

AMENDATORY SECTION (Amending General Order No. R-471, Docket No. TV-991559, filed 6/27/00, effective 7/28/00)

**WAC 480-15-010 Purpose and application.** (1) (~~The legislature has declared that operating as a motor carrier of freight, including household goods, for compensation over the highways of this state is a business affected with a public interest and should be regulated. The purpose of~~) These rules (~~is to carry out~~) implement the policies (~~set forth~~) in RCW 81.80.020 as they apply to household goods carriers(~~, by establishing~~). The rules establish standards for public safety, fair competitive practices, just and reasonable charges, nondiscriminatory application of rates, adequate and dependable service(~~τ~~) and consumer protection, (~~and~~) as well as compliance with statutes, rules and commission orders.

(2) This chapter applies to all intrastate household goods carriers.

(3) Nothing in this chapter relieves any household goods carrier from its duties and obligations under the laws of the state of Washington including, but not limited to, public utility, labor, employment, and other taxes, and business and vehicle licensing requirements.

AMENDATORY SECTION (Amending General Order No. R-471, Docket No. TV-991559, filed 6/27/00, effective 7/28/00)

**WAC 480-15-020 Definitions.** For the purpose of this chapter, the words, terms, and phrases in this section have the following meaning:

((**u**)) **Accessorial services** ((~~" means~~)): Any service ((~~s~~)) provided by a household goods carrier that supplements, or ((~~are secondary~~)) is incidental to, the transportation of household goods ((~~, including, but not limited to,~~)). Examples include packing ((~~and~~)), unpacking, wrapping or protecting a portion of the shipment ((~~, and providing special handling of household goods~~)) or providing special equipment or services such as hoisting.

((**u**)) **Agent** ((~~" means~~)): A permitted carrier, who, under the provisions of a formal written agreement, performs services on behalf of another permitted carrier.

((**u**)) **Application docket** ((~~" means~~)): A commission publication listing applications requesting operating authority ((~~, and commission action taken on applications for temporary authority~~)).

((**u**)) **Authority** ((~~" means~~)): The rights granted to a common carrier to transport household goods.

((**u**)) **Cancellation** ((~~" means~~)): An act by the commission to terminate a household goods carrier's authority.

**Carrier:** A company performing household goods moves.

~~((**"**)Commission(**"** means)):~~ The Washington utilities and transportation commission.

~~((**"Common carrier"** means any person who undertakes to transport property, including household goods, for the general public by motor vehicle, for compensation over the public highways. This term also includes transportation under special and individual contracts or agreements.~~

~~**"Constructive weight"** means a weight based on a formula of seven pounds per cubic foot of properly loaded van space occupied by the customer's goods.~~

~~**"Consumer"** means a person or entity that hires a household goods carrier.~~

~~**"**)Customer(**"** means a person or entity that)):~~ Anyone who hires a household goods carrier.

~~((**"Exempt carrier"** means any person operating a motor vehicle exempt from certain provisions of Title 81 RCW pursuant to RCW 81.80.040.))~~ **Estimate:**

(a) Nonbinding estimate: The written estimate the carrier gives to the customer in advance of the move. A nonbinding estimate is not binding on the mover. The final charges will be based upon the actual cost of the move and the services provided, although a carrier may not charge more than twenty-five percent over the nonbinding estimate.

(b) Binding estimate: The written estimate the carrier gives to the customer in advance of the move and by which both the carrier and customer are bound. The carrier may not charge

any amount other than the binding estimate and the customer may pay the amount of the binding estimate.

(c) Supplemental estimate: An amendment to the original nonbinding estimate, necessary when the circumstances of a move change in a way from the original written estimate that increases the cost of the move.

~~((u))~~**Filing**~~((u means))~~: Any application, petition, tariff proposal, annual report, comment, complaint, pleading~~((τ))~~ or other document submitted to the commission.

~~(("Household goods carrier" means a common carrier transporting household goods within the state of Washington.~~

~~u)~~**Household goods**~~((u when the term is used in connection with transportation, means personal effects and property used or to be used in a residence when it is a part of the equipment or supply of such residence, and is transported between residences or between a residence and a storage facility, with the intent to later transport to a residence. This term excludes transportation of customer packed and sealed self-storage containers that are delivered to and from a self-storage facility, when that transportation is provided in conjunction with a self-storage agreement executed in good faith, and when no accessorial services are provided by a motor carrier in connection with the storage or the transportation of the container))~~: The personal effects and property used, or to be used, in a residence when transported between residences or between a residence and a storage facility with the intent to later transport to a residence. Transportation of the goods

must be arranged and paid for by the customer or by another individual, company or organization on behalf of the customer.

~~(( "I" means a household goods carrier or customer, depending upon the context of the rule.~~

~~"Loaded weight" means the weight of a motor vehicle obtained when:~~

~~□ The customer's goods are loaded into the vehicle;~~

~~□ The vehicle's fuel tank is full;~~

~~□ All pads, chains, dollies, hand trucks, and other equipment needed in the transportation of the shipment are on board the vehicle;~~

~~□ The vehicle's crew is not on board the vehicle.~~

~~u)) **Local move** (" means all): A move((s)) taking place within the limits of a city or town or moves ((specifically defined as local in the commission tariff)) where the shipment is transported fifty-five miles or less.~~

~~((u)) **Long distance move** (" means any): A move ((not meeting the definition of a local move)) where the shipment is transported fifty-six miles or more.~~

~~(( "May" means an option. You may do something but it is not a requirement.~~

~~"May not" means to prohibit from doing something.~~

~~"Motor carrier" means "common carrier," "exempt carrier," and "private carrier," as defined in this chapter.~~

~~u)) **Motor vehicle** (" means any) or **vehicle** (, machine, tractor, trailer, or semi-trailer, propelled or drawn by mechanical power, or any combination of such vehicles, used upon~~

~~the highways in the transportation of property, including household goods. A motor vehicle is not a self-storage container)):~~ Any motor truck, tractor or other self-propelled vehicle, any trailer, semi-trailer or any combination of such vehicles moving as a single unit.

~~((**"Must"** means a legal obligation. You are required to do something.~~

~~**"Net weight"** means the weight of the goods shipped by the consumer. It is determined by subtracting the tare weight of a motor vehicle from the loaded weight.~~

~~**"Permit"** means):~~ A document issued by the commission describing the authority granted to a household goods carrier ~~((under the provisions of chapter 81.80 RCW, as amended. A permit may be temporary or permanent in duration, and may allow a household goods carrier to transport household goods throughout the state of Washington or limit the household goods carrier to transportation of household goods in designated areas of the state)).~~

~~((**"Person"** includes)):~~ Any individual, firm, corporation, company, or partnership.

~~((**"Private carrier"** means persons who transport their own household goods, household goods being bought or sold by them in good faith, or transport household goods purely as an incidental adjunct to some established business owned or operated in good faith.~~

~~**"Registered carriers"** means motor carriers operating in interstate or foreign commerce under authority issued by the~~

~~Interstate Commerce Commission, the U.S. Department of Transportation, or a successor agency.~~

~~**"Registered exempt carriers"** means motor carriers operating in interstate or foreign commerce under the exemptions of the Federal Motor Carrier Act without interstate authority issued by the Interstate Commerce Commission, the U.S. Department of Transportation, or a successor agency.~~

~~**"Shipper"** means a person or entity that hires a household goods carrier.~~

~~**"Small business"** means any business entity, including a sole proprietorship, corporation, partnership, or other legal entity, that is owned and operated independently from all other businesses, that has the purpose of making a profit, and that has fifty or fewer employees.)~~ **Shipment:** A load of household goods moved by a carrier from a single residence or as a single transaction.

~~((**"**))**State**((**"**—means))):~~ The state of Washington.

~~((**"**))**Suspension**((**"**—means))~~ also includes **suspend, suspended, suspending:** An act by the commission to temporarily withhold a household goods carrier's authority.

~~((**"Tare weight"** means the weight of an empty motor vehicle obtained when:~~

~~The vehicle's fuel tank is full;~~

~~All pads, chains, dollies, hand trucks, and other equipment needed in the transportation of the shipment are on board the vehicle; and~~

~~The crew is not on board the vehicle.~~

~~"))~~ **Tariff** (~~"~~~~—~~~~means~~~~)~~):      A publication containing ~~((the))~~ rates and charges ~~((that))~~ carriers must ~~((be assessed))~~ assess on shipments of household goods and the rules that govern how rates and charges are assessed.

~~((~~ **Transportation of household goods** ~~)~~ means ~~the for hire movement of household goods by motor vehicle over the public highways of the state. This includes providing estimates, arranging for receipt, delivery, storage in transit, handling, and providing any accessorial services in connection with that movement.~~

~~"Us"~~ means ~~the Washington utilities and transportation commission.~~

~~"We"~~ means ~~the Washington utilities and transportation commission.~~

~~"You"~~ means ~~a household goods carrier, customer, insurance company, or other person or entity, depending on the context of the rule.)~~)

NEW SECTION

**WAC 480-15-025 Commission proceedings.** The commission's rules governing administrative practices and procedures are in chapter 480-07 WAC. When a rule in this chapter is different than a rule in chapter 480-07 WAC, the rule in this chapter applies to household goods carriers.



AMENDATORY SECTION (Amending General Order R-510, Docket No. A-010648, filed 11/24/03, effective 1/1/04)

**WAC 480-15-035 Exemptions from rules.** (1) The commission may grant an exemption of any rule in this chapter when doing so is consistent with the public interest, the purposes underlying regulation, and applicable statutes.

(2) To request a rule exemption, a company must file with the commission a written request identifying the rule for which an exemption is sought and giving a full explanation of the reason the exemption is requested.

(3) The commission will assign the request a docket number, if needed, and schedule the request for consideration at one of its regularly scheduled open meetings or, if appropriate under chapter 34.05 RCW, in an adjudication. The commission will notify the company requesting the exemption, and other interested persons, of the date the commission will consider the request.

(4) The commission will issue an order granting ~~((or))~~, denying, or modifying the request or setting it for hearing, pursuant to chapter 480-07 WAC.

NEW SECTION

**WAC 480-15-055 Payment to the commission.** Carriers or other persons may pay required fees, penalties or other assessments by money order, check, certified check, credit or debit card or by electronic payment payable to the utilities and transportation commission. The commission will accept cash if a payment is made in person. The commission accepts only United States funds.

NEW SECTION

**WAC 480-15-065 Address or telephone change.** If a carrier changes its physical or mailing business address, e-mail address or telephone number, it must immediately notify the commission in writing at the address listed in WAC 480-15-060.

NEW SECTION

**WAC 480-15-145 Enforcement.** The commission has a number of options available to enforce its statutes, rules, orders and tariff requirements, as follows:

(1) RCW 81.04.110 allows the commission to file a complaint and hold a hearing.

(2) RCW 81.04.260 allows the commission to file in court for an immediate injunction for violations of law, commission rule, order, direction or requirement of the commission.

(3) RCW 81.04.380 allows penalties against public service companies of up to one thousand dollars for each violation for each day the violation occurs or continues to occur.

(4) RCW 81.04.387 allows penalties against corporations, other than public service companies, of up to one thousand dollars for each offense.

(5) RCW 81.04.390 provides that violations may be treated as misdemeanors.

(6) RCW 81.04.405 allows penalties of one hundred dollars for each violation for each day the violation occurs or continues to occur. These penalties are issued through a penalty assessment with a fifteen-day response period.

(7) RCW 81.04.510 and 81.80.070 allows the commission to issue cease and desist orders against a carrier operating without a permit.

(8) RCW 81.80.280 allows the commission to cancel, suspend, alter, or amend a permit for violations of federal or state law, or commission rule.

(9) RCW 81.80.070 also allows a penalty of one thousand five hundred dollars to any carrier operating without a permit.

(10) RCW 81.80.355 provides that advertising without a permit may be treated as a misdemeanor.

