

HCS SCS SB 961 -- MOTOR CARRIERS

SPONSOR: Ridgeway (St. Onge)

COMMITTEE ACTION: Voted "do pass" by the Committee on Transportation by a vote of 13 to 0.

This substitute makes an indemnity agreement in a motor carrier transportation contract void and unenforceable if it purports to indemnify a party against loss from negligence or intentional acts. A motor carrier transportation contract cannot include the Uniform Intermodal Interchange and Facilities Access Agreement administered by the Intermodal Association of North America or other agreements providing for the interchange, use, or possession of intermodal chassis or other intermodal equipment.

A common carrier of household goods is allowed to file an application with the Highways and Transportation Commission for the approval of rates which reflect increases and decreases in the carrier's costs. The filing of the applications will be governed by similar rules that govern rate adjustments requested by electrical, gas, or water companies. Beginning January 1, 2007, the substitute repeals the exemption that allows household goods carriers to operate wholly in municipalities, between contiguous municipalities, or in commercial zones without obtaining operating authority from the Department of Transportation. Currently, household goods carriers are exempt from the rules and regulations of Chapter 390, RSMo, if their operations are restricted to those specific areas.

FISCAL NOTE: No impact on state funds in FY 2007, FY 2008, and FY 2009.

PROPOSERS: Supporters say that many states are adopting similar indemnity agreement language.

Testifying for the bill were Senator Ridgeway; and Missouri Motor Carriers Association.

OPPOSERS: There was no opposition voiced to the committee.

Robert Triplett, Legislative Analyst