

Chapter PSC 16

RATE AND TARIFF RULES APPLICABLE TO INTRASTATE MOTOR CARRIER OPERATIONS

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PSC 16.01 Common motor carriers; rate and tariff rules. Every common motor carrier shall comply with section PSC 16.02 through section PSC 16.07 which set forth rate and tariff rules for intrastate common motor carrier operations, unless otherwise specifically authorized by the commission.

PSC 16.02 Bills, freight. (1) Freight bills for each shipment handled shall be made and kept by the carrier showing the name and address of the carrier, consignor, and consignee; the origin and destination; the date of receipt by the carrier; the description by number of packages and commodity name; and the weight, rate, and charge.

(2) On traffic moving under joint rates, freight bills shall also show the point of interchange, the name of the connecting carrier, and the division of revenues between the joint carriers.

PSC 16.03 Classification, freight. The "East" less-than-truckload ratings, rules, and regulations of the National Motor Freight classification shall govern the rating of traffic moving on class rates.

PSC 16.04 Distance formula. Distances for the application of class rates shall be determined by the use of the airline-distance principle as published in Household Goods Tariff No. 1, issued by the commission on November 4, 1939, including the same index, key, and rate-base numbers.

PSC 16.05 Rates, freight. (1) DEFINITION OF "SINGLE-LINE" AND "JOINT-LINE" RATES. (a) "Single-line rates" are rates applicable to "single-line operation," which is the movement by a single carrier of traffic originating and terminating at points served by that carrier.

(b) "Joint-line rates" are rates applicable to "joint-line operation," which is the movement of traffic where two or more carriers forming a through route, providing a line haul to each, participate in transportation over different segments of the through route to perform a complete service and to join in a combined total charge, or "joint rate," instead of requiring payment by the shipper of each carrier's individual rate.

Am { (2) **DISTANCE FORMULA.** The single- and joint-line class rates prescribed by the commission shall be based on airline distances, computed as provided under section PSC 16:04.

(3) **JOINT-LINE RATES APPLIED.** The joint-line rates shall be applicable between all points served by authorized common motor carriers via routes providing a line haul to each carrier participating in the joint transportation service, except that where a carrier is authorized to serve between the point of origin and the point of destination in single-line service, that carrier shall not be required to joint-line traffic with any other carrier, or carriers, between those points.

PSC 16.06 Tariffs, freight. (1) The joint-line less-than-truckload class rates shall be published by the carriers in a single joint-line tariff in which all common motor carriers shall participate by giving a proper concurrence or power of attorney to the publishing carrier or agent.

Am { (2) The joint tariff shall:

(a) Provide for the determination of rates by the use of the airline-distance principle set forth in section PSC 16:04.

(b) List alphabetically all intrastate common motor carriers of property with their certificate numbers, and also numerically by carrier number.

(c) List all points on each carrier's certificated routes which the carrier can serve in either single-line or joint-line service.

(d) Show opposite each point the certificate or carrier number of the carrier or carriers authorized to serve such point; and, by symbol, indicate those carriers who can serve it in only joint-line service.

(e) Show the local authority restrictions and other pertinent operating information for each carrier participating in the tariff.

PSC 16.07 Payment of intrastate rates and charges. (1) Upon taking precautions deemed by them to be sufficient to assure payment of the tariff charges within the credit period herein specified, common carriers by motor vehicle may relinquish possession of freight in advance of the payment of the tariff charges thereon and may extend credit in the amount of such charges to those who undertake to pay them, such persons herein being called shippers, for a period of 7 days, excluding Sundays and legal holidays other than Saturday half-holidays. When the freight bill covering a shipment is presented to the shipper on or before the date of delivery, the credit period shall run from the first 12 o'clock midnight following delivery of the freight. When the freight bill is not presented to the shipper on or before the date of delivery, the credit period shall run from the first 12 o'clock midnight following the presentation of the freight bill.

(2) Where a common carrier by motor vehicle has relinquished possession of freight and collected the amount of tariff presented by it as the total amount of such charges, and another freight bill for additional charges is thereafter presented to the shipper, the carrier may extend credit in the amount of such additional charges for a period of 30 calendar days, to be computed from the first 12 o'clock midnight following the presentation of the subsequently presented freight bill.

(3) Freight bills for all transportation charges shall be presented to the shippers within 7 calendar days from the first 12 o'clock midnight following delivery of the freight.

of the job, and the time of arrival back at garage or office, with a notation showing the amount of time not chargeable, and an explanation as to why such time is not chargeable.

PSC 16.53 Rates, moving (other than for the United States governmental agencies). (1) **LOCAL** (a) *Definition.* Local moving rates shall apply on all local moving except that for United States governmental agencies and except where the weight of the shipment is less than 500 pounds.

(b) *Application of rates.* The hourly rates for local moving shall apply to:

1. The job time required in removing goods and loading on vehicle at premises from which goods are moved, in transportation between premises, and in unloading and placing goods at premises to which the goods are moved; and,

2. Actual driving time required in driving from carrier's office or garage to shipper's premises to start job and from shipper's premises to carrier's office or garage after completion of job, but not exceeding 15 minutes each way.

(c) *Working hours.* The basic minimum hourly rates of charge shall apply to the regular working hours in regular working days and to overtime, Sundays, and holidays unless the tariff of the mover names other rates for overtime, Sundays, and holidays.

(d) *Packing and unpacking.* The basic minimum hourly rates of charge do not apply to packing and unpacking except as such service is given immediately in connection with the actual transportation between premises. Such service given separately from such transportation shall be in accordance with such rates as are named in the filed tariffs of the mover.