(11) RCW 81.80.357 allows a penalty of five hundred dollars for each violation when a carrier does not include its permit number in its advertisements.

(12) WAC 480-120-172 allows a telecommunications company to disconnect a customer's service if that service is used for illegal purposes, such as operating without a permit issued by the commission.

AMENDATORY SECTION (Amending Order R-454, Docket No. TV-971477, filed 12/15/98, effective 1/15/99)

**WAC 480-15-180** (~~((When must I have))~~) Carrier operations that require a household goods permit((?)). ~~((1) Unless you are operating in the territory described in WAC 480-15-200, you must receive a permit from us before you transport household goods:~~

- ~~(a) By motor vehicle;~~
- ~~(b) Over the public highways;~~
- ~~(c) Between points in Washington state; and~~
- ~~(d) For compensation.~~

~~(2) If you transport household goods without first obtaining a permit you will be subject to the enforcement actions described in WAC 480-15-160(3).)~~ A carrier must receive a permit from the commission before transporting household goods, for compensation, by motor vehicle (including a rental truck) over public roads between two points within the state

unless the carrier is operating in the territory described in subsection (1) or (2) of this section:

(1) Under RCW 81.80.040(1), a carrier does not need a permit to operate exclusively between points within the limits of a city or town with a population of less than ten thousand, unless it borders a city or town with a population of greater than ten thousand.

(2) Under RCW 81.80.040(2), a carrier does not need a permit to operate exclusively between points within a city with a population between ten thousand and thirty thousand if the commission has issued an order exempting transportation within that city from regulation. As of June 2007, these cities included:

(a) Cities of Mountlake Terrace and Mercer Island, exempted by commission General Orders 178, effective March 3, 1965, and R-66, effective May 8, 1974.

(b) City of Ellensburg, exempted by commission General Order 199, effective April 17, 1968.

NEW SECTION

**WAC 480-15-181 Operations that do not require a household goods permit.** A company's operations do not require a permit from the commission when the company:

(1) Moves commercial or office goods, except when part of a household goods moves.

(2) Transports goods that are packed and loaded on the vehicle and unloaded by the customer.

(3) Transports goods which are loaded in customer packed and sealed self-storage type containers in conjunction with storage when no accessorial services are provided by the company.

(4) Uses a truck the customer owns or rents, even if the company does the packing and loading.

(5) Packs and loads the goods but does not transport the belongings.

(6) Moves goods interstate.

NEW SECTION

**WAC 480-15-185 Types of household goods permits.** The commission may issue any of the following types of permits:

(1) **Emergency temporary authority** for a period of thirty days or less when there is an urgent need for service and time or circumstances do not reasonably allow filing and processing an application for temporary authority.

(2) **Temporary authority** for up to one hundred eighty days to meet a short-term public need or until the commission makes a decision on the pending application for permanent authority. The applicant must be fit, willing and able and the proposed service must be in the public interest.

(3) **Permanent authority** has no expiration date or renewal

requirement when the applicant is fit, willing and able to provide service and meets the current or future public convenience and necessity standards.

AMENDATORY SECTION (Amending Order R-454, Docket No. TV-971477, filed 12/15/98, effective 1/15/99)

**WAC 480-15-190** (~~((Where may I operate with a household goods permit?))~~) **Service territory.** ((+1+)) Household goods permits authorize statewide operations unless:

((+a+)) (1) You elect to limit your service territory to specific counties; or

((+b+)) (2) The commission, by order, limits your service territory.

~~((+2) If you choose to limit your service territory to specific counties, you must notify us in writing at the address shown in WAC 480-15-060. Your written request must include your household goods permit number and name.))~~

AMENDATORY SECTION (Amending Order R-454, Docket No. TV-971477, filed 12/15/98, effective 1/15/99)

**WAC 480-15-230** (~~((What is the))~~) Application fees(~~(?)~~).  
(~~The maximum application fee, under RCW 81.80.090, is five hundred fifty dollars. 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:~~) Application fees are:

Type of Permit Application:	Fee:
Emergency temporary authority	\$50.00
Temporary authority	\$250.00
Permanent authority	\$550.00
<del>((Permanent authority (under the exceptions named in WAC 480-15-260)))</del> <u>Transfer or acquisition of authority under WAC 480-15-335</u>	\$250.00
Permit reinstatement (under provisions of WAC 480-15-460)	\$250.00
Name change only	\$35.00



AMENDATORY SECTION (Amending Order R-454, Docket No. TV-971477,  
filed 12/15/98, effective 1/15/99)

**WAC 480-15-270** (~~When will the commission grant~~)  
Emergency temporary authority(?). ~~((We will))~~ The commission  
may grant an application for emergency temporary authority to  
operate up to thirty days to meet an urgent public need when  
time or circumstances do not reasonably allow ~~((for the))~~ filing  
and processing ~~((of))~~ a temporary permit application. ~~((We may~~  
~~grant emergency temporary authority for up to thirty days when a~~  
~~qualified))~~ The applicant must do all of the following:

(1) Provide~~((s))~~ a certified statement of support  
identifying the need~~((+))~~.

(2) Complete the application.

(3) Pay~~((s))~~ the application fee~~((+))~~.

~~((3))~~ (4) Furnish~~((es))~~ a list of vehicles ~~((to be used))~~  
the applicant will use under emergency temporary authority~~((+)~~  
~~and))~~.

~~((4))~~ (5) Furnish~~((es))~~ proof of public liability and  
property damage insurance.

AMENDATORY SECTION (Amending Order R-454, Docket No. TV-971477, filed 12/15/98, effective 1/15/99)

**WAC 480-15-280** (~~((When must I apply for))~~) Temporary authority(?). (1) ((You)) An applicant must apply for temporary authority (~~((if you are a new entrant, or))~~) to provide service to meet a short-term need. (~~((If you are a new entrant, and))~~) The commission grants ((your)) the application, the temporary authority will allow ((you)) the applicant to provide service as a household goods carrier on a provisional basis for at least six months. During this time, the commission will evaluate whether ((you have)) the applicant has met the criteria in WAC 480-15-330 to obtain permanent authority.

(2) ((We)) The commission will grant or deny an application for temporary authority after (~~((we have conducted))~~) conducting a complete review of ((your)) the application, ((any)) supporting statements, reports or other information necessary to determine ((your)) fitness((τ)) and (~~((determine))~~) determining whether granting the application is in the public interest.

(3) When determining if an applicant is fit, willing((τ)) and able to provide the proposed service ((we)) the commission will consider any information provided by the applicant and other members of the public including, but not limited to, information regarding the applicant's:

(a) (~~((The applicant's))~~) Experience in the industry((τ))

~~knowledge of safety regulations; financial resources and equipment; compliance with tax, labor, employment, business, and vehicle licensing laws and rules; and)).~~

~~(b) ((Whether the applicant has been cited for violation of state law or commission rules, has been convicted of a Class A or Class B Felony, or has previously been denied authority on the basis of fitness; or has had permit authority canceled))~~

Knowledge of safety regulations.

(c) Financial resources.

(d) Equipment resources.

(e) Compliance with tax, labor, employment, business and vehicle licensing laws and rules.

(f) Compliance with Title 81 RCW and commission rules.

(g) Conviction of any crime.

(h) Previous denial of authority on the basis of fitness.

(i) Previous cancellation of permit authority.

(4) When determining if the proposed service is in the public interest ~~((we))~~, the commission will consider any information provided by the applicant, ~~((shippers))~~ customers and other members of the public ~~((supporting))~~ concerning the proposed service~~((, and))~~. The commission will also consider whether granting the temporary authority will:

(a) Enhance choices available to consumers((,)).

(b) Promote a viable yet competitive household goods industry((, or)).

(c) Fill an unmet need for service((, and)).

~~((b))~~ (d) Allow ((us)) the commission to more efficiently

regulate the household goods industry(~~, and~~)).

(e) Provide increased consumer protection through regulation.

(5) Applicants, customers and other members of the public must submit statements and reports (~~((from the applicant, shippers, and other members of the public, must))~~) that:

(a) Include their full name, address, phone number(~~, and~~)).

(b) State that the information submitted is true and accurate. (~~(They must be)~~)

(c) Are signed and show the place and date (~~(where/when)~~) they were signed.

AMENDATORY SECTION (Amending Order R-454, Docket No. TV-971477, filed 12/15/98, effective 1/15/99)

**WAC 480-15-285** (~~((Are there times when the commission will reject my))~~) **Rejecting or denying an application for temporary authority(?)**. (~~(We will)~~) The commission may reject (~~(your)~~) or deny an application for temporary authority if (~~(you file)~~):

(1) The application is incomplete.

(2) The application indicates evidence of fraud.

(3) The applicant filed within six months of a denial of a previous application (~~((submitted by you. We will reject your application if filed))~~) or within one year of cancellation of a permit(~~, held by you,~~) under WAC 480-15-320 or 480-15-450

~~((3), (4), (5), or (6))~~ (1)(c) through (g).

(4) The applicant does not have:

(a) Sufficient experience in the industry.

(b) Sufficient knowledge of safety regulations.

(c) Sufficient financial resources or equipment.

(d) Compliance with tax, labor, employment, business and vehicle licensing laws and rules.

(5) The applicant has:

(a) Previously been denied authority by the commission on the basis of fitness.

(b) Been convicted of a crime.

(c) Previously had permit authority canceled by the commission.

(d) Been subject to other enforcement actions for violations of state law or commission rules.

(6) Other circumstances exist that cause the commission to believe issuing the permit is not in the public interest.

AMENDATORY SECTION (Amending Order R-454, Docket No. TV-971477,  
filed 12/15/98, effective 1/15/99)

**WAC 480-15-290** (~~((How will I know what the commission has decided?))~~) **Granting temporary authority.** After reviewing ~~((your))~~ the application, ~~((and all))~~ information concerning the application and supporting statements and reports, the commission will issue an order ~~((to you))~~ granting or denying ~~((your))~~ the application for temporary authority. An order granting temporary authority may include specific terms and conditions ~~((that you))~~ the applicant must satisfy before ~~((you begin))~~ beginning or while operating under authority, such as specific training, safety audits or reporting. ~~((We publish an application docket listing temporary authority we have granted or denied.))~~

AMENDATORY SECTION (Amending General Order R-510, Docket No. A-010648, filed 11/24/03, effective 1/1/04)

**WAC 480-15-310 (~~May I comment on a decision to grant or deny~~) Commenting on actions regarding temporary authority(?).**

(1) (~~We~~) The commission publishes an application docket listing temporary authority (~~we have~~) it has granted or denied. (~~We~~) The commission mails the docket to each applicant and, upon written request, to any other person interested in application proceedings.

(2) Anyone (~~having an interest in an application appearing on the docket~~) wishing to comment on an action on the commission's application docket that grants or denies temporary authority may file written comments within ten days following publication. (~~Comments may be in the form of statements supporting or protesting the grant of authority or application.~~) Comments must include (~~your~~) the commenter's full name, address, telephone number, e-mail address, fax number(~~(r)~~) and permit number, if applicable. Comments must (~~state the nature of your~~) indicate support for, or protest (~~and address~~) of, the temporary authority for any one or more of the following (~~issues~~) reasons:

(a) Fitness(~~(r)~~).

(b) Public interest(~~(r)~~).

(c) Levels of service(~~(r)~~).

(d) Business practices~~((τ))~~.

(e) Safety~~((τ and/or))~~.

(f) Operation of equipment.

(3) ~~((We))~~ The commission may ~~((grant or deny a protest without a hearing. We may, at our own))~~ at its discretion, hold a brief adjudicative proceeding on ~~((α))~~ an action for temporary authority because it received comments that protest the action. See chapter 480-07 WAC for rules governing ~~((applications and procedures for))~~ brief adjudicative proceedings ~~((are in chapter 480-07 WAC))~~.

