

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #5

Do Not Mark In This Box

FILED

JUL 26 9 28 AM '94

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF AGENCY ADOPTION OF A PROCEDURAL OR INTERPRETIVE RULE
OR A LEGISLATIVE RULE EXEMPT FROM LEGISLATIVE REVIEW

AGENCY: Public Service Commission of West Virginia TITLE NUMBER: 150

CITE AUTHORITY: W.Va. Code §24-2-1, 24-2-2, 24A-5-5, 24A-6A-14 and
49 U.S.C. 11506.

RULE TYPE: PROCEDURAL _____ INTERPRETIVE _____

EXEMPT LEGISLATIVE RULE X

CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW

§24-1-7

AMENDMENT TO AN EXISTING RULE: YES _____, NO X

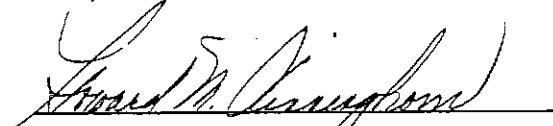
IF YES, SERIES NUMBER OF RULE BEING AMENDED: _____

TITLE OF RULE BEING AMENDED: _____

IF NO, SERIES NUMBER OF NEW RULE BEING ADOPTED: 22

TITLE OF RULE BEING ADOPTED: Rules and Regulations for the
Implementation of the Single State Registration System for
Interstate Motor Carriers Operating in West Virginia.

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE
EFFECTIVE DATE OF THIS RULE IS September 24, 1994


Howard M. Cunningham
Executive Secretary

ABSTRACT OF PROMULGATION HISTORY

In 1991 the Congress of the United States substantially amended 49 U.S.C. 11506, which sets forth certain standards for registration of interstate motor carriers by both the Interstate Commerce Commission and the states.

Section 4005 of this new law, *Public Law No. 102-240, The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA)*, requires participating states to replace the then-existing multi-state authority registration system with a new single-state insurance registration system.

In its Regular Session in 1993, the West Virginia Legislature authorized the Public Service Commission to implement this new system by promulgating appropriate rules. *West Virginia Code §24A-6A-14.*

Accordingly, on May 6, 1994, the Commission in *M.C. General Order No. 67* promulgated proposed rules to implement the single-state registration system. No written comments to the proposed rules were submitted in response to notice and filing of the rules in the office of the Secretary of State. Therefore, on July 26, 1994, the Commission adopted the rules as hereinafter set forth in the *Rules and Regulations for the Implementation of the Single State Registration System for Interstate Motor Carriers Operating in West Virginia* as the final rule of the Commission to become effective on September 24, 1994.

FISCAL NOTE FOR ADOPTED RULES

Rule Title: Rules and Regulations for the Implementation of the Single State Registration System for Interstate Motor Carriers Operating in West Virginia.

Type of Rule: Legislative

Agency: Public Service Commission of West Virginia

Address: 201 Brooks Street
P.O. Box 812
Charleston, WV 25323

1. Effect of Adopted Rules

These rules should cause no change in the costs and revenues of the Public Service Commission or of the State of West Virginia.

2. Explanation of above estimates:

The single-state insurance registration system implemented by these rules merely replaces the "bingo card" interstate carrier registration system already in place. Since the program by design is intended to be revenue neutral, no significant changes in costs and revenues are anticipated for state government.

3. Objectives of these rules:

These rules implement procedures for the registration of insurance with the Public Service Commission by interstate motor carriers operating in West Virginia.

4. Explanation of Overall Economic Impact of Adopted Rules

A. Economic Impact on State Government:

As explained, no significant economic impact is anticipated for state government since this program is designed to be revenue neutral and to replace a similar registration system.

B. Economic Impact on Political Subdivisions; Specific Industries; Specific Groups of Citizens:

No economic impact on political subdivisions or specific groups of citizens will occur because of these rules. The new registration program likely will result in a positive economic impact on the interstate motor carrier industry, whose costs should be decreased

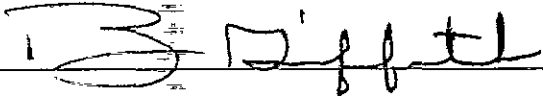
somewhat because of the base-state approach of the new program.

C. Economic Impact on Citizens/Public at Large:

No significant impact is anticipated on citizens or the public at large.

Date: July 26, 1994

Signature of Agency Head or Authorized Representative



FILED

TITLE 150
LEGISLATIVE RULE
PUBLIC SERVICE COMMISSION

Jul 26 9 28 AM '94

SERIES 22
RULES AND REGULATIONS IMPLEMENTING THE SINGLE STATE REGISTRATION SYSTEM FOR INTERSTATE CARRIERS
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

§150-22-1. General.

1.1. Scope -- Public Law No. 102-240, "The Intermodal Surface Transportation Efficiency Act of 1991" (ISTEA), substantially amended 49 U.S.C. 11506, which set forth standards for registration of interstate motor carriers by the Interstate Commerce Commission and the states. The new law requires participating states to replace the current multi-state authority registration system (the so-called "bingo card" program) with a single-state insurance registration system. Mindful of this Commission's obligation to safeguard the public interest, it shall henceforth be the policy of the Public Service Commission of West Virginia to implement a single-state insurance registration system for interstate motor carriers operating within the borders of this state in a manner consistent with the standards and procedures set forth in ISTEA.

1.2. Authority -- West Virginia Code §§ 24A-6A-14; 49 U.S.C. 11506(c)(1) and Section 4005 of the Intermodal Surface Transportation Efficiency Act of 1991.

1.3. Filing Date -- July 26, 1994

1.4. Effective Date -- September 24, 1994

§150-22-2. Definitions.

2.1. "Applicant" means a person in whose name the uniform application is filed with a state for the purpose of complying with the standards promulgated under Public Law 102-240, and West Virginia Code § 24A-6-14.

2.2. "Audit" means a review of records and source documents supporting fee payments.

2.3. "Cancellation of Registration" means the annulment of a registration by the registrant.

2.4. "Commission" means the Public Service Commission of West Virginia.

2.5. "I.C.C." means the Interstate Commerce Commission.

2.6. "Driveaway Operation" means an operation in which any vehicle or vehicles, operated singly or in lawful combinations, new or used, not owned by the transporting motor carrier, constitute the commodity being transported.

2.7. "Eligible State" means each jurisdiction that as of January 1, 1991, charged or collected a fee for a vehicle identification stamp or number in accordance with Part 1023, Title 49, Code of Federal Regulations.

2.8. "Jurisdiction" means a State of the United States, the District of Columbia, a Province or Territory of Canada or the Republic of Mexico.

2.9. "Motor Carrier and Carrier" means a person authorized to engage in the transportation of passengers or property, as a common or contract carrier, in interstate or foreign commerce, under the provisions of 49 U.S.C. 10922, 10923, or 10928, or under provisions of West Virginia Code.

2.10. "Motor Vehicle" means a self-propelled or motor-driven vehicle operated by a motor carrier in interstate or foreign commerce under authority issued by the Commission.

2.11. "Person" means an individual, corporation, partnership, association, trust or other legal entity.

2.12. "Principal Place of Business" means a single location that serves as the motor carrier's headquarters and where it maintains or can make available its operational records.

2.13. "Proof of Insurance" means evidence that the motor carrier is insured to the extent required by federal law which has been filed and approved in the registration state in compliance with these procedures using valid prescribed forms.

