ALABAMA PUBLIC SERVICE COMMISSION
ADMINISTRATIVE CODE

CHAPTER 770-X-10
MOTOR CARRIER GENERAL ORDERS RULES AND REGULATIONS PAMPHLET NO. 2003

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770-X-10-.01-.01 **Scope And Repealer.**

The rules and regulations hereinafter set forth shall govern persons subject to the Alabama Motor Carrier Act, as amended, whether such persons hold a Certificate of Public Convenience and Necessity, a permit, a license or a certificate of registration issued by this Commission or whether such persons hold no such authority, except the rules limited in application to a class or to classes of such persons shall govern only such class or classes of persons.

Author: Alabama Public Service Commission

Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.

History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the

Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.01-.02 **Scope And Repealer.**

All prior rules and regulations adopted by this Commission governing persons subject to the Alabama Motor Carrier Act, as amended, except Rules of Practice governing proceedings before the Commission not inconsistent herewith, are hereby expressly superseded and repealed.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.01-.03 **Definitions.**

(1) Adoption of Statutory Definitions - The words and phrases defined in Section 37-3-2, Code of Ala. 1975, as amended, shall be construed to have the same meaning in these rules and regulations.

(2) Power Unit - The term "power unit" means a self-contained vehicle designed for over-the-road operations under its own power. Included in this term are straight trucks, tractors designed to tow semi-trailers, and other self-propelled vehicles.

(3) Dump Truck and Dump Trailers - The term "dump truck" means a single-unit, self-propelled vehicle equipped with an open-top cargo bed, and designed to unload cargo by lifting the front of the cargo bed and permitting the cargo to discharge out of the back of the cargo bed. A "dump trailer" is a semi-trailer designed to carry and unload cargo like a dump truck. The character of a dump truck or dump trailer is not affected by the use of a tarpaulin to cover the cargo.

(4) Taxi Carrier - The term "taxi carrier" means a common carrier of passengers, but not more than five passengers and their baggage at one time.

(5) Compensation - Compensation includes, but is not limited to, money, checks and other instruments, promissory notes and other acknowledgments of debt, avoidance of expenses, the expectation of other business, creation of goodwill, maintaining the going concern value of an enterprise, avoidance of risks, payment of expenses, and any other benefit derived by the provider of transportation.
Author: Alabama Public Service Commission

Statutory Authority: Code of Ala. 1975, §37-3-7.
History: Effective January 1978. Amended January 1986. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.02 Transportation For Compensation.

Persons subject to the Alabama Motor Carrier Act, as amended, include those persons who transport passengers or property by motor vehicle in intrastate commerce, and in Alabama in interstate commerce, for compensation, except persons engaging in transportation or transporting commodities who or which are exempted by the terms of that Act, as amended. Persons engaged in non-exempt transportation for compensation include, but are not limited to:

(1) Persons who receive direct compensation for transporting passengers or property.

(2) Persons who receive compensation for transporting under a "buy-sell" arrangement. This determination will be made under the "Primary Business Test" used by the Federal Motor Carrier Safety Administration and the Federal Courts. Under this test a person is engaged in transportation for compensation notwithstanding the "buy-sell" arrangement if:

(a) That person's primary business is transportation for compensation. Some of the factors which indicate such a primary business are:

1. Operation under a name which indicates a carrier enterprise.

2. Advertising or holding out for transportation and/or the absence of advertising or holding out to provide other than transportation.

3. Investment principally in transportation facilities and equipment and/or the absence of substantial investment in other facilities and equipment, especially those which would indicate a non-carrier enterprise.

(b) That person's primary business is other than transportation for compensation, but this arrangement and those operations are not in a bona fide furtherance of this business and are engaged in with the purpose of receiving compensation for the transportation performed.

Some of the factors which indicate a person is within either (9) or (ii) above include:

1. Orders for the commodity are received prior to the purchase.

2. Warehousing or storage facilities are not usually and regularly utilized for this operation.

3. The commodity is usually and regularly delivered directly from the supplier to the customer.

4. The person assumes no substantial risk of fluctuation in the price of the commodity.

5. The person performs no real service other than transportation from which it can receive compensation.

6. The movement of the commodity is coordinated with the movement in the opposite direction of other commodities.

7. Authorized carriers for hire are never engaged to effect delivery of the commodity.

The primary business of carriers who hold authority from this Commission is considered to be trucking.

(3) Persons who rent or lease a vehicle or vehicles and provide operators or drivers to a merchant, manufacturer, dealer, shipper or consignee. Factors which indicate that transportation for compensation is being performed include:

(a) The lessor or rentor also uses the equipment to haul for third parties.

(b) The lessor or rentor assumes responsibility for safe delivery of the cargo or furnishes cargo insurance.

(c) The lessee does not recognize liability for operation of the leased vehicle on the highways, and the lessor furnishes public liability and property damage insurance.

(d) The lessor or rentor is compensated under an arrangement which indicates a normal transportation charge instead of a charge for the use of a leased or rented vehicle.

(e) The lessor issued receipts or bills of lading for the contents of the cargo transported on the leased vehicles.

(f) The lessor arranges for the segregation of the driver's wages and has the lessee pay it, and then credits the amount of such wages on agreed total compensation to lessor from the lessee.

(g) The lessor exercises the principal control over the drivers or operators of the vehicles.

(h) The driver's daily logs are submitted first to the lessor, and later transmitted to the lessee, if ever.

For a merchant, manufacturer, dealer, shipper or consignee to be exempt in transporting goods in a leased vehicle there must be a bona fide long-term lease of the vehicle, the operator of the vehicle must be a bona fide employee of such person, such person must assume and have control of and responsibility for the operation of the vehicle, and such person must significantly shoulder the burdens of transportation.

(4) Persons who rent or lease a bus or other passenger vehicle for the duration of a trip or tour and either drive the vehicle, provide the driver for the vehicle, or arrange for a driver for the vehicle.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Amended January 1981. Amended January 1986. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.02-.01 Contiguous Municipalities.

(1) A motor vehicle for hire is within the jurisdiction of this Commission, and not within that exemption in Section 37-3-4(a)(1)b, Code of Ala. 1975, if it is used to transport passengers or property for compensation from within the corporate limits or police jurisdiction of a municipality to a point within the corporate limits or police jurisdiction of another municipality whose corporate limits or police jurisdiction does not join, and is not contiguous with, the corporate limits or police jurisdiction of the municipality where the transportation originated, or if the transportation originates or terminates outside the corporate limits or police jurisdiction of any municipality.

(2) In determining whether a motor vehicle is within the exemption in Section 37-3-4(a)(1)b of the Code of Ala. 1975, the police jurisdiction of a municipality will not be construed as extending into another municipality, or as overlapping the police

jurisdiction of another municipality. Where police jurisdictions would otherwise overlap, the police jurisdiction will be construed as extending only to a common line.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-4, 37-3-7.
History: Effective January 1978. Amended January, 1981. Amended January, 1986. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.02-.02 Exempt Commodities.

Hauling for hire of the following commodities is exempt from the jurisdiction of this Commission by the Alabama Motor Carrier Act, as amended:

Milk	Poles
Livestock	Pulpwood
Coal	United States Mail
Coke	Newspapers
Logs	Magazines
Lumber	Peanuts
Cotton in Bales	Potatoes
Cottonseed	Any other agricultural commodity, but not manufactured products thereof
Fertilizer (liquid or dry)	

The Attorney General has issued opinions concerning the exempt status of the following commodities:

Poultry, live, fresh and frozen dressed.	Exempt
Plywood and particleboard	Not Exempt
Liquid nitrate of ammonia	Exempt if to be used as a Fertilizer
Sulfuric Acid	Not Exempt
Creosoted poles	Not Exempt
Cotton Waste from a Factory	Not Exempt
Pulpwood chips	Exempt
Limestone, to be pulverized into agricultural limestone	Exempt

The Commission has rules that hauling for hire of the following commodities is not within its jurisdiction:

Wood chips	Bark
Shavings	Hogged wood
Sawdust	Veneer, untreated, rotary cut
Lumber, kiln dried	

NOTE 1: Compensated intercorporate hauling is not exempt from this Commission's jurisdiction.

NOTE 2: Pickup and delivery by motor vehicle of air freight shipments is not exempt from this Commission's jurisdiction.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-4, 37-3-7.
History: Effective January 1978. Amended January 1981. Amended January 1986. Amended July 1989. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.02-.03 Exemption For Wrecker Services.

The jurisdiction of this Commission does not include jurisdiction over wrecker service, including towing wrecked or disabled motor vehicles; towing abandoned, stolen, repossessed or replacement vehicles; towing wrecked or disabled trailers or mobile homes; or other, traditional wrecker service.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-4, 37-3-7.
History: Effective August 2003. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.03 Identification Of Vehicles.
Author:
Statutory Authority:
History:

770-X-10-.03-.01 Taxis.
Author:
Statutory Authority:
History:

770-X-10-.03-1-.01 Intrastate Only.

All intrastate-only common carriers of passengers in vehicles with a capacity of five passengers or less shall display on each side of each vehicle the following:

(1) Business name under which the certificate was issued.

(2) City and state from which operating authority is determined.

(3) "APSC Cert." followed by the carrier's certificate number.

(4) "APSC Reg. No." followed by the registration number issued by the Commission for the vehicle.

(5) Schedule of fares. The above shall be legibly painted directly on the sides of the vehicle in a contrasting color in letters not less than 1-1/2 inches in size; provided, however, that placards may be used when and as permitted in 770-X-10-.03-2. A common carrier shall not display on the sides of its vehicles any business, trade or fictitious name in larger lettering or more prominently than the business name under which the certificate was issued.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7
History: Effective January 1978. Amended January 1986. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.03-1-.02 Intrastate And Interstate.

All common carriers of passengers in vehicles with a capacity of five passengers or less, who operate in Alabama in both intrastate and interstate commerce, shall comply with 770-X-10-.03.01, above, and 770-X-10-.03-2.01, below.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7
History: Effective January 1986. Amended April 1986. Amended January 1989. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.03-1-.03 Interstate Only.

All interstate-only common carriers of passengers in vehicles with a capacity of five passengers or less shall comply with 770-X-10-3-2.01, below.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1986. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.03-1-.04 Contract Carriers.

All contract carriers of passengers in vehicles with a capacity of five passengers or less, who are not also common carriers of passengers, shall comply with the applicable provisions of 770-X-10-3-2, below. Such contract carriers who are also common carriers of four passengers in vehicles with a capacity of five passengers or less, shall comply with the applicable subdivision of Rule 3.1, above.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1986. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.03-.02 Other Vehicles.
Author:
Statutory Authority:
History:

770-X-10-.03-2-.01 Cab Cards And Stamps.

(1) All motor carriers that have operations in interstate commerce within the borders of Alabama that are exempt from the jurisdiction of the Federal Motor Carrier Safety Administration but not exempt under the Alabama Motor Carrier Act shall comply with these provisions concerning cab cards and stamps.

(2) All interstate motor carriers described in (a), next above, shall obtain a cab card from the NARUC, P. O. Box 684, Washington, D.C. 20044, for each vehicle it operates in this state. Such carriers shall duly complete the cab card by filling in the required information in the blanks on the certificate printed on the card, including the expiration date.

(3) The expiration date shall be February first of the year following the year for which the stamp was issued; provided, however, that in the case of a vehicle leased by the motor carrier under a lease agreement that is not automatically renewed, the expiration date shall be the day after the expiration date of the lease.

(4) The cab card shall be maintained in the cab of the vehicle for which it was prepared whenever the vehicle is operated under the authority of the carrier identified in the cab card. Such cab card

shall not be used for any vehicle other than the one for which it was originally prepared, except when and as permitted by subsection (e), next below.

(5) A motor carrier shall destroy a cab card immediately upon its expiration; provided, however, that a motor carrier discontinuing the use of a vehicle for which a cab card has been prepared may nullify the certificate on the face of that card by entering the date it terminated use of that vehicle, and transfer the stamp on that cab card to a newly-acquired vehicle as follows:

(a) Such carrier shall prepare a cab card for the newly-acquired vehicle by filling in the required information in the blanks on the certificate printed on the card, including the expiration date; and

(b) Such carrier shall affix the cab card prepared for the newly-acquired vehicle to the front of the cab card prepared for the discontinued vehicle, by permanently attaching the upper left-hand corners of both cards together in such a manner as to permit inspection of the contents of both cards.

(6) The cab card shall have an identification stamp issued by this Commission attached to it in such a manner that it cannot be removed without defacing it. The stamps are issued for a fee of $6.00 per stamp. Stamps will not be issued prior to October 1st of the year preceding the year for which they are issued.

(7) An identification stamp and the cab card to which it is attached will be effective, while the vehicle is operated by the named carrier, from October 1st of the year preceding the year for which the stamp was issued, through January 31st of the year following the year for which the stamp was issued.

(8) A cab card shall, upon demand, be presented to any authorized Commission personnel for inspection.

(9) Cab cards shall be maintained in a legible condition, and shall not have been altered or corrected. If an Enforcement Officer finds that a cab card has been altered or corrected or is illegible or mutilated, the officer will mark across the Alabama identification stamp and write "Alabama void" on the cab card. The vehicle shall not be operated subsequently in Alabama without a new cab card and stamp.

(10) An identification stamp shall not be reproduced.

(k) In lieu of a cab card and stamp, a motor carrier may obtain, and have in the cab of a vehicle, a trip permit or a spot lease decal. A trip permit or spot lease decal shall be effective for a period of seven consecutive calendar days.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7

History: Effective January 1986. July January 1986. Amended August 2003. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.03-2-.02 Single State Registration Receipts.

(1) All motors carriers that have operations in interstate commerce within the borders of Alabama under a certificate of public convenience and necessity and/or a permit issued by the Federal Motor Carrier Safety Administration shall comply with these provisions concerning Single State Registration Receipts.

(2) All motor carriers described in 770-X-10-3-2.02(1) who maintain their principal place of business in Alabama shall select Alabama as their registration state under the Single State Registration System. Carriers who maintain their principal place of business in a state which does not participate in the Single State Registration System may elect Alabama as their registration state provided Alabama is the participating state in which such carrier will operate the largest number of motor vehicles during the next registration year. For purposes of this rule, a carrier's principal place of business shall be the state in which the carrier maintains its headquarters and where it maintains or can make available its operational records.

(a) Carriers utilizing Alabama as their registration state shall file annually registration applications on uniform Single State Registration Forms. Such application shall be filed between the first day of August and the thirtieth day of November of the year preceding the registration year which shall be the calendar year. A carrier that has changed its registration state since its last filing must identify the registration state with which it previously filed. A carrier that intends to commence operating during the current registration year may register at any time, but it must do so before it commences operating.

(b) Along with their uniform applications for Single State Registration, motor carriers utilizing Alabama as their registration state shall file, or cause to be filed, the following:

1. Copies of their Federal Motor Carrier Safety Administration certificates and/or permits. Carriers must supplement their filing by submitting copies of any new operating authorities as they are issued. Once a carrier has submitted copies of its authorities, it may thereafter satisfy the filing requirement by certifying that the copies are on file. A carrier granted emergency

temporary authority or temporary authority having a duration of 120 days or less is not required to file evidence of such authority, but it must otherwise comply with the requirements of this section.

2. A copy of their proof of public liability security submitted to and accepted by the Federal Motor Carrier Safety Administration under Title 49 of the Code of Federal Regulations, or a copy of an order of the Federal Motor Carrier Safety Administration approving a public liability self-insurance application or other public liability security or agreement under the provisions of that part. A carrier must supplement its filings as necessary to insure that current information is on file. Once a carrier has submitted, or caused to be submitted, a copy of its proof or Order of the Federal Motor Carrier Safety Administration, it may thereafter satisfy the filing requirement by certifying that it has done so and that its security self-insurance agreement remains in effect. Consistent with their obligations hereunder, carriers must cause to be timely filed with the Alabama Public Service Commission copies of any notices of cancellation or of any replacement certificates of insurance, surety bonds or other security filed with the Federal Motor Carrier Safety Administration under Title 49 of the Code of Federal Regulations.