AMENDATORY SECTION (Amending Order R-454, Docket No. TV-971477, filed 12/15/98, effective 1/15/99)

**WAC 480-15-320** ~~((May the commission cancel))~~ **Canceling a temporary permit**~~((?))~~. ~~((Yes, we))~~ The commission may cancel a temporary permit at any time if ~~((we))~~ it determines ~~((that))~~ any of the following conditions exist:

(1) The permit was not issued in the public interest~~((+))~~.

(2) The ~~((grant))~~ approval of the temporary authority was based on fraud, misrepresentation, or erroneous information from the applicant~~((+ or))~~.

(3) ~~((We find cause to cancel the permit under the circumstances described in WAC 480-15-450.))~~ The applicant filed within six months of a denial of a previous application or within one year of cancellation of a permit under WAC 480-15-320



or 480-15-450 (1)(c) through (g).

(4) The carrier does not have:

(a) Sufficient experience in the industry.

(b) Sufficient knowledge of safety regulations.

(c) Sufficient financial resources or equipment.

(d) Compliance with tax, labor, employment, business and vehicle licensing laws and rules.

(5) The carrier has:

(a) Been convicted of any crime.

(b) Previously been denied authority by the commission on the basis of fitness.

(c) Failed or refused to comply with applicable laws and rules pertaining to operations of household goods carriers.

(d) Failed to file an annual report or pay required regulatory fees.

(e) Allowed others to transport goods under the carrier's permit authority.

(6) Other circumstances exist that cause the commission to believe canceling the permit is in the public interest.

AMENDATORY SECTION (Amending Order R-454, Docket No. TV-971477, filed 12/15/98, effective 1/15/99)

**WAC 480-15-330** (~~((When must I apply for))~~) Permanent authority((?)). (1) ((You)) An applicant must apply for permanent authority if ((you are)) he or she is requesting any of the following:

(a) New original authority((+)).

(b) Transfer of existing authority((+)), except as described in WAC 480-15-335.

(c) Acquisition of control of existing authority((+)).

(d) Additional authority for an existing household goods permit(~~(; or~~

~~(e) Household goods authority for an existing general commodities permit granted under the provisions of chapter 480-14 WAC)).~~

(2) ((We)) The commission will grant or deny an application for permanent authority after ((we have conducted)) it conducts a complete review of ((your)) the application, supporting statements, reports((τ)) or other information necessary to determine fitness, public interest((τ)) and current or future public convenience and necessity.

(3) Some transfers of existing permanent authority are not subject to the requirements in this rule. WAC 480-15-260 lists the exceptions (~~(are listed in WAC 480-15-260))~~.

(4) When determining if an applicant is fit, willing and able to provide the proposed service, ~~((we))~~ the commission will consider statements and reports including any information provided by the applicant and other members of the public ~~((regarding))~~. The commission may reject or deny an application for permanent authority if:

~~(a) ((The applicant's experience in the industry; knowledge of safety regulations; financial resources and equipment; compliance with tax, labor, employment, business, and vehicle licensing laws;~~

~~(b) Whether the applicant has been cited for violation of state law or commission rules, has been convicted of a Class A or Class B Felony, or previously has been denied authority on the basis of fitness; and~~

~~(c) The results of any compliance reviews, audits, inspection reports, and consumer complaints filed against the applicant.))~~ The application is incomplete.

(b) The application indicates evidence of fraud.

(c) The applicant filed within six months of a denial of a previous application or within one year of cancellation of a permit under WAC 480-15-320 or 480-15-450 (1)(c) through (f).

(d) The applicant does not have:

(i) Sufficient experience in the industry.

(ii) Sufficient knowledge of safety regulations.

(iii) Sufficient financial resources or equipment.

(iv) Compliance with tax, labor, employment, business and vehicle licensing laws and rules.

(e) The applicant has:

(i) Previously been denied authority canceled by the commission.

(ii) Been convicted of any crime.

(iii) Previously had permit authority canceled by the commission.

(iv) Paid or incurred penalties or received citations for violation of state law or commission rules.

(v) Been subject to other enforcement actions for violation of state law or commission rules.

(f) The results of any compliance reviews, audits, inspection reports and consumer complaints filed against the applicant cause the commission to believe issuing the permit is not in the public interest.

(g) Other circumstances exist that cause the commission to believe issuing the permit is not in the public interest.

(5) When determining if the proposed service is in the public interest ((we)) the commission will consider statements and reports, including any information provided by the applicant((τ)) and other members of the public ((~~supporting~~)) concerning the proposed service, and whether granting the permanent authority will:

(a) Enhance choices available to consumers((τ)).

(b) Promote a viable yet competitive household goods industry((τ-ox)).

(c) Fill an unmet need for service((~~τ~~ and ~~b~~)).

(d) Allow ~~((us))~~ the commission to more efficiently regulate the household goods industry~~((, and))~~.

(e) Provide increased consumer protection through regulation.

(6) When determining if the proposed service is needed to satisfy the current or future public convenience and necessity, ~~((we))~~ the commission will consider any information provided by the applicant, ~~((shippers,))~~ customers and other members of the public ~~((supporting))~~ concerning the proposed service~~((,))~~ and any reports relating to the operations ~~((you))~~ conducted under temporary authority~~((,))~~ including, but not limited to, the following:

(a) The number of customers ~~((you))~~ served~~((,))~~.

(b) The nature of the service ~~((you))~~ provided~~((,))~~.

(c) ~~((Your))~~ Customer~~((s,))~~ satisfaction~~((, and))~~.

(d) Statements regarding future need for ~~((your))~~ services.

NEW SECTION

**WAC 480-15-335 Exceptions to permanent authority application process.** (1) The commission will grant an application to transfer or acquire control of existing permanent authority without requiring temporary operations, public notice or comment if the applicant is fit, willing and able to provide service and the applicant has filed to transfer or acquire control of permanent authority for any one of the following reasons:

(a) A partnership has dissolved due to the death, bankruptcy or withdrawal of a partner and that partner's interest is being transferred to a spouse or to one or more remaining partners.

(b) A shareholder in a corporation has died and that shareholder's interest is being transferred to a surviving spouse or one or more surviving shareholders.

(c) A sole proprietor has died and the interest is being transferred as property of the estate.

(d) An individual has incorporated and the same individual remains the majority shareholder.

(e) An individual has added a partner but the same individual remains the majority partner.

(f) A corporation has dissolved and the interest is being transferred to the majority shareholder.

(g) A partnership has dissolved and the interest is being transferred to the majority partner.

(h) A partnership has incorporated, and the partners are the majority shareholders.

(i) Ownership is being transferred from one corporation to another corporation when both are wholly owned by the same shareholders.

(2) The commission will grant an application for permanent authority without requiring temporary operations after the application has been published on the application docket subject to comment for thirty days if the applicant is fit, willing and able to provide service, the applicant has filed to transfer or acquire control of permanent authority and all of the following conditions exist:

(a) Ownership or control of a permit is being transferred to any shareholder, partner, family member, employee or other person familiar with the company's operations and the household goods moving services provided.

(b) The permit has been actively used by the current owner to provide household goods moving services during the twelve-month period prior to the application.

(c) The application includes a certified statement from the applicant and the current owner explaining why the transfer of ownership or control is necessary to ensure the company's economic viability.

(d) The application includes a certified statement from the applicant and the current owner describing the steps taken by

the parties to ensure that safe operations and continuity of service to customers is maintained.

AMENDATORY SECTION (Amending Order R-454, Docket No. TV-971477, filed 12/15/98, effective 1/15/99)

**WAC 480-15-340** (~~((May I comment))~~) Commenting on an application for permanent authority((?)). (1) ((We)) The commission publishes applications for permanent authority ((en)) in the application docket ((which we)) that it mails to each applicant and, upon written request, to any other person interested in application proceedings.

(2) Anyone having an interest in an application appearing on the docket may file written comments within thirty days following publication, unless the application is published in conjunction with a grant of temporary authority. If the permanent authority application is published in conjunction with a grant of temporary authority, then comments will be accepted for one hundred eighty days or the full term of the temporary permit((s)).

(3) Comments may (~~((be in the form of statements supporting or protesting))~~) either support or protest the application. Comments must include the commenter's full name, address, telephone number, (~~((and should also include a))~~) e-mail address, fax number and permit number, if available. Comments (~~((should))~~) must be signed and indicate the place and date when they were



signed. Comments must ~~((state the nature of your support or protest and address the following issues))~~ indicate support for, or protest of, the permanent authority for any one or more of the following reasons:

(a) Fitness((τ)).

(b) Public interest((τ)).

(c) Levels of service((τ)).

(d) Business practices((τ)).

(e) Safety((τ)).

(f) Operation of equipment((τ and)).

(g) Current or future public need for service.

(4) A comment protesting an application ~~((may))~~ will not, on its own, cause the ((application to be set)) commission to set the matter for a hearing.

AMENDATORY SECTION (Amending General Order R-510, Docket No. A-010648, filed 11/24/03, effective 1/1/04)

WAC 480-15-350 (~~Will—my~~) Setting an application (~~be set~~) for ~~(a)~~ hearing~~(?)~~. ~~(We)~~ The commission may hold a hearing or brief adjudicative proceeding on any application for permanent authority if it is necessary to resolve outstanding issues or concerns related to fitness, public interest, public convenience and necessity~~(τ)~~ or any other issue resulting from a compliance review, audit, inspection report, complaint~~(τ)~~ or public comment. See chapter 480-07 WAC for rules governing hearings and brief adjudicative proceedings (~~are contained in chapter 480-07 WAC~~)).

AMENDATORY SECTION (Amending Order R-454, Docket No. TV-971477,  
filed 12/15/98, effective 1/15/99)

**WAC 480-15-360** (~~((Where must I keep my))~~) Retaining copies of the permit((?)). ((You)) Carriers must keep ((your)) the original permit in ((your)) their main office((~~τ~~)) and ((~~also~~)) carry a copy ((~~of your permit~~)) in each vehicle used to transport household goods. ((You)) Carriers must show a copy of ((your)) the permit to any law enforcement or compliance officer who asks to see it.

AMENDATORY SECTION (Amending Order R-454, Docket No. TV-971477,  
filed 12/15/98, effective 1/15/99)

**WAC 480-15-370** (~~((What should I do if my permit is))~~) Lost or destroyed((?)) permit. ((You)) Carriers may write to ((~~us~~)) the commission and request replacement of a lost or destroyed permit. ((We)) The commission will issue a replacement permit at no charge.

AMENDATORY SECTION (Amending Order R-454, Docket No. TV-971477,  
filed 12/15/98, effective 1/15/99)

**WAC 480-15-380** (~~((May I allow))~~) Allowing others to use  
~~((my))~~ permit authority((?)). (~~((You must))~~) Intrastate carriers  
may not allow others to transport household goods under ~~((your))~~  
their permit authority. (~~((All))~~) Only the lawful permit holder  
may conduct operations under a household goods permit (~~((must be~~  
~~conducted by the lawful permit holder. While you may))~~).  
Carriers may not lease ~~((your))~~ permit authority, ~~((you))~~ but  
may lease vehicles from others for use in ~~((your))~~ their own  
operations pursuant to the leasing rules in WAC 480-15-590 and  
480-15-600.

AMENDATORY SECTION (Amending Order R-454, Docket No. TV-971477,  
filed 12/15/98, effective 1/15/99)

**WAC 480-15-390** (~~((What name may I use?))~~) Permit names or  
trade names. (1) ~~((You))~~ A carrier must conduct operations  
under the exact name shown on ~~((your))~~ its household goods  
permit. If ~~((you do))~~ a carrier does business under a trade or  
assumed name, that name must also appear on ~~((your))~~ the permit.

(2) ~~((You))~~ A carrier may not operate under a name that is

similar to ~~((that of))~~ another carrier unless one of the following conditions applies:

(a) The carrier whose name is similar has given ~~((you))~~ written permission to use the name ~~((i or))~~.