(e) *Use of special equipment.* The basic minimum hourly rates do not cover the furnishing by the mover of special hampers or cases for the packing of goods, or of block and tackle or other special equipment necessary to handle unusually heavy or bulky articles. Charges for the use of such hampers, cases, or other special equipment shall be in accordance with such rates as are named in the filed tariffs of the mover.

(f) *Pianos.* The basic minimum hourly rates apply to the movement of a piano when included in the movement of a shipper's general household goods or office furniture and equipment. They apply also to the separate movement of a piano unless other rates are specifically provided in the tariffs of the mover.

(2) **LONG DISTANCE.** (a) *Definition.* Long-distance moving rates shall apply on all long-distance moving other than for United States governmental agencies. (See *Note.*)

Note: The prescribed rates shall apply from, to, or between cities and/or villages of 2,000 or greater population, and between all other points unless other rates are filed in proper tariff form.

(b) *Distance formula.* Distances for the application of long-distance moving rates shall be determined by the use of the airline-distance principle as published in Household Goods Tariff No. 1, issued by the commission on November 4, 1939.

(c) *Determination of Shipment Weights.* 1. The weight for the computation of charges shall be the actual total net weight of a single

shipment whether or not carried on one or more loads. All shipments upon which the rate is based on weight shall be weighed at point of origin or at the first available certified scale en route. The scale ticket shall show the gross, tare, and net weight. The tare weight shall be the weight of the vehicle with gas tank full and of all pads and hoisting and other equipment necessary for handling the shipment but not including the weight of the crew.

2. If no certified scale is available at time of movement at origin, destination, or en route, charges shall be computed on an estimated weight of 7 pounds per cubic foot applied to the number of cubic feet of space on the vehicle actually occupied by the shipment.

3. The bill of lading for a shipment moved on such estimated weight shall bear a notation to show that the weight is estimated and shall also show the time of completion of loading at point of origin and of commencement of unloading at point of destination.

4. In the transportation of part loads the requirements of the preceding subdivisions (1, 2, and 3.) shall apply in all respects except that the gross weight of the vehicle containing one or more part loads shall be used as the tare weight of such vehicles as to part loads subsequently loaded thereon.

(d) *Exclusive use of a single vehicle.* Where a shipper orders the exclusive use of a single vehicle, charges shall be based on the actual weight of the shipment subject to a minimum weight based on 7 pounds per cubic foot of total vehicle space, subject to the following conditions:

1. The bill of lading and freight bill shall be marked or stamped "EXCLUSIVE USE OF A SINGLE VEHICLE ORDERED BY SHIPPER, SHIPMENT MOVING AT WEIGHT OF ----- POUNDS. ACTUAL WEIGHT ----- POUNDS. SIZE OF VEHICLE USED ----- CUBIC FEET."

2. The number of cubic feet of van space shall be legibly displayed on each side of the vehicle used by the carrier in rendering service provided under this paragraph (d).

(e) *Application of rates.* Charges computed on the basic long-distance moving rates permitted by the commission shall be the only charges assessed on shipments except as additional charges may be provided for in the tariffs of the mover for the following services (each of such additional charges shall be shown as a separate item on the bill of lading for the shipment):

1. For the removal of goods from, or delivery to, the third floor, or higher, where the main living or office quarters are so situated. Such charge shall not apply where there is a complete removal from, or delivery to, a single family dwelling, or where adequate elevator service is available for use.

2. For the handling of heavy or bulky articles necessitating the use of hoisting or rigging apparatus, and for labor for the handling, loading, and unloading of single articles weighing 1,000 pounds or over, furnished by the carrier on written request of the shipper.

Note: It is considered the obligation of the shipper to supply the extra man or men, for the handling of single articles weighing 1,000 pounds or over, but if at the written request of the shipper the extra man or men and the materials are supplied by the carrier, accessorial charge may be assessed therefor.

3. For risk assumed by mover on account of valuation declared by shipper in excess of 30 cents per pound.

4. For labor and materials furnished for packing or otherwise preparing goods for shipment to the extent ordinarily considered necessary for their safe transportation by motor truck van.

5. For extra labor or other extra costs resulting from delays, or charges for storing goods in warehouse occasioned by the failure of the shipper to notify the mover before the shipment is made of the inaccessibility, at the time of shipment, of the building to which delivery is to be made.

Note: The mover should be presumed to have knowledge of general highway conditions between cities and villages, but not of a condition of the local streets or highway giving immediate access to the building where delivery is to be made, or a condition on the premises which would make delivery impossible or unduly hazardous, or entail an unduly great expenditure of labor in the delivery of goods from van to building.

6. For split pickup or split delivery or preliminary pickup of part of the shipment.

PSC 16.54 Shipments moving at owner's risk; prohibited shipments.

(1) The mover may refuse to handle except at the owner's risk, articles of jewelry, money, deeds, notes or other valuable papers, postage or revenue stamps, precious metals, stones or articles manufactured therefrom, or other articles of extraordinary value.

(2) The carrier may refuse to accept for shipment, except at owner's risk, refrigerators, deep-freeze cabinets, radios, record players, washing machines, television sets, or other articles requiring special servicing unless the shipper shall have had such articles properly serviced prior to loading.

(3) Explosives, acids, or other dangerous or corrosive substances, or articles of an offensive nature which may cause damage to property or the mover's equipment, either packed separately or in containers with household goods, shall not be accepted under any circumstances.

PSC 16.55 Tariffs. (1) All contract motor carriers performing either local or long-distance moving under licensed authority shall keep on file with the commission in approved form a tariff showing the actual rates and charges applied to such services, and for any accessorial services offered to the extent permitted under the commission's outstanding orders in docket MC-1, Sub. 2 as indicated in section PSC 16.53 (2) (e) 1. through 6.

(2) No carrier shall charge, demand, collect, or receive a greater or less or different compensation for the service performed than that provided by the carrier's tariff legally established and filed with the public service commission.