

Chapter TC 2

MOTOR CARRIERS

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TC 2.01 Applications for motor carrier authority. (1) Applications for motor carrier authority may be obtained from the Transportation Commission, Hill Farms State Office Building, P.O. Box 7957, Madison, WI 53707-7957.

(2) The applications shall include the following information:

(a) The name or names of the applicant as shown on their insurance policy filed with the Wisconsin department of transportation.

(b) The applicant's principal place of business.

(c) Information on the applicant's financial status; its past experience in the transportation industry, including safety and service; and whether the applicant or its principals have been convicted of a felony within the past 5 years.

(3) All information contained in the application shall be verified by the applicant or the applicant's legal representative.

(4) All original application materials shall be returned to the applicant 45 days after final action on the application. These materials shall be retained permanently by the motor carrier and shall be made available to the commission upon written request.

History: Cr. Register, October, 1982, No. 322, eff. 11-1-82.

TC 2.02 Change of address. A carrier authorized under ch. 194, Stats., shall notify the commission in writing of a change in their principal place of business within 30 days of the change.

History: Cr. Register, October, 1982, No. 322, eff. 11-1-82.

TC 2.03 Modification of ownership. A carrier authorized under ch. 194, Stats., who adds a partner, eliminates a partner, incorporates or changes the corporate name shall file an amended application showing the change before it becomes effective.

History: Cr. Register, October, 1982, No. 322, eff. 11-1-82.

TC 2.04 Application fees. (1) No application fee shall be collected for:

(a) An application to transport commodities exempted from regulation by the interstate commerce commission.

(b) An amended application filed pursuant to s. TC 2.03, provided that a minimum of 25% of the owners, except owners of stock, remain the same and the original license is canceled and the new license substituted therefor.

Register, October, 1982, No. 322

(2) Whether or not applications for different authorities are combined, the applicable fee shall be collected for each authority applied for.

(3) An application for authority to transport passengers and property in buses requires only one fee.

History: Cr. Register, October, 1982, No. 322, eff. 11-1-82.

TC 2.05 Lease of motor vehicles. (1) No motor carrier authorized under ch. 194, Stats., shall operate a leased power unit or a power unit interchanged with another carrier on the highways of Wisconsin without complying with the provisions of subs. (2) through (7) except for:

(a) Power units utilized in interstate transportation only, and operated solely and exclusively within any municipality, contiguous municipality or commercial zone as defined by the interstate commerce commission.

(b) Carriers whose operations in interstate commerce are performed exclusively in conformity with a plan approved by the interstate commerce commission exempting them from interstate commerce commission lease and interchange rules.

(2) The lease shall be in writing and shall include:

(a) Name of the lessor and lessee.

(b) Year, make and identification, motor or serial number of the motor vehicle as shown on the registration card issued for such vehicle.

(c) The date of the lease.

(d) The period of the lease.

(e) Any restrictions.

(f) Statement that the lessee is fully responsible to the public, the shippers and the regulatory agencies having jurisdiction during the period of the lease.

(3) An interchange agreement shall include the following:

(a) The name of the parties to the agreement.

(b) The year, make and identification, motor or serial numbers of the motor vehicle as shown on the registration card issued for such vehicle.

(c) The point of interchange.

(d) The period of the interchange.

(e) Any restrictions.

(f) Statement that the carrier who receives the power unit is fully responsible to the public, the shippers and the regulatory agencies having jurisdiction during the period of the interchange.

(4) A copy of the lease or interchange agreement shall be carried in the power unit specified therein during the entire period of the lease or agreement and such lease or agreement shall be made available for inspection immediately upon the request of any law enforcement officer.

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(5) Any lease or interchange agreement meeting the requirements of the interstate commerce commission in cases involving interstate commerce, will be deemed sufficient to meet the requirements of subs. (2) and (3) notwithstanding any provision herein to the contrary.

(6) For the purpose of s. TC 2.05 only, a carrier who subleases or interchanges power units it has on lease shall be considered the owner of the leased equipment for the purpose of subleasing or interchanging that equipment.

(7) The lease of equipment and drivers to private carriers for interstate and intrastate vehicle operations on Wisconsin highways shall be administered and enforced in accordance with the regulations of the interstate commerce commission pertaining to interstate operations.

History: Cr. Register, October, 1982, No. 322, eff. 11-1-82.

TC 2.06 Copy of authority to be carried. A photocopy of a carrier's authority to operate intrastate and its authority to transport commodities interstate on the highways of Wisconsin if exempt from interstate commerce commission regulation shall be carried in its vehicles at all times while operating on the highways of Wisconsin and shall be made available for inspection immediately upon the request of any law enforcement officer.

History: Cr. Register, October, 1982, No. 322, eff. 11-1-82.