(b) The commission authorizes use of the similar name. Before authorizing use of a similar name, the commission must first determine that the use of the similar name will not ~~((i))~~ mislead the shipping public ~~((i))~~ or ~~((i))~~ result in unfair or destructive competitive practices.

AMENDATORY SECTION (Amending Order R-454, Docket No. TV-971477, filed 12/15/98, effective 1/15/99)

**WAC 480-15-400** ~~((How do I change my))~~ Changing a permit name ~~((?))~~. (1) ~~((You))~~ Carriers must file a name change application ~~((if you want))~~ to change ~~((your))~~ the permit name, corporate name ~~((r))~~ or trade name ~~((r))~~ or to add a trade name to ~~((your))~~ the permit.

(2) ~~((Your name change application))~~ Carriers must include the application fee (as shown in WAC 480-15-230), copies of any corporate minutes authorizing the name change ~~((r))~~ and proof that ~~((you have))~~ the carrier has properly registered ~~((your))~~ the new name with the department of licensing, office of the secretary of state ~~((r))~~ or other agencies ~~((r))~~ as may be required.

(3) (~~You~~) Carriers must file an application to transfer or acquire control of permanent authority if (~~your~~) the name change is the result of a change in ownership or controlling interest.

(4) (~~You~~) Carriers may not advertise or operate under the (~~changed~~) proposed name change until the commission approves (~~your request~~) the application.

AMENDATORY SECTION (Amending Order R-454, Docket No. TV-971477, filed 12/15/98, effective 1/15/99)

**WAC 480-15-410 (~~What should I do if I cannot use my permit?~~) Voluntary suspension of a permit.** (1) If (~~you are~~) a carrier is unable to use (~~your~~) its permit due to medical reasons or because (~~you have been called into~~) of active military service, (~~you~~) it may request (~~that your~~) the authority be voluntarily suspended.

(2) (~~You~~) The carrier must send (~~your~~) its request to (~~us~~) the commission in writing and include the following information:

(a) (~~Your~~) Name, address, and permit number(~~(+)~~).

(b) The reason for the request (e.g., medical statement, military orders)(~~(+)~~).

(c) The date (~~you would like the~~) voluntary suspension (~~to~~) is requested to begin(~~(+)~~).

(d) The length of time (~~you~~) the carrier will be unable

to use ~~((your))~~ the permit~~((; and))~~.

(e) A statement that no household goods transportation will occur under ~~((your))~~ the permit while it is suspended.

(3) ~~((We))~~ The commission will issue an order suspending ~~((your))~~ the permit. The order will set the length of time and the terms of ~~((your permit))~~ suspension.

(4) To activate ~~((your))~~ a suspended permit ~~((you))~~, a carrier must send ~~((us))~~ the commission a letter advising that ~~((you are))~~ it is ready to resume household goods service and agree to conduct operations in compliance with all laws and rules. ~~((You))~~ The carrier must satisfy any outstanding filing requirements before ~~((we))~~ the commission will issue an order lifting the suspension.

(5) If ~~((you do))~~ the carrier does not activate ~~((your))~~ the permit before the suspension period expires, ~~((your))~~ the commission may cancel the permit ~~((may be canceled))~~.

AMENDATORY SECTION (Amending Order R-454, Docket No. TV-971477, filed 12/15/98, effective 1/15/99)

**WAC 480-15-420** (~~((What should I do if I no longer want to use my permit?))~~) Voluntary cancellation of a permit. If ((you)) a carrier no longer wants to use ((your)) its permit, ((you)) the carrier may send the original permit to ((us)) the commission with a written request that it be canceled. ((Your)) The cancellation request must include ((your)) the carrier's name, address((<sub>T</sub>)) and permit number. ((We)) The commission will issue an order canceling ((your)) the permit(~~(-~~Cancellation will be)), effective on the date of ((that)) the order.

AMENDATORY SECTION (Amending Order R-454, Docket No. TV-971477, filed 12/15/98, effective 1/15/99)

**WAC 480-15-430** (~~((Why would the commission suspend my permit?))~~) Involuntary suspension. (1) The commission may suspend ((your)) a permit (~~((under the provisions of WAC 480-15-410 or))~~) without the carrier's authorization for good cause. Good cause includes, but is not limited to, the carrier:

(a) ((Failure)) Failing to maintain evidence of required



cargo ~~((and/or liability))~~ insurance coverage for all areas of ~~((your))~~ its operations~~((+))~~.

(b) ~~((Failure))~~ Failing to maintain evidence of required liability insurance coverage for all areas of its operations.

(c) Failing to ~~((maintain your tariff and/or))~~ comply with the rates and rules contained in the commission-published tariff~~((+)~~

~~((e) Failure or refusal to comply with operating standards that protect the public health and/or safety;))~~.

(d) Failing or refusing to comply with applicable laws and commission rules pertaining to operations of household goods carriers, including safety requirements set in law or rule.

(e) Allowing others to transport goods under ~~((your))~~ the carrier's permit authority. ~~((See WAC 480-15-380.~~

~~((e) Operating in a manner which harms the rights of the shipping public or which constitutes unfair or deceptive business practices. For example: Investigation by the commission's staff representatives upholds numerous consumer complaints related to loss and damage, packing, loading and/or unloading, estimating or billing.))~~

(f) Committing fraud.

(2) The commission may suspend a permit without an opportunity for hearing if there is imminent danger to the public health, safety or welfare~~((, or))~~ and there is insufficient time to conduct a hearing.

(3) The commission will send notice to any carrier of its action to suspend the carrier's permit. The suspension begins

on the effective date listed in the notice.

(4) A carrier may contest the suspension of its permit by requesting a hearing or brief adjudicative proceeding. Chapter 480-07 WAC describes the procedures for such hearings.

(5) The commission will lift the suspension of the permit after the carrier corrects all conditions leading to the suspension.

AMENDATORY SECTION (Amending Order R-454, Docket No. TV-971477, filed 12/15/98, effective 1/15/99)

**WAC 480-15-450** (~~Why would the commission cancel my permit?~~) Involuntary cancellation of a permit. (1) The commission may cancel (~~your~~) a permit (~~under the provisions of WAC 480-15-410, 480-15-420 or~~) without the carrier's authorization for good cause. Good cause includes, but is not limited to, the carrier:

(~~(1) Failure~~) (a) Failing to file an annual report or pay required regulatory fees(~~(+)~~).

(~~(2) Failure~~) (b) Failing to correct, within the time frame specified in the suspension order, all conditions that led to the suspension of (~~your~~) a permit(~~(+)~~).

(~~(3) Continued violations of applicable laws and rules affecting the public health, safety or welfare when the commission has reason to believe you would not comply with those laws and rules following a specified period of suspension:~~

~~(4) Repeated failure or refusal~~) (c) Failing or refusing to comply with applicable laws and commission rules pertaining to operations of household goods carriers(~~(+)~~), including safety requirements set in law or rule.

~~((5) Failure)~~) (d) Failing to supply information necessary to the commission for the performance of its regulatory functions when (~~requested by~~) the commission requests the carrier to (~~provide such information+~~) do so.

~~((6) Submission of)~~) (e) Submitting false, misleading or inaccurate information. (~~The commission will hold a hearing prior to canceling your permit unless your permit is subject to cancellation because you failed, within the time frame specified by a suspension order, to correct the causes of the suspension:~~

~~(7)~~) (f) Allowing others to transport goods under (~~your~~) the carrier's permit authority (~~in violation of WAC 480-15-380~~)).

(g) Operating in a manner that constitutes unfair or deceptive business practices.

(h) Committing fraud.

(2) The commission will hold a hearing prior to canceling a permit unless the permit is subject to cancellation because the carrier failed, within the time frame specified by a suspension order, to correct the causes of the suspension. In that case:

(a) The commission will send notice to any carrier of the date the commission will cancel a permit. The commission will enter an order canceling the permit thirty days after the service date of the notice.

(b) A carrier may contest the cancellation of its permit by requesting a hearing or brief adjudicative proceeding. Chapter 480-07 WAC describes the procedures for such hearings.

(3) If any permit is canceled the carrier corrects all conditions that led to the cancellation of the permit, the carrier may apply for reinstatement.

(a) To reinstate the permit within thirty days of cancellation, the carrier must file an application for reinstatement and pay the applicable reinstatement fees as stated in WAC 480-15-230.

(b) If the carrier files an application for reinstatement after thirty days of cancellation, the application will be considered in all aspects to be an application for new authority and will be subject to all terms and conditions specified in WAC 480-15-240 for new entrants.

AMENDATORY SECTION (Amending Order R-454, Docket No. TV-971477, filed 12/15/98, effective 1/15/99)

**WAC 480-15-480 Annual reports and regulatory fees. (1)**

~~((What is an annual report?))~~ An annual report is a year end statement that discloses ~~((to the commission financial, equipment, operating, and management))~~ information to the commission about ~~((you and the operations you conducted under your household goods permit. Your signed report includes a statement certifying that the information in your report is true and accurate))~~ regulated companies.

(a) ~~((You))~~ Carriers must report ~~((your))~~ financial information ~~((according to the uniform system of accounts established by the commission for household goods carriers))~~ as required in the annual report forms.

(b) The commission will mail annual report forms and instructions to each household goods permit holder at ~~((their))~~ its address of record. If ~~((you do))~~ a carrier does not receive an annual report form, it is ~~((your))~~ the carrier's responsibility to contact the commission and request the form.

(2) ~~((What is a regulatory fee?))~~ A regulatory fee is an annual assessment paid by each household goods carrier to cover the costs of regulating the household goods industry. ~~((The maximum regulatory fee is set by law at one-fourth of one percent of the gross operating revenue generated from your~~

~~intrastate transportation of household goods. We may reduce the fee by general order. Each year we review the costs of regulating the household goods industry and set the next year's fee accordingly.))~~ The commission reviews the costs of regulating the industry and sets fees proportionate to costs, although not above the maximum amount allowed by law.

~~(3) ((How do I calculate my regulatory fee? Your)) Regulatory fees (is) are calculated as a percentage of (your) intrastate gross operating revenues generated from the transportation of household goods during the prior calendar year. For example:~~

<del>(For example:</del>	Gross Operating Revenue	\$100,000.00 x
	Regulatory Fee Percentage	.0025 =
	Regulatory Fee Due	<u>\$ 250.00))</u>

<u>Gross operating revenue</u>	<u>\$100,000</u>
<u>Times the regulatory fee percentage</u>	<u>.0025</u>
<u>Equals the regulatory fee due</u>	<u>\$ 250</u>

(4) ~~((When are my annual report and regulatory fees due? You))~~ Carriers must file ~~((your))~~ annual reports and pay ~~((your))~~ regulatory fees by May 1st of ~~((the))~~ each year ~~((following the calendar year for which you are reporting))~~ based on the prior year's operations. The commission must receive both the annual report and the regulatory fee payment no later than May 1.

(a) ~~((If you pay your regulatory fee late, we))~~ The commission will assess an automatic late fee of two percent of the amount due, plus one percent interest for each month after that, for any regulatory fees not received by May 1.

(b) ~~((If you do not file your annual report and/or do not~~

~~pay your regulatory fee, we))~~ The commission may issue penalty assessments or cancel ~~((your))~~ a carrier's permit ~~((under the provisions of WAC 480-15-450))~~ for failure to pay regulatory fees or file annual reports.

AMENDATORY SECTION (Amending General Order No. R-471, Docket No. TV-991559, filed 6/27/00, effective 7/28/00)

**WAC 480-15-490 Tariff and rates, general.** (1) ~~((What is a tariff?))~~ A tariff is a publication containing the rates and charges that household goods carriers must assess on shipments of household goods, including rules that govern how rates and charges are assessed.