2.14. "Registration State" means the jurisdiction where the registrant maintains its principal place of business. If the applicant's principal place of business is located in a jurisdiction that is not a participating state, the applicant shall apply for registration in the State in which the applicant will operate the largest number of motor vehicles during the next registration year. If the motor carrier will operate the largest number of vehicles in more than one state, the applicant or registrant shall choose which participating state will be the carrier's registration state. Once the registration state jurisdiction is determined, this designation shall be effective until the registrant changes its principal place of business.

2.15. "Reinstatement" means to restore the privileges granted to the registrant by the registration state.

2.16. "Registration Period" means a period of time from August 1 through November 30 of the year preceding the registration year.

2.17. "Registration Receipt" means a receipt issued to the motor carrier that indicates that the required proof of insurance has been filed and fees have been paid. A copy of this receipt must be maintained in the cab of each motor vehicle for inspection.

2.18. "Registration Year" means a period of time from January 1 through December 31.

2.19. "Registrant" means a person who holds a valid registration issued by a registration state.

2.20. "Revocation" means withdrawal of registration and privileges by a registration state.

2.21. "State" means a state of the United States or the District of Columbia.

2.22. "Suspension" means temporary removal of privileges granted to the registrant by a registration state.

§150-22-3. Implementation.

3.1. Affected carriers.

All motor carriers authorized by the ICC to engage in the transportation of passengers or property as common or contract carriers, whose principal place of business is in West Virginia, shall register with the Commission for all states of travel.

3.2. Affected vehicles.

All vehicles operated under an ICC authorized motor carrier's interstate operations (whether owned or leased) shall be registered in the motor carrier's name in accordance with these procedures.

3.3. Temporary and emergency temporary authority.

Motor carriers receiving emergency temporary authority (ETA) or temporary authority (TA) from the ICC for a duration of 120 days or less are required to comply with all the requirements of these procedures except the filing of evidence of authority granted by the ICC. After 120 days, the motor carrier must be in compliance with all of the procedures established herein or subject the registration to revocation as set forth in section 9.00 et seq.

3.4. Registration before operation.

The motor carrier must register with the Commission before it commences operating. The forms attached to these procedures must be completed by the registrant in the manner described herein.

3.5. Registration year.

The registration year will be a calendar year.

3.6. Fee proration.

Fees collected under this system will not be prorated for partial year operations.

3.7. Authority changes.

Any changes to the authority granted by the ICC after the initial registration in the registration state will be filed with the Commission. The Commission may waive the filing of any authority granted by the ICC if that grant of authority certificate or permit is longer than 20 pages in length. When the waiver is granted in writing, the motor carrier shall provide a copy of the portion of the ICC order which shows the service date and order section and shall prepare and file a synopsis of the authority granted within the body of the order.

3.8. Cancellations of registration.

A registrant may request in writing that its registration be cancelled. The Commission will immediately cancel such registration and give written notice of cancellation to the registrant. The notice of cancellation will show the effective date of cancellation and shall be mailed to the registrant requesting such cancellation. The Commission shall transmit information concerning the motor carrier's full name, business address, MC number and DOT number for each carrier requesting cancellation of registration to all affected jurisdictions participating in the program when the next monthly fee accounting transmittal is required to be submitted to each registration state. No fees shall be refunded.

3.9. Registration state changes.

A motor carrier may not change its registration state unless it changes its principal place of business or its registration state ceases or commences participation in the program.

3.10. Principal place of business.

For the purpose of this program, the carrier's principal place of business for registration selection will be the business address the motor carrier indicated on the order issued by the ICC or as otherwise noticed to the ICC pursuant to an address change.

3.11. Principal place of business change.

When a registrant changes its principal place of business to another state participating in this program before the annual registration period of August 1 to November 30, the registrant may move its registration to the new registration state at the next registration period or retain registration in the current registration state for no more than one additional year.

3.12. Notification of changes.

When a registrant changes its principal place of business to another participating state, the registrant shall notify the new registration state and the current registration state within 30 days after it has made its selection.

3.13. Refiling requirements.

When a registrant changes its principal place of business and selects a new registration state, the motor carrier shall refile in the new registration state the application, a copy of its interstate operating authority and a copy of the designation of agent(s) for service of process. Proof of insurance must be filed in the new registration state showing the change of business address of the registrant.

3.14. Non-participating states.

When the registrant changes its principal place of business to a state that is not eligible to participate in this program, the registrant shall retain the current registration state designation for registration purposes and file notice of business address change along with a new insurance filing in its registration state.

3.15. Fee credits upon changes.

If a registrant changes its principal place of business during a registration period and that principal place of business change affects its reciprocity status to now afford it reciprocity from payment of fees, the registrant shall not be allowed any credit or refund of prior fees paid for that registration period. The new principal place of business shall be used by the current registration state for determination of proper payment of future fees or waiving of those fees for any additional states of travel or additional equipment added.

3.16. Notice to insurer.

The motor carrier must give notice of its change in registration state to its insurer as soon as practicable.

§150-22-4. Registration process.

4.1. Registration period.

The applicant shall file annually between the 1st day of August and the 30th day of November of the year preceding the registration year an application with the Commission for registration of all ICC regulated operations. The required application form to be used is attached hereto.

4.2 Complete application required.

The application form must be completed in its entirety and signed by an authorized member of the company or its agent, otherwise the registration shall be considered incomplete.

4.3. Name requirements.

The application must contain the full name of the motor carrier. This includes all owner name(s) and any d/b/a (doing business as). This name will be verified with the name shown on the ICC certificate or permit submitted with the application. If the name on the application differs from the most recent ICC certificate or permit, the registration will be considered incomplete until the applicant provides a copy of the reentitlement from the ICC showing the change of name or amends the application form by providing written notice to the registration state.

4.4. Address requirements.

4.4.1. The business city and business state address on the application will be verified with the ICC certificate or permit submitted with the application. If the business city and state are not the same, the registration will be considered incomplete until the applicant provides a copy of the request to the ICC for change of address or amends the application form by providing written notice to the Commission.

4.4.2. The business street must be a physical address. The use of a post office box is not acceptable. If the motor carrier lives in a rural area and does not have a physical street address, a rural route with a box number will be accepted.

4.4.3. A mailing address may be given for mailing purposes only. A mailing address shall not be used to determine reciprocity.

4.5. Type of registration.

The registrant will indicate the type of registration being filed. A motor carrier receiving ICC authority for the first time will be a "New Carrier Registration". If the motor carrier has previously registered in any of the eligible states for

transporting commodities authorized by the ICC using the old registration system (Public Law 89-170) or using the new Single State Registration System, the application form would indicate an "Annual Registration".

4.6. Prior registration state identification.

If the motor carrier has changed its registration state since its last application filing, the motor carrier must identify the prior registration state.

4.7. Name contradictions.

The registrant shall indicate the type of motor carrier, whether a sole proprietor, partnership or corporation. This information should not contradict the name of the motor carrier as indicated on the top of the registration form. For example, if the applicant's name is a sole owner and the motor carrier indicates a partnership or corporation operation, the registration will be considered incomplete and the Commission will contact the applicant (and possibly the ICC) for clarification. If the motor carrier has changed its name or transferred its operating rights without notification to the ICC, the application will be considered incomplete until a transfer order or reentitlement is issued by the ICC and filed with the Commission. If the ICC certificate or permit is correct and the application form is incorrect, the motor carrier will notify the Commission in writing to amend its application form or correct a returned application.

4.8. Type of authority.

The applicant must indicate the type of authority issued by the ICC. This information will be verified from the ICC certificate or permit issued to the motor carrier except for registration of emergency temporary authority or temporary authority (see section 4.11.).

