

Chapter OCT 2

MOTOR CARRIERS

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Note: Chapter TC 2 was renumbered ch. OCT 2 effective September 1, 1986.

OCT 2.001 Definition. For purposes of this chapter:

(1) "Office" means the office of the commissioner of transportation.

History: Cr. Register, August, 1986, No. 368, eff. 9-1-86.

OCT 2.01 Applications for motor carrier authority. (1) Applications for motor carrier authority may be obtained from the Office of the Commissioner of Transportation, Hill Farms State Transportation Building, 4802 Sheboygan Avenue, P.O. Box 7957, Madison, Wisconsin 53707-7957.

(2) The applications shall include the following information:

(a) The name or names of the applicant as shown on the certificate of insurance required by ch. Trans 176 to be filed with the Wisconsin department of transportation, their social security number and date of birth.

(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. If the applicant or its principals have been convicted of a felony within the past 5 years, a summary of the circumstances of the conviction. This summary shall include the offense involved, where the offense took place and the name of the court which rendered the verdict, the disposition of the case or present status of the convicted applicant or its principals and any other relevant information concerning the conviction.

(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 retained permanently by the office.

History: Cr. Register, October, 1982, No. 322, eff. 11-1-82; am. (1), (2) (a) and (c), r. and recr. (4), Register, August, 1986, No. 368, eff. 9-1-86.

OCT 2.015 Review of and determination on applications. (1) If a "complete application" is received by the office, review and final determination shall be made within 10 working days. The time period specified in

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this subsection shall be calculated beginning the day the complete application is received by the office.

(2) If an application is received by the office which is incomplete in some manner, the applicant shall be notified. The notification shall explain why the application is incomplete and indicate what actions are necessary to be taken by the applicant. The applicant shall have 45 days from the date of notification by the office to complete the application. If the application is completed within the time period specified in this subsection, then review and determination as provided for in sub. (1) shall occur. If the application is not completed within the time period specified in this subsection, then the application and all supporting materials will be returned to the applicant.

(3) For purposes of this section, "complete application" means an application:

- (a) Which contains all the information required in s. OCT 2.01 (2);
- (b) On which the department of transportation has indicated that the insurance requirements of ss. 194.41 and 194.42, Stats., have been fulfilled;
- (c) Which indicates compliance with the fitness and ability requirements of ch. 194, Stats.; and
- (d) Which is accompanied by the appropriate fee as set forth in s. 194.04, Stats.

History: Cr. Register, August, 1986, No. 368, eff. 9-1-86.

OCT 2.02 Change of address. A carrier authorized under ch. 194, Stats., shall notify the office 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; am. Register, August, 1986, No. 368, eff. 9-1-86.

OCT 2.025 Corporate name change. A carrier authorized under ch. 194, Stats., which changes its corporate name shall file a copy of the articles of amendment or restated articles of incorporation filed in the office of the secretary of state pursuant to s. 180.54 or 180.827, Stats. Upon receipt of the documents required in this section, the office shall issue an amended authority in the new corporate name. No fee shall be charged for issuance of an amended authority under this section.

History: Cr. Register, August, 1986, No. 368, eff. 9-1-86.

OCT 2.03 Modification or transfer of ownership. (1) A carrier authorized under ch. 194, Stats., shall file an amended application which indicates a modification or transfer of ownership prior to the modification or transfer becoming effective if:

- (a) In the case of a sole proprietorship,
 1. A partnership is created;
 2. A corporation is organized; or
 3. A transfer is made to the transferor's spouse
- (b) In the case of a partnership,