3. A copy of their designation of an agent or agents for service process submitted to and accepted by the Federal Motor Carrier Safety Administration in Title 49 of the Code of Federal Regulations CFR Part 366. A carrier must supplement its filing as necessary to insure that current information is on file. Once a carrier has submitted a copy of its designation, it may thereafter satisfy the following requirement by certifying that its designation is on file.

4. A fee for the filing of proof of insurance must be submitted. Said fee to be calculated by indicating on the uniform Single State Registration application the number of vehicles the carrier intends to operate in each participating state during the next registration year, multiplied by the per vehicle fee each pertinent participating state charges. Guaranteed funds in the amount covering the total of all such fees shall be submitted. There will be no prorating of fees to account for partial year operations.

(3) A carrier must make supplemental filings at any time during the registration year as may be necessary to specify additional vehicles and/or states of operation and to pay additional fees.

(4) Upon each carriers compliance with the annual or supplemental registration requirements set out in 770-X-10-.03-2.02(b), the Commission will issue the carrier a receipt reflecting that the carrier has filed the required proof of insurance and paid all required fees. Said receipt will identify the carrier and specify the states for which fees were paid. Supplemental receipts issued will contain only information relating to their underlying supplemental registrations. All receipts shall expire at midnight on the thirty-first day of December of the registration year for which they were issued.

(5) A carrier is permitted to operate its motor vehicles only in those participating states with respect to which it has paid appropriate fees.

(6) A motor carrier may make copies of receipts only to the extent necessary to maintain in each of its motor vehicles a copy(ies) of its receipt(s), indicating that it has filed the required proof of insurance and paid the required fees.

Motor carriers may not alter a receipt or a copy of a receipt.

(7) The driver of a motor vehicle must present a copy(ies) of a receipt(s) for inspection by any authorized Alabama Public Service Commission personnel on reasonable demand.

(8) All motor carriers described in 770-X-10-.03-2.02(a) above who are required to select another state participating in the Single State Registration System as their registration state shall comply with the above requirements in their registration state and submit to their registration state the fees for all vehicles which will be operated within the borders of Alabama.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-22.
History: Effective September 1994. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.03-2-.03 Unified Carrier Registration.

(1) All Motor Carriers, Motor Private Carriers, Freight Forwarders, Brokers and Leasing Companies that operate in Interstate Commerce within the borders of Alabama shall comply with these provisions regarding Unified Carrier Registration.

(2) All Motor Carriers, Motor Private Carriers, Freight Forwarders, Brokers and Leasing Companies described in 770-X-10-3-2-.03(a) shall select their registration state in

accordance with the provisions of the Unified Carrier Registration Agreement then in effect.

(3)(a) Entities utilizing Alabama as their registration state shall annually file registration applications on approved Unified Carrier Registration forms. Such applications should be filed no later than the 30th day of November of the year preceding the registration year which shall be the calendar year, or sixty (60) days after the annual UCR fees are set by the U. S. Department of Transportation, whichever is later. A carrier that intends to commence operating during the current registration year may register at any time, but it must do so before it commences operating.

(b) Along with the uniform application for Unified Carrier Registration, entities utilizing Alabama as their registration state shall file or cause to be filed a fee as set by the U. S. Department of Transportation. Said fee shall be calculated in accordance with the instructions accompanying the Unified Carrier Registration form and the Unified Carrier Registration Agreement. Funds shall be submitted in the form of a money order or cashier's check. There will be no prorating of fees to account for partial year operations.

(4) Upon compliance with the annual registration requirements set out in 770-X-10-3-2-.03(c), the Commission will issue a receipt reflecting that the entity has filed the required forms and paid all required fees.

(5) An entity may make copies of receipts to the extent necessary to maintain in each of its motor vehicles a copy of its receipt, however, it is not required to maintain a copy of the receipt in the motor vehicle.

(6) The driver of a motor vehicle may present a copy of a Unified Carrier Registration receipt for inspection by any authorized Alabama Public Service Commission personnel as proof of compliance with this section.

(7) All entities described in 770-X-10-3-2-.03(a) above who are required to select another state participating in the Unified Carrier Registration plan as their registration state shall comply with the requirements in their registration state and submit to their registration state the required fees before operating within the borders of Alabama.

(8) All Motor Carriers, Motor Private Carriers, Freight Forwarders, Brokers, and Leasing Companies ("UCR Registrants") domiciled in Alabama and required to register with the Unified Carrier Registration system shall preserve the UCR records upon which the annual application and renewal are based, including registration receipts, for a period of three (3) years from the due date or filing date, whichever is later, plus any time period

included as a result of Commission order. Said records shall be maintained at the UCR Registrant's place of business where its business records are maintained and shall be made available for inspection by Alabama Public Service Commission employees and/or agents upon demand.

(9) Any Motor Carrier or Motor Private Carrier that excludes from its fleet size calculation commercial motor vehicles used exclusively in the intrastate transportation of property, waste, or recyclable material in accordance with 49 USC §14504a(f)(3) shall maintain a record of such excluded vehicles on such forms as prescribed by the Alabama Public Service Commission and shall make available said records to Alabama Public Service Commission employees and/or agents upon demand.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-32.1.
History: Effective May 2008. Amended August 2010. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.03-2-.04 External Identification.

(1) All motor carriers who hold a certificate or a permit issued by this Commission, and who are not included in 770-X-10-3-2-.01(a) and 770-X-10-.03-2-.02(a) except common carriers of passengers in vehicles with a capacity of five passengers or less, shall display on each side of each power unit the following:

(a) The business name under which the certificate or permit was issued.

(b) The name of the city where the carrier's principal place of business in this state is located.

(c) "APSC Cert." followed by the carrier's certificate number if a common carrier; "APSC Permit" followed by the carrier's permit number, if a contract carrier only.

NOTE: Certificate numbers may be located within the cab of the vehicles of the carriers, in lieu of being placed on the outside of the vehicles.

(d) "APSC Reg. No." followed by the registration number issued by the Commission for that power unit.

All the above shall be legibly painted directly on the sides of the power unit, in a contrasting color in letters not less than 2 inches in size, provided that this information may be displayed by using self-adhesive signs or placards, but only

if the signs or placards have been approved in writing by the Chief of the Enforcement Division, and provided that power units leased for a period of less than 30 days may display on a removable sign, placard, or device the information required in a, b, and c above. The removable sign, placard or device must be made of wood, metal, plastic or other durable material and not paper or cardboard, and must be securely fastened to the power unit. The required lettering and information shall not be placed on a fuel tank or on a portion of the vehicle designed principally to protect cargo. In addition to the above information, words, slogans, etc., may be placed on the sides of the power unit; provided, however, that no common carrier shall display any business, trade or fictitious name in larger lettering or more prominently than the business name under which the certificate was issued. No carrier shall commence operations until such time as the above rules have been complied with.

(2)(a) Motor carriers that have operations in interstate commerce within the borders of Alabama, and operate under a certificate of public convenience and necessity and/or permit issued by the Federal Motor Carrier Safety Administration or under a certificate or permit issued by this Commission and registered with the Federal Motor Carrier Safety Administration, shall comply with the regulations of the Federal Motor Carrier Safety Administration concerning external identification.

(b) Motor carriers that have operations in interstate commerce within the borders of Alabama and are exempt from the jurisdiction of the Federal Motor Carrier Safety Administration, but are not exempt under the Alabama Motor Carrier Act, shall display on each side of each power unit, in a contrasting color in letters not less than 2 inches in size, the carrier's business or trade name and the city and state where the carrier is based.

(3) All motor carriers described in 770-X-10-.03-2-.01(a) and 770-X-10-3-2-2-.02(a) who also hold a certificate or a permit issued by this Commission, except common carriers of passengers in vehicles with a capacity of five passengers or less shall, in addition to all other requirements, also display the letters "APSC" followed by the carrier's certificate or permit number, or one of them, on each side of each power unit operated in Alabama, in a contrasting color in at least 2-inch letters.

NOTE: Certificate numbers may be located within the cab of the vehicles of the carriers, in lieu of being placed on the outside of the vehicles.

(4) Registration numbers are obtained by submitting a completed Form B-2 and the statutory fee per vehicle to the Commission.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.

History: Effective January 1978. Amended January 1981. Amended January 1986. Amended January 1995. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7

770-X-10-.03-3 Decals.

(1) Except as provided in 770-X-10-3-2-.01, each power unit leased by an authorized carrier for less than 30 days shall have displayed on the left side of the front windshield a decal furnished by this Commission or a trip permit. Decals shall be effective for a period of seven consecutive calendar days. This decal shall be completed by filling in all of the information required before the power unit commences operation for the lessee.

(2) A decal under which operations are being conducted shall be surrendered to any authorized Commission personnel if such person determines that:

(a) The decal has not been correctly and completely filled in;

(b) The operations being conducted are not within the lessee carrier's authority; or

(c) The decal has been used for a period in excess of that permitted in (1) above.

(3) Record of When Decals Used - Every motor carrier who performs non-exempt transportation with a power unit or with power units leased for less than 30 days shall prepare and maintain for three (3) years a record showing the serial numbers of the decals used, and indicating when and on what power unit each decal was used. This record shall be prepared no later than the close of the business day following the day on which the decal was used.

(4) Obtaining Trip Permit - Decals are obtained by submitting a completed Form B-3 and the statutory fee per decal to the Commission.

(5) Copying Prohibited - Decals and trip permits shall not be reproduced.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-22.
History: Effective January 1978. Amended January 1981. Amended January 1986. Amended July 1989. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.03-4 **Payment For Stamps, Numbers And Decals.**

Payment for identification stamps, registration numbers and decals shall be by certified check, cashier's check or money order, except that cash will be accepted when tendered in person, only.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7
History: Effective January 1986. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.03-5 **Luxury Vehicles.**

Special provisions for external lettering on luxury passenger-carrying vehicles may be approved in writing by the Director of the Utility Enforcement Division. A request for such approval must be submitted in writing and detailed description(s) of the type(s) of vehicles to be included must be provided in or with the petition. Affected carriers shall comply with the special provisions approved.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7
History: Effective January 1986. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7. **Amended:** Published April 29, 2022. Filed with LSA April 19, 2022. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on April 19, 2022, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.04 **Insurance.**
Author:
Statutory Authority:
History:

770-X-10-.04-.01 **No Operations Without Insurance.**

No person shall transport passengers or property by motor vehicle on the highways of this State for compensation, except persons engaged in the transportation exempted by the Alabama Motor Carrier Act, as amended, unless and until there shall have been filed with and accepted by the Commission a surety bond,

certificate of insurance, proof of qualifications as a self-insurer, or other securities or agreements, in not less than the amounts prescribed in this rule, conditioned to pay any final judgment recovered against such person for bodily injuries to or the death of any person resulting from the negligent or wanton operation, maintenance or use of motor vehicles on the highways of this State, or for loss of or damage to property of others.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.04-.02 Cargo Insurance.

The minimum amount of security required to compensate shippers or consignees for loss of or damage to property belonging to shippers or consignees and coming into the possession of common carriers of property in connection with their transportation service shall be at least $5,000.00; provided, however, that if the common carrier establishes by sworn affidavit or otherwise that the maximum value of any cargo he ordinarily and regularly carriers is less than $5,000.00, the minimum amount of security required shall be equivalent to such value, but not less than $1,000.00. This provision shall not apply to persons engaged exclusively in interstate commerce.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.04-.03 General Liability Insurance.

Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

Kind of equipment	Limit for bodily injuries to or death of one person	Limit for bodily injuries to or death of all persons injured or killed in any one accident (subject to max. shown in Column 1)	Limit for loss or damage in any one accident to property of others (excluding cargo)

Passenger equipment seating 5 or less	$25,000.00	$50,000.00	$10,000.00
Passenger equipment seating 5 - 20 passengers	$50,000.00	$200,000.00	$30,000.00
Passenger equipment seating more than 20 passengers	$100,000.00	$500,000.00	$50,000.00
Equipment used exclusively in the transporta- tion of property	$100,000.00	$300,000.00	$50,000.00

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.04-.04 Brokers.

No person shall engage in the business of a broker, as defined by the Alabama Motor Carrier Act, as amended, unless and until said person shall have furnished a bond or other security approved by the Commission in an amount of not less than $10,000.00, and in such form as will insure the financial responsibility of such broker and the supplying of authorized transportation in accordance with the contracts, agreements, or arrangements therefore.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-15.
History: Effective January 1978. Amended January 1981. Amended January 1996. Amended August 2003. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.04-.05 **Qualifications As A Self-Insurer Of Other Securities Or Agreements.**

(1) Carriers Qualified with the U.S.D.O.T. - A carrier approved by the U.S.D.O.T. as a self-insurer will be approved as a self-insurer with this Commission upon providing proof of his approval as a self-insurer by the U.S.D.O.T., and upon providing a written statement under oath that this Commission will be notified of any cancellation, revocation, or other termination of the U.S.D.O.T. approval as a self-insurer.

(2) General Qualifications - A carrier will be approved as a self-insurer if such carrier furnishes a true and correct statement of his financial condition which shows net assets in the amount of five times the minimum amount of the insurance the qualifications will replace, and furnishes a written statement under oath that these assets are available to pay a final judgment rendered against such carrier and that the carrier will notify the Commission if the value of its net assets diminishes by 10 percent or more.

(3) Securities and Agreements - Securities and agreements will be approved in lieu of insurance if it is shown that such securities and agreements provide protection in the amount of five times the minimum amount of such insurance, and if the carrier furnishes a written statement under oath that these securities or agreements are available to pay a final judgment rendered against such carrier, that the carrier will not transfer or encumber these securities or agreements until 30 days actual notice has been given to the Commission, and that the carrier will notify the Commission if the value of these securities or agreements diminishes by 10 percent or more.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-18, 37-3-22.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.04-.06 **Collect-On-Delivery Bond.**

In addition to all other bonds, all common carriers by motor vehicle, other than carriers of passengers, engaged in or who transport any freight or express collect-on-delivery under the Alabama Motor Carrier Act shall file with the Commission for the protection of the consignor or consignee a collect-on-delivery

bond in the sum of $1,000.00 per shipment, such bond to be made by a surety company qualified to do business in this State.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-18.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.04-.07 Miscellaneous.

(1) The insurance policies, surety bonds, and collect-on-delivery bonds shall be written in the full and correct name of the person to whom the certificate, permit, or license is or is to be issued. In case of a partnership, all partners must be named.

(2) Collect-on-delivery bonds, surety bonds, policies of insurance and other securities and agreements shall not be cancelled or withdrawn until after thirty (30) days' notice in writing has been given to the Commission at its office in Montgomery, Alabama, by the insurance company, surety or sureties, motor carrier, broker, or other party thereto, as the case may be. The period of thirty (30) days shall commence to run from the date such notice is actually received at the office of the Commission.

(3) Policies of insurance covering bodily injury liability, property damage liability and cargo liability must be written by insurance companies permitted to transact business in this State.

(4) The Commission, at any time, may revoke its approval of any collect-on-delivery bond, surety bond, policy of insurance qualifications as a self-insurer or other securities or agreements if it finds that such security no longer complies with said Act and the reasonable and legal rules and regulations of the Commission pertaining thereto.

(5) Certificates of insurance or surety bonds which have been accepted by the Commission may be replaced by other certificates of insurance, surety bonds, or other security and the liability of the retiring insurer or surety shall be considered as having terminated as of the effective date of such replacement, provided, the said replacement certificate, bond, or other security is acceptable to the Commission and duly authorized, in writing, by the insurance carrier involved with verification of the effective date which shall not be more than thirty (30) days prior to the date of receipt by the Commission of such authorization and replacement.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-18.

History: History: Effective January 1978. Amended January 1981. Amended June 1992. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.04-.08 Holders Of Interstate Temporary Authority.