4.9. Copies of authority.

The applicant shall file with the application for a new carrier registration or for the first year of this program in the registration state only, a full copy of its interstate certificate(s) of authority or permit(s) issued by the ICC. If the ICC authority is not submitted with the application, the registration will be considered incomplete. The Commission may waive the filing of copies of any authority granted by the ICC if that grant of authority is longer than 20 pages in length. When the waiver is granted in writing by the Commission, the motor carrier shall provide a copy of the portion of the ICC order which shows the service date and order section and shall prepare and file a synopsis of the authority granted within the body of the order. The Commission is not required to review the ICC

certificates or permits for states of travel for which fees are being paid under these procedures.

4.10. Supplemental filings.

If new operating authority is granted to the registrant during the registration period, the registrant changes its name and/or address or receives any order or reentitlement by the ICC during the registration year, a copy must be filed with the Commission as soon as they are issued. The registrant shall not wait until the next annual registration period to file copies of additional grants with the Commission.

4.11. Temporary or emergency temporary authority.

The requirement for filing a copy of the applicant's interstate certificate or permit is waived if the registrant holds emergency temporary authority (ETA) or temporary authority (TA) from the ICC for 120 days or less. A carrier holding ETA or TA authority from the ICC shall comply with all other requirements in these procedures before it commences operation in any state.

4.12. Additional information.

If the applicant has not filed additional information during the registration period as required above, the applicant will attach to its annual registration application copies of additional authority grants, reentitlements, transfer orders, letters of change of name or address mailed to the ICC by the motor carrier or grants of self insurance orders issued by the ICC and not previously filed with the Commission. The Commission may waive the filing of copies of any authority granted by the ICC if that grant of authority is longer than two (2) pages in length. When the waiver is granted in writing, the motor carrier shall provide a copy of the portion of the ICC order which shows the service date and order section and shall prepare and file a synopsis of the authority granted within the body of the order.

4.13. Proof of insurance.

The applicant shall indicate on the application that proof of insurance is being filed or has been filed and remains effective. If proof of insurance is not on file when the application is received by the Commission, the registration will be deemed to be incomplete.

4.14. Self-insurers.

The applicant shall indicate on the registration form the status of self-insurance approval by the ICC. The applicant will file a copy of the order of the ICC approving a public liability self-insurance or other public liability security or agreement under the provisions of Part 1043. If the applicant indicates

that the ICC has approved self insurance coverage and a copy of the ICC order has not been included with the application, the registration will be deemed to be incomplete.

4.15. Hazardous materials.

The applicant shall indicate if it will be transporting hazardous commodities in interstate commerce. If this section is not completed, the registration will be deemed to be incomplete until the applicant verifies whether hazardous materials will be transported. This section of the application will be verified with the insurance form on file with the Commission. If the motor carrier desires to transport hazardous materials and the proper levels of insurance are not on file, the registration will be deemed to be incomplete until the motor carrier indicates in writing that hazardous materials will not be transported or until a new insurance filing has been received by the Commission for the proper level of coverage.

4.16. Designation of agent.

A copy of the designation of agent(s) for service of process shall be submitted with the initial registration form to the Commission using the ICC Form BOC-3. The motor carrier shall supplement any changes of designation of local process agent with the Commission to ensure that current information is on file. If the BOC-3 form is not attached to the "New Carrier Registration", the registration will be deemed to be incomplete until this form is received by the Commission. If the motor carrier fails to keep the designation of local process agent information current with the Commission, the registration shall be subject to suspension (refer to the section on compliance if needed).

4.17. Signature required.

The registration application will be deemed to be incomplete if the registration form has not been signed with an original signature.

4.18. Incomplete applications.

When an application is deemed to be incomplete, the Commission may hold the application and all attachments until the application is complete or the Commission may return the application and attachments.

4.19. Additional registration of equipment or states of travel.

If equipment or states of travel is to be added after the annual registration process, the motor carrier will be required only to complete a Supplemental Form RS-2 and attach the proper fees. The motor carrier may update any information on file with the registration state by attaching the information to the RS-2

Form. If no updates are attached, the motor carrier's signature on the RS-2 form will certify that all information filed with the registration state is current.

§150-22-5. Designation of Process Agent.

5.1. Form.

Designation of process agent shall be filed by the motor carrier with the Commission for each state of travel. Designations shall be made using the BOC-3 form as required by the ICC under 49 CFR Part 1044. The motor carrier shall supplement this filing as necessary to ensure that current information is on file with the Commission. Failure to maintain current information shall subject the registration to suspension as detailed in section 9.00 et seq.

5.2. Blanket designations.

An association or corporation may file a list of process agents for each State by making a blanket designation on the BOC-3 form in compliance with 49 CFR 1044.5.

5.3. Designation cancellation or change.

A designation may be cancelled or changed only by a new designation except when a motor carrier ceases to operate its authority and a designation is no longer required and may be cancelled without making another designation.

§150-22-6. Proof Of Insurance.

6.1. Filing requirement.

The applicant shall file with the Commission proof of public liability insurance in accordance with the forms and procedures specified herein. No other insurance notices or filings shall be required of a motor carrier holding authority granted by the ICC with respect to this program.

6.2. Proof of surety bonds.

Proof of public liability or surety bond must be filed for an insurance company that is authorized to do business in any state and is eligible as an excess or surplus lines insurer in any state in which business is written. The Commission may obtain sufficient information from the ICC to verify eligible insurance companies.

6.3. Forms.

Filings required by carrier's insurance company as necessary:

Carriers should request only the filing that applies to them -- i.e., the form currently on file with the ICC.

Form BMC 91 - Uniform Motor Carrier Bodily Injury and Property Damage Certificate of Insurance.

Form BMC_91X - Motor Carrier Automobile Bodily Injury Liability and Property Damage Liability.

Form BMC 91MX - Motor Carrier Surety Bond.

Form MCS 82 - Motor Carrier Public Liability Surety Bond.

Form BMC or MCS 90 - Endorsement for Motor Carrier Policies in Insurance for Public Liability (to be attached to the policy maintained at the motor carrier's place of business).

Cancellation forms to be filed by insurance company as necessary:

Form BMC 35 - Notice of Cancellation Motor Carrier Policies of Insurance (30 Days Cancellation Notice Required).

Form BMC 36 - Notice of Cancellation Motor Carrier Surety Bonds (30 Days Cancellation Notice Required).

6.4. Levels of coverage.

The level of insurance coverage required is the same as required by 49 C.F.R. 1043.2. These limits are as follows:

6.4.1. Freight vehicles of GVWR of 10,000 pounds or more:

Property (nonhazardous) \$ 750,000

Property (hazardous):

\$5,000,000

Hazardous substances, as defined in 49 CFR 171.8, transported in cargo tanks, portable tanks or hopper-type vehicles with capacities in excess of 3500 water gallons, or in bulk Class A or B explosives, poison gas (Poison A), liquified compressed gas or compressed gas, or highway route controlled quantity radioactive materials as defined in 49 CFR 173.455.

Property (hazardous):

\$1,000,000

Oil listed in 49 CFR 172.101; hazardous waste, hazardous materials and hazardous substances defined in 49 CFR 171.8 and listed in 49 CFR 171.101, but not mentioned in 1(b)

or 2(b).

6.4.2. Freight vehicles of GVWR less than 10,000 pounds:

Property (not specified in 6.4.a.: \$ 300,000

Property (hazardous): \$5,000,000

Any quantity of Class A or B explosives; any quantity of poison gas (Poison A); or highway route controlled quantity radioactive materials as defined in 49 CFR 173.455.

