

Title 7—DEPARTMENT OF TRANSPORTATION
Division 265—Motor Carrier and Railroad Safety
Chapter 10 – Motor Carrier Operations

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SECRETARY OF STATE
ADMINISTRATIVE RULES

PROPOSED AMENDMENT

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7 CSR 265-10.015 Application Requirements for the Issuance and Transfer of Intrastate Motor Carrier Authority. The Missouri Highways and Transportation Commission is amending sections (3) and (8); and deleting section (7).

PURPOSE: This proposed amendment updates language regarding proper registration and removes unnecessary language regarding transfers.

(3) Required Documentation. The commission shall not consider for final determination the request of the applicant until the commission has received the following required documentation:

(A) Completed application form;

(B) Filing of proof of insurance in accordance with the requirements of section 390.126, RSMo, and commission rules 7 CSR 265-10.030 and 7 CSR 265-10.035;

(C) Payment of vehicle licensing fees in accordance with section 390.136, RSMo, and commission rule 7 CSR 265-10.020;

(D) Confirmation that the applicant is properly registered and in good standing as required by law with the Office of the Missouri Secretary of State;

(E) Filed an approved tariff and time schedule for the transportation of passengers other than in charter service;

(F) *[A completed form for the issuance of a USDOT number by the commission]* **Confirmation that the applicant is properly registered with the USDOT;**

(G) A copy of each executed contract for every contracting party listed in the application; and

(H) *[Proof]* **Certification** of workers' compensation coverage.

(7) *[The commission shall dismiss on its motion any application for substantially the same common authority that has been previously denied within six (6) months of filing the subsequent application.]*

(8) *[Transfers—Commission staff's review of each proposed transfer of a certificate or permit shall include a consideration of how the proposed transfer will affect the transferor's and transferee's other operating authority, if any. In issuing the transfer request, commission staff shall apply the principles of merger with reference to duplicated or overlapping authority as provided in 7 CSR 265-10.090 or to] may correct spelling, typographical, grammatical, or format errors without altering the substance of the authority. [If any objections are timely-filed to the commission concerning the certificate(s) or permit(s) issued and cannot be resolved, the matter will be sent to the Administrative Hearing Commission for a hearing and final determination.]*

*AUTHORITY: section 622.027, RSMo 2000, and section 226.008, RSMo Supp. 2013. * This rule originally filed as 4 CSR 265-2.060. Emergency rule filed June 14, 1985, effective July 1, 1985, expired Oct. 28, 1985. Original rule filed Aug. 1, 1985, effective Oct. 29, 1985. Emergency amendment filed Aug. 1, 1986, effective Aug. 13, 1986, expired Oct. 27, 1986. Amended: Filed July 31, 1986, effective Oct. 27, 1986. Emergency rescission filed Oct. 3, 1986, effective Oct. 23,*

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1986, expired Dec. 11, 1986. Amended: Filed Nov. 2, 1987, effective Feb. 11, 1988. Emergency amendment filed Sept. 21, 1988, effective Oct. 1, 1988, expired Dec. 29, 1988. Amended: Filed Oct. 17, 1988, effective Dec. 29, 1988. Amended: Filed May 17, 1989, effective Sept. 11, 1989. Emergency amendment filed Nov. 4, 1992, effective Nov. 14, 1992, expired March 13, 1993. Emergency amendment filed March 3, 1993, effective March 13, 1993, expired July 10, 1993. Amended: Filed Nov. 4, 1992, effective July 8, 1993. Emergency amendment filed Dec. 1, 1994, effective Dec. 11, 1994, expired Dec. 19, 1994. Emergency amendment filed Dec. 20, 1994, effective Jan. 1, 1995, expired April 30, 1995. Emergency amendment filed April 20, 1995, effective May 1, 1995, expired Aug. 28, 1995. Emergency rule and rescission filed Aug. 18, 1995, effective Aug. 29, 1995, expired Feb. 24, 1996. Rescinded and readopted: Filed Aug. 3, 1995, effective Feb. 25, 1996. Emergency amendment filed Aug. 16, 1996, effective Aug. 28, 1996, expired Feb. 23, 1997. Emergency amendment filed Sept. 13, 2007, effective Oct. 3, 2007, expired March 30, 2008. Moved and amended: Filed Sept. 13, 2007, effective March 30, 2008. Rescinded and readopted: Filed May 2, 2013, effective Dec. 30, 2013. Amended: Filed October 14, 2016.

**Original authority: 622.027, RSMo 1985, amended 1993, 1995 and 226.008, RSMo 2002.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Transportation, Pam Harlan, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*