(2) ~~((How are tariff rates and charges established?))~~

~~((a) Pursuant to RCW 81.80.130 and 81.80.150,))~~ The commission publishes tariffs ~~((to be used by))~~ that all household goods carriers ~~((, or))~~ must use and allows household goods carriers to file individual tariffs if the commission finds it is impractical to ~~((publish))~~ include in its tariff ~~((s))~~ for certain commodities or services. ~~((The commission determines the rates and charges contained in the tariffs by commission order following notice and hearing. Under RCW 81.80.130, the commission must set fair, just, reasonable, and sufficient rates and charges. The commission will do this by setting minimum and maximum rates.~~

~~((b) Upon the effective date of these rules, and continuing~~

~~until such time as the commission, after notice and hearing, determines a different rate level, household goods carriers must assess rates and charges within a band.~~

~~(i) The maximum rates and charges must be no more than twenty percent above the rates and charges as published by the commission in Tariff 15A in effect on February 1, 2000.~~

~~(ii) The maximum rates and charges established in (b)(i) of this subsection will be adjusted each June 1, through 2005, by an index calculated using the first quarter implicit price deflator (IPD) of the gross domestic product as follows:~~

~~Index for Current Year = IPD for Previous Year First Quarter / IPD for Current Year First Quarter~~

~~Example: Using the following data:~~

<del>IPD for Previous Year First Quarter</del>	<del>102.35</del>
<del>IPD for Current Year First Quarter</del>	<del>103.83</del>

~~Index for Current Year is calculated as follows:~~

<del>IPD for Current Year First Quarter</del>	<del>103.83</del>
<del>Divided by IPD for Previous Year First Quarter</del>	<del>102.35</del>
<del>Equals Index for Current Year</del>	<del>= 1.0145</del>

~~Maximum Rate or Charge is calculated as follows:~~

<del>Maximum Rate for Previous Year</del>	<del>\$ 100.00</del>
<del>Multiplied by Index for Current Year</del>	<del>x 1.0145</del>
<del>Equals the Maximum Rate for Current Year</del>	<del>= \$ 101.45</del>

~~Round the maximum rate to the next \$.01, with \$.005 and greater rounded up and less than \$.005 rounded down.  
Mileage rates are rounded to the next \$.0001.~~

~~(iii) The minimum rate or charge is fixed at no less than forty percent below the maximum rate or charge established in (b)(i) of this subsection.)~~

~~(3) ((Who must have tariffs? Each person holding)) All~~



household goods carriers are required to follow the terms, conditions, rates and all other requirements imposed by the commission-published tariff.

(4) The commission will set minimum and maximum rates carriers may charge within the tariff.

(5) Every household goods permit ((authority)) holder must ((purchase and display)) obtain at least one copy of the current tariff, and may pay applicable tariff maintenance fees. Any interested person may purchase a copy by paying the applicable fees in advance.

~~((4) Where must a household goods carrier display its tariffs? A household goods carrier must display a current copy of the tariff in its main office and in each billing office.~~

~~(5) Who must charge rates contained in the tariff? All household goods carriers must charge the rates and charges, and comply with the rules contained, in the tariff unless the commission has approved, in writing, deviations from the tariff.~~

~~(6) Is the tariff the only publication a household goods carrier needs to use to determine rates? The commission may adopt other publications that will be used to assess rates. If we do, we will notify tariff subscribers of the change.~~

~~(7) Where may the public view tariffs? Tariffs are public documents and you must make them available for the public by posting copies at your main office and any billing office. Tariffs are also available for review at our headquarters office.~~

~~(8) How much does a tariff cost? The cost of tariffs may~~

~~change periodically depending on our costs for compiling, printing, distributing, and maintaining them. To find out the current cost, you may contact the commission as described in WAC 480-15-060.~~

~~(9) **Are copies of current or expired tariff pages available?** The commission will supply you with current or expired single tariff pages upon request. Copies of entire expired tariffs, or entire tariffs applicable on a specific date in the past, generally are not available.))~~

AMENDATORY SECTION (Amending Order R-454, Docket No. TV-971477, filed 12/15/98, effective 1/15/99)

**WAC 480-15-500 Tariff maintenance and fees.** (1) (~~What is a tariff maintenance fee?~~ A)) The commission may charge tariff maintenance fees (~~compensates us for compiling, printing, and distributing amended tariff pages~~) on an annual basis.

(2) (~~Do I always have to pay full maintenance fees?~~ The annual maintenance fee is payable in advance on a prorated basis depending upon the month in which you purchase a tariff. See the table below:)) The commission may bill any applicable tariff maintenance fees by December 1 of each year. When billed, companies and other tariff subscribers must pay the bill by December 31.

(a) If a tariff subscriber does not have a permit and fails to pay the billed maintenance fee by December 31, the commission

may cancel the tariff subscription. To reinstate a subscription, the tariff subscriber must obtain a new original copy of the tariff and pay all applicable maintenance fees.

(b) If a tariff subscriber has a permit and fails to pay billed tariff fees by December 31, the commission may take administrative action against the household goods carrier to suspend or cancel the permit, or to assess penalties.

<del>((Month in which maintenance service is purchased</del>	<del>Percentage of total maintenance fee payable</del>
<del>January, February, March</del>	<del>100%</del>
<del>April, May, June</del>	<del>75%</del>
<del>July, August, September</del>	<del>50%</del>
<del>October, November, December</del>	<del>25%))</del>

~~(3) ((How am I billed for my annual tariff maintenance fees?))~~ The commission may bill any applicable tariff maintenance fees by December 1 of each year((, we send a bill to each tariff subscriber for the next year's annual tariff maintenance service. Tariff subscribers must pay maintenance fees)). When billed, companies and other tariff subscribers must pay the bill by December 31.

~~((4) What happens if a tariff subscriber fails to pay the annual maintenance fees by December 31?))~~

(a) If a tariff subscriber does not have a permit((7)) and fails to pay the billed maintenance fee by December 31, ((we will)) the commission may cancel the tariff subscription. To reinstate a subscription, the tariff subscriber must ((purchase)) obtain a new original copy of the tariff and pay all applicable maintenance fees.

(b) If a tariff subscriber has a permit and fails to pay billed tariff fees by December 31, ~~((we))~~ the commission may take administrative action against the household goods carrier to suspend or cancel the permit, or to assess penalties.

~~((5) **Am I entitled to a refund if I cancel my tariff subscription?** If you cancel your tariff subscription and send us a written request we will refund your prepaid tariff maintenance fees. We base refunds on a prorated formula of one-twelfth the amount of the fee prepaid, times the number of whole months remaining in the calendar year.))~~

AMENDATORY SECTION (Amending General Order R-510, Docket No. A-010648, filed 11/24/03, effective 1/1/04)

**WAC 480-15-510 Changing commission-published tariffs.** (1)  
~~((Who may propose changes to the tariff?))~~ Companies holding temporary or permanent household goods authority may propose changes to the tariff. ~~((We))~~ In addition, the commission may, on ~~((our))~~ its own motion, propose tariff changes.

(2) ~~((How do I propose changes to the tariff?))~~ Companies must send all proposed changes ~~((must be sent))~~ to the commission's mailing address ~~((and))~~. Proposed changes must meet all of the following:

- (a) Be in writing~~((+))~~.
- (b) Identify the ~~((rates, rules, or classifications))~~ tariff item to be changed~~((+))~~.

(c) Fully describe the proposed change((+)).

(d) State clearly the reason(s) for the proposed change((+)).

(e) Include any information or documents that justify the proposed change (the person proposing the change must prove the change is just and reasonable)((-and)).

(f) Identify the name, address, title, telephone number, e-mail address, permit number and fax number (if any) of the person we should contact regarding the proposal.

(3) (~~How does the commission consider proposals for tariff changes?~~) When ((we)) the commission receives a proposed tariff change ((we)), it will:

(a) Assign a docket number((+)).

(b) Schedule each docketed proposal for tariff change for consideration at ((one of our)) a regularly scheduled open public meeting((s)). (~~The commission may approve the proposed changes, or suspend them and set them for hearing;~~)

(c) Notify ((you and)) other interested persons of the date when ((we)) it will consider the tariff change((+and)).

(d) If the application for tariff change is suspended, the commission will process ((each)) the application ((for tariff change)) under the procedures set forth in chapter 480-07 WAC.

(4) (~~When do approved changes become effective? Changes we approve~~) Approved changes are not effective until ((we)) the commission publishes and distributes a revised tariff page with a stated effective date. (~~We will identify the effective date of the change on the revised page.~~)

AMENDATORY SECTION (Amending General Order R-510, Docket No. A-010648, filed 11/24/03, effective 1/1/04)

**WAC 480-15-520 (~~Procedure for filing~~) Individual carrier tariffs.** (1) (~~What must be filed?~~ You) To file an individual tariff or to amend an approved individual tariff already on file with the commission, a carrier must submit (~~to us~~) all of the following:

(a) A cover letter requesting permission (~~from us~~) to publish and file an individual tariff. The letter must describe the reasons (~~you~~) the carrier believes permission should be granted. (~~Your~~) The letter should state the reasons (~~you believe~~) it is impractical for (~~us~~) the commission to publish a tariff for the commodities or services contained in (~~your~~) the proposed tariff.

(b) Two copies of (~~your~~) the proposed tariff. (~~Your~~) The proposed tariff must comply with the tariff drafting standards in chapter 480-149 WAC (~~(Tariff Circular No. 6).~~ You may request a copy of chapter 480-149 WAC from our records management section)). The proposed tariff must contain all rates, charges, and rules (~~you~~) the company will (~~be using~~) use if (~~we grant you permission~~) granted approval to publish and file an individual tariff.

(c) Data showing that the rates and charges contained in the proposed tariff are fair, just, reasonable(~~(r)~~) and

sufficient.

~~(2) ((How are individual carrier filed tariffs processed?~~

~~(a) We review individual carrier filed tariffs:~~

~~(i) For compliance with laws and rules relating to content and format;~~

~~(ii) To ensure rates are fair, just, reasonable, and sufficient; and~~

~~(iii) For reasonableness and accuracy.~~

~~(b) If tariffs are incomplete or do not comply with laws and rules, staff will discuss the issues with the carrier and require that corrected tariffs be filed.~~

~~(c) When an individual carrier filed tariff is approved, the commission will issue an order stating the date on which the rates become effective. One copy of the tariff marked "approved" will be returned with the order.~~

~~(3) How does the commission consider proposals to amend individual carrier filed tariffs? When we receive your proposed tariff amendment we will:~~

~~(a) Assign a docket number;~~

~~(b) Schedule each proposed tariff amendment for consideration at one of our regularly scheduled open public meetings. The commission may approve the proposed amendment, or suspend them and set them for hearing;~~

~~(c) Notify you and other interested persons of the date when we will consider the tariff proposed amendment;~~

~~(d) Process your proposed tariff amendment under the procedures established in chapter 480-07 WAC; and~~

~~(c) Notify you of the disposition of your proposed tariff amendment. If the filing is approved, we will notify you of the date upon which the tariff amendment becomes effective.~~

~~(4) **What happens if I don't charge the rates and charges in my tariff?** You are subject to administrative action (see WAC 480-15-130(3)) if you charge rates or charges different from those contained in your tariff.)~~ When an individual carrier filed tariff is approved, the commission will issue an order stating the date on which the rates become effective. The commission will return one copy of the tariff marked "approved" to the company.



AMENDATORY SECTION (Amending Order R-454, Docket No. TV-971477, filed 12/15/98, effective 1/15/99)

**WAC 480-15-530 Public liability and property damage insurance.** (1) (~~What insurance am I required to obtain?~~) Before operating under a household goods permit, (~~you~~) carriers must have public liability and property damage insurance covering (~~each~~) every motor vehicle (~~that you use, or that you will use, to transport household goods in the state of Washington~~) used in its operations. The commission will not issue a permit for authority to operate without acceptable proof of required insurance coverage. Carriers must maintain the required public liability and property damage insurance at all times for every motor vehicle used in Washington intrastate operations.

(a) (~~Your~~) The policy must be written by an insurance company authorized to write insurance in Washington state.