6.4.3. Passenger carriers:

Seating capacity of 16 or more. \$5,000,000

Seating capacity of 15 or less. \$1,500,000

6.5. Additional filing requirements.

6.5.1. The insurance company may file proof of insurance with the Commission or the motor carrier may file a copy of the insurance form accepted and approved by the ICC. The Commission will not accept a "copy" of the insurance form when it is filed by the motor carrier and is not a copy which has been approved by the ICC. The first year filing of proof of insurance under this program where the motor carrier is renewing its registration, the insurance company will print a new copy of the ICC form or mail a "copy" of the form that was accepted and approved by the ICC. Since the ICC does not require changes in the policy number to trigger a new form filing, the policy numbers on the forms printed for the states may not be identical to the current form on file with the ICC. All other information on that form must be in compliance with the requirements set forth herein.

6.5.2. When the insurance company prepares the proper insurance form to be filed with the ICC for a new carrier, the third copy will be separated from the three part ICC form and the third copy will be mailed to the motor carrier's registration state. The insurance company may annotate this three part form to indicate the proper registration state.

6.5.3. The Commission shall require all motor carriers to show a minimum level of coverage of \$750,000 unless the motor carrier indicates in writing that all equipment operated has a gross vehicle weight rating of 10,000 pounds or less.

6.5.4. If an insurance company files duplicate copies of proof of insurance with the Commission, the Commission may stamp the second copy received and return the second copy to the insurance company. If duplicate copies are not received, the

Commission is not required to acknowledge receipt of proof of insurance.

6.5.5. When proof of insurance is provided by more than one insurer, a BMC 91X (Certificate of Insurance) or BMC 91MX (Surety Bond) is required of each insurer.

6.5.6. The information pertaining to the identification of the registrant on the proof of insurance filed with the Commission shall be verified by the Commission. The registrant's full name including all owner names and any fictitious name or d/b/a and business address must be identical to the applicant name and business address on the uniform application form and the most recent order of the ICC. Proof of insurance shall be issued in the full and correct name of the individual, partnership, corporation or other person to whom the certificate or permit is issued. If these items are not in agreement, a "New Carrier Registration" will be deemed to be incomplete and may be held or returned until the motor carrier amends the registration form in writing, the Commission receives a copy of a reentitlement, transfer order issued by the ICC, notification of name and/or address change by the motor carrier to the ICC (copy of letter sent to the ICC), or new proof of insurance is filed with the Commission.

6.5.7. If the registrants full name (including d/b/a) and/or business address on the proof of insurance filed with the Commission for a replacement filing does not agree with the registration form, the motor carrier will be notified in writing that the insurance form differs from the registration information and the proof of insurance will not be accepted. The motor carrier will be asked to correct the name and/or business address on the uniform registration application in writing to the Commission or correct the proof of insurance filed. If insurance lapses because a proof of insurance has not been filed with the Commission with the correct name and/or business address, the motor carrier's registration will be suspended until proper proof of insurance is filed.

6.5.8. When a BMC 91 or 91X is received by the Commission and the name and business address are correct, the effective date as indicated on the form stating the date insurance is in effect is the effective date to be used by the Commission.

6.5.9. The Commission shall receive notification of cancellation caused to be filed by the motor carrier of the registrant's bodily injury and property damage liability insurance (receipt of Form BMC 35 or 36) when similar notice is provided to the ICC. The effective date of the cancellation notice shall be computed as 30 days from the date notice is filed with the ICC. The Commission will verify this effective date with the information received from the ICC (this information should be available via the states bulletin board or other

computer access designed for dissemination of information for this program) as to any change in the effective date of cancellation.

6.5.10. Certificates of insurance or surety bonds shall be replaced and terminated by more recent certificates of insurance or surety bonds. The liability of the retiring insurer shall be terminated as of the effective date of the replacement certificate of insurance or surety bond provided the replacement is filed in accordance with these procedures.

6.5.11. A new BMC 91 will terminate and replace any prior BMC 91. When a new BMC 91X is filed, this filing will only terminate and replace another filing when the limits indicated on the new filing is equal to or greater than the limits on the old filing. A filing received for primary coverage can only terminate and replace another filing for primary coverage. Excess coverage can only terminate and replace excess coverage.

6.5.12. If a cancellation notice is received prior to a new filing, this cancellation notice shall terminate the liability with 30 day notice to the ICC. A new filing received after receipt of a cancellation notice does not relieve the 30 day liability of the cancellation notice.

6.5.13. An interstate motor carrier that has received approval to be self-insured with the ICC shall file with the Commission a copy of the ICC order approving the self-insurance plan. A copy of the ICC order does not indicate that the motor carrier has fully complied with all requirements within the order. The Commission may verify the self-insurance status with the ICC to ensure that the carrier has complied with the provisions within the order and is considered by the ICC to be self insured. The registrant shall thereafter immediately notify the Commission if the self-insurance plan is suspended, revoked or modified in any way by order of the ICC. Failure to comply shall result in the suspension of the registration.

6.5.14. If the motor carrier is transporting hazardous materials, the amount of coverage indicated on the proof of insurance filed with the Commission must be the same as the amount of coverage stated on the uniform application form. If the amount stated on the insurance forms does not agree with the level of coverage indicated on the application form, the "New Carrier Registration" shall be deemed incomplete.

6.5.15. If proof of insurance is received during the registration period and indicates a level of coverage greater than the amount previously indicated on the uniform application form and the old insurance filing, the new insurance filing will cancel and replace the old filing. The Commission will verify with the motor carrier if its application should be amended.

6.5.16. The Commission shall not require the authorized signature of the company representative on the proof of insurance to be verified. If an insurance company notifies the Commission that information is being falsified, the Commission will verify all filings with the Commission issued under that named insurer and verify those filings involved. If the Commission finds that falsified filings have been made, it will notify the registrant(s) immediately and request that the registrants file new proof of insurance. If new insurance is not received, the Commission will initiate a suspension for non-compliance of filing proof of insurance.

6.5.17. A facsimile (fax) of the forms required in these procedures may be accepted by the Commission.

6.5.18. At no time will a "Certificate of Insurance" from an insurance agent be accepted by the Commission in lieu of the forms required in these procedures.

6.5.19. All previous Form E filings or other proof of insurance filed in any eligible state shall be cancelled as of January 1, 1994, as they pertain to registration of interstate authority granted by the ICC.

6.5.20. Procedures for suspension, reinstatement, revocation and notification to other participating states are found in section 9.00 et seq.

6.5.21. Proof of cargo insurance shall not be required.

6.5.22. The Form BMC 90 or MCS 90 is an endorsement. This endorsement form is an amendment to the motor carrier's insurance policy and shall be attached to that insurance policy and shall form a part of it. When insurance is provided by more than one insurer to aggregate coverage, a separate endorsement is required of each insurer. A true copy of the policy with the endorsements attached shall be maintained at the motor carrier's principal place of business. The endorsement cannot be cancelled without cancellation of the policy or policies and cancellation of the proof of insurance filed with the Commission. The endorsement shall not be filed with the Commission.

§150-22-7. Registration Receipts.

7.1. Receipt procedures.

Procedures for issuing and maintaining registration receipts shall be as follows:

7.1.1. The Commission shall collect the fee (not to exceed \$10.00 per motor vehicle) that each participating State collected or charged per motor vehicle as of November 15, 1991. These fees shall be for filing and maintaining proof of

insurance. No other fee shall be collected or assessed either directly or indirectly. If a participating state charged more than \$10.00 as of that date, the Commission will charge the motor carrier \$10.00 for that state of travel.

7.1.2. The applicant shall use the prescribed form attached to these procedures to indicate the amount of fees due for each vehicle and each state of travel.

