



GroupSnoop@aol.com on 08/11/98 09:26:07 PM

To: Pat Dutton/WUTC
cc:
Subject: Alternate Language

Part 4.4 - Equipment Leasing

WAC 480-15-590 What is the procedure for leasing vehicles? (1) You must receive commission approval before you may operate a leased motor vehicle. To request approval you must submit a completed lease agreement on a form supplied by the commission, or an alternate form as long as it contains substantially the same information as that on the commission form. The form must be:

- (a) completed in its entirety (We will reject and return incomplete forms);
 - (b) signed by both parties;
 - (c) submitted in duplicate (We will return one approved copy to you);
 - (d) clearly marked "Master Lease" if you intend it to be used as such in lieu of submitting individual leases; and
 - (e) submitted through any means identified in WAC 480-15-060.
- (2) We may institute administrative action as described in WAC 480-15-130(3) against any household goods carrier who operates leased motor vehicles without first having obtained commission approval.
- (3) You are not required to file a lease for approval on an emergency substitution of a disabled vehicle.

WAC 480-15-600 What are my responsibilities when entering into a lease? When entering into a lease agreement, it is your responsibility to ensure that:

- (1) A copy of the approved lease is carried in all leased motor vehicles;
- (2) Copies of all approved leases are kept in your permanent files for at least one year after the lease expires;
- (3) You give a copy of the approved lease to the owner of the leased motor vehicle;
- (4) You have complete possession, control and use of the motor vehicle during the period of the lease agreement;
- (5) You provide insurance on the leased motor vehicle as specified in WAC 480-15-530 and/or WAC 480-15-550;
- (6) You properly identify the motor vehicle as specified in WAC 480-15-560(3);
- (7) The appropriate tariff rates and charges are billed and collected;
- (8) The driver of the leased motor vehicle is on your payroll during the leased period;
- (9) You comply with all safety rules;
- (10) You and the owner of the leased motor vehicle specify on the lease form who is responsible for all expenses relating to the leased motor vehicles; and
- (11) You comply with the terms of the approved lease.

Alternate language proposed by the Association of Independent Movers:

Replace all language in Section 4.4 with the following: "Leased vehicles shall be treated as owned equipment."

Part 5.2 - Estimates

WAC 480-15-630 Estimates. (1) An estimate is a written approximation of the probable cost of a move prepared in compliance with the provisions of the household goods tariff. Estimates are based on factors such as the van space required, the weight of the household goods, the amount of time needed to complete the move, and the type of special services provided. You may provide your customer with either of two basic types of estimates:

- (a) A non-binding estimate which is based on an inventory of the customer's goods and provides the customer with a pricing guideline. There is no

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contractual commitment to this estimate, and the final charges the customer must pay could be higher or lower than the estimated cost, depending on the actual weight of the shipment, the total time consumed, or physical location at the origin and destination, or other conditions of the move; or

(b) A binding estimate which allows the customer to know in advance what the move will cost, regardless of differences in the actual weight or time to complete the move.

(i) The basis (such as inventory sheets, tally sheets, special instructions, etc.) used to provide a binding estimate must be attached to the bill of lading.

(ii) Any change to the move, by the customer, that results in an increase in cost must be documented on a supplemental estimate form which also must be attached to the bill of lading.

Alternate language proposed by The Association of Independent Movers:

Add the words "or verbal" between the words "written" and "estimate," wherever they appear.

Alternate language proposed by Washington Movers Conference:

Delete the entire paragraph relating to Binding Estimates.

WAC 480-15-300 What conditions may be attached to my temporary authority? Based on a review of your application and supporting statements, we may impose any of the following conditions when granting temporary authority:

- (1) Driver and equipment safety training;
- (2) Rates and billing practices training;
- (3) Surety bond, or other means to ensure compliance;
- (4) Special compliance audits;
- (5) Special customer notices and comment forms which evaluate your services;
- (6) Other reporting as the commission may require, such as customer lists, and financial reporting;
- (7) Vehicles must pass inspection and be issued a valid Commercial Vehicle Safety Alliance (CVSA) inspection decal; and
- (8) Other conditions depending on the circumstances surrounding the application.

Alternate language proposed by the Association of Independent Movers:

Delete numbers 2,3, 4, 5, 6 and 8 above and renumber 8 to 2.

WAC 480-15-240 How may a new entrant obtain authority? You must file both a temporary and a permanent authority application if you do not hold an existing permit that allows you to transport household goods within the state of Washington.

The following table describes the application process for new entrants seeking to obtain permanent authority:

If you file an application for:
You must also file an application for:
We will:
We will grant an application when:

PERMANENT authority

Refer to WAC 480-15-330
TEMPORARY authority

Refer to WAC 480-15-280
Publish your application on an application docket subject to public comment.
The applicant is fit, willing, and able to provide the proposed service;

The proposed service is in the public interest; and,

For applications for permanent authority, the proposed service is required to meet the current or future public convenience and necessity.

WAC 480-15-250 What is the process to expand the authority in an existing permit? You must file only a permanent authority application if you want to expand the authority included in your existing household goods permit.

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The following table describes the filing process for existing household goods carriers seeking to obtain additional permanent authority:

If you file an application for:
We will:
We will grant an application when:

PERMANENT
Authority

Refer to WAC 480-15-330
Publish your application on an application docket subject to public comment.
The applicant is fit, willing, and able to provide the proposed service;

The proposed service is in the public interest; and

The proposed service is needed to meet the current or future public convenience and necessity.

Alternate language proposed by the Association of Independent Movers:

Define the words "public convenience and necessity," wherever they appear, by adding the words "which shall not be deemed met until there are at least 600 active permits. Appropriate changes and additions consistent with the above definition shall be made in existing rules.

WAC 480-15-230 What is the application fee? The maximum application fee, under RCW 81.80.090, is \$550. After reviewing the actual costs of processing applications, we may set fees at less than the legal maximum. Each application form will clearly state the fee you must submit when filing an application.
The following table lists the application fees in place on the effective date of these rules:

Type of Permit Application:
Fee:

Emergency Temporary Authority
\$ 50.00

Temporary Authority
\$250.00

Permanent Authority
\$550.00

Permanent Authority (Under the exceptions named in WAC 480-15-260)
\$250.00

Permit Reinstatement (if filed within 30 days of cancellation date)
\$250.00

Name Change Only
\$ 35.00

Alternate language provided by the Association of Independent Movers:

Change Permanent Authority fee to "\$100.00 to be paid annually with the first quarter estimated gross regulated revenue tax."

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