(b) (~~Your~~) The policy must include the Uniform Motor Carrier Bodily Injury and Property Damage Liability Endorsement, Form F.

(c) (~~If you operate motor vehicles without the required insurance coverage you will be subject to immediate compliance action as described in WAC 480-15-430.~~) The commission will suspend for thirty days and then eventually cancel any carrier operating without proof of required insurance coverage.

(2) (~~What are the minimum insurance limits?~~) The minimum limits of required public liability and property damage insurance for motor vehicles operated by household goods carriers are as follows:

(a) At least three hundred thousand dollars in combined single limit coverage for motor vehicles with a gross vehicle weight rating of less than ten thousand pounds (~~must have at least three hundred thousand dollars in combined single limit coverage~~)).

(b) At least seven hundred fifty thousand dollars in combined single limit coverage for motor vehicles with a gross vehicle weight rating of ten thousand pounds or more (~~must have at least seven hundred fifty thousand dollars in combined single limit coverage~~)).

(3) (~~Am I required to file proof of insurance?~~ Yes, you) Carriers must file a Uniform Motor Carrier Property Damage and Public Liability Certificate of Insurance (Form E) as a condition of maintaining (~~your~~) a household goods permit.

(a) (~~The Form E is a standard motor carrier insurance form recognized by the insurance industry. In most cases your insurance agent must request that the insurance company file the Form E with us.~~

~~(b) Your~~) The Form E filing must be issued in exactly the same name as (~~your~~) the carrier's permit.

~~((c) Your~~) (b) The Form E filing must be continuous, until canceled by a Notice of Cancellation (Form K) filed with (~~us~~) the commission no less than thirty days before the

cancellation effective date.

~~((d) You)~~ (c) Carriers may file a Uniform Motor Carrier Property Damage and Public Liability Surety Bond (Form G) instead of the Form E.

(4) ~~((May I file an insurance binder? We))~~ The commission will accept an insurance certificate or binder for up to sixty days. A certificate or binder may be canceled by filing written notice with ~~((us))~~ the commission at least ten days before the cancellation effective date. A certificate or binder must be replaced by a Form E within sixty days of filing, or before the expiration date, whichever occurs first.

(a) Certificates or binders must ~~((show))~~ include all of the following:

- (i) The commission as the named certificate holder~~((+))~~.
- (ii) ~~((Your))~~ The carrier's name, exactly as it appears on ~~((your))~~ the permit or application, as the insured~~((+))~~.
- (iii) The insurance company name~~((+))~~.
- (iv) The insurance policy number~~((+))~~.
- (v) The effective and expiration dates~~((+ and))~~.
- (vi) The insurance limits of coverage.

AMENDATORY SECTION (Amending Order R-454, Docket No. TV-971477, filed 12/15/98, effective 1/15/99)

**WAC 480-15-550 Cargo insurance.** (1) (~~What are the cargo insurance requirements?~~—You)) Carriers must have cargo insurance coverage (~~sufficient~~) at the levels prescribed in subsection (2) of this section to protect all household goods (~~that you transport~~) transported under (~~your~~) the permit. (~~If you transport household goods under your permit without the required cargo insurance coverage you will be subject to immediate compliance action as described in WAC 480-15-430.~~) The commission will not issue a permit for authority to operate without acceptable proof of required cargo insurance coverage.

(2) (~~What are the minimum cargo insurance limits?~~) The minimum limits of required cargo insurance are:

(a) Ten thousand dollars for household goods transported in motor vehicles with a gross vehicle weight rating of less than ten thousand pounds.

(b) Twenty thousand dollars for household goods transported in motor vehicles with a gross vehicle weight rating of ten thousand pounds or more.

(3) (~~Am I required to file proof of cargo insurance?~~—No, you are not required to file)) Carriers must provide proof of (~~your~~) required cargo insurance (~~with us~~) when they apply for a permit. (~~You~~) In addition, carriers must have proof of

cargo insurance at ((your)) their main office available for inspection by commission representatives.

(4) The commission may suspend and eventually cancel the permit of any carrier operating without required cargo insurance coverage.

AMENDATORY SECTION (Amending Docket No. A-010827, General Order No. R-491, filed 9/28/01, effective 10/29/01)

**WAC 480-15-560 Equipment safety requirements.** (1) (~~What are the commission's equipment safety requirements?~~) All ~~((motor vehicles operated under the provisions of this chapter))~~ carriers must ~~((be at all times))~~ comply with all of the following requirements:

(a) (~~Maintained~~) Maintain all vehicles in a safe and sanitary condition(~~(+)~~).

(b) Maintain vehicles free of defects likely to result in an accident or breakdown(~~(+and)~~).

(c) (~~Made~~) Maintain vehicles consistent with the North American Uniform Out Of Service Criteria as adopted in WAC 480-15-999.

(d) Make vehicles available for inspection by commission representatives.

~~((All motor vehicles having safety defects likely to result in an accident or breakdown will be placed out of service and taken off the road until such time as all out of service defects~~

~~have been repaired and the motor vehicle is safe to operate.~~

~~(2) How does the commission enforce these requirements?~~

~~Commission representatives conduct inspections of motor vehicles and safety operations. These representatives may place out-of-service any motor vehicle having a defect defined in the North American Uniform Out-Of-Service Criteria as adopted in WAC 480-15-999. No motor vehicle which has been placed out-of-service may be operated until all out-of-service defects are repaired and the motor vehicle is safe to operate.~~

~~(3) How must a household goods carrier identify its motor vehicles?)~~ (2) A household goods carrier must display its

permit name and number, as registered with the commission, on both the driver and passenger doors of all power units.

(a) All markings on the power unit must be:

(i) Clearly legible((+)).

(ii) No less than three inches high((+)).

(iii) In a color that contrasts with the background color((+and)).

(iv) Permanent. *Exception:* ((You)) Carriers may use temporary markings on vehicles ((you are operating)) operated under a lease.

(b) ((If you have)) Carriers with both intrastate and interstate authority((, you)) must display either ((your)) the commission permit number, federal permit number((,)) or both((,)) on the power unit.

~~((4) What vehicle safety laws and rules must a household goods carrier follow?~~

~~(a) You))~~ (3) Carriers must comply with all of the following requirements:

~~((i))~~ (a) All state and local motor vehicle safety laws and rules including, but not limited to, those contained in this chapter~~((+))~~.

~~((ii))~~ (b) The following parts of Title 49 of the Code of Federal Regulations (49 CFR), as adopted by reference in this chapter on the date specified in WAC 480-15-999:

~~((A))~~ (i) 49 CFR Part 390: Safety Regulations, General; except the following definitions will apply:

~~((I) The terms "exempt motor carrier," "motor carrier," "motor vehicle," and "private carrier" have the meanings assigned to them in this chapter;~~

~~((II) The term "commercial motor vehicle" means any motor vehicle used by a household goods carrier to transport household goods, if either the vehicle has a gross vehicle weight rating or gross combination weight rating of ten thousand one pounds or more; or if the gross vehicle weight or gross combination weight is ten thousand one pounds or more;~~

~~((III) Whenever the term "director" is used, it shall mean the commission.~~

~~(B))~~ (A) Exempt motor carrier: Any person operating a motor vehicle exempt from certain provisions of RCW Title 81 as defined in RCW 81.80.040.

(B) Motor carrier: Any common carrier, exempt carrier and private carrier as defined in WAC 480-15-020.

(C) Motor vehicle: Any vehicle, machine, tractor, trailer

or semi-trailer propelled or drawn by mechanical power, or any combination of such vehicles, used on the public roads to transport household goods.

(D) Private carrier: Persons who transport their own household goods, transport household goods bought or sold by them or transport household goods purely as an incidental adjunct to an established business.

(E) Commercial motor vehicle: Any motor vehicle used by a household goods carrier to transport household goods, if either the vehicle has a gross vehicle weight rating or gross combination weight rating of ten thousand one pounds or more or if the gross vehicle weight or gross combination weight is ten thousand one pounds or more.

(F) Director: The commission.

(ii) 49 CFR Part 392: Driving of Commercial Motor Vehicles((+)).

~~((C))~~ (A) 49 CFR Part 393: Parts and Accessories Necessary for Safe Operation((+and)).

~~((D))~~ (B) 49 CFR Part 396: Inspection, Repair, and Maintenance.

~~((b) If you fail to comply with these laws and rules, the commission may issue a citation to you, place your vehicle out-of-service, and/or initiate an administrative proceeding against you. See WAC 480-15-130(3).~~

~~(5) **Are household goods carriers required to equip their motor vehicles with antispray devices (mud flaps)?**~~

~~(a) Yes,~~) (C) All motor vehicles must be equipped with mud



flaps which effectively reduce the spray or splash of water from the road.

~~((b))~~ (D) Mud flaps must be as wide as the tires on which they are mounted, and must extend from the top of the tires down to at least the center of the axle.

AMENDATORY SECTION (Amending Docket No. A-010827, General Order No. R-491, filed 9/28/01, effective 10/29/01)

**WAC 480-15-570 Driver safety requirements.** (1) ~~((What are the commission's driver safety requirements?))~~ No household goods carrier shall employ or allow any driver to operate a motor vehicle who fails to meet minimum criteria related to all of the following requirements:

- ~~(a) ((Driver's licensing;~~
- ~~(b) Background and character;~~
- ~~(c) Physical qualifications;~~
- ~~(d) Hours of service; and~~
- ~~(e) Controlled substances and alcohol use testing.~~

~~(2) How does the commission enforce those requirements?~~  
~~Commission representatives inspect driver and company safety records and documents to determine compliance with these rules. Additionally, the representatives may contact drivers during the course of investigations, inspections, or other routine commission business. The representatives may order out-of-service any driver meeting the conditions defined in the North~~

~~American Uniform Out-Of-Service Criteria as adopted in WAC 480-15-999. No driver who has been placed out-of-service may operate a commercial motor vehicle until all conditions which caused the driver to be placed out-of-service are corrected.~~

~~(3) Driver qualification requirements.~~

~~(a) You must comply with:~~

~~(i)) All state and local laws and rules governing driver safety, including, but not limited to, the rules in this chapter(~~

~~(ii)).~~

~~(b) The North American Uniform Out Of Service Criteria as adopted in WAC 480-15-999.~~

~~(c) The following parts of Title 49 of the Code of Federal Regulations (49 CFR), as adopted by reference in this chapter on the date specified in WAC 480-15-999:~~

~~((A)) (i) 49 CFR Part 390: Safety Regulations, General; except the following definitions will apply:~~

~~((I) The terms "exempt motor carrier," "motor carrier," "motor vehicle," and "private carrier" have the meanings assigned to them in this chapter;~~

~~(II) The term " (A) Exempt motor carrier: Any person operating a motor vehicle exempt from certain provisions of RCW Title 81 as defined in RCW 81.80.040.~~

~~(B) Motor carrier: Any common carrier, exempt carrier and private carrier as defined in WAC 480-15-020.~~

~~(C) Motor vehicle: Any vehicle, machine, tractor, trailer or semi-trailer propelled or drawn by mechanical power, or any~~

combination of such vehicles, used on the public roads to transport household goods.

(D) Private carrier: Persons who transport their own household goods, transport household goods bought or sold by them or transport household goods purely as an incidental adjunct to an established business.

(E) Commercial motor vehicle(("means")): Any motor vehicle used by a household goods carrier to transport household goods, if either the vehicle has a gross vehicle weight rating or gross combination weight rating of ten thousand one pounds or more(+)) or if the gross vehicle weight or gross combination weight is ten thousand one pounds or more(+)

~~((III) Whenever the term ")).~~

(F) Director(("is used, it shall mean)): The commission.

~~((B))~~ (ii) 49 CFR Part 382: Controlled Substance and Alcohol Use and Testing(+)).

~~((C))~~ (iii) 49 CFR Part 383: Commercial Driver's License Standards; Requirements and Penalties(+)).