7.1.3. The form and content of the registration receipt shall be as specified herein. This form may include only those items that identify the carrier and the states of travel for which fees have been paid as specified in these procedures. No registration state may add any additional items to this form except to add the registration state name and address that issued the receipt. This printed form shall be as uniform as possible to eliminate enforcement problems.

7.1.4. No earlier than the first day of August and through the thirtieth day of November of each year, the registrant shall file an application for registration, pay fees and request the registration receipt for the next registration period from the Commission. The registration receipt shall not be valid until January 1 of the following year as indicated on the face of the receipt and when carried in the registrant's motor vehicle. Payment of fees must be made with guaranteed funds, e.g., certified check, cashier's check, or money order.

7.1.5. When an applicant files a proper application with the Commission on or before the 30th of November for the next annual registration period, the Commission shall issue a registration receipt within thirty (30) days. Any registration that contains any misrepresentation, misstatement, or omission of required information shall be deemed to be incomplete until all items have been clarified and/or corrected in accordance with these procedures. The Commission is not obligated to process an incomplete application within any time frame.

7.1.6. The Commission shall issue an original registration receipt to the registrant upon receipt of a properly completed registration application and payment of fees. This original receipt must be retained by the motor carrier at its principal place of business for a period of three years. The motor carrier shall make the necessary copies for the number of vehicles for which fees have been paid.

7.1.7. If an error is made by the motor carrier in completing the order form and the amount of the check does not agree with the calculated fee amount, the Commission will handle the improper check amount dependent upon the Commission's accounting procedures.

7.1.8. The registration receipt shall not be altered by the motor carrier in any way. Reduction of the size of the

receipt after the receipt has been issued by the registration state will be considered alteration. Altering of the receipt shall subject the motor carrier's registration to revocation as indicated in section 9.00 et seq. Any enforcement officer is authorized to confiscate the altered copy on sight. The confiscated receipt will then be returned to the Commission after any court action is completed by the state in which it was confiscated.

7.1.9. The registration receipt shall qualify the registrant to operate under its ICC certificate or permit in all jurisdictions indicated on the registration receipt without any further registration requirements or identification requirements in any state other than the registration state.

7.1.10. The motor carrier shall submit the appropriate amount of fees for each motor vehicle based on the number of motor vehicles by states of travel. Motor vehicles shall be authorized to travel only in those participating states in which the motor carrier has paid the appropriate fees.

7.1.11. Upon receipt of a renewal registration application, the Commission shall verify that valid proof of insurance is on file and that the appropriate fees have been paid before the registration receipt is issued.

7.1.12. A registrant in good standing (good standing means that active proper insurance, designation of agent for service of process, and copies of ICC authority are on file with the Commission and the motor carrier has not changed its name and/or address) may add equipment and/or states of travel by payment of fees and the filing of a supplemental application form (RS-2) to the Commission.

When a supplemental registration form is received for additional states of travel or for equipment added, a supplemental registration receipt will be issued showing only those additional states or equipment as requested. Copies of all supplemental registration receipts must be carried in the cab of the motor vehicle with any other copies as needed.

7.1.13. A fully acceptable supplemental registration application shall be processed and the registration receipt issued by the 30th day following the date of filing the application.

7.1.14. A motor carrier may transfer its registration receipts or copies of the receipt from vehicles taken out-of-service to their replacement vehicles. The motor carrier may not operate more motor vehicles in a participating state than the number with respect to which fees have been paid.

7.1.15. A motor carrier conducting a driveaway operation will be required to carry a copy of the registration

receipt in the cab of vehicle in the same manner and meeting all requirements within these procedures as other ICC regulated motor carriers. The registration receipt may be transferred from vehicle to vehicle in the same manner as the transfer of the registration receipt for a vehicle placed out-of-service as indicated in item (14) above.

7.1.16. The Commission shall not replace lost or stolen receipts except when the carrier fails to receive the registration receipt(s) mailed by the Commission for delivery of those receipts. An application for replacement without charge must be accompanied by an affidavit detailing the facts supporting it. Within ten (10) days following the receipt of such an application, the Commission must issue replacements.

7.1.17. If a motor carrier needs to add states of travel to its operating fleet in one or more of the participating states, the motor carrier may request transmission of a copy of a registration receipt before the receipt is mailed to the registrant. Upon payment of the appropriate fees, a copy of the receipt shall be sent via facsimile. The Commission shall mail the original receipt to the motor carrier.

7.1.18. All registration receipts shall expire on the 31st day of December of the registration year for which they were issued.

7.1.19. The driver of a motor vehicle must present a copy of a receipt for inspection by any authorized government personnel on demand.

7.1.20. The Commission shall not require decals, stamps, cab cards, or any other means of registering or identifying specific vehicles operated by a motor carrier under this program. However, nothing in this program will preclude the state from requiring indicia for other authority required to be registered in the state.

§150-22-8. Change of Name, Address and/or Ownership of Registrant.

8.1. Procedures for registration changes.

Registration changes shall be governed by the following procedures:

8.1.1. If the registrant changes its name (not change of ownership for example a d/b/a is added, a d/b/a is changed or a sole proprietor or partners incorporates and are the stockholders of the new corporation) after the registration receipt has been issued, the registrant shall submit to the Commission a copy of the reentitlement issued by the ICC. The Commission shall require proof of insurance to be resubmitted in the new name before a replacement registration receipt shall be

issued by the Commission. The Commission shall inform carriers that old copies of the registration receipt carried in the cab of the motor vehicles must be replaced with the new copies and the old copies shall be destroyed by the motor carrier.

8.1.2. If the registrant changes its business address, the Commission will require filing of a copy of the notice (letter from the motor carrier to the ICC) submitted to the ICC for a similar change of address. If the business address change involves a street, route, box number or city only, the registrant shall notify the Commission in writing of that change. When the business address of the registrant has been changed, new proof of insurance must be filed with the Commission accordingly.

8.1.3. If the address change causes a new registration state to be selected, see section 3.00 of these procedures.

8.1.4. A registrant that changes its principal place of business from a state without reciprocity agreements for waiving of vehicle fees to a state with reciprocity agreements during the registration period will not be allowed any credit or refund of fees paid to its registration state.

8.1.5. When the interstate authority is transferred to new owners, the current registrant (old owners) must notify the Commission to cancel its registration. New owners shall be required to register with the Commission like all new registrants. The registration receipts of the old owners will not be reissued in the name of the new owners.

8.1.6. When the registrant changes its name, address or ownership, the Commissions shall forward this information to all affected participating states when the Commission forwards the next monthly transmittal.

§150-22-9. Compliance.

9.1. Suspension of registration.

Failure by the registrant to comply with these standards may result in suspension or revocation of the registration by the Commission, or other appropriate administrative or criminal penalty as provided in Chapters 24 and 24A of the West Virginia Code.

On the effective date of cancellation of the proof of insurance or other items in non-compliance, the Commission shall notify the registrant in writing that its registration to operate in all states of travel pursuant to these standards is suspended. The suspension notice shall be mailed to the registrant and show the effective date of such suspension. The suspension notice maybe a letter, suspension order, show cause order or any other method of proper notice as determined by the Commission. Notice of non-compliance with the filing of proof of insurance with the

ICC may be obtained by the Commission by viewing the state bulletin board or other computer access established with reference to these procedures.

