



PSC 60

PUBLIC SERVICE COMMISSION OF WISCONSIN

STATE OFFICE BUILDING  
MADISON 2, WISCONSIN

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EDWARD T. KAVENY, SECRETARY

November 2, 1962

FILE NO. MC-1227

Mr. James J. Burke  
Revisor of Statutes  
State Capitol  
Madison, Wisconsin

Investigation of Interchange and Leasing  
of Motor Vehicles by Common Motor Carriers  
of Property or of Passengers or by Contract  
Motor Carriers

Dear Sir:

Pursuant to Section 227.023, Wisconsin Statutes, we are enclosing a certified copy of the order of November 2, 1962 in the above entitled matter repealing PSC 60.01(1), Amending PSC 60.02(6), PSC 60.03(1), (2), (4), and (5), and creating PSC 60.03(3a), amending PSC 60.04(1), and repealing and recreating PSC 60.05, and repealing PSC 60.08, Wisconsin Administrative Code.

Very truly yours,

*Edward T. Kaveny*  
Secretary

mcb

*Filed Nov 2-1962  
4:15 P.M.*

BEFORE THE

PUBLIC SERVICE COMMISSION OF WISCONSIN

STATE OF WISCONSIN )  
PUBLIC SERVICE COMMISSION ) SS

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Edward T. Kaveny, Secretary of the Public Service Commission of Wisconsin, and custodian of the official records of said commission, do hereby certify that the **annexed document in Docket MC-1227**

relating to **investigation of interchange and leasing of motor vehicles by common motor carriers of property or of passengers or by contract motor carriers** were duly approved and adopted by this Commission on **November 2, 1962**

I further certify that said copy has been compared by me with the original on file in this commission and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the department at the Capitol, in the city of Madison, this *2nd* day of *November* A.D. 1962.

*Edward T. Kaveny*  
Secretary

BEFORE THE  
PUBLIC SERVICE COMMISSION OF WISCONSIN

Investigation of Interchange and Leasing  
of Motor Vehicles by Common Motor Carriers  
of Property or of Passengers or by Contract  
Motor Carriers

} MC-1227

ORDER ADOPTING, AMENDING,  
AND REPEALING RULES

Notice of proposed amending, creating, and repealing of specified sections in Chapter PSC 60 was published in the September 1962 Notice Section of the Wisconsin Administrative Register. The Commission has received no petition for public hearing as provided for in section 227.02 (1) (e), Statutes.

Order

Pursuant to authority vested in the Public Service Commission by Chapter 194, Wis. Stats., the Public Service Commission hereby repeals, amends, and adopts rules as follows:

Section PSC 60.01(1) of the Wisconsin Administrative Code is repealed.

Section PSC 60.02(6) of the Wisconsin Administrative Code is amended to read:

PSC 60.02(6) Owner of motor vehicle means the person who has legal title to a motor vehicle or who has furnished evidence to the Motor Vehicle Department that a bona-fide agreement between such person and a

licensed dealer or manufacturer has been executed and includes an option to purchase such motor vehicles or the buyer under a conditional sales contract or the person who is named as the registered owner of a motor vehicle in the current records of the Motor Vehicle Department of Wisconsin or of the agency of any other state which has jurisdiction over title to motor vehicles.

Section PSC 60.03(1), (2), (4), and (5) of the Wisconsin Administrative Code is amended to read, and Section PSC 60.03(3a) is created to read:

PSC 60.03(1) Shall be in writing and signed by the parties thereto, or their regular employees or agents duly authorized to act for them in the execution of contracts, leases, or other arrangements. Must show the identification number of the motor vehicle, or if no such number has been issued, the motor or serial number properly designated.

(2) Shall provide for the exclusive possession, control, and use of the motor vehicle involved, by the authorized carrier and the complete assumption by such authorized carrier of full responsibility to the public, the shippers, the Public Service Commission, and the Motor Vehicle Department of Wisconsin during the entire period of the lease.

(3a) Shall be completed on forms, a sample copy of which form has previously been filed with the Public Service Commission.

(4) Shall be executed in triplicate. The original shall be retained by the authorized carrier, one copy shall be retained by the owner of the motor vehicle, and one copy shall be carried on the motor

vehicle specified therein during the entire period of the lease unless a certificate as provided in PSC 60.03(5) is carried in lieu thereof, and such lease or certificate shall be made available for inspection immediately upon the request of any law enforcement officer.

(5) Unless a copy of the lease is carried on the motor vehicle as provided in PSC 60.03(4), the lessee shall prepare a statement certifying that the motor vehicle is being operated by it, specifying the name of the owner, the specific description of the motor vehicle, the date of the lease, the period thereof, and any restrictions therein relative to the commodities to be transported, which certificate shall be carried with the motor vehicle while such motor vehicle is being operated by or for such lessee.

Section PSC 60.04(1) of the Wisconsin Administrative Code is amended to read:

(1) Agreement Providing for Interchange.  
A contract or other arrangement for interchange shall be made between the carrier which owns or is in legal possession of the motor vehicle and the carrier proposing to acquire the use thereof; shall be in writing and signed by the parties to the contract or agreement, or their regular employees, or agents duly authorized to act for them; shall specifically describe the motor vehicle to be interchanged, the specific point of interchange, and the use to be made of such motor vehicle by the carrier which receives it through interchange, while in its possession; shall state the consideration for the use of the motor vehicle. A copy of such agreement shall be carried on the vehicle unless a certified statement similar to that provided for in PSC 60.03(5) is carried in lieu thereof, and

such document shall be made available for inspection immediately upon the request of any law enforcement officer.

Section PSC 60.05 of the Wisconsin Administrative Code is repealed and recreated to read:

PSC 60.05 Prohibited Practice. No motor vehicle leased or interchanged under the provisions of Chapter PSC 60 may be operated by the lessee in private motor carriage unless the driver is a regular employee of the lessee.

Section PSC 60.08 of the Wisconsin Administrative Code is repealed.

The rules, amendments, and repeals contained herein shall take effect on January 1, 1963 as provided in section 227.026 (1) (b), Wis. Stats.

Dated at Madison, Wisconsin, this 2nd day of November, 1962.

By the Commission.

Edward P. Kaveny  
Secretary