~~((D))~~ (iv) 49 CFR Part 391: Qualification of Drivers(+ and)).

~~((E))~~ (v) 49 CFR Part 395: Hours of Service of Drivers.

~~((b) If you, or your driver, fail to comply with any driver safety law or rule, we may issue a citation to you or your driver, place your driver out of service, and/or initiate an administrative proceeding against you. See WAC 480-15-130(3).~~

~~(4) **Exceptions to the requirements in this rule.** The~~

~~following exceptions apply:~~

~~(a) If your~~) (2) Operations that are exclusively ~~((in))~~ intrastate commerce~~((, you))~~ are not subject to the following provisions:

~~((i))~~ (a) 49 CFR Part 391.11 (b)(1): Minimum age requirements. The minimum age for drivers of motor carriers operating solely intrastate is eighteen years of age rather than the twenty-one years of age required to operate in interstate commerce.

~~((ii))~~ (b) 49 CFR Part 391.49: Waiver of certain physical defects. This part does not apply if the driver has obtained from the Washington department of licensing a driver's license with endorsements and/or restrictions allowing operation of the motor vehicle they are driving.

~~((b) If you are a single vehicle owner-operator and your operations are solely intrastate, you are not subject to the following provisions:~~

- ~~(i) 49 CFR Part 391.21: Application for Employment;~~
- ~~(ii) 49 CFR Part 391.23: Investigation and Inquiries;~~
- ~~(iii) 49 CFR Part 391.25: Annual Review of Driving Record;~~
- ~~(iv) 49 CFR Part 391.27: Record of Violations;~~
- ~~(v) 49 CFR Part 391.31: Road Test; and~~
- ~~(vi) 49 CFR Part 391.33: Equivalent of Road Test.))~~

AMENDATORY SECTION (Amending Order R-454, Docket No. TV-971477,  
filed 12/15/98, effective 1/15/99)

**WAC 480-15-590** (~~What is the procedure for~~) Leasing vehicles(?). (1) (~~You~~) A carrier must file an equipment lease agreement and receive commission approval before (~~you may operate~~) operating 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~~) The carrier must meet all of the following requirements:

(a) File a completed (~~in its entirety (we will reject and return incomplete forms)~~) form provided by the commission or use an alternate form containing the same information.

(b) (~~Signed by both parties~~) Sign the form and ensure the lessor signs the form.

(c) (~~Submitted in duplicate (we will return one approved copy to you)~~) Submit two copies to the commission.

(d) Clearly (~~marked~~) mark "master lease" if (~~you~~) the carrier intends (~~it to be used as such in lieu~~) to use a master lease instead 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))~~ A carrier is not required to file a lease for approval on an emergency substitution of a disabled vehicle.

AMENDATORY SECTION (Amending Order R-454, Docket No. TV-971477, filed 12/15/98, effective 1/15/99)

**WAC 480-15-600** ~~((What are my responsibilities when entering into a lease?))~~ Lease responsibilities. ~~((When entering into a lease agreement, it is your responsibility to ensure that))~~ The carrier must ensure that all of the following conditions are met:

(1) A copy of the approved lease is carried in all leased motor vehicles~~((+))~~.\_

(2) Copies of all approved leases are kept in ~~((your))~~ the carrier's permanent files for at least one year after the lease expires~~((+))~~.\_

(3) ~~((You))~~ The carrier gives a copy of the approved lease to the owner of the leased motor vehicle~~((+))~~.\_

(4) ~~((You have complete))~~ The carrier takes possession, control and use of the motor vehicle during the period of the lease agreement~~((+))~~.\_

(5) ~~((You provide))~~ The carrier maintains insurance on the leased motor vehicle as specified in WAC 480-15-530 and~~((+))~~

480-15-550((+)).

(6) ((You)) The carrier properly ((identify)) identifies the motor vehicle as specified in ((WAC 480-15-560(3)+)) RCW 81.80.305.

(7) The carrier charges appropriate tariff rates and charges ((are billed and collected+)).

(8) The driver of the leased motor vehicle is on ((your)) the carrier's payroll during the leased period((+)).

(9) ((You comply)) The carrier complies with all safety rules((+)).

(10) ((You)) The carrier 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)) The carrier complies with the terms of the approved lease.

AMENDATORY SECTION (Amending Order R-454, Docket No. TV-971477,  
filed 12/15/98, effective 1/15/99)

**WAC 480-15-610** (~~((What are my responsibilities regarding))~~)  
**Advertising((?))**. (1) (~~((You))~~) Carriers must include (~~((your))~~)  
the commission-issued permit number, name or trade name as  
recorded at the commission, business address and business  
telephone number in any advertising (~~((of your))~~) for household  
goods moving services. Advertising includes, but is not limited  
to(~~((, reference to your services on your vehicles, equipment,~~  
~~and in telephone books, internet, contracts, correspondence,~~  
~~cards, signs, posters, newspapers, and documents which show your~~  
~~name and address))~~):

(a) Advertisements in telephone books, newspapers,  
correspondence, cards, or any other written document.

(b) Signs, posters or similar displays.

(c) Web sites or other on-line advertising.

(2) (~~((You may only advertise services authorized by your~~  
~~permit.))~~) Advertisements may not be misleading, false or  
deceptive.

(3) (~~((You))~~) Carriers may advertise services (~~((you provide))~~)  
provided as an agent of, or connecting carrier to, another  
household goods carrier if (~~((you))~~) they include the name and  
permit number of the other household goods carrier in (~~((your))~~)  
their advertising.



(4) (~~You must~~) Carriers may not advertise services or rates and charges that conflict with those in the tariff.

~~((5) If you violate these advertising rules we may assess a penalty of up to five hundred dollars for each violation, or initiate other administrative action. See WAC 480-15-130(3).))~~

AMENDATORY SECTION (Amending General Order No. R-471, Docket No. TV-991559, filed 6/27/00, effective 7/28/00)

**WAC 480-15-620 Information household goods carriers must provide to customers.** (1) (~~You~~) Carriers must give each customer a copy of the (~~commission brochure~~) publication, "Your (~~Rights and Responsibilities as a~~) Guide to Moving (~~Company Customer~~) in Washington state" at the time the carrier gives the customer a written estimate.

~~((a) At the time you issue a written nonbinding estimate;~~  
~~(b) At the time you issue a written binding estimate;~~  
~~(c) If you issue neither a written estimate or a written nonbinding estimate, prior to loading the shipment; or~~  
~~(d) Upon request, by the customer.~~

~~(2) The brochure is available from the commission and contains consumer information about selecting a moving company, estimates, rates and tariff charges, payment terms, change orders, supplemental estimates, preparing articles for shipment, valuation protection for loss and damage of goods, expedited service, small shipments, temporary storage, bill of lading~~

~~contracts, loss and damage claims, informal complaints, and formal complaints. The commission may also present information in different formats for various media (printed materials, on-line materials, fact sheets, brochures, etc.).)~~ (2) The language contained in the publication is prescribed by the commission and may not be changed by the carrier.

(3) The commission will provide carriers the prescribed language but will not provide copies of the publication. Carriers are responsible for making sufficient copies for their needs.

(4) Carriers may access the prescribed language through the commission's web site at [www.utc.wa.gov](http://www.utc.wa.gov) or by contacting the commission at 360-664-1222.

AMENDATORY SECTION (Amending Order R-454, Docket No. TV-971477, filed 12/15/98, effective 1/15/99)

**WAC 480-15-630 Estimates.** (~~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:~~

~~(1) A nonbinding estimate which is based on an inventory of~~

~~the customer's goods and provides the customer with a pricing guideline. There is no 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~~

~~(2) 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.~~

~~(a) 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.~~

~~(b) 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.~~

~~(c) A binding estimate cannot exceed the highest authorized tariff rate. If a binding estimate exceeds the highest tariff rate, the carrier may not collect more than the highest authorized tariff rate.)) Every carrier is required to provide a written estimate to every customer prior to moving a shipment of household goods and must issue a written supplemental estimate when required by commission rule or tariff. The carrier must provide estimates by following the requirements set in the commission-published tariff covering household goods movers. The initial estimate may be a binding or nonbinding estimate.~~

(1) A binding estimate is the promise of a guaranteed cost of a move from the carrier to the customer. The carrier is

bound to charge only the amount of the estimate and no more.

(2) A nonbinding estimate is an estimate of the amount the carrier will charge to move a customer's household goods. The customer may pay charges in excess of the estimate.

(3) A supplemental estimate is in addition to any other estimate. A supplemental estimate is required if the circumstances surrounding the move change in a way that causes rates or charges to increase. The customer must accept and sign the supplemental estimate prior to additional work being performed.

(4) A carrier may provide the hourly rate it charges and the amount of time it believes it will take to make the move. A carrier may provide the rate per unit of weight it charges and the total weight it believes a shipment weighs. However, the carrier must provide a written binding or nonbinding estimate before making the move.

(5) A carrier may not conduct a move until it has visually inspected the goods to be shipped, unless the customer completes a web site calculation or hard-copy calculation sheet as described in subsection (6) of this section, and the carrier has provided a written binding or nonbinding estimate to the customer.

(6) A carrier may provide an estimate based on a customer-completed web site calculation or customer completed hard-copy calculation sheet if:

(a) The estimate contains all of the elements required by the tariff.

(b) The customer electronically "signs" the information provided on the web site by entering the customer's name and the date the information was filled out on the screen. The date must be present and must be entered by the customer.

(c) The carrier provides the customer with a current copy of the brochure "Your Guide to Moving in Washington State."

(d) The estimate discloses at the web site or on the hard-copy calculation sheet that:

(i) The estimate is not binding.

(ii) The cost of the move may exceed the estimate.

(iii) The customer will be required to pay up to one hundred ten percent of the estimate upon delivery. Carriers must allow customers at least thirty days from the date of delivery to pay amounts in excess of the one hundred ten percent.

(iv) The customer is not required to pay more than one hundred twenty-five percent of the estimate regardless of the total cost unless the carrier issues and the customer accepts a supplemental estimate.

(7) The carrier must complete the estimates as required by tariff.

(8) All written estimates must be signed and dated by both the carrier and customer prior to the move.

AMENDATORY SECTION (Amending General Order No. R-471, Docket No. TV-991559, filed 6/27/00, effective 7/28/00)

**WAC 480-15-660 Supplemental estimates.** (1) (~~When must a household goods carrier prepare a written supplemental estimate? You~~) Carriers must provide a written supplemental estimate if (~~you have given the customer a written estimate and~~) the circumstances surrounding the move change in any way to cause the rates (~~for service or the estimated~~) or charges to increase.

(2) (~~What rates must a household goods carrier use to prepare a supplemental estimate?~~) When providing a supplemental estimate (~~you must~~), a carrier may not apply a higher rate to the articles and services identified in the original estimate. (~~You~~) A carrier may choose to use a higher rate for new services or additional articles not included in the original estimate.

(3) (~~Must the customer sign the supplemental estimate? Yes~~) The carrier must complete the supplemental estimate as required by tariff.

(4) The carrier and the customer must sign the supplemental estimate (~~or~~) prior to the additional work (~~cannot be~~) being performed.

AMENDATORY SECTION (Amending Order R-454, Docket No. TV-971477, filed 12/15/98, effective 1/15/99)

**WAC 480-15-710** (~~((What is a))~~) Bill of lading((?)). (1) A bill of lading is a shipping document issued by the household goods carrier, signed by both the (~~((shipper))~~) customer and the household goods carrier(~~((r))~~) that establishes (~~((the))~~) a legal contract with terms and conditions for a shipment of household goods.

(2) The carrier must issue a bill of lading for each shipment of household goods it transports and must give the customer a completed copy of the bill of lading used for the customer's shipment.

(3) The carrier must include the information in a bill of lading as described in the commission's tariff.

(4) The carrier must keep the bill of lading and all associated documents for three years from the date the move was completed.