9.2. Reinstatement of registration.

When sufficient proof of insurance or other items of non-compliance is filed and in effect after a suspension of the registration, the Commission shall immediately reinstate the motor carrier's registration and notify the registrant that its registration pursuant to these standards is restored. The reinstatement notice shall be mailed to the registrant and show the effective date of such reinstatement. The reinstatement notice may be a letter, reinstatement order or any other method of proper notice as determined by the Commission. Notice of compliance with the filing of proof of insurance with the ICC may be obtained by the Commission by viewing the state bulletin board or other computer access established with reference to these procedures.

9.3. Revocation of registration.

The Commission shall revoke registration to operate in any state if the registrant has failed to comply with the insurance filing requirements one-hundred and thirty five (135) days from the effective date of a cancellation of insurance. Notice of revocation of registration shall be mailed to the registrant and show the effective date of such revocation.

9.4. Revocation notice to other states.

The Commission shall transmit information regarding revocation of the registration once a month with the monthly transmit tal to any other affected jurisdictions participating in this program. The notice to other participating states shall include the full name and business address of the registrant, the registrant's MC Number, DOT number and the date of revocation.

9.5. Unlawful use of receipts.

The Commission shall revoke the registration of the motor carrier for unlawful use of the registration receipt.

9.6. Unlawful use defined.

Unlawful use shall include, but not be limited to, failure to pay sufficient fees for the number of motor vehicles operating under the registration receipt, allowing another motor carrier to use or purchase a registration receipt issued to the registrant, alteration of the receipt or failure to maintain a current listing of designation of process agent.

9.7. Temporary authority expiration.

The Commission shall revoke the registration of a motor carrier whose registration of an ETA or TA has expired without permanent authority being granted by the ICC or the motor carrier has failed to file a copy of the permanent grant of authority with the Commission before the expiration date.

9.8. Reinstatement procedure.

If the registrant believes that the Commission has revoked its registration without good cause, the registrant may petition the Commission for reinstatement. Such petition for reinstatement shall be acted upon in accordance with the administrative rules and procedures of the Commission.

9.9. Reapplication.

After a registration has been revoked or cancelled, a motor carrier wishing to operate pursuant to these standards must again apply for registration with the Commission. If the Commission has copies of its operating authority and the motor carrier indicates that no additional grants have been given by the ICC, the new filing of copies of its authority shall be waived. The motor carrier shall submit new proof of insurance. If the motor carrier has paid its annual per vehicle fee for the current calendar year, the Commission shall not require new fees to be paid.

9.10. Forwarding information.

If the motor carrier has paid its annual per vehicle fee for the current calendar year, the Commission shall forward the registration information to all affected participating states when the Commission forwards the next monthly transmittal.

9.11. Unlawful operation/penalties.

No person may operate, or cause to be operated, a motor vehicle in the transportation of passengers or property over the highways of this state, pursuant to authority issued by the ICC, without having first complied with the requirements of this program. Such unauthorized operations may subject such person or persons to criminal and administrative penalties set forth in Chapters 24 and 24A of the West Virginia Code, in addition to those penalties set forth in section 9.00 et seq.

§150-22-10. Registration State Accounting.

10.1. Records retention.

The Commission shall maintain all documents required under these standards for a minimum of three years.

10.2. Records of funds.

The Commission shall maintain records of funds received from and remitted to other member jurisdictions. Such records shall identify registrants and remittances from each registrant. (See Appendix 150-22E.)

10.3. Availability of records.

These records, which may be kept on microfilm, microfiche or other similar type of documentation, shall be made available to any participating state upon request.

10.4. Transmittal of funds.

The Commission shall forward to other participating states the amount of funds for the number of vehicles indicated on receipts issued by that state. The Commission will forward the full fee amounts. It will be the responsibility of each registration state to collect the proper fee amounts if a registration state accepts a check that fails to clear the bank. No amounts will be carried forward to other states for bad checks. These funds shall be transmitted only once each month. All funds received by the last day of the month shall be forwarded by the last day of the following month. Reports of no activity are required when no funds are collected.

10.5. Transmittal statements.

10.5.1. The accounting transmittal shall include a remittance statement for that jurisdiction and identify the following:

- the registration state submitting the transmittal;
- the period the transmittal is for;
- the number of motor vehicles for which fees have been paid; and
- the total amount of fees received for each participating state.

10.5.2. This information is to be forwarded to other participating states in the manner specified using the form attached to these procedures.

10.5.3. The supplemental information attached to the transmittal form shall be forwarded to each state for which fees were collected by the registration state. During the months of August through December, each registration state will prepare two reports (whether paper reports or exchange of computer data). One report will indicate only those receipts issued and monies collected for the current registration period. The second report will indicate only those receipts issued and monies collected for the next registration period. If a registration state had no activity during a month from August through December for one of the registration periods, the registration state must prepare a report or send a separate accounting transmittal indicating "No

Activity" and reference the registration period. The supplemental information to be sent to the registration state with the transmittal will include the following information:

- Full name of registrant including all owners and fictitious name (d/b/a);
- Full business and mailing address of registrant;
- Number of vehicles for which fees have been paid;
- Fees collected from each participant;
- Date registration receipt issued; and
- ICC MC number, US DOT number and FEIN number.

10.5.4. When an error in overpayment or underpayment for a reporting period has been detected by a registration state, the registration state that has made the error must notify the affected states in writing within two (2) weeks of the discovery of the error. The documentation to the affected state must contain the date of original payment, amount of over/underpayment and the motor carrier involved. The registration state in error may simply produce a copy of the original data report highlighting the transaction in error and indicate to the affected states the proper charges. The affected states and the state in error will determine how the over/under payment will be handled in accordance with each state's statutory requirements.

10.6. Delinquent reports.

When the Commission has not received the monthly report within 45 days after the close of the reporting month, the Commission shall contact the delinquent jurisdiction and request compliance with the standards set forth. If the delinquent jurisdiction has failed to transmit a monthly report and funds by the next reporting period, the Commission shall file its monthly report, but withhold transmission of funds, to the delinquent jurisdiction until the delinquent jurisdiction complies fully with the established accounting procedures.

10.7. Methods of payment.

Monies may be transmitted between participating states electronically, by check or any other method of payment accepted by another participating state.

10.8. Content of monthly report.

The monthly report will consist of the transmittal and supplemental information and mailed according to the requirements in the accounting procedures. If no activity occurred for a participating state during the reporting period, the transmittal shall be sent indicating "no activity".

§150-22-11. Auditing.

11.1. Carrier audits.

The Commission may audit any motor carrier to ensure correct payment of fees or to detect alteration of the registration receipt. If within reasonable time, the registrant fails to respond and pay the required per motor vehicle fees after notice of audit findings and/or written notice of amount due, the Commission shall revoke a motor carrier's registration.

11.2. Carrier record retention.

The motor carrier shall maintain records and source documents supporting fee payments and the original receipt issued by the registration state for a period of three years.

11.3. Audit locations.

Audits may be conducted at the principal place of business of the carrier. The Commission may also require the carrier to submit documentation for audit to the state agency. Participating states will cooperate as much as possible as to the determination of the proper amount of fees to be collected from the registrants for states of travel.

§150-22-12. Reciprocity.

12.1. Effective date of agreements.

Reciprocity agreement(s) in effect as of November 15, 1991 must be considered when determining fees to be charged under this program.

12.2. Designation of registration state.

A motor carrier whose principal place of business is located in a state not eligible to participate in this program shall not use its designation of a registration state for this program to afford itself any benefits of reciprocity agreements of that registration state.

§150-22-13. Acquisition of ICC Authority After Holding Exempt Authority.

13.1. Procedures.

If a motor carrier transporting interstate commodities exempt from registration with the ICC received authority from the ICC to transport regulated commodities in interstate commerce, the motor carrier must select its registration state and complete the registration process as required under these procedures and as follows:

13.1.1. If ICC authority is received and the motor carrier intends to operate prior to January 1, 1994, the motor carrier will be required to comply (including payment of renewal fees) in the exact manner as all other ICC authorized carriers

for the registration period beginning January 1, 1994, in accordance with these procedures.

13.1.2. If ICC authority is received after January 1, 1994, the fees for this program will be waived if those fees were previously paid to the states in the calendar year 1994 for each vehicle. The motor carrier shall include a statement with the registration form that the number of vehicles and the amount of fees paid as indicated on the fee listing attached to the registration form were the amounts paid to the states under the bingo stamp program. A registration receipt will be issued for those vehicles and those states of travel.

13.1.3. If the motor carrier desires to add additional states of travel or additional equipment, a supplemental registration form shall be completed. A supplemental registration receipt will be issued in accordance with the requirements set forth in section 4.10.

13.2. Monthly reporting.

The Commission will at the monthly reporting period, indicate to other states the no-fee issuance of the receipt. If it has been determined that the motor carrier indicated on its fee schedule a number of vehicles and fees paid at a level greater than fees previously paid to the state, the state will notify the registration state of the deficiency and the need for the registration state to collect additional fees.

§150-22-14. Forms.

14.1. Application form (Appendix 150-22A).

This form must be used for all initial and supplemental filings. This form may not be modified by the Commission or any other participating state except to include its state agency name, address and telephone number. No additional information may be required under these procedures.

14.2. Listing of fees (Appendix 150-22B).

This sheet shall be included with the application form when it is mailed to the motor carrier. This form may not be modified by the Commission or any other participating state except to include a state agency name, address and telephone number and to include the amount of fees to be collected for each state of travel. (The supplemental application form RS-2 will be used in lieu of the form RS-2 when the motor carrier adds additional equipment or states of travel.) Attached to this Appendix is a table listing those fees that will be charged.

14.3. Registration receipt (Appendix 150-22C).

The registration receipt will be printed by the Commission using durable white paper. This receipt shall be printed on a sheet no larger than a 8 1/2" x 11". The Commission shall print on this form the state agency name, address and telephone number, the complete registrant's name including all owners and fictitious name, the business city and state, the ICC MC number, the effective date, expiration date, the states of travel and number of vehicles for which fees have been paid. (The entire form may be printed on pre-printed form paper.)

The form may contain a state seal or emblem printed in blue color to indicate that this receipt is the original receipt issued to the registrant by the Commission.

For uniformity for enforcement purposes, this form must be printed with the same information and in the same form as attached to these procedures.

The states for which fees have been paid along with the number of trucks will be printed in the following manner:

On the first line of the area set out on the right side of the registration receipt, print three asterisks immediately followed by the two standard postal letter abbreviations in caps for each state with a parentheses after each state abbreviation with the number of vehicles for which fees have been paid inside the parentheses with a comma following each state abbreviation with no spacing between commas. The last state abbreviation will be immediately followed by three asterisks. For example:

CO(10),ID(5),MN(4),MO(10),NE(5)

The Commission may print a serial number on the receipt for audit purposes. This field is optional at the discretion of the Commission.

14.4. Accounting transmittal (Appendix 150-22D).

The accounting transmittal shall be used in accordance with the accounting procedures established herein. This form can be modified only to add the agency name, address and telephone number.

Appendix 150-22A

199__ Form RS-1

UNIFORM APPLICATION FOR SINGLE STATE REGISTRATION
FOR MOTOR CARRIERS OPERATING UNDER AUTHORITY
ISSUED BY THE INTERSTATE COMMERCE COMMISSION

MOTOR CARRIER IDENTIFICATION NUMBERS:

ICC MC No.(s) _____
US DOT No. _____
FEIN No. _____

APPLICANT (Identical to name on ICC order):

NAME: _____
D/B/A _____
Telephone Number _____
Fax Number _____

PRINCIPAL PLACE OF BUSINESS ADDRESS:*

Street _____
City _____ State _____ Zip _____

MAILING ADDRESS IF DIFFERENT FROM BUSINESS ADDRESS ABOVE:

Street _____
City _____ State _____ Zip _____

TYPE OF REGISTRATION:

- New Carrier Registration - The motor carrier has not previously registered.
 Annual Registration - The motor carrier is renewing its annual registration.
 New Registration State Selection - The motor carrier has changed its principal place of business or its prior registration State has left the registration program. The prior registration State was _____.

TYPE OF MOTOR CARRIER: (Check one)

Individual Partnership Corporation

If corporation, give State in which incorporated: _____.

List name of partners or officers:

Name: _____	Title: _____
Name: _____	Title: _____
Name: _____	Title: _____

TYPE OF ICC REGISTERED AUTHORITY:

- Permanent Certificate or Permit
 Temporary Authority (TA)
 Emergency Temporary Authority (ETA) - Expiration Date: _____

* A principal place of business is a single location that serves as a motor carrier's headquarters and where it maintains or can make available its operational records.

TYPE OF MOTOR CARRIER OPERATION: (Check only one block)

- TRANSPORTER OF PROPERTY - Using freight vehicles with a gross vehicle weight rating of 10,000 pounds or more.
- TRANSPORTER OF PROPERTY - Using only freight vehicles with a gross vehicle weight rating of less than 10,000 pounds.
- TRANSPORTER OF PASSENGERS - Using vehicles with a seating capacity of 16 passengers or more.
- TRANSPORTER OF PASSENGERS - Using only vehicles with a seating capacity of 15 passengers or less.

ICC CERTIFICATE(S) OR PERMIT(S):

- ICC Authority Order(s) attached for first year registration.
- ICC Authority Order(s) attached for additional authority received.
- No change from prior year registration.

PROOF OF PUBLIC LIABILITY SECURITY: (Check only one block)

- The applicant or its insurance company will file a copy of its proof of public liability security to the registration state.
- The applicant or its insurance company has filed a copy of its proof of public liability security with the registration state and the insurance coverage as stated on that form remains in effect.
- The applicant has an approved self-insurance plan or other security in full force and effect and the carrier is in full compliance with the conditions imposed by the ICC order. A copy of the ICC insurance order is attached or has previously been filed with the registration state.

HAZARDOUS MATERIALS: (Check one)

- The applicant will NOT haul hazardous materials in any quantity.
- The applicant will haul hazardous materials requiring \$1 million in Public Liability and Property Damage Insurance in accordance with Title 49 CFR § 1043.2.
- The applicant will haul hazardous materials requiring \$5 million in Public Liability and Property Damage Insurance in accordance with Title 49 CFR § 1043.2.

PROCESS AGENT:

- ICC Form No. BOC-3 or blanket designation attached for new registration.
- ICC Form No. BOC-3 or blanket designation attached reflecting changes of designation of process agents.
- No change from prior year registration.

CERTIFICATION:

I, the undersigned, under penalty for false statement, certify that the above information is true and correct and that I am authorized to execute and file this document on behalf of the applicant. (Penalty provisions subject to the laws of the registration State.)

Name (Printed) _____ Date _____

Signature _____ Title _____

Appendix 150-22B
 199__ FORM RS-2
 CALCULATION OF FEE AMOUNTS DUE EACH STATE

NAME _____			ICC NO. _____
FAX NO. : _____			
TRANSPORTING <input type="checkbox"/> PASSENGERS-CHARTER <input type="checkbox"/> PASSENGERS-REG ROUTE <input type="checkbox"/> PROPERTY CARRIER WHOSE PRINCIPAL PLACE OF BUSINESS IS- WEST VIRGINIA			
(A) PARTICIPATING STATES	(B) TOTAL NO. OF VEHICLES	(C) PER VEHICLE FEE	(D) FEE TIMES NO. OF VEH. COLUMN B TIMES C
ALABAMA		\$	\$
ARKANSAS			
CALIFORNIA			
COLORADO			
CONNECTICUT			
GEORGIA			
IDAHO			
ILLINOIS			
INDIANA			
IOWA			
KANSAS			
KENTUCKY			
LOUISIANA			
MAINE			
MASSACHUSETTS			
MICHIGAN			
MINNESOTA			
MISSISSIPPI			
MISSOURI			
MONTANA			
NORTH CAROLINA			
NORTH DAKOTA			
NEBRASKA			
NEW HAMPSHIRE			
NEW MEXICO			
NEW YORK			
OHIO			
OKLAHOMA			
RHODE ISLAND			
SOUTH CAROLINA			
SOUTH DAKOTA			
TENNESSEE			
TEXAS			
UTAH			
VIRGINIA			
WEST VIRGINIA			
WASHINGTON			
WISCONSIN			
TOTAL OF ALL STATES FEES			\$ _____

MAKE CERTIFIED CHECK OR MONEY ORDER PAYABLE TO: WEST VIRGINIA PUBLIC SERVICE COMMISSION.

NOTE: Fees must be paid for each vehicle for each State of travel. If there are any questions about how to complete this form, please contact your registration State at (304)340-0346 - FAX (304)340-0394.

Appendix 150-22C

REGISTRATION RECEIPT - FORM RS-3

In accordance with Public Law 102-240, this receipt, evidencing registration of ICC authority, must be carried in the cab of the vehicle and may not be altered. Alteration will result in confiscation and penalties.

Effective: _____

Expires: _____

Serial No.: _____

This receipt authorizes this motor carrier to operate in the following States:

Appendix 150-22D

ACCOUNTING TRANSMITTAL

FOR

WEST VIRGINIA PUBLIC SERVICE COMMISSION
201 Brooks Street, P. O. Box 812
Charleston, West Virginia 25323

During the billing period from _____ to _____
the following registration receipts were issued for the State of: _____

TOTAL
VEHICLES
REGISTERED

TOTAL
AMOUNT
COLLECTED

\$

Attached is a data report listing the carriers to whom registration receipts were
issued. Transmitted herewith is warrant # _____ in the amount of
\$ _____.

Appendix 150-22E

REPORT DATE:

MONTHLY DATA REPORT
 FOR REGISTRATION RECEIPTS SOLD
 TO ACCOMPANY THE ACCOUNTING TRANSMITTAL
 FROM THE STATE OF WEST VIRGINIA

CARRIER NAME & D/B/A	CARRIER ADDRESS	NO. VEHICLES	TOTAL FEES	DATE ISSUED	ICC NO.	DOT NO.	FEIN NO.
EXAMPLE:							
DOE JOHN	1433 RANDOLPH LANE SOMEWHERE MO 65122	3	\$30	10/31/92	123456		
SMITH JOE D/B/A D & S TRUCKING	NOWHERE MO 63185	5	\$50	10/31/92	231987		
		8	\$80				

Appendix 150-22F
SUPPLEMENTAL FORM RS-2

CALCULATION OF FEE AMOUNTS DUE EACH STATE FOR SUPPLEMENTAL SSRS RECEIPT

CARRIER NAME		ICC NO.	
D/B/A:		INDICATE YEAR OF OPERATION	
(Principal Place of Business Address)		TO BE PRINTED ON THE RECEIPT	
Street:		199	
City:	State:	Zip:	
TRANSPORTING - <input type="checkbox"/> PASSENGERS-CHARTER <input type="checkbox"/>		PASSENGERS-REG ROUTE <input type="checkbox"/> PROPERTY <input type="checkbox"/>	
(A) PARTICIPATING STATES	(B) TOTAL NO. OF VEHICLES	(C) PER VEHICLE FEE	(D) FEE TIMES NO. OF VEH. COLUMN B x COLUMN C
ALABAMA		\$	\$
ARKANSAS			
CALIFORNIA			
COLORADO			
CONNECTICUT			
GEORGIA			
IDAHO			
ILLINOIS			
INDIANA			
IOWA			
KANSAS			
KENTUCKY			
LOUISIANA			
MAINE			
MASSACHUSETTS			
MICHIGAN			
MINNESOTA			
MISSISSIPPI			
MISSOURI			
MONTANA			
NORTH CAROLINA			
NORTH DAKOTA			
NEBRASKA			
NEW HAMPSHIRE			
NEW MEXICO			
NEW YORK			
OHIO			
OKLAHOMA			
RHODE ISLAND			
SOUTH CAROLINA			
SOUTH DAKOTA			
TENNESSEE			
TEXAS			
UTAH			
VIRGINIA			
WEST VIRGINIA			
WASHINGTON			
WISCONSIN			
TOTAL OF ALL STATES FEES			\$
I, the undersigned, under penalty for false statement, certify that current copies of my ICC authority, the ICC Form No. BOC-3 and a copy of proof of public liability security are on file in the registration state and that I am authorized to execute and file this document on behalf of the applicant. If current information is not on file, updated information is attached.			
Signature		Title:	
Phone Number		Fax Number:	



KEN HECHLER
Secretary of State

MARY P. RATLIFF
Deputy Secretary of State

A. RENEE COE
Deputy Secretary of State

CATHERINE FREROTTE
Executive Assistant

Telephone: (304) 558-6000
Corporations: (304) 558-8000

WILLIAM H. HARRINGTON
Chief of Staff

JUDY COOPER
Director, Administrative Law

DONALD R. WILKES
Director, Corporations

(Plus all the volunteer
help we can get)

FAX: (304) 558-0900

STATE OF WEST VIRGINIA

SECRETARY OF STATE

Building 1, Suite 157-K
1900 Kanawha Blvd., East
Charleston, WV 25305-0770

RECEIVED
9 MAR 29 AM 10:57
LEGAL DIVISION

TO: Richard Hitt

AGENCY: Public Service Commission

FROM: JUDY COOPER, DIRECTOR, ADMINISTRATIVE LAW DIVISION

DATE: March 24, 1995

THE ATTACHED RULE FILED BY YOUR AGENCY HAS BEEN ENTERED INTO OUR COMPUTER SYSTEM. PLEASE REVIEW, PROOF AND RETURN IT WITH ANY CORRECTIONS. IF THERE ARE NO CORRECTIONS, PLEASE SIGN THIS MEMO AND RETURN IT TO THIS OFFICE. YOU WILL BE SENT A FINAL VERSION OF THE RULE FOR YOUR RECORDS.

PLEASE RETURN EITHER THE CORRECTED RULE OR THIS FORM WITHIN TEN (10) WORKING DAYS OF THE DATE YOU RECEIVED THIS REQUEST. CALL IF YOU HAVE ANY QUESTIONS.

SERIES: 22 TITLE: 150 Public Service Commission

* THE ATTACHED RULE HAS BEEN REVIEWED AND IS CORRECT.

SIGNED: Richard E Hitt

TITLE OF PERSON SIGNING: General Counsel

DATE: 4-7-95.

* THE ATTACHED RULE HAS BEEN REVIEWED AND NEEDS CORRECTING. THE CORRECTIONS HAVE BEEN MARKED.

SIGNED: _____

TITLE OF PERSON SIGNING: _____

DATE: _____

NOTE: IF YOU ARE NOT THE PERSON WHO HANDLES THIS RULE, PLEASE FORWARD TO THE CORRECT PERSON.