This rule shall not apply to for-hire carriers who operate in this State only under emergency or temporary authority from the Interstate Commerce Commission of ninety (90) consecutive days or less, except as required by Rule .10(5).
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-18.
History: Effective January 1978. Amended January 1981. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.04-.09 Forms.

(1) Proof that a motor carrier has obtained the necessary insurance shall be filed on the following Uniform Motor Carrier insurance forms:

Cargo Insurance: Proof a motor carrier has in force cargo insurance shall be filed on Form H.

General Liability: Proof a motor carrier has in force bodily injury and property damage liability insurance shall be filed on Form E.

Notice of Cancellation: Notice that cargo or general liability insurance will be cancelled shall be given on Form K.

(2) Proof that a motor carrier has obtained an appropriate surety bond to provide protection equivalent to insurance coverage shall be filed on the following uniform forms:

Cargo: Proof a motor carrier has in force a surety bond for cargo coverage shall be filed on Form J.

General Liability: Proof a motor carrier has in force a surety bond for bodily injury and property damage coverage shall be filed on Form G.

Notice of Cancellation: Notice that a surety bond for cargo or general liability coverage will be cancelled shall be given on Form L.

(3) Verification of Coverage - Upon written request to the motor carrier and/or insurance carrier, written verification of continued coverage shall be filed with the Commission where the Form E or Form H has been on file for over five years without being cancelled.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-18.
History: Effective January 1978. Amended January 1981. Amended January 1986. Amended July 2007. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.04-.10 Return Of Date-Stamped Copy.

A date-stamped copy of an insurance form will be returned only when a self-addressed, postage-paid envelope is provided.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-18.
History: Effective January 1986. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.05 Regulations (Rules) Governing Construction, Filing And Posting Of Tariffs Of Common Carriers Of Property And Passengers By Motor Vehicle.

Author:
Statutory Authority:
History:

770-X-10-.05-.01 Applicability.

(1) All tariffs and supplements thereto filed for Alabama intrastate application by common carriers of property and passengers by motor vehicle and agents, unless otherwise authorized by special permission of the Commission, shall conform to these regulations provided, however, that these regulations shall not apply to taxi carriers. Contract carriers of property and passengers who desire to do so may participate in tariffs of

common carriers, provided they conform to these regulations, publish actual (non minimum) rates and charges and file with the Commission a copy of all existing and future contracts to which rates and charges apply.

(2) The Commission may reject any tariff or supplement thereto which does not comply with these regulations.

(3) The Commission may, for reasons deemed sufficient, direct the reissue of any tariff, power of attorney or concurrence at any time.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-20.
History: Effective January 1978. Amended January 1986. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.05-.02 Definitions Of Terms Used In This Rule.

(1) TARIFF. "Tariff" means a publication containing the rates, charges, classification ratings, commodity lists, rules, and regulations (or any of them) published for a common carrier or carriers; it may be in the form of a rate tariff, classification of articles or commodities, or a tariff containing rules and regulations or incidental charges.

(2) SUPPLEMENT. "Supplement" means a publication containing additions to and/or changes in a tariff.

(3) LOCAL RATE-LOCAL TARIFF. The term "local rate" means a rate that applies over the lines or routes of one carrier only. "Local tariffs" are those which contain only local rates.

(4) JOINT RATE-JOINT TARIFF. The term "joint rate" means a rate that applies over the lines or routes of two or more carriers that is made by arrangement or agreement between such carriers evidenced by concurrence or power of attorney. "Joint tariffs" are those which contain joint rates.

(5) THROUGH RATE. "Through rate" means that total rate from point of origin to destination. It maybe a local or joint rate or combination of separately established rates.

(6) PROPORTIONAL RATE-PROPORTIONAL TARIFFS. The term "proportional rate" means a rate published to apply only on traffic originating and/or terminating beyond the points from and/or to which such rates apply. "Proportional tariffs" are those which contain only proportional rates.

(7) COMMODITY RATE-COMMODITY TARIFFS. The term "commodity rate" means a rate published to apply on a commodity or commodities which are specifically named or described in the tariff in which the rate is published, or in a tariff containing a list of commodities when reference is made to such tariff. "Commodity tariffs" are those which contain commodity rates.

(8) CLASSIFICATION. "Classification" means a publication containing a list of articles or commodities and the class ratings assigned thereto for the purpose of applying class rates, together with the governing rules and regulations.

(9) CLASS RATE-CLASS TARIFFS. "Class rate" means a rate which applies on any one or more of various articles assigned to the class ratings in the classification or in exceptions thereto, or in the class tariff. It does not include a so-called freight, all kinds, commodity rate which applies on commodities or articles in general and limits the scope by definition as to the maximum and/or minimum classification or exception class or rating to which they are assigned; neither does it include a so-called commodity column rate which applies on commodities according to the column number to which they are assigned and are based on the particular rate basis number applicable between points of origin and destination in class tariffs, both which otherwise have none of the characteristics of a class rate. "Class tariffs" are those which contain class rates.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-20.
History: Effective January 1978. Amended January 1981. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.05-.03 Form And Size Of Tariffs And Supplements.

(1) SIZE: PRINTING; PAPER. All tariffs and supplements thereto shall be in book, pamphlet or loose-leaf form, a size not less than 8 by 11 inches and not more than 8-1/2 by 11 inches, shall be plainly printed, mimeographed, typewritten or reproduced by other similar process on paper of durable quality and shall be clearly legible. Size limitation does not apply to mileage guides or maps as provided in 770-X-10-.05-.11.

(2) MARGIN. A margin of not less than 5/8 inch, without any printing thereon, must be allowed at the binding edge of each tariff or supplement thereto.

(3) RULED TABLES. When rates, rate basis numbers, numerals or letters are shown in tables, the tables shall be ruled if necessary for clarity.

(4) ALTERATIONS. No alteration in writing or erasure shall be made in any tariff or supplement.

(5) LOOSE-LEAF PAGE DESIGNATION

(a) Pages of loose-leaf tariffs must be consecutively numbered, employing Arabic numerals; decimal numbers and letter prefixes or suffixes may be used. (See 770-X-10-.05-.09(H)(vii). The first page following the title page shall be designated as "original page 1," and each page thereafter designated in proper numerical sequence.

(b) Revised pages shall be designated as "first revised page___" and provide the proper cancellation of the prior page.

(c) Each page shall show the APSC number in the same location as shown on the title page.

(d) Each page shall show at the top, in the center, the complete name of the issuing carrier or agent, the freight tariff number and, if the tariff is published in sections, the section number.

(e) At the bottom of each page, the date of issue shall be shown on the left-hand side, the effective date on the right-hand side, and the name and title of the issuing party and the complete street and mailing address of the carrier or agent, including the Postal ZIP Code number, in the center.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-20.
History: Effective January 1978. Amended January 1981. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.05-.04 Title Page Of Tariff Or Supplement.

(1) There shall be prepared a title page for each tariff or supplement which shall contain the following information in the order named, basically from top to bottom:

(a) APSC NUMBER. On the upper right-hand corner shall be shown an APSC number unless it is required that an ICC number be shown in this location in which event, the APSC number may be shown directly under the ICC numbers or in the upper left-hand

corner. Numbers shall run consecutively beginning with the next consecutive number in the existing series, or if no tariffs shall have been issued previously, beginning with APSC 1. Immediately under this number there shall be shown the APSC number or numbers or any tariff or tariffs cancelled thereby.

(b) SUPPLEMENT NUMBER. At the top, in the center, shall be shown the number of each supplement to a tariff. Supplements shall be numbered consecutively beginning with the numeral 1. Cancellation of supplements, if any, shall be indicated directly below the tariff number. A complete list of all supplements in effect shall be shown beginning on the left-hand side.

(c) TARIFF NUMBER. At the top, in the center, shall be shown the tariff number. Tariffs of each carrier or agent shall be numbered consecutively, except tariffs bearing a given number may be reissued under that number PROVIDED the reissued tariff bears a letter suffix (i.e. Tariff No. 1-A, etc.). Cancellation of the prior issue or issues shall be shown directly below the tariff number.

(d) NAME OF CARRIER OR ISSUING AGENT. On the upper central portion of the title page shall be shown the name of the issuing carrier or agent. If the carrier's name is used, it shall be shown in the identical manner as set forth in its Certificate of Convenience and Necessity (or Permit) issued by the Alabama Public Service Commission and shall be followed by the carrier's certificate (or permit) number or numbers.

(e) KIND OF TARIFF OR SUPPLEMENT. A statement shall be shown indicating whether the rates are local and/or joint, class and/or commodity, proportional or other applicable designation.

(f) APPLICABILITY. If a tariff applies only on Alabama intrastate traffic, a statement to that effect shall be made. If a tariff applies on both interstate and Alabama intrastate traffic, a statement shall be made explaining the extent of intrastate application or reference made to an item or rule in the tariff which contains such information.

(g) GOVERNING PUBLICATIONS. All publications which govern the application of the tariff shall be listed on the title page or reference made thereon to the item of the tariff naming such publications. If reference to an item number is made, such reference shall be in substantially the following form:

> "For reference to governing classification and governing publications see Item No. 41-22-7.__, or as amended."
>
> Except as provided in Rule 5.11, no tariff of a carrier or carriers may be governed by the provisions of another

publication which is not officially filed with this Commission for Alabama intrastate application or in which the carrier or carriers do not participate; neither can a rate tariff refer to another rate tariff for rules and/or regulations.

(h) ISSUED AND EFFECTIVE DATES. The date on which the publication is issued shall be shown on the lower left-hand side. The date on which the rates or other provisions will become effective shall be shown on the lower right-hand side.

Every tariff or supplement which contains rates, rules, or other provisions effective upon a date different from the general effective date of such publications shall show immediately under the effective date a notation in substantially the following form:

"Effective _____, 20___ (Except as otherwise provided herein" or (except as provided in Item _____) or (except as provided on Page _____)."

On every tariff or supplement on which all rates, rules, or regulations are made effective on less than thirty days' notice under authority of the Commission, a notation in substantially the following form shall be shown:

"Issued on _____ day's notice under authority of the Alabama Public Service Commission _____, dated _____."

(i) ISSUING OFFICER OR AGENT. The name, title and address of the person or agent who issues the tariff or supplement shall be shown at the bottom of the title page.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-20.
History: Effective January 1978. Amended August 2003. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.05-.05 Special Permission.

(1) Unless otherwise authorized, no tariff, supplement or loose-leaf page which is to become effective upon less than thirty days' notice will be accepted as a proper filing with the Commission unless the publishing officer or agent has been granted special permission or other authority to do so.

(2) Special permission will not be granted unless and until the tariff publishing officer or agent has filed an application with the Commission, seeking authority to have such publication become effective upon less than thirty days' notice to the Commission and to the public. Such application shall contain, but not be limited to, the following information:

(a) The carrier or carriers for whose account the publication is to be made.

(b) The article or commodity to be transported.

(c) The point or origin and destination or points between which the tariff provisions apply.

(d) The present and proposed rates or charges, rules or regulations and minimum weights, if any.

(e) A statement of the facts relied upon to show that special or peculiar circumstances or conditions exist which necessitate such publication being made on less than thirty days' notice.

(3) All tariff matter issued and filed under such special permission shall bear a notation as provided in Rule 5.4(8).
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-20.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.05-.06 Contents Of Tariffs.

(1) TABLE OF CONTENTS. A table of contents, arranged in alphabetical order, shall show the page and item numbers where each subject may be found. In instances where a tariff contains so small a volume of material that the title page and its interior arrangement readily indicate the contents, the table of contents may be omitted.

(2) PARTICIPATING CARRIERS. A list of carriers participating in joint or agency tariffs shall show each carrier's name, certificate or permit number, location of its general offices and the number of its power of attorney or concurrence which is on file with the Alabama Public Service Commission. The list of participating carriers may be published in the tariff or in another tariff (not a rate tariff), provided proper reference is made thereto and such other tariff is named as a governing publication.

(3) INDEX OF COMMODITIES. All articles or commodities, listed separately or by generic heading, for which rates, charges, exception ratings, or commodity column numbers are provided shall appear in a complete index, alphabetically arranged, showing reference to the item or items where a particular article or commodity is shown. The index of commodities may be omitted if a tariff contains so small a number of commodities that its title page or interior arrangement plainly discloses this information.

(4) INDEXES OF POINTS OF ORIGIN AND DESTINATION. Tariffs which name specific point-to-point rates shall provide an alphabetical index of all points from which rates apply and a separate alphabetical index of all points to which rates apply. Tariffs which employ index or group numbers or group basing points for the determination of rates or charges shall provide an alphabetical index of all points to or from which such rates apply and an index, group or basing points shall be shown opposite each point.

When a tariff names rates or charges for the account of more than one carrier, the carrier shall be shown opposite each point where service is maintained either by name, a reference which is explained in the tariff, or by reference to a separate publication (not a rate tariff) which is officially on file with this Commission and named as a governing publication.

In instances where a tariff contains so small a volume of material that the title page and its interior arrangement readily indicate the points from and/or to which rates apply, an alphabetical index of points of origin and destination may be omitted.

(5) EXPLANATION OF SYMBOLS, REFERENCES, AND ABBREVIATIONS.

All symbols, reference marks and abbreviations appearing in the tariff shall be defined either on the page on which they are used or reference must be made to the location where their explanation is set forth. Changes in rates, charges, or regulations shall be symbolled to indicate the type of change which has been made. The following uniform symbols shall be used to indicate changes and may not be used for any other purpose in any tariff:

 or (1) denotes increases

 or (R) denotes reductions

▲ or (3) denotes changes which result in neither increases nor reductions in rates or charges

@ or (N) denotes addition of new material.

Author: Alabama Public Service Commission

Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-20.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.05-.07 Rules Governing The Tariff.

All rules, regulations or other provisions which affect the rates or charges named in the tariff shall be designated by number and worded in a clear and concise manner. Where it is not desirable or practical to include the governing rules and regulations in the rate tariff, such rules and regulations may be published in other tariffs filed with the Commission by a carrier or an agent, provided specific reference is made in the rate tariff to such other tariff in the manner set forth in 770-X-10-.05-.04(g).
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-20.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.05-.08 Statement Of Rates Or Charges.

(1) ALL RATES AND CHARGES EXPLICITLY STATED. All rates and charges shall be clearly and explicitly stated in cents or in dollars and cents, per 100 pounds, per net ton of 2,000 pounds, per gross ton of 2,240 pounds, per stated truck load or other defined unit. Units of time may be used only for terminal, accessorial, and special services or transportation rates or charges for movements not exceeding 30 miles; however, such units may be used for movements in excess of 30 miles provided the rates or charges are by specific tariff provision, restricted to special types of movements in equipment dedicated to such special movements. If all rates or charges in a tariff are stated in the same unit, that fact may be indicated on the title page in connection with the application of the tariff.

Complicated plans or ambiguous terms must not be used. It must be clearly shown whether the named rates apply to or between the named points and all rates must be arranged in a similar and systematic manner. Insofar as possible such rates should be divided into small sections by items, index numbers or similar method; each section should be assigned an identifying number to facilitate ready reference thereto.

(2) MINIMUM QUANTITIES. When truck load or volume commodity rates are published, the minimum quantities on which the rates apply shall be specifically stated in the tariff naming the commodity.

(3) GROUPING OF ARTICLES UNDER GENERIC HEADING. A commodity item may, by use of a generic term, provide rates on a number of articles without naming such articles, provided such commodity item contains reference to an item (not a rate item) in the tariff which contains a complete list of such articles, or contains reference to another tariff (not a rate tariff) containing such list of articles.

(4) COMMODITY DESCRIPTIONS MUST BE GENERIC. When commodity rates are established, the description of the commodity must be specific and the rates thereon may not be applied to analogous articles. To the extent possible, uniform commodity descriptions should be used in all tariffs, preferably the descriptions as stated in the current motor carrier freight classification.

