

Major Provisions of the Motor Carrier Act - 1980

A. Common Carriers

1. Entry - ICC issues a certificate if applicant motor carrier is found to be fit, willing, and able to supply service and the applicant will be responsive to public need and demand. Protestants have to show the application is inconsistent with public convenience and necessity.
2. Removal of Operating Restrictions - upon request of the carrier, the ICC is required to eliminate restrictions on routes, points served, territories, and commodities of motor carrier certificates.
3. No Suspend Zone - Motor carriers can raise or lower any rate by 10 percent and the rate can not be suspended or investigated by the ICC.
4. Rule of Rate Making - Directs the ICC to permit motor carrier revenue levels that are adequate to permit well managed carriers to cover their operating costs and earn a fair return on their investment.
5. Rate Bureaus - after 1984 motor carriers can not discuss or vote on single carrier (local) rate proposals and only participating carriers can discuss and vote on joint rate proposals. All carriers in the rate bureau can discuss and vote on general rate proposals. Rate bureaus can not interfere with a carrier's right of independent action.
6. Mergers - the ICC has a maximum of 240 days to conclude evidentiary proceedings. At the conclusion of evidentiary proceedings, the ICC has a maximum of 180 days to render a decision in the case. Thus the maximum allowable time is 420 days or about 14 months.
7. Financial - Mandatory liability insurance minimum of \$750 thousand for all commercial carriers and \$5 million for all carriers transporting hazardous materials.

B. Contract Carriers

1. Entry - entry made easier, applicants only have to pass a fit, willing, and able test.
2. The Rule of Eight was eliminated
3. Pricing - minimum rate regulation is retained

C. Dual Operations

1. No limitations on dual operations

D. Exemptions and Private Carriers

1. Exemptions - Many more items were added to the list of exempt agricultural commodities. Also motor carrier movements incidental to air cargo are exempt.
2. Agricultural Coops - have an exemption for hauling up to 25 percent of their total interstate tonnage in non-member, non-agricultural goods.
3. Private Carriers - have an exemption for intercorporate hauling for compensation for 100 percent owned subsidiaries. Firms involved in intercorporate hauling for compensation have to notify the ICC.