AMENDATORY SECTION (Amending Order R-454, Docket No. TV-971477,  
filed 12/15/98, effective 1/15/99)

**WAC 480-15-750** (~~((How do I verify the weight of distance-rated shipments of household goods?))~~) Weight. (~~((1) You must obtain all tare and loaded weights by having your motor vehicles weighed by a certified weighmaster or on a certified scale;~~

~~(2) You must obtain a certified tare weight prior to loading the shipper's goods;~~

~~(3) You must obtain a certified loaded weight at the point of origin, or:~~

~~(a) If no certified scale is available at the point of origin, you may obtain the loaded weight at the first certified scale located along the route of travel to the destination point; or~~

~~(b) If no certified scale is available at the point of origin, at a point along the route to the destination, or at the destination point, you may use the constructive weight of the shipment;~~

~~(4) You must obtain a weight or scale ticket from the weighmaster or scale for the tare and loaded weights, and you must maintain a copy of those tickets with the bill of lading for the shipment. The weight ticket must include substantially the same information shown below:~~

Household Goods Uniform Weight  
Ticket



Date: \_\_\_\_\_

Name of carrier: \_\_\_\_\_

Vehicle identification: \_\_\_\_\_

Name of shipper: \_\_\_\_\_

Origin of shipment: \_\_\_\_\_

Destination of shipment: \_\_\_\_\_

LOADED WEIGHT of vehicle without the crew \_\_\_\_\_ #

TARE WEIGHT of vehicle (without the crew on board, including full fuel tank and all necessary pads, chains, hand trucks, and other equipment) \_\_\_\_\_ #

NET WEIGHT of shipment \_\_\_\_\_ #

**The above loaded weight was obtained at**

Name of scales: \_\_\_\_\_

Location of scales: \_\_\_\_\_

**The above tare weight was obtained at**

Name of scales: \_\_\_\_\_

Location of scales: \_\_\_\_\_

As shown by attached weight ticket(s) prepared by weighmaster(s). List of shipments, if any, on vehicle at time above weights were obtained:

Shipper: \_\_\_\_\_ Net weight \_\_\_\_\_

Shipper: \_\_\_\_\_ Net weight \_\_\_\_\_

Shipper: \_\_\_\_\_ Net weight \_\_\_\_\_

I certify the above entries are true and correct:

~~(Driver's  
signature))~~

Carriers must follow the requirement of the tariff as it applies to weight of the shipment.

AMENDATORY SECTION (Amending Order R-454, Docket No. TV-971477, filed 12/15/98, effective 1/15/99)

**WAC 480-15-800** ~~((What must I do if a shipper is not satisfied with my service?))~~ Customer complaints and claims. If a ~~((shipper))~~ customer is not satisfied with ~~((your))~~ the carrier's service ~~((, you must allow the shipper to speak with you, or a representative of your company, and you))~~:

(1) The carrier must provide the ~~((shipper))~~ customer with all information and forms necessary to file a complaint or claim.

(2) The ~~((shipper has))~~ customer must file any and all claims for loss or damage within nine months from the actual delivery date ~~((or the date the household goods should have been delivered, to file a claim for loss and damage))~~. In the case of failure to make delivery, the claim must be filed within nine months after the originally scheduled delivery date.

(3) Claims must contain sufficient information to identify the property involved. A copy of the bill of lading must

accompany the claim.

(4) The (~~shipper~~) customer must pay all proper charges for the move prior to filing a claim for loss or damage.

AMENDATORY SECTION (Amending Order R-454, Docket No. TV-971477, filed 12/15/98, effective 1/15/99)

**WAC 480-15-810** (~~What must I do when I receive a complaint or claim?~~) Resolving customer complaints or claims. (~~If your shipper files a complaint or claim concerning loss or damage, or your general service operations, or rates and charges, you~~)  
When the carrier receives a complaint or claim, it must:

(1) Notify the customer, in writing, within ten working days that (~~you have~~) it has received the claim or complaint(~~+~~) and advise the customer of the availability of the commission for further review by providing the commission's toll-free number and mailing address: 1-800-562-6150; P.O. Box 47250, Olympia, Washington 98504-7250.

(2) Investigate the (~~claim or~~) complaint (~~quickly+~~) or claim.

(3) Advise the (~~shipper~~) customer of (~~your~~) the resolution(~~+~~and) of the complaint or claim in writing.

(4) If it is a loss or damage claim, pay the claim, refuse the claim, or make a compromise offer within (~~one hundred twenty~~) ninety days.

(a) If the carrier cannot resolve a loss or damage claim

within ninety days, it must, for each thirty-day period thereafter until the claim is settled, inform the customer, in writing, of the reason it failed to resolve the claim or clearly state its final offer or denial and close the claim and advise the customer of the availability of the commission for further review by providing the commission's toll-free number and mailing address: 1-800-562-6150; P.O. Box 47250, Olympia, Washington 98504-7250.

(b) Maintain a copy of the written correspondence required in (a) of this subsection in the complaint or claim file for three years, as directed by WAC 480-15-830.

(5) The carrier may satisfy any claim by reimbursing the customer or repairing or replacing the property lost or damaged with materials of like kind, quality, and condition.

AMENDATORY SECTION (Amending Order R-454, Docket No. TV-971477, filed 12/15/98, effective 1/15/99)

**WAC 480-15-830** (~~((How long must I keep complaint and claim records?))~~) **Complaint and claim records retention.** (~~((1) You~~)  
Carriers must keep all records and papers relating to complaints or claims (~~((records for loss or damage, concealed or otherwise,))~~) for (~~((six))~~) three years after the date the complaint or claim is resolved. Carriers must include, at a minimum, the following information in a claim or complaint file:

~~((2) You must keep all records of complaints in your~~

~~office for not less than three years after the date of the shipment, or date of resolution, whichever is later.))~~ (1) The date the claim or complaint was received.

(2) The name, address and telephone number of the customer.

(3) Detailed information about the dispute.

(4) Details of any action the carrier has taken in response to the claim or complaint.

(5) The date the claim or complaint was resolved and a description of the final resolution.

AMENDATORY SECTION (Amending Order R-454, Docket No. TV-971477, filed 12/15/98, effective 1/15/99)

**WAC 480-15-890** (~~What must I do if the commission refers a complaint to me?~~) Commission-referred complaints. ((You)) When commission staff refers a customer complaint to a carrier, the carrier must:

(1) (~~Respond with complete investigation results~~) Provide its initial response to commission staff within five business days from the date commission staff referred the complaint to the carrier. The carrier's response must include the results of its investigation into the informal complaint and any document related to the move requested by staff. (~~However, small businesses, as defined in WAC 480-15-020, must respond within ten business days. In addition, any person~~) The carrier may request and commission staff may (~~grant~~) allow, if warranted,

an extension ~~((of time for a specific number of days;))~~ to the initial response due date.

(2) Respond to commission staff inquiries ~~((regarding))~~ requesting additional information or documentation relevant to the informal complaint~~((; and))~~ within five business days.

(3) Keep ~~((the))~~ commission staff currently informed of any progress made in resolving ~~((the complaint))~~ a claim for loss or damages not resolved within the first ninety-day period of the claim by informing staff in writing, for each thirty-day period thereafter, of the reason for failure to resolve the claim.

AMENDATORY SECTION (Amending Order R-454, Docket No. TV-971477, filed 12/15/98, effective 1/15/99)

**WAC 480-15-900 ~~((General))~~ Requirements for interstate operations.** ~~((1))~~ **General requirements:** No household goods carrier may operate any motor vehicle or combination of motor vehicles over the public ~~((highways))~~ roads of this state in interstate commerce unless the ~~((household goods))~~ carrier has met all of the following requirements:

~~((a))~~ (1) Obtained the appropriate operating authority from the U.S. Department of Transportation (USDOT) or its successor agency, if operating as a registered carrier~~((;))~~ .

~~((b))~~ (2) Obtained valid insurance as required by USDOT~~((;))~~ .

~~((c)(i) Registered with a base state as required by 49 CFR~~

~~Part 1023, if operating as a registered carrier; or~~

~~(ii) Registered with the commission if operating as a registered exempt carrier; and~~

~~(d) Paid the annual Washington state registration fee for the vehicle.~~

~~(2) **Applicable laws and rules:**~~

~~(a) When conducting interstate operations, registered and registered exempt carriers and the motor vehicles they operate must comply with the laws and rules that apply to interstate operations.~~

~~(b) When conducting Washington intrastate operations, registered and registered exempt carriers and the motor vehicles they operate must comply with the laws and rules that apply to intrastate operations))~~ (3) Participated in any program administered by the commission for registering, paying fees or otherwise regulating interstate motor freight carriers as provided by USDOT or its successor agency.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- |                |  |
|----------------|--|
| WAC 480-15-060 | How may I contact the commission?                          |
| WAC 480-15-070 | Where is the commission located?                           |
| WAC 480-15-080 | How do I file documents with the commission?               |
| WAC 480-15-090 | May I submit information to the commission confidentially? |

WAC 480-15-100 What form of payment does the commission accept?

WAC 480-15-110 If I change my business address or telephone number, must I notify the commission?

WAC 480-15-120 What rules apply to commission proceedings?

WAC 480-15-130 What is the commission's compliance policy?

WAC 480-15-140 How will the commission enforce this chapter?

WAC 480-15-150 Why would the commission take administrative action?

WAC 480-15-160 What sanctions apply to carriers operating without valid permits?

WAC 480-15-170 What is a household goods permit?

WAC 480-15-195 When will my existing household goods permit be reissued?

WAC 480-15-200 Are there areas I may operate without a permit?

WAC 480-15-210 Are there different kinds of household goods permits?

WAC 480-15-220 How do I apply for a permit?

WAC 480-15-240 How may a new entrant obtain authority?

WAC 480-15-250 What is the process to expand the authority in an existing permit?



WAC 480-15-260 Exceptions to the application process.

WAC 480-15-300 What conditions may be attached to my temporary authority?

WAC 480-15-440 What happens if my permit is suspended for cause?

WAC 480-15-460 What happens if my permit is canceled for cause?

WAC 480-15-470 Rule books.

WAC 480-15-540 What happens if my insurance filing is canceled?

WAC 480-15-580 Accident reporting.

WAC 480-15-640 Verbal estimates.

WAC 480-15-650 Form of estimates.

WAC 480-15-670 Exceptions for nonbinding estimates.

WAC 480-15-680 Am I required to provide an accurate estimate?

WAC 480-15-690 What will happen if I underestimate a household goods move?

WAC 480-15-700 What are the commission's guidelines in deciding to assess monetary penalties for underestimating?

WAC 480-15-720 Who must issue bills of lading?

WAC 480-15-730 What is the format for bills of

lading?

WAC 480-15-740 Information required on a bill of lading.

WAC 480-15-760 What are my responsibilities to notify the shipper of the actual weight and charges for the shipment?

WAC 480-15-770 Must I reweigh the shipment at the point of delivery if the shipper requests it?

WAC 480-15-780 When may I refuse to provide service to a shipper?

WAC 480-15-790 When must I not refuse service?

WAC 480-15-795 Payment options.

WAC 480-15-820 What must I do if I cannot resolve a claim within one hundred twenty days?

WAC 480-15-840 Are complaint or claim records subject to commission review and in what order must I keep the records?

WAC 480-15-850 What additional requirements exist if a claim involves more than one carrier?

WAC 480-15-860 What information must be included in the claim or complaint record?

WAC 480-15-870 What must I do if, after review,

the shipper is still dissatisfied  
with the resolution of the  
complaint or claim?

WAC 480-15-880

Must I respond to all written  
correspondence, complaints and  
claims?

WAC 480-15-910

How do I register as a registered  
carrier?

WAC 480-15-920

How do I register as a registered  
exempt carrier?

WAC 480-15-930

Registration fee and receipts.

WAC 480-15-940

Insurance requirements for  
interstate operations.