(5) CARRIER RESTRICTIONS. All freight tariffs shall contain, in clear and explicit terms, any restriction or limitation which prevents the general application of rates, charges, rules or regulations from applying for the account of any carrier or carriers. No such tariff provisions shall have the effect of expanding or restricting any carrier's operating authority granted by the Commission.

If desired, tariffs may contain the scope of operation of the carrier or carriers participating therein, PROVIDED such provisions contain a notation or rule which shall read substantially as follows:

"Any matter contained herein which is or may become the subject of controversy will be governed by the certificate or permit of authority as described in the orders within the official files of the Alabama Public Service Commission."

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-20.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.05-.09 Supplements; Revised Pages.

(1) AMENDMENTS. Any change, addition or deletion to a bound tariff must be made by reissuance of the tariff, or by the issuance of a supplement thereto. Each supplement to the bound tariff must be consecutively numbered starting with the numeral "I". Changes in loose-leaf tariffs shall be made by the issuance of a revised page

or pages showing the change. Such revised pages shall be numbered and published as provided in 770-X-10-5-.03(E). Supplements shall not be issued to loose-leaf tariffs except for the purposes of tariff cancellation, tariff adoption notices, publishing conversion tables of rates and/or charges or publishing suspension notices.

(2) TITLE PAGE FORM AND ARRANGEMENT. The title page of each supplement shall follow the same form and arrangement as the title page of the tariff.

(3) SIZE AND ARRANGEMENT. The material content of each supplement or loose-leaf page shall follow the same size, order and arrangement as set forth in the tariff which the supplement or loose-leaf amends.

(4) CANCELLATION OF PARTICIPATING CARRIERS AND RATES. A supplement or loose-leaf page which proposes the elimination of a participating carrier must provide for the cancellation of all rates, charges, and arrangements in connection with the carrier to be eliminated from the tariff.

(5) CHANGES; SYMBOLS. All tariff changes which result in increases, reduction or changes in wording shall be symboled, using the symbols provided in 770-X-10-.05-.06(E).

(6) NUMBER OF EFFECTIVE SUPPLEMENTS PERMITTED. The number of supplements to any one tariff which may be in effect at any time will be as follows:

NUMBER OF PAGES IN ORIGINAL TARIFF (Inclusive)	NUMBER OF EFFECTIVE SUPPLEMENTS PERMITTED
1 to 4	0
5 to 20	2
21 to 100	4
100 to 200	5
Over 200	6

The effective supplements to any tariff may not contain at any time an aggregate total number of pages exceeding 50 percent of the total number of pages in the original tariff. Cancellation, suspension and adoption notices or conversion tables will not be included when counting the number of supplements or pages which may be in effect.

(7) REISSUED ITEMS REPRODUCED IN FULL. When a change is made by supplement or by loose-leaf pages affecting an item, rule, rate or charge, such item, rule, rate or charge shall be reissued in its entirety as amended.

(8) CANCELLATIONS: REISSUANCE.

(a) Where rates, charges and rules are published by item number, the reissue of such rates, charges and rules by supplement to a bound tariff shall be identified as the same number plus a letter suffix--for example: Item 1-A cancels Item 1; Item 1-B cancels Item 1-A, and so on. Items brought forward without change from a supplement to another supplement must be designated as "Reissued", and must show the original date and the number of the supplement from which it is reissued, or must be uniformly indicated by the supplement number in a square, and the explanation thereof must be made in the tariff or supplements in which the symbols are used—

Examples:

"Reissued from Supplement No. _____, effective _____." Or

" 1 reissued for Supplement No. 1 effective _____."

(b) UNNUMBERED TARIFF MATTER. Where tariff matter is not published in a numbered unit, the reissuance by supplement to a bound tariff shall reproduce all said material in its entirety, and cancellation reference shall be made to the page of the tariff or prior supplement from which the reissued material originated.

(c) REPRODUCTION OF CANCELLED MATTER. When any rate or provision contained in an item is amended, resulting in the cancellation of all or a portion thereof, the cancelled matter shall not be reproduced in the new item affecting the cancellation except to the extent necessary to identify the item.

(d) STATEMENT OF CANCELLATION; MATTER WITHDRAWN OR EXPIRED. If an item is withdrawn in its entirety or expires by its own terms, a statement of the cancellation or expiration shall be brought forward in subsequent supplements as a reissued item, bearing the same item number and the appropriate letter suffix.

(e) REUSE OF ITEM NUMBERS. When the provisions of an item have been eliminated by cancellation or expiration, they may not be reinstated except by republication in a revised item bearing a new number.

(f) NOTATION; SHORT NOTICE. Every supplement or loose-leaf page which consists partly, but not wholly, of matter established upon less than statutory notice shall show in connection with each change the notation provided in 770-X-10-5-.04(h).

(g) UPDATED LISTS OF ITEMS; CHECK SHEETS. Every supplement of eight or more pages issued to a bound tariff, except conversion table supplements, shall provide near the front of the supplement a cumulative list of all items and numbered units that have been added, cancelled or changed by supplement together with reference to the number of the supplement where each is last shown.

When the original loose-leaf tariff is filed, the next page to the title page shall be designated as "check sheet" which shall show the number of pages contained in the tariff; when pages of the tariff are revised or when new pages are added, the check sheet shall be correspondingly revised to include the amended and added pages, and the revised pages shall accompany such pages when forwarded to the Commission for filing. Effective and to be effective supplements shall also be listed on the check sheet. Cancellation of supplements when they have served their purpose shall be effected by reissuance of the check sheet and a notation to that effect made thereon.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-20.
History: Effective January 1978. Amended January 1981. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.05-.10 Rejected Tariff Matter.

When a tariff, supplement or revised page is rejected, the number which it bears may not be used again as a designation of any new filing. Any publication that is issued in lieu of the rejected publication must bear the notation, directly under each new number:

"Issued in lieu of _____, rejected by the
(insert number)
Commission."

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-20.
History: Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.05-.11 Mileage Guides; Maps.

Every tariff which contains distance or mileage rates must publish the distances to apply between either the basing points or all points from and to which the rates apply and/or make provisions for the computation of distances to be used in determining such rates from or to points for which no distances are published. If highway distances are to be used but are not published in the tariff, they may be computed by the use of a governing mileage guide tariff or similar publication (not a rate tariff) or the current Official Alabama Highway Map which is published by the Alabama State Highway Department. If the Official Alabama Highway Map is used, the tariff must contain a rule governing its use which reads substantially as follows:

"In the event a shipment originates at or is destined to a point for which distances are not provided in the tariff, distances will be computed via the shortest paved Interstate, U.S. and/or State highways (not County roads), by adding or deducting the distance shown on the current Official Alabama Highway Map from or to points for which distances are published.

If no distances are published in the tariff, to the extent possible, distances will be computed between principal points between which cumulative distances are shown on the map.

For distances from or to points not shown on the Official Alabama Highway Map, or from or to points located on County roads, add or deduct the actual odometer mileage from or to the nearest point or points as provided in the preceding paragraphs."
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-20.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.05-.12 Filing And Posting Tariffs.

(1) FILING. The carrier or agent shall submit for filing with this Commission two (2) copies of its tariffs, supplements or revised pages, prepared in accordance with these rules. Additional copies as may be needed by the Commission in the performance of its official duties will be furnished upon reasonable request.

(2) NOTICE. In computing the number of days notice the Commission and the public have before a tariff, supplement or revised page is

scheduled to become effective, the first calendar day after it has been placed on file with the Commission will be counted as the first day. The Commission offices are closed on Saturdays, Sundays and legal State holidays, and any tariffs, supplements or revised pages received on these days will be officially stamped as being received on the following business day.

Carriers and agents shall certify to the Commission that copies of all tariffs, supplements or loose-leaf pages were transmitted to all shippers, receivers or others who regularly subscribe to their tariffs at the same time they were transmitted for filing with the Commission; this certification may be accomplished by making a statement of certification on the letter of transmittal to the Commission. If filings are hand delivered to the Commission, transmittal to such tariff subscribers shall be by hand deliveries or by First Class U.S. Mail; filings transmitted to the Commission by mail shall be transmitted to tariff subscribers by the same class mail as to the Commission. The above certification shall include the manner in which transmitted to tariff subscribers.

Every carrier or agent shall furnish copies of their tariffs to any party making a reasonable request for them and willing to pay an amount sufficient to cover the cost of printing and postage if the carrier or agent desires to assess such charges.

(3) POSTING TARIFFS. Each carrier shall maintain a complete file on all tariffs issued by it or its agent, including all tariffs in which it concurs as a participating carrier, at its general office and its principal office located in the State of Alabama, and, to the extent practicable, at each of its terminals in the State of Alabama showing all the rates, charges, rules and regulations which are applicable from or to the points served by such individual terminals. All such tariff files maintained by the carrier shall be accessible and open to public inspection during regularly recognized business hours.

Author: Alabama Public Service Commission

Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-20.

History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.05-.13 Suspension Notice Supplement.

Upon receipt of an order suspending any tariff publication in part or in its entirety, the carrier or agent in whose name the publication was filed shall immediately file and post in accordance with this 770-X-10-.05 a supplement containing a

"Notice of Suspension." The title page of the supplement shall identify the investigation and suspension docket number and shall bear an issue date, but not an effective date. The notice of suspension shall specifically indicate the publication or portion thereof that is suspended, the date on which the suspension ends, state that the matter under suspension may not be used during the period of suspension (and subsequent postponement, if any), and identify the provisions that will apply during such period of suspension or postponement. A notice of suspension may not include any provision not relating to the suspension.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-20.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.05-.14 Collective Rate Changes.

(1) DEFINITION. A general rate change is defined herein as a change that affects most of the rates in a tariff.

(2) JUSTIFICATION REQUIRED; EXEMPTION.

(a) Unless a carrier is within the exemption, all carriers that participate in a general rate change established through collective ratemaking shall provide data and justification for the change required herein.

(b) An exemption from providing the data and justification is granted for participating carriers that receive a de minimis amount of annual revenue from the subject tariff. De minimis revenue shall be such annual revenue that is less than the figure established by written notice from the Supervisor, Transportation Rates and Services, to the tariff publishing agent.

(3) JUSTIFICATION AND OTHER DATA.

(a) Participating carriers that generated more than the de minimis amount of annual revenue from the subject tariff shall submit, to the tariff publishing agent, the justification statement specified in 770-X-10-.05-.15, below, and a statement disclosing and quantifying any substantial changes that have accrued or are known to be accruing after the end of a 12-month period included in the justification statement. The justification statement shall cover a 12-month period ending at the end of the calendar quarter preceding the issue date of the tariff publication.

(b) The tariff publishing agent shall compile the data received from participating carriers into a composite justification statement and a composite statement of substantial changes, and file these composite statements with the Commission on or before the issue date of the tariff publication. In addition, the tariff publishing agent shall retain the statements received from participating carriers at its offices in Montgomery while the tariff change is pending, and these statements shall be available, on demand, for inspection and review by the Commission, its employees, and its agents.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-20.
History: Effective July 1989. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.05-.15 Justification Statement Forms.

(1) Justification Statement Form A shall be used if there was no general rate increase that became effective in the previous 12 month period. Justification Statement Form A shall be as follows:

FORM A

APSC JUSTIFICATION STATEMENT

_____

Carrier's Name

TARIFF NUMBER	COLUMN A	COLUMN B	COLUMN C

Line		Previous 12-month period	Current 12-month period	Pro Forma Using Proposed Increased Rates & Anticipated Changes in Expenses
1	Alabama Intrastate Revenues	$	$	$
2	All Other Revenues			
3	Total Systems Revenues			
4	Operating Expenses:	••••	••••	••••
5	Salaries – Officers and Supervisory			
6	Other Salaries and Wages			
7	Miscellaneous paid time off			
8	Other fringes			
9	Operating supplies and expenses			
10	General supplies and expenses			
11	Operating taxes and licenses			
12	Insurance			
13	Communications and utilities			
14	Depreciation and amortization			
15	Revenue equipment rents and	••••	••••	••••
16	Purchased transportation			
17	Building and office equipment rents			
18	(Gain) or loss on disposition of	••••	••••	••••
19	Operating assets			
20	Miscellaneous expenses			
21	Total Operating Expenses			
22	NET INCOME (LOSS)			
TARIFF NUMBER		COLUMN A	COLUMN B	COLUMN C

Line		Previous 12-month period	Current 12-month period	Pro Forma Using Proposed Increased Rates & Anticipated Changes in Expenses
23				
24	[1]Percent Alabama Intrastate Revenue			
25	[1]Line 1 divided by Line 3	••••	••••	••••
26				
27	[2]Known Increases in Expenses	••••	••••	
28	[2]Subtract Line 21 "Column A" from	••••	••••	••••
29	Line 21 "Column B"	••••	••••	••••
30				
31	[3]Anticipated Increases in Expenses	••••	••••	
32	[3]Subtract Line 21 "Column B") from	••••	••••	••••
33	Line 21 "Column C")	••••	••••	••••
34				
35	[4]Total Increase in Expense	••••	••••	
36	[4]Add Line 27 "Column C") to	••••	••••	••••
37	Line 31 "Column C".	••••	••••	••••
38				
39	[5]Alabama Intrastate Expense Allocation	••••	••••	
40	[5]Line 35 multiplied by Line 24	••••	••••	••••
41				
42	[5]Percent Increase Required	••••	••••	
43	[5]Line 39 divided by Line 1	••••	••••	••••

If there are any questions, call

AL Trucking Assn.
334/834-3893
or
Transportation Rates & Services
AL Public Service Commission
334/242/5172

_____
Preparer's Signature

_____
Typed Name

_____
Title

(2) Justification Statement Form B shall be used if there was a general rate increase that became effective in the previous 12-month period. Justification Statement Form B shall be as follows:

FORM B

APSC JUSTIFICATION STATEMENT

_____

Carrier's Name

TARIFF NUMBER_____

Line		COLUMN A Previous 12-month period	COLUMN B Current 12-month period	COLUMN C Pro Forma Using Proposed Increased Rates & Anticipated Changes in Expenses
1	Alabama Intrastate Revenues	$	$	$
2	All Other Revenues			
3	Total Systems Revenues			
4	Operating Expenses:	••••	••••	••••
5	Salaries – Officers and Supervisory			
6	Other Salaries and Wages			
7	Miscellaneous paid time off			
8	Other fringes			
9	Operating supplies and expenses			
10	General supplies and expenses			
11	Operating taxes and licenses			
12	Insurance			
13	Communications and utilities			
14	Depreciation and amortization			
15	Revenue equipment rents and	••••	••••	••••
16	Purchased transportation			

17	Building and office equipment rents			
18	(Gain) or loss on disposition of	••••	••••	••••
19	Operating assets			
20	Miscellaneous expenses			
21	Total Operating Expenses			
22	NET INCOME (LOSS)			
23				
24	[1]Percent Alabama Intrastate Revenue			
25	[1]Line 1 divided by Line 3	••••	••••	••••
26				
27	[2]Increases in Expenses	••••	••••	
28	[2]Subtract Line 21 "Column B" from	••••	••••	••••

TARIFF NUMBER_____ COLUMN A COLUMN B COLUMN C

Line		Previous 12-month period	Current 12-month period	Pro Forma Using Proposed Increased Rates & Anticipated Changes in Expenses
29	Line 21 "Column C"	••••	••••	••••
30				
31	[3]Anticipated Increases Expense Allocation	••••	••••	
32	[3]Line 27 multiplied by Line 24	••••	••••	••••
33				
34	[4]Percent Increase Required	••••	••••	
35	[4]Line 31 divided by Line 1.	••••	••••	••••

If there are any questions, call

AL Trucking Assn.
334/834-3893
or
Transportation Rates & Services
AL Public Service Commission
334/242/5172

_____
Preparer's Signature

_____
Typed Name

_____
Title

Author: Alabama Public Service Commission

Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-20.
History: Effective July 1989. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.06 **Regulations (Rules) Governing Construction, Filing And Posting Of Schedules Of Rates And Charges Of Contract Carriers Of Property And Passengers By Motor Vehicle.**

Author:
Statutory Authority:
History:

770-X-10-.06-.01 **Applicability.**

(1) This rule applies only to schedules and contracts covering Alabama intrastate traffic subject to the jurisdiction of this Commission.

(a) Every contract carrier by motor vehicle shall file with the Commission, publish, and keep open to public inspection, schedules or as permitted herein, copies of contracts containing their minimum rates and charges and their rules, regulations, and practices affecting such charges and the value of service thereunder in the form and manner prescribed by these regulations, or, in the alternative, such carriers who desire to do so may file, publish and post their actual rates and charges in accordance with this rule or as authorized by 770-X-10-.05-.01(1).

No contract carrier may publish and have in effect at the same time both minimum and actual rates and charges.

(b) All schedules, amendments and supplements thereto filed by contract carriers of property by motor vehicle and agents on and after January 1, 1978, unless otherwise authorized by special permission of the Commission or as provided in 770-X-10-.06-.03, shall conform to these regulations.

(c) The Commission may reject any schedule, supplement or amendment thereto which does not comply with these regulations.

(d) The Commission may, for reasons deemed sufficient, direct the reissue of any schedule, power of attorney or concurrence at any time.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-20.
History: Effective January 1978. Amended January 1986. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.06-.02 Definitions Of Terms Used In This Rule.

(1) SCHEDULE. "Schedule" means a publication stating rules and/or charges of a contract carrier or rules and other provisions applicable in connection with those rates, or a publication containing rates together with such rules and other provisions.

(2) SUPPLEMENT. "Supplement" means a publication containing additions to and/or changes in a schedule.

(3) CONTRACT. "Contract" means a written bilateral agreement between a motor carrier who has been granted a permit of authority by this Commission and one or more shippers such carrier is authorized to perform transportation services for under the provisions of such grant of authority.

(4) ADDENDUM. "Addendum" means a publication containing additions to, and/or changes in, a contract.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-20.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.06-.03 Contracts Containing Rates And Charges.

Unless authorized by special permission of the Commission, the only time a carrier may file its schedule of rates and charges as part of its contract is when such contract does not contain any rule, regulation or practice affecting such charges and the value of service thereunder. If contracts contain rules, regulations or practices affecting such charges or the value of service thereunder, a schedule must be filed and posted in accordance with these regulations. Rates and charges which are a part of a contract may not be changed by supplement; such changes must be made by amendment to the contract.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-20.

History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.06-.04 Form And Size Of Schedules And Supplements.

(1) SIZE; PRINTING; PAPER. All schedules and supplements thereto shall be in book or pamphlet form, of a size not less than 8 by 11 inches and not more than 8-1/2 by 11 inches, shall be plainly printed, mimeographed, typewritten or reproduced by other similar process on paper of durable quality and shall be clearly legible. Such size limitation does not apply to contracts or to mileage guides or maps as provided in Rule 6.13.

(2) MARGIN. A margin of not less than 5/8 inch, without any printing thereon, must be allowed at the binding edge of such schedule or supplement thereto.

(3) RULES TABLES. When rates, rate basis numbers, numerals or letters are shown in tables, the tables shall be ruled if necessary for clarity.

(4) ALTERATIONS. No alteration in writing or erasure shall be made in any schedule or supplement.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-20.
History: Effective January 1978. Amended January 1981. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.06-.05 Title Page Of Schedule Or Supplement.

(1) There shall be prepared a title page for each schedule or supplement which shall contain the following information in the order named, basically from top to bottom:

(a) APSC NUMBER. On the upper right-hand corner shall be shown an APSC number unless it is required that an I.C.C. number be shown in this location, in which event, the APSC number may be shown directly under the I.C.C. numbers or in the upper left-hand corner. Numbers shall run consecutively beginning with the next consecutive number in the existing series or, if any schedule shall have been issued previously, beginning with APSC 1. Immediately under this number there shall be shown the

APSC number or numbers of any schedule or schedules cancelled thereby.

(b) SUPPLEMENT NUMBER. At the top, in the center, shall be shown the number of each supplement to a schedule. Supplements shall be numbered consecutively beginning with the numeral "1". Cancellation of supplements, if any, shall be indicated directly below the schedule number. A complete list of all supplements in effect shall be shown, beginning on the left-hand side.

(c) NAME OF CARRIER OR ISSUING AGENT. On the upper portion of the title page shall be shown the name of the issuing carrier or agent. If the carrier's name is used, it shall be shown in the identical manner as set forth in its Motor Carrier Permit issued by the Alabama Public Service Commission, followed by the carrier's permit number.

(d) GENERAL APPLICATION OF SCHEDULE. Below the carrier's name and permit number shall be shown, following the word "Contact Carrier Schedule of Minimum Rates and Charges Applying On" or "Contract Carrier Schedule of Actual Rates and Charges Applying On" (whichever is appropriate), a short, specific description of the commodity or commodities covered by the schedule (or word "Commodities" if the articles covered are too numerous to list); if commodities are not listed, reference must be made to the item which contains such a list. A brief description of the territory within which points from, to or between which the schedule applies shall follow the information relating to the commodity or commodities.

(e) INTRASTATE APPLICATION. If a schedule applies only on Alabama intrastate traffic, a statement to that effect shall be made. If a schedule applies on both interstate and Alabama intrastate traffic, a statement shall be made explaining the extent of intrastate application or reference made to an item or rule in the schedule which contains such information.

(f) GOVERNING PUBLICATIONS. All publications which govern the application of the schedule shall be listed on the title page or reference made thereon to the item of the schedules naming such publications. If reference to an item number is made, such reference shall be in substantially the following form:

"For reference to governing publication, see

Item No. , or as amended."

Except as provided in 770-X-10-.06-.13, no schedule of a carrier may be governed by the provisions of another publication which is not officially filed with this Commission for Alabama intrastate application or in which the carrier does not participate; the only publications a

rate schedule may be governed by are mileage guides or maps for the construction of distances or a publication which contains the regulations promulgated by the U. S. Department of Transportation governing the transportation of hazardous materials.

(g) ISSUED AND EFFECTIVE DATES. The date on which the publication is issued shall be on the lower left-hand side. The date on which the rates or other provisions will become effective shall be shown on the lower right-hand side.

Every schedule or supplement which contains rates, rules or other provisions effective upon a date different from the general effective date of such publications shall show immediately under the effective date a notation in substantially the following form:

"Effective _____, 20 _____

(Except as otherwise provided herein) or

(Except as provided in Item _____)or

(Except as provided on Page _____)"

On every schedule or supplement on which all rates, rules or regulations are made effective on less than twenty days' notice under authority of the Commission, a notation in substantially the following form shall be shown:

"Issued on _____ days' notice under

authority of the Alabama Public Service

Commission _____,

(Special Permission or Docket No.)

dated _____."

(h) ISSUING OFFICER OR AGENT. The name, title and address of the person or agent who issues the schedule or supplement shall be shown at the bottom of the title page.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-20.
History: Effective January 1978. Amended January 1981. Amended August 2003. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.06-.06 Agency Or Joint Schedules Prohibited.

Except as provided in Rule 770-X-10-.06-1(a) or .770-X-10-.06-5(f), a contract carrier may not participate in a schedule or tariff issued by another carrier or agent.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-20.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.06-.07 Special Permission.

(1) Unless otherwise authorized, no schedule or supplement which contains a reduction in rates or charges and is to become effective upon less than twenty days' notice will be accepted as a proper filing with the Commission unless the publishing officer or agent has been granted special permission or other authority to do so.

Special permission will not be granted unless and until the publishing officer or agent has filed an application with the Commission, seeking authority to have such publication become effective upon less than twenty days' notice to the Commission and to the public. Such application shall include, as a minimum the following information:

(a) The carrier for whose account the publication is to be made.

(b) The article or commodity to be transported.

(c) The point of origin and destination or points between which the schedule provisions apply.

(d) The present and proposed rates or charges, rules or regulations and minimum weights, if any.

(e) A statement of the facts relied upon to show that special or peculiar circumstances or conditions exist which necessitate such publication being made on less than twenty days' notice.

(f) All matter issued and filed under such special permission shall bear a notation as provided in 770-X-10-.06-.05(g).
Author: Alabama Public Service Commission

Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-20.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.06-.08 Contents Of Schedules.

(1) TABLE OF CONTENTS. A table of contents, arranged in alphabetical order, shall show the page and item numbers where each subject may be found. In instances where a schedule contains so small a volume of material that the title page and its interior arrangement readily indicate the contents, the table of contents may be omitted.

(2) INDEX OF COMMODITIES. All articles or commodities, listed separately or by generic heading, for which rates and/or charges are provided shall appear in a complete index, alphabetically arranged, showing references to the item or items where a particular article or commodity is shown. The index of commodities may be omitted if a schedule contains so small a number of commodities that its title page or interior arrangement plainly discloses this information.

(3) INDEXES OF POINTS OF ORIGIN AND DESTINATION. Schedules which name specific point-to-point rates shall provide an alphabetical index of all points from which rates apply and a separate alphabetical index of all points to which rates apply. Schedules which employ index or group numbers or group basing points for the determination of rates or charges shall provide an alphabetical index of all points to or from which such rates apply and the index, group number or basing points shall be shown opposite each point.

In instances where a schedule contains so small a volume of material that the title page and its interior arrangement readily indicate the points from and/or to which rates apply, an alphabetical index of points of origin and destination may be omitted.

(4) EXPLANATION OF SYMBOLS, REFERENCES AND ABBREVIATIONS. All symbols, reference marks and abbreviations appearing in the schedule shall be explained either on the page on which they are used, or reference must be made to the location where their explanation is set forth. Changes in rates, charges or regulations shall be symboled to indicate the type of change which has been made. The following uniform symbols shall be used to indicate change and may not be used for any other purpose in any schedule:

 or (1) denotes increases

● or (R) denotes reductions

▲ or (3) denotes changes which result in neither increases nor reductions in rates or charges

@ or (N) denotes addition of new material.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-20.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.06-.09 Rules Governing The Schedule.

All rules, regulations or other provisions which affect the rates or charges named in the schedule shall be designated by an item number and worded in a clear and concise manner. Where it is not desirable or practical to include the governing rules and regulations in the rate schedule, such rules and regulations may be published in tariffs as authorized in 770-X-10-.06-.05(f) filed with this Commission by a carrier or an agent, provided specific reference is made in the rate schedule to such tariff in the manner set forth in 770-X-10-.06-.05(f).

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-20.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.06-.10 Statement Of Rates Or Charges.

(1) ALL RATES AND CHARGES EXPLICITLY STATED. All rates and charges shall be clearly and explicitly stated in cents or in dollars and cents, per 100 pounds, per net ton of 2,000 pounds, per gross ton of 2,240 pounds, per stated truck load or other defined unit. Units of time may be used for terminal, accessorial, and special service or transportation rates or charges for movements not exceeding 30 miles; however, such units may be used for movements in excess of 30 miles, provided the rates and charges are, by specific schedule provision, restricted to special types of movements in equipment dedicated to such special movement. If all rates or charges in a schedule are stated in the same unit, that fact may be indicated on the title page in connection with the application of the schedule.

Complicated plans or ambiguous terms must not be used. It must be clearly shown whether the named rates apply to or between the named points and all rates must be arranged in a simple and systematic manner. Insofar as possible, such rates should be divided into small sections by items, index numbers or similar method: each section should be assigned an identifying number to facilitate ready references thereto.

(2) MINIMUM QUANTITIES. When truck load or volume commodity rates are published, the minimum quantities on which the rates apply shall be specifically stated in the schedule naming the commodity rates.

(3) GROUPING OF ARTICLES UNDER GENERIC HEADING. A commodity item may, by use of a generic term, provide rates on a number of articles without naming such articles, provided such commodity items contain reference to an item (not a rate item) in the schedule which contains a complete list of such articles.

(4) COMMODITY DESCRIPTIONS MUST BE SPECIFIC. When commodity rates are established, the description of the commodity must be specific and the rates thereon may not be applied to analogous articles. To the extent possible, uniform commodity descriptions should be used in all schedules.

(5) CARRIER OPERATION. Schedules may contain the scope of operation of the carrier and, if published in the schedule, such provisions must contain a notation or rule which shall read substantially as follows:

"Any matter contained herein which is or may become the subject of controversy will be governed by the permit of authority as contained in the orders within the official files of the Alabama Public Service Commission."

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-20.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7

770-X-10-.06-.11 Supplements.

(1) AMENDMENTS. Any change, addition or deletion to a schedule must be made by reissuance of the schedule or by the issuance of a supplement thereto. Each supplement must be consecutively numbered starting with the numeral "1".

(2) TITLE PAGE FORM AND ARRANGEMENT. The title page of each supplement shall follow the same form and arrangement as the title page of the schedule.

(3) SIZE AND ARRANGEMENT. The material content of each supplement shall follow the same size, order and arrangement as set forth in the schedule which the supplement amends.

(4) CHANGES; SYMBOLS. All schedule changes which result in increased, reductions or changes in wording shall be symboled, using the symbols provided in 770-X-10-.06-.08(D).

(5) NUMBER OF EFFECTIVE SUPPLEMENTS PERMITTED. The number of supplements to any one schedule which may be in effect at any time will be as follows:

NUMBER OF PAGES IN ORIGINAL SCHEDULE	NUMBER OF EFFECTIVE SUPPLEMENTS PERMITTED
1 to 15	2
Over 15	3

Cancellation, suspension and adoption notices will not be included when counting the number of supplements which may be in effect.

(6) REISSUED ITEMS REPRODUCED IN FULL. When a change is made by a supplement affecting an item, rule, rate or charge, such item, rule, rate or charge will be reissued in its entirety as amended.

(7) CANCELLATION; REISSUANCE.

(a) Where rates, charges and rules are published by a numbered unit, the reissue of such rates, charges and rules by supplement shall be identified as the same number plus a letter suffix--for example: Item 1-A cancels Item 1; Item 1-B cancels Item 1-A, and so on. Items brought forward without change from a supplement to another supplement must be designated as "Reissued", and must show the original effective date and the number of the supplement from which it is reissued, or must be uniformly indicated by the supplement number in a square, and the explanation thereof must be made in the schedule or supplements in which the symbols are used- Examples:

"Reissued from Supplement No. _____, effective _____." or " 1 reissued from Supplement No. 1 effective _____.

(b) UNNUMBERED SCHEDULE MATTER. Where schedule matter is not published in a numbered unit, the reissuance by supplement shall reproduce all said material in its entirety, and cancellation reference shall be made to the page of the schedule or prior supplement from which the reissued material originated.

(c) REPRODUCTION OF CANCELLED MATTER. When any rate or provision contained in an item is amended, resulting in the cancellation of all or a portion thereof, the cancelled matter shall not be reproduced in the new item effecting the cancellation except to the extent necessary to identify the item.

(d) STATEMENT OF CANCELLATION: MATTER WITHDRAWN OR EXPIRED. If an item is withdrawn in its entirety or expires by its own terms, a statement of the cancellation or expiration shall be brought forward in subsequent supplements as a reissued item, bearing the same item number and the appropriate letter suffix.

(e) REUSE OF ITEM NUMBERS. When the provisions of an item have been eliminated by cancellation or expiration, they may not be reinstated except by republication in a revised item bearing a new number.

(f) NOTATION; SHORT NOTICE. Every supplement or amended contract which consists partly, but not wholly, of matter established upon less than statutory notice shall show in connection with each change the notation provided in Rule 770-X-10-.06-.5(g).

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-20.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.06-.12 Rejected Subject Matter.

When a schedule or supplement is rejected, the number which it bears may not be used again as a designation of any new filing. Any publication that is issued in lieu of the rejected publication must bear the notation, directly under each new number:

"Issued in lieu of _____, rejected by the Commission."
(insert number)

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-20.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.06-.13 **Mileage Guides; Maps.**

Every schedule which contains distance or mileage rates must publish the distances to apply between either the basing points or all points from and to which the rates apply and/or make provisions for the computation of distances to be used in determining such rates from or to points for which no distances are published. If highway distances are to be used but are not published in the schedule, they may be computed by the use of a governing mileage guide tariff or similar publication (not a rate tariff) or the current Official Alabama Highway Map which is published by the Alabama State Highway Department. If the Official Alabama Highway Map is used, the schedule must contain a rule governing its use which reads substantially as follows:

"In the event a shipment originates at or is destined to a point for which distances are not provided in the schedule, distances will be computed via the shortest paved Interstate, U.S. and/or State highways (not County roads), by adding or deducting the distances shown on the current Official Alabama Highway Map from or to the nearest points for which distances are published.

If no distances are published in the schedule, to the extent possible, distances will be computed between principal points between which cumulative distances are shown on the map.

For distances from or to points not shown on the Official Alabama Highway Map, or from or to points located on County roads, add or deduct the actual odometer mileage from or to the nearest point or points as provided in the preceding paragraphs."
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-20.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.06-.14 **Filing And Posting Schedules And Contracts.**

(1) FILING. The carrier or agent shall submit for filing with this Commission two (2) copies of its contracts which contain rates and charges and all of its schedules and supplements. Additional copies as may be needed by the Commission in the performance of its official duties will be furnished upon reasonable request.

In addition to any copies of existing or future contracts which are or may be required to be filed with the Commission for any purpose, except as provided in the preceding paragraph, every contract carrier of property by motor vehicle shall file with the Commission a copy of all existing or future contracts for the purpose of ascertaining the application of the rates, charges, rules, regulations and practices of such carrier or carriers.

(2) MULTIPLE CONTRACTS. When a contract carrier has more than one contract covering similar but not identical services or contracts covering identical services for which different rates of compensation are provided by the contracts, exceptional care must be exercised to accomplish publication of clear and explicit schedule provisions that reflect applicable rates, charges, rules or practices. In such a case, the carrier may publish a separate schedule for each contract provided the carrier submits in the same envelope with the schedule, when tendered for filing, a separate statement identifying the contract in connection with which the schedule applies. If rates, charges and other provisions applying in connection with more than one contract are published in a single schedule, the carrier filing the schedule shall submit in the same envelope with the schedule, when tendered for filing, a separate statement indicating as to each rate table, charge, item, rule or regulation, the contract or contracts in connection with which that rate table, charge, item, rule or regulation applies.

(3) NOTICE. In computing the number of days notice the Commission and the public have before a schedule, supplement or revised page is scheduled to become effective, the first calendar day after it has been placed on file with the Commission will be counted as the first day. The Commission offices are closed on Saturdays, Sundays and legal State holidays, and any schedules or supplements or amended contracts received on these days will be officially stamped as being received on the next business day.

Carriers and agents shall certify to the Commission that copies of all such filings were transmitted to all shippers, receivers or others who regularly receive them at the same time they were transmitted for filing with the Commission; this certification may be accomplished by making a statement of certification on the letter of transmittal to the Commission. If filings are hand delivered to the Commission, transmittal to such subscribers shall be by hand deliveries or by First Class U.S. Mail; filings transmitted to the Commission by mail shall be transmitted to such subscribers by the same class mail as to the Commission. The above certification shall include the manner in which transmitted to subscribers.

(4) POSTING SCHEDULES. Each carrier shall maintain a complete file of all schedules issued by it or its agent, including all schedules in which it concurs as a participating carrier at its

general office and its principal office located in the State of Alabama, and, to the extent practicable, at each of its terminals in the State of Alabama showing all the rates, charges, rules and regulations which are applicable from or to the points served by such individual terminal. All such schedule files maintained by the carrier shall be accessible and open to public inspection during regularly recognized business hours.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-20.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7

770-X-10-.06-.15 Suspension Notice Supplement Or Addendum.

Upon receipt of an order suspending any publication in part or in its entirety, the carrier or agent in whose name the publication was filed shall immediately file and post in accordance with 770-X-10-.06-.14 a supplement or addendum containing a "Notice of Suspension." The supplement or addendum shall contain a title page which shall identify the investigation and suspension docket number and shall bear an issue date, but not an effective date. The notice of suspension shall specifically indicate the publication or portion thereof that is suspended, the date on which the suspension ends, state that the matter under suspension may not be used during the period of suspension (and subsequent postponements, if identify the provisions that will apply during such period of suspension or postponement. A notice of suspension may not include any provisions not relating to the suspension.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-20.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.07 Credit.

(1) No common carrier shall deliver or relinquish possession at destination of any property transported by it in intrastate commerce until all tariff rates and charges thereon have been paid, except under the following conditions:

(a) The carrier shall take precautions deemed by it to be sufficient to assure payment of the tariff rates and charges

within the credit period herein specified before relinquishing possession of the property transported.

(b) The carrier shall not, prior to receiving payment of the tariff rates and charges, relinquish possession of property to or for a person who has not, within the credit period herein specified, paid the tariff rates and charges on other property transported.

(c) A carrier who elects to relinquish possession of property transported prior to receiving payment of all tariff rates and charges thereon shall do so to all who request it, without discrimination, unless such carrier notifies such person of reasonable cause to decline to extend credit.

(d) Payment of the tariff rates and charges shall not be deferred beyond seven (7) days after delivery or after presentation of the freight bill for the shipment, whichever is later.

(e) The credit period shall run from the first 12 O'clock midnight following delivery or presentation of the freight bill, whichever is later, and Sundays and legal holidays shall be excluded.

(f) Freight bills for all transportation charges shall be presented to the party responsible for paying the charges within seven (7) calendar days from the first 12 O'clock midnight following delivery of the freight, and within ten (10) calendar days from the first 12 O'clock midnight following tender and acceptance of goods for shipping.

(g) Shippers or consignees may elect to have their freight bills presented by means of the United States Mail and when the mail service is so used the time of mailing by the carrier shall be deemed to be the time of presentation of the bills.

(h) The mailing by the shipper or consignee of valid checks, drafts, or money orders, which are satisfactory to the carrier, in payment of freight charges within the credit period allowed such shipper or consignee, may be deemed to be the collection of the tariff rates and charges within the credit period for the purpose of these rules.

(i) Notwithstanding Sections (d), (e), and (f) of this rule, freight bills for transportation of materials by dump truck and/or dump trailer may be presented no later than the tenth day of the calendar month following the calendar month in which the materials were delivered. If this billing method is used, the transportation charges shall be collected on or before the twentieth day of the calendar month in which presentation of the freight bill or bills is made.

(j) This rule shall not apply to credit extended to the Federal or State Governments or political subdivisions or agencies thereof.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-20.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.08 **Bills Of Lading, Freight Bills And Other Documents.**

Author:
Statutory Authority:
History:

770-X-10-.08-.01 **Bills Of Lading.**

Every common carrier by motor vehicle transporting property intrastate shall issue a bill of lading therefore unless otherwise ordered by the Commission.

Bills of lading used in Alabama intrastate traffic shall be in substantially the same forms (straight and order) as contained in American Trucking Association, Inc., National Motor Freight Classification No. 100-D, A.P.S.C. No. 14, supplements thereto and subsequent reissues thereof. All carriers having in use standard bill of lading or other forms which, prior to the effective date of these rules and regulations, have been furnished to this Commission and have not been disapproved, shall continue to use such forms. All carriers who, subsequent to the effective date of these rules, desire to use bill of lading forms other than as contained in American Trucking Association, Inc., National Motor Freight Classification No. 100-D, A.P.S.C. No. 14, supplements thereto and subsequent reissues thereof, or as were previously furnished to the Commission and not disapproved, may do so only after furnishing to this Commission a copy of each of the forms proposed. Such forms shall be considered approved unless the Commission advises otherwise in writing. Upon disapproval of any form submitted, the Commission shall advise the carrier or carriers of the particulars causing disapproval.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-20.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.08-.02 Freight Or Expense Bills.

(1) Every common carrier of property, when collecting transportation charges, shall issue a freight or expense bill to the party paying or responsible for paying the charges.

(2) Every freight or expense bill shall show:

(a) The carrier's full business name and the full address of the carrier's home office.

(b) The date of origination.

(c) The names of the shipper and consignee.

(d) Origin and destination points.

(e) The quantity shipped.

(f) Full routing and points of transfer if the shipment has been, or is to be, interchanged with another carrier.

(g) The rate to the point of destination.

(h) The aggregate charge made for the transportation.

Carriers who have obtained Commission approval for specific freight or expense bill forms shall use such forms.

(3) Freight or expense bills shall be progressively or sequentially numbered, and the carrier's records shall be maintained in a manner to account for all numbers.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-23.
History:

770-X-10-.08-.03 Document To Be Transported In Vehicle.

(1) Every motor carrier of property shall cause to be transported in the cab of the same vehicle with each shipment at least one of the following:

(a) A copy of the bill of lading.

(b) A copy of the freight or expense bill.

(c) A suitable waybill or manifest.

(2) Such document shall show:

(a) The full business name and address of the carrier transporting the shipment.

(b) The date of origination.

(c) Names of the shipper and consignee.

(d) Origin and destination points.

(e) Description of the shipment, as precisely as practicable.

(f) Actual or estimated weight.

(3) Such document shall be presented upon demand to any authorized Commission personnel.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-23.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.08-.04 Preservation Of Documents.

(1) Every motor carrier of property shall retain at its principal place of business in this State an exact copy of the bills of lading (which may be designated "Shipping Order") and freight or expense bills for three (3) years, shall file such bills in chronological order, and shall preserve such documents from destruction in a reasonable manner.

(2) A motor carrier whose principal place of business is not within this State may file and preserve any or all documents required to be retained by these rules and regulations at that place of business; provided, however, that such carrier shall, at a time and date specified in a written demand by the Commission, by a Commissioner, or by a division head of the staff of the Commission, produce such records or documents at the Commission offices in Montgomery, Alabama, or at another place mutually agreeable. The written demand, to be effective, must be sent at least twenty (20) calendar days before the date of production specified, and must be properly addressed to the address shown on the Commission's mailing list.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-22, 37-3-23.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the

Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.09 **Reports Of Motor Carriers And Classification Of Motor Carriers For Reporting Purposes.**

Author:
Statutory Authority:
History:

770-X-10-.09-.01 **Applicability.**

All Alabama intrastate motor carriers subject to the jurisdiction of this Commission are hereby required to file annual and, in certain cases, quarterly reports showing the results of their operations in accordance with the requirements of this 770-X-10-.09.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-22.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.09-.02 **Accounting Periods.**

(1) Each intrastate common and contract carrier of property and passenger subject to the Alabama Motor Carrier Act, as amended, shall keep its books on the basis of either:

(a) An accounting year of twelve months ending the 31st day of December in each year; or

(b) An accounting year of thirteen four-week periods ending at the close of one of the last seven days of each calendar year.

(2) Carriers required to file quarterly reports which keep their accounts on a four-week instead of a calendar month basis may report three such four-week periods in each of the reports for the first three quarters and the four remaining periods in the last quarter.

(3) A carrier electing to adopt an accounting year of thirteen four-week periods shall file with the Commission a statement showing the day on which its accounting year will close and shall

made a notation on quarterly reports that the alternative four-week basis is used.

(4) A carrier shall not subsequently change its accounting period without prior approval from the Commission.

(5) Whenever "calendar year" appears in these rules, it is intended to include "or an accounting year of thirteen four-week periods" and whenever "month" appears, it is intended to include "or four-week period."
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-22.
History: Effective January 1978. Amended January 1981. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.09-.03 Classification Of Carriers (Repealed).

(Repealed)
Author:
Statutory Authority:
History:

770-X-10-.09-.04 Determination Of Classification (Repealed).

(Repealed)
Author:
Statutory Authority:
History:

770-X-10-.09-.05 Annual Reports.

(1) All motor carriers subject to the jurisdiction of this Commission are hereby required to file one (1) copy of annual reports upon the forms approved or prescribed by this Commission.

(2) Any report which is incomplete or improperly executed will not be accepted.

(3) Alabama intrastate motor carrier revenues shall be separated from interstate and all other revenues and shown as a separate item on the annual and quarterly reports.

(4) A person who transfers all of his or its Alabama intrastate operating authority shall file his or its annual report on or before 45 days after approval by the Commission of the transfer.

(5) A carrier who operated for only a part of a year shall file an annual report showing the information required for the part of the year he or it operated.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-22.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.09-.06 Time For Filing.

(1) ANNUAL REPORTS. Annual reports as required herein shall be filed in the office of the Alabama Public Service Commission, Montgomery, Alabama, on or before April 30 of the year following the year to which it relates.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-22.
History: Effective January 1978. Amended August 2003. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.09-.07 -.

(1) In particular cases and under unusual circumstances and conditions, the provisions of these rules may, at the discretion of the Commission or the Supervisor of Transportation Rates and Services and in writing, be changed or modified without the necessity of a supplemental order or without altering the full general intent and purpose of these rules.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-22.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.09-.08 **Change Of Address; Name.**

A motor carrier who changes the address at which it receives official notices and/or the business or trade name under which it operates shall so notify the Commission in writing promptly, but in no event later than thirty (30) days after the change.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-22.
History: Effective January 1981. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.10 **Interstate Operations.**

(1) No person shall transport passengers or property for compensation by motor vehicle on the highways of this State in interstate or foreign commerce unless and until such person shall have complied with the requirements of this rule; provided, however, that this rule shall not apply to persons engaged in the transportation of commodities exempted by the Alabama Motor Carrier Act, as amended.

(a) INSURANCE - Such person shall comply with 770-X-10-.04 of these rules and regulations.

(b) REGISTRATION

1. Such person operating under authority granted by the Federal Motor Carrier Safety Administration shall comply with 770-X-10-.03-2.02.

2. Such persons not required to obtain authority from the Federal Motor Carrier Safety Administration and not exempt under the Alabama Motor Carrier Act, as amended, shall register with this Commission and shall pay to this Commission a registration fee of $25.00, and comply with 770-X-10-.03-2-.01.

(c) DESIGNATION OF LOCAL AGENT - Such persons shall file with this Commission a currently effective designation of a local agent for service of process. This agent must be a responsible Alabama resident or a national corporation which has been accepted by the Secretary of State. The filing of a copy of the designation list on file with the Federal Motor Carrier Safety Administration will constitute compliance with this provision.

(d) IDENTIFICATION OF VEHICLES - Such persons shall comply with 770-X-10-.03 of these rules and regulations.

(e) INTERSTATE EMERGENCY OR TEMPORARY AUTHORITY - Such persons who operate in this State only under emergency or temporary authority from the Federal Motor Carrier Safety Administration of 120 consecutive days or less shall:

1. Comply with the notification requirements of 49 C.F.R. 1162.7; and

2. Within thirty (30) days of filing the notification required by (i), next above, file evidence of insurance, as required by (a) above; and

3. Either comply with the identification requirements of (d) above, or, in lieu thereof, may transport in the cab of the vehicle using the highways of this State a photocopy of the operating authority and produce it upon demand to any authorized Commission personnel; but, if no written communication advising that the emergency or temporary authority has been granted has been received, then a copy of the notification may be transported in the cab and produced upon demand.

Such persons who operate in this State only under emergency or temporary authority of more than 120 days shall comply with subsections (a) through (d), above, before commencing operating in this State. Such persons whose emergency or temporary authority is extended to a total of more than 120 days shall comply with all provisions of subsections (a) through (d) above before conducting further operations.

(f) PAYMENT OF FEES - The fee for registration and the fee for the transfer of a certificate of registration shall be paid by certified check, cashier's check, or money order, except that cash will be accepted when tendered in person, only.

(g) RETURN OF DATE-STAMPED COPY - A date-stamped copy of an application for registration or an application to transfer a certificate of registration will be returned only when a self-addressed, postage-paid envelope is provided.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Amended January 1981. Amended July 1989. Amended August 2003. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.11 **Origin Territory Of Special Or Charter Parties.**

(1) A common carrier of passengers by motor vehicle over a regular route or over regular routes may transport a special or charter party only if it originates:

(a) At a point within the territory served by such carrier's regular route or routes, or

(b) At a point within an adjacent territory that is not served by any regular route or routes of a common carrier of passengers.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-12.1.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.12 **Lease And Interchange Of Vehicles By Authorized Carriers.**

(1) Authorized carriers may perform authorized transportation in or with power units or trailers which they do not own only under the following conditions:

(a) CONTRACT REQUIREMENTS - The contract, lease, or other arrangement for the use of the power unit shall:

1. Be in writing and signed by the parties thereto, or by a person authorized by a party.

2. Specify a term or a definite period of time or a definite expiration date.

3. Provide for the exclusive possession, control and use of, and the complete responsibility to the public for, the power unit by the lessee for the specified period, except as the lessee may sublease.

(b) The lease or a copy of it shall be carried on the leased power unit, and shall, upon demand, be presented to any authorized Commission personnel for inspection.

(c) RECEIPTS - The party receiving the power unit at the commencement or at the termination of the lease shall give to

the other party a receipt specifically identifying the equipment and stating the date and time of day possession is taken.

(d) SAFETY INSPECTION - It shall be the duty of an authorized carrier, before taking possession of equipment at the commencement or termination of a lease, to inspect the same or to have the same inspected by a person who is competent and qualified to make such inspection, in order to insure that the said equipment complies with the safety regulations. The person making the inspection shall make a written report, which shall be retained and preserved by the carrier. The carrier shall not take possession of the equipment while it fails to comply with the safety regulations.

(e) IDENTIFICATION - The authorized carrier acquiring the use of a power unit by leasing shall identify the same as being operated by him in accordance with the requirements of Rule 770-X-10-.03. Identification of the lessee carrier shall be removed at the termination of the lease.

(f) DRIVERS - Before any person other than a regular employee of the authorized carrier shall be permitted to drive equipment operated under this rule, it shall be the duty of the authorized carrier to make certain that such driver is familiar with, and that his employment as a driver will not result in violation of, any provisions of the motor carrier safety regulations in the rules and regulations of this Commission.

(g) Authorized carriers shall retain the originals or copies of the contracts, leases or other arrangements; the receipts; and the safety reports, and shall maintain and preserve these documents for three (3) years.

(h) The lease and interchange of trailers is not prohibited but is regulated only to the extent that compliance with the safety regulations is required and compliance with the safety inspection requirements of 770-X-10-.12(d) above is required.

(i) Common carriers of property shall not lease equipment to persons other than motor carriers holding operating authority from this Commission or the Federal Motor Carrier Safety Administration. Contract carriers of property shall not lease equipment to persons other than motor carriers holding authority from this Commission or the Federal Motor Carrier Safety Administration, except as such leasing is used to perform transportation authorized by this Commission.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-22.
History: Effective January 1978. Amended January 1981. Filed with LRS February 5, 2013. Filed for Codification in the Alabama

Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.13 **Handling Of Monies Received From Collect-On-Delivery Shipments.**

(1) Every motor common carrier of property receiving money in payment of merchandise, which money it is under a duty to remit to the shipper of such merchandise or such shipper's nominee, shall remit such money collected to the proper person within ten (10) days of collection, and shall prepare and maintain for three (3) years records showing when such monies were received and when such monies were disbursed.

(2) All such moneys collected and deposited in a bank shall be deposited by the collecting carrier in a special bank account, denominated "C.O.D. Trust Account," established for that purpose only, and such moneys shall not be co-mingled with moneys of the carrier or moneys the carrier received other than in payment for Collect-On-Delivery merchandise.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-22.
History: Effective January 1978. Amended January 1981. Amended July 1989. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.14 **Service Of Bus Companies.**

(1) SCHEDULE FILING - All common carriers of passengers over a regular route or over regular routes shall file time schedules showing the service they provide intrastate in Alabama. Such time schedules shall show, at a minimum, the points served and arrival and departure times at principal points.

(2) SCHEDULE CHANGES - No common carrier of passengers over a regular route or over regular routes shall change any time schedule, except under the following conditions:

(a) The proposed change, together with a letter of explanation, shall be filed with the Commission at least thirty (30) days prior to its effective date. This letter shall include the name, address and telephone number of a carrier representative that is authorized to modify the proposed schedule change.

(b) Notice of the proposed change must be posted conspicuously in each bus operated under the affected schedule for at least the ten (10) days following the date of filing.

(c) Notice of the proposed change must be posted conspicuously in all terminals and stations involved in said change for at least the ten (10) days following the date of filing.

(d) The notices of the proposed change in (ii) and (iii) above must include the statement, "Objections to this change should be filed with the appropriate state public service commission." These notices shall be at least 8-1/2 inches by 11 inches in size and shall include in at least 1/2-inch letters the words "Announcement" and "Schedule Change(s)."

(e) Every proposed reduction of service must be accompanied by facts and figures in support thereof.

(3) PETITIONS TO ABANDON OR DISCONTINUE SERVICE

(a) No common carrier of passengers over a regular route or over regular routes shall abandon or discontinue, either temporarily (except in cases of emergency) or permanently any service established under the Alabama Motor Carrier Act without an order of the Commission that the public convenience and necessity permits such abandonment or discontinuance.

(b) A carrier desiring an order described in (C)(i), next above, shall file a petition requesting the order. The petition shall include a minimum, a description of the affected service, the variable cost of providing the service, all revenue (passenger and express) received from the affected service, and the traffic handled in the affected service.

(c) Notice as required by subsection (B), above, shall be posted for at least the ten (10) days following the date of filing.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-12, 37-3-22.
History: Effective January 1978. Amended January 1981. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.15 **Renumbered Highways.**

In all instances of change in the numbers or other designations of Federal (United States), State or County highways or roads not involving geographical change or relocation of such highways or roads, the owner or holder of any certificate of public

convenience and necessity or permit issued by the Commission shall, without further amendment or change of his or its certificate or permit be authorized to serve the renumbered or redesignated highway or road to the same extent that he or it theretofore had authority to serve such highway or road, but not to any greater extent. However, the affected carrier shall notify the Commission in writing of the change in number or other designation.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-22.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.16 **Interstate Highway Deviation Rules.**

(1) A common carrier by motor vehicle over a regular route or over regular routes, whose certificate of public convenience and necessity does not authorize operations over limited access highways may operate over a limited access highway route only under the following conditions:

(a) The limited access highway route, including highways or roads connecting it with the carrier's authorized route or routes, must:

1. Extend in the same general direction as the carrier's authorized route or routes;

2. Be wholly within twenty-five (25) air miles of the carrier's authorized route or routes, or be at least 80% of the distance over the carrier's route or routes which the carrier would otherwise travel; and

(3. Not result in any diminution of service to any point or place served by the carrier without operating over the limited access highway route.

(b) The carrier must file with this Commission a letter of intent to operate over a limited access highway route specifying the route over which it intends to operate, the portion of the authorized regular route or routes which will be eliminated, the reasons for the proposed deviation, and a statement that there will be no diminution of service as prescribed in (a)(iii) above.

(c) The carrier may commence operations over the limited access highway route only after the letter of intent in (b) above is approved by order of the Commission or after the

Commission has taken no action for sixty (60) days after receipt of the letter.

(d) Nothing herein shall authorize service at a point or place not otherwise authorized.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-12, 37-3-22.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-1 **Safety Regulations.**
Author:
Statutory Authority:
History:

770-X-10-.17-1-.01 **Applicability.**
Author:
Statutory Authority:
History:

770-X-10-.17-1-.02 **Interstate Carriers And Intrastate Large Commercial Vehicles.**

For-hire carriers of passengers or property who are not within an exemption of the Alabama Motor Carrier Act and who operate within the borders of Alabama in interstate commerce and all other carriers that operate large commercial vehicles shall comply with the Federal Motor Carrier Safety Regulations now or hereafter promulgated by the Federal Motor Carrier Safety Administration of the United States Department of Transportation, and shall comply with all regulations notwithstanding any exemptions in such regulations for lightweight vehicles and drivers of lightweight vehicles. Such carriers shall also comply with 770-X-10-.17-4, below, concerning accident reports, and with 770-X-10-.17-3-1-.37, below, concerning mudflaps, and with 770-X-10-.17-3-1-.39, below, concerning tarpaulins on open-top vehicles transporting commodities in bulk.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Amended January 1981. Amended July 1989. Amended August 2003. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-1-.03 **Intrastate Only Carriers Operating Only Lightweight Vehicles.**

Intrastate Alabama for-hire carriers of passengers or property who are not within an exemption of the Alabama Motor Carrier Act and who do not also conduct interstate operations and who do not operate large commercial vehicles shall comply with the following provisions of this Rule:
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7
History: Effective January 1978. Amended August 2003. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-1-.04 **Qualifications Of Drivers.**
Author:
Statutory Authority:
History:

770-X-10-.17-1-.05 **Scope.**

The regulations in this part establish minimum qualifications for persons who drive motor vehicles, as, for, or on behalf of motor carriers. The rules in this part also establish minimum duties of motor carriers with respect to the qualifications of their drivers.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-1-.06 **General Qualifications.**

(1) A person shall not drive a motor vehicle unless he is qualified to drive a motor vehicle and a motor carrier shall not require or permit a person to drive a motor vehicle unless that person is qualified to drive a motor vehicle as follows:

(a) Is at least 18 years of age.

(b) Can read and speak the English language sufficiently to converse with the general public, to understand highway traffic signs and signals in the English language, to respond to official inquiries, and to make entries on reports and records.

(c) Can by reason of experience, training, or both, safely operate the type motor vehicle he drives.

(d) Can by reason of experience, training, or both, determine whether the cargo he transports has been properly loaded, distributed, and secured in, on, or to the motor vehicle he drives.

(e) Is physically qualified to drive a motor vehicle in accordance with 770-X-10-.17-1-.07.

(f) Holds a currently valid motor vehicle operator's license or permit.

(g) Has prepared and furnished the motor carrier that employs him with a list of violations as required by 770-X-10-.17-1-.04(3). below.

(h) Has successfully completed the driver's road test and has been issued a certificate of driver's road test in accordance with770-X-10-.17-1.05, or has presented a certificate of road test which the motor carrier that employs him has accepted as equivalent to a road test in accordance with 770-X-10-.17-1-.08 below.

(i) Has completed and furnished the motor carrier that employs him with an application for employment in accordance with 770-X-10-.17-1-.04 below.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-1-.07 Disqualifications.

(1) No person shall drive a motor vehicle and no motor carrier shall permit or require a person to drive a motor vehicle if within the preceding year:

(a) That person was convicted of refusing to take a blood alcohol test;

(b) That person was convicted of driving with a blood alcohol level of .04 percent or more;

(c) That person was convicted of operating a motor vehicle while under the influence of alcohol, an amphetamine or a derivative of a narcotic drug; or

(d) That person was convicted of a felony involving use of a motor vehicle.

(2) No person shall drive a motor vehicle and no motor carrier shall permit or require a person to drive a motor vehicle if within the preceding three years:

(a) That person sustained a conviction described in subsection (1), above; and

(b) That person was engaged in hauling a hazardous material or a hazardous waste, as listed by the United States Department of Transportation, immediately prior to the arrest for the conviction described in (1), above.

(3) No person shall drive a motor vehicle and no motor carrier shall permit or require a person to drive a motor vehicle if that person sustained a conviction described in subsection (1), above, and had previously sustained a conviction described in subsection (1) above; provided, however, that this disqualification may be lifted by order of the Commission when the person's last conviction described in subsection (1), above, occurred more than ten years in the past.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Amended July 1989. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-1-.08 Applications For Employment.

(1) A person shall not drive, or be permitted to drive, a motor vehicle unless and until he has completed and furnished the motor carrier that employs him with an application for employment signed by him which includes the following information:

(a) The name and address of the employing motor carrier.

(b) The applicant's name, address, date of birth and social security number.

(c) The addresses at which the applicant has resided during the three (3) years preceding the date on which the application is submitted.

(d) The date on which the application is submitted.

(e) The issuing State, number and expiration date of each unexpired motor vehicle operator's license or permit that has been issued to the applicant.

(f) The nature and extent of the applicant's experience in the operation of motor vehicles, including the type of equipment which he has operated.

(g) A list of all motor vehicle accidents in which the applicant was involved during the three (3) years preceding the date the application is submitted specifying the date, nature of each accident and any fatalities or personal injuries it caused.

(h) A list of all violations of motor vehicle laws or ordinances (other than violations involving only parking) of which the applicant was convicted or forfeited bond or collateral during the three (3) years preceding the date the application is submitted.

(i) A statement setting forth in detail the facts and circumstances of any denial, revocation, or suspension of any license, permit, or privilege to operate a motor vehicle that has been issued to the applicant, or a statement that no such denial, revocation, or suspension has occurred.

(j) A list of the names and addresses of the applicant's employers during the three (3) years preceding the date application is submitted, together with the dates he was employed by, and his reason for leaving the employ of, each employer; and

(k) A certification that the information furnished by the applicant is true and complete to the best of his knowledge.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-1-.09 Road Tests.

No person shall drive a motor vehicle and no motor carrier shall permit a person to drive a vehicle until that person has completed

and passed a road test. The road test shall be given by the motor carrier or a qualified person designated by the motor carrier. The road test must be on the vehicle and associated equipment that the person will be assigned to drive and must be sufficient to show that the person is capable of operating the equipment. The driver shall be issued a certificate showing that he has successfully completed the road test and the type of equipment he took it on, and a copy of that certificate shall be retained in the file on the driver.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-1-.10 Examination.

A motor carrier shall not permit a person to drive a motor vehicle unless he has first ascertained that the person is familiar with the safety rules and regulations herein. A motor carrier shall be responsible for the driver's knowledge of the safety rules and regulations herein.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-1-.11 Physical Qualifications.

(1) A person shall not drive or be permitted to drive a motor vehicle unless he is qualified physically as provided herein:

(a) Such person must not have a loss of, or a loss of the use of, a foot, a leg, a hand, or an arm, which interferes with his ability to control and safely drive a motor vehicle.

(b) Such person shall not have a medical history of, or a current diagnosis of, any condition or impairment which is likely to cause loss of consciousness or any loss of ability to control a motor vehicle, or which is likely to interfere with his ability to control and safely drive a motor vehicle.

(c) Such person shall have a certificate that he has passed a medical examination as required by the United States Department of Transportation within the preceding twenty-four (24) months. Such person shall not drive, or be permitted to

drive, a motor vehicle unless he has such certificate on his person. A copy of such certificate shall be retained in the file on the driver. Said certificate shall, upon demand, be presented to any authorized Commission personnel for inspection.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Authority: Code of Ala. 1975, §§37-3-5, 37-3-7. History: Effective January 1978. Amended January, 1981. Amended July, 1989. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-1-.12 Exceptions.

(1) A motor carrier may employ a driver who is not a regularly employed driver of that motor carrier without complying with the rules in this part with respect to the driver if:

(a) The driver is a regularly employed driver of another motor carrier who furnishes a certificate that the driver is fully qualified to drive a motor vehicle under the rules in this part; and

(b) The motor carrier that uses the driver has in its file a copy of the driver's medical examiner's certificate.

(2) A motor carrier that obtains a certificate in accordance with (A), above, shall retain a copy of that certificate and a copy of the driver's medical examination certificate in its file for three (3) years.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-1-.13 Driver's License.

A person shall not drive or be permitted to drive a motor vehicle unless he has on his person a currently valid motor vehicle operator's license or permit. Said license or permit shall, upon demand, be presented to any authorized Commission personnel for inspection.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.

History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-3 **Driving Of Motor Vehicle.**
Author:
Statutory Authority:
History:

770-X-10-.17-3-.01 **Applicable Operating Rules.**

Every motor vehicle must be operated in accordance with these rules and in accordance with the provisions of Title 32, Chapters 5 and 5a, Code of Ala. 1975, (Rules of the Road) and the ordinances and regulations of any county or municipality in which it is being operated.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Amended January 1981. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-3-.02 **Ill Or Fatigued Operator.**

No driver shall operate a motor vehicle, and a motor carrier shall not require or permit a driver to operate a motor vehicle, while the driver's ability or alertness is so impaired or so likely to become impaired through fatigue, illness or any other cause as to make it unsafe for him to begin or continue to operate the motor vehicle. However, in a case of grave emergency where the hazard to occupants of the vehicle or other users of the highway would be increased by compliance with this section, the driver may continue to operate the motor vehicle to the nearest place at which the hazard is removed.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-3-.03 Narcotics, Amphetamines, And Other Dangerous Substances.

(1) No person shall operate, or be in physical control of, a motor vehicle if he possesses or is under the influence of, or is using, any of the following substances:

(a) A narcotic drug or any derivative thereof;

(b) Any amphetamine or any formulation thereof (including, but not limited to, "pep pills" and "bennies");

(c) Any other substance, to a degree which renders him incapable of safely operating a motor vehicle.

(2) No motor carrier shall knowingly require or permit a driver to violate paragraph (a) of this section.

(3) Paragraph (a) of this section does not apply to the possession or use of a substance administered to a driver by or under the instructions of a physician who has advised the driver that the substance will not affect his ability to operate a motor vehicle.

(4) As used in this section, "possession" does not include possession of a substance which is manifested and transported as part of a shipment.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-3-.04 Intoxicating Liquor.

(1) No person shall:

(a) Consume any intoxicating liquor, regardless of its alcoholic content, or be under the influence of an intoxicating liquor, within four (4) hours before going on duty or operating or having physical control of a motor vehicle; or

(b) Consume an intoxicating liquor, regardless of its alcoholic content, or be under the influence of an intoxicating liquor, while on duty, or operating, or in physical control of, a motor vehicle; or

(c) Be on duty or operate a motor vehicle while he possesses an intoxicating liquor, regardless of its alcoholic content. However, this subparagraph does not apply to possession of an intoxicating liquor which is manifested and transported as part of a shipment; or

(d) Be on duty or operate a motor vehicle while he has a blood alcohol level of .04 percent or more.

(2) No motor carrier shall require or permit a driver to:

(a) Violate any provision of Paragraph (a) of this section; or

(b) Be on duty or operate a motor vehicle if, by his general appearance or by his conduct or by other substantiating evidence, he appears to have consumed an intoxicating liquor within the preceding four (4) hours.

(3) A driver operating a motor vehicle shall, when stopped and so directed by an enforcement officer of this Commission, take a blood alcohol test.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Amended July 1989. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-3-.05 Drivers Declared "Out Of Service".

(1) AUTHORITY TO DECLARE DRIVERS "OUT OF SERVICE" - Every enforcement officer of this Commission is authorized to declare a driver out of service and to notify the motor carrier of that declaration, if he finds at the time and place of examination that the driver has violated, or is violating 770-X-10-17-2-.03.

(2) ACTION TAKEN WHEN A DRIVER IS DECLARED "OUT OF SERVICE" - When he declares a driver out of service, the officer shall:

(a) Record his findings that the driver has violated or is violating 770-X-10-.17-2-.03 or 770-X-10-.02-.04, and serve the finding on the motor carrier by tendering a copy of that report; and

(b) Place a notice on the motor vehicle.

(3) DUTIES OF THE MOTOR CARRIER - A motor carrier must not require or permit a driver who has been declared out of service to drive or operate a motor vehicle within 24 hours after the out of service declaration.

(4) DUTIES OF THE DRIVER - A driver who has been declared out of service shall not drive or operate a motor vehicle within 24 hours after the out of service declaration. Also, the driver who has been declared out of service must so notify his employer.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1981. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-3-.06 Speed Limits.

(1) SCHEDULES TO CONFORM WITH SPEED LIMITS - No motor carrier shall schedule a run nor permit nor require the operation of any motor vehicle between points in such period of time as would necessitate the vehicle being operated at speeds greater than those prescribed by the State of Alabama or any subdivision thereof in or through which the vehicle is being operated.

(2) EXCEEDING SPEED LIMITS - No person shall drive a motor vehicle, and a motor carrier shall not require or permit a person to drive a motor vehicle, at a rate of speed in excess of the speed limit posted as applicable for the highway or road, or segment of highway or road, over which the vehicle is driven.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1981. Amended January 1981. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-3-.07 Equipment, Inspection And Use.

(1) No motor vehicle shall be driven unless the driver thereof shall have satisfied himself that the following parts and accessories are in good working order, nor shall any driver fail to use or make use of such parts and accessories when and as needed:

(a) Service brakes, including trailer brake connections

(b) Parking (hand) brake

(c) Steering mechanism

(d) Lighting devices and reflectors

(e) Tires

(f) Horn

(g) Windshield wiper or wipers

(h) Rear-vision mirror or mirrors

(i) Coupling devices

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-3-.08 Emergency Equipment, Inspection And Use.

No motor vehicle shall be driven unless the driver thereof shall have satisfied himself that the emergency equipment required by Section 17.390 of this rule is in place and ready for use, nor shall any driver fail to use or make use of such equipment when and as needed.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Amended January, 1981. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-3-.09 Safe Loading.

(1) No person shall drive a motor vehicle and a motor carrier shall not require or permit a person to drive a motor vehicle unless:

(a) The vehicle's cargo is property distributed and adequately secured as specified in Section 17.391 of this rule; and

(b) The vehicle's tailgate, tailboard, doors, tarpaulins, its spare tire and other equipment used in its operation, and the means of fastening the vehicle's cargo are secured; and

(c) The vehicle's cargo or any other object does not obscure the driver's view ahead or to the right or left sides, interfere with the free movement of his arms or legs, prevent his free and ready access to accessories required for emergencies, or prevent the free and ready exit of any person from the vehicle's cab or driver's compartment.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.

History: Effective January 1978. Amended August 2003. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-3-.09A Corrective Lenses And Hearing Aids.

A driver whose physical condition requires corrective lenses or a hearing aid to meet the minimum medical requirements must wear the proper corrective lenses or hearing aid at all times which he is driving.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-3-10-.01 Railroad Grade Crossings; Slowing Down Required.

Every motor vehicle, other than those listed in 770-X-10-.17-2-.10 above shall, upon approaching a railroad grade crossing, be driven at a rate of speed which will permit said motor vehicle to be stopped before reaching the nearest rail of such crossing and shall not be driven upon or over such crossing until due caution has been taken to ascertain that the course is clear.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-3-10-.02 Drawbridges, Stopping Of Buses.

Every motor vehicle transporting passengers and having a capacity of seven (7) or more passengers shall, upon approaching any drawbridge known or marked as such, be brought to a complete stop not less than fifty (50) feet from lip of the draw, and shall proceed only when the driver has definitely ascertained that the draw is completely closed. A full stop need not be made at any drawbridge protected by a traffic "stop and go" signal giving positive indication to approaching vehicles to proceed, or where, upon the opening of the draw, traffic is controlled by an attendant or traffic officer.
Author: Alabama Public Service Commission

Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-3-10-.03 Drawbridges, Slowing Down Of Other Vehicles.

Any other motor vehicle shall, upon approaching a drawbridge, be driven at a rate of speed which will permit said motor vehicle to be stopped before reaching the lip of the draw and shall proceed only when the draw is completely closed.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-3-10-.04 Hazardous Conditions, Extreme Caution.

Extreme caution in the operation of a motor vehicle shall be exercised when hazardous conditions, such as those caused by snow, ice, sleet, fog, mist, rain, dust, or smoke, adversely affect visibility or traction. Speed shall be reduced when such conditions exist. If conditions shall become sufficiently dangerous, the operation of the vehicle shall be discontinued and shall not be resumed until the vehicle can be safely operated. Whenever compliance with the foregoing provisions of this rule increases hazard to passengers, the motor vehicle may be operated to the nearest point at which the safety of the passengers is assured.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-3-10-.05 Required And Prohibited Use Of Turn Signals.

(1) Turns - Every motor vehicle turn shall be signaled for a distance of not less than 100 feet in advance of, and during, the turning movement by flashing the turn signals at the front and

rear of the vehicle on the side toward which the turning movement is made.

(2) Entry Into Traffic Stream - Turn signals shall be flashed to indicate the direction of vehicle movement prior to, and during entry of, the vehicle into the traffic stream from a parked position.

(3) Lane Changes - Turn signals shall be flashed to indicate the direction of vehicle movement continuously for a distance of not less than 100 feet in advance of, and during, the turning movement of the vehicle from one traffic lane to another.

(4) Parking or Disablement - Turn signals shall not be flashed on one side only on parked or disabled vehicles.

(5) Courtesy or "Do Pass" Signals - Turn signals shall not be used as courtesy or "do pass" signals to operators of vehicles approaching from the rear.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-3-10-.06 Use Of Seat Belts.

A motor vehicle which has a seat belt assembly installed at the driver's seat shall not be driven unless the driver has properly restrained himself with the seat belt assembly.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-3-10-.07 Unattended Vehicles; Precautions.

No motor vehicle shall be left unattended until the parking brake has been securely set and all reasonable precautions have been taken to prevent the movement of such vehicle.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-3-10-.08 **Stopped Vehicles Not To Interfere With Other Traffic.**

(1) No motor vehicle shall be stopped, parked, or left standing, whether attended or unattended, upon the traveled portion of the highway. In the event that conditions make it impracticable to move such motor vehicle from the traveled portion of the highway, the driver shall make every effort to leave all possible width of the highway opposite the standing vehicle for the free passage of other vehicles and he shall take care to provide clear view of the standing vehicle as far as possible to the front and rear.

(2) No motor vehicle shall be slowed to a speed whereby the normal flow of traffic is obstructed or stopped in a traffic lane while waiting for an opportunity to move into another parallel traffic lane, or while waiting for an opportunity to make a turn which can be made properly only from another parallel traffic lane.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-3-10-.09 **Emergency Signals; Stopped Vehicles.**

(1) Turn signals - Whenever a motor vehicle is stopped under the traveled portion of a highway or the shoulder of a highway for any cause other than necessary traffic stops, the driver of the stopped vehicle shall immediately flash the two front and rear turn signals simultaneously as a vehicular traffic hazard warning and continue the flashing until he places the warning devices required by paragraph (2) of this section on the highways. The flashing signals shall be used during the time the warning devices are picked up for storage before movement of the vehicle. The flashing lights may be used at other times while a vehicle is stopped in addition to, but not in lieu of, the warning devices required in paragraph (2) of this section.

(2) Placement of Warning Devices - Except as provided below, whenever a vehicle is stopped upon the traveled portion of a highway or the shoulder of a highway for any cause other than necessary traffic stops, the driver shall, as soon as possible, but in any event within ten (10) minutes, place the warning devices with which his vehicle is equipped in conformity with the requirements of 17.390(1)(iii), either three (3) electric emergency lanterns, three (3) liquid-burning emergency flares, or three (3) red emergency reflectors in the following manner:

(a) One at the traffic side of the stopped vehicle, within ten (10) feet of the front or rear of the vehicle;

(b) One at a distance of approximately 100 feet from the stopped vehicle in the center of the traffic lane or shoulder occupied by the vehicle and in the direction toward traffic approaching in that lane; and

(c) One at a distance of approximately 100 feet from the stopped vehicle in the center of the traffic lane or shoulder occupied by the vehicle and in the direction in which the traffic in that lane is moving.

(3) Special Rules

(a) Fusees - The driver of a vehicle equipped with liquid-burning flares shall first place a fusee at the location specified in (2), 2 of this paragraph before he places the liquid-burning flares as specified in paragraph (2) of this paragraph.

(b) Daylight Hours

Except as provided in (3) below, during the period lighted lamps are not required, three (3) red flags shall be placed as specified in subparagraph (2) of this paragraph and within a time of ten (10) minutes.

(c) Business or Residential Districts- -The placement of warning devices is not required within the business or residential district of a municipality, except during the time lighted lamps are required and when street or highway lighting is insufficient to make a vehicle clearly discernible at a distance of 500 feet to persons on the highway.

(d) Leaking, Flammable Material - If gasoline or any other flammable liquid or combustible liquid or gas seeps or leaks from a fuel _container on a motor vehicle stopped upon a highway, no emergency warning signal producing a flame shall be lighted or placed except at such a distance from any such liquid or gas as will assure the prevention of a fire or explosion.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-3-10-.10 **Reserved.**
Author:

Statutory Authority:
History:

770-X-10-.17-3-10-.11 Flame-Producing Emergency Signals.

No driver shall attach, or permit any person to attach a lighted flame-producing emergency signal to any part of a motor vehicle.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-3-10-.12 Emergency Signals; Dangerous Cargoes.

No driver shall use, or permit the use of, any flame-producing emergency signal for protecting any motor vehicle transporting explosives, Class A or Class B; any cargo tank motor vehicle used for the transportation of any flammable material, whether loaded or empty; or any motor vehicle using compressed gas as a motor fuel. In lieu thereof, red electric lanterns or red emergency reflectors shall be used, the placement of which shall be in the same manner as prescribed in770-X-10-17-2-10-.09, above.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-3-10-.13 Use Of Lighted Lamps On Moving Vehicles.

(1) No motor vehicle shall be driven upon the highway unless the lamps required by 770-X-10-.17-3 are lighted:

(a) During the period of one-half hour after sunset to one-half hour before sunrise.

(b) During any other time when there is not sufficient light to render clearly discernible persons and vehicles on the highway at a distance of 500 feet.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the

Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-3-10-.14 Lighted Lamps; Stopped Or Parked Vehicles.

Whenever any motor vehicle is parked or stopped upon the highway within a business or residential district of a municipality, whether attended or unattended, during time mentioned in 770-X-10-.17-2-10-.13 above, at least one white or amber light shall be displayed on the traffic side of the motor vehicle, visible from a distance of 500 feet to the front of the motor vehicle, and at least one red light visible from a distance of 500 feet to the rear; and headlamp beam shall be dimmed or depressed if in use provided, however, that no lamps need be lighted if there is sufficient highway lighting to make clearly discernible persons and vehicles at a distance of 500 feet unless lighted lamps are required by local regulations.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-3-10-.15 Upper And Lower Head Lamp Beams.

(1) During the times when lighted lamps are required, every driver shall obey the following:

(a) Upper Beam - He shall use the upper distribution of light when there is no oncoming vehicle within 500 feet; provided, however, that a lower distribution of light may be used when fog, dust, or other atmospheric conditions make it desirable for reasons of safety and when within the confines of municipalities where there is sufficient light to render clearly discernible persons and vehicles on the highway at a distance of 500 feet ahead.

(b) Lower Beam - When, within 500 feet of an oncoming vehicle, he shall use a distribution of light or composite beam so aimed that the glaring rays are not projected into the eyes of the oncoming driver and such distribution of light shall also be used when following another vehicle within fifty (50) feet.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the

Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-3-10-.16 Obscured Lamps Or Reflectors.

No motor vehicle shall be driven when any of the required lamps or reflectors are obscured.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-3-10-.17 Accidents.

(1) Every driver of a motor vehicle involved in an accident from which there results injury to, or death of, any person or persons, or property damage of any kind, regardless of the amount, shall:

(a) Stop immediately;

(b) Take all necessary precautions to prevent further hazards at the scene;

(c) Render all reasonable assistance to injured persons;

(d) Give to any involved person or enforcement personnel demanding the same, his name and address, the name and address of the motor carrier for whom he is then driving, the State tag registration number for the vehicle involved, and, if requested by an enforcement officer, exhibit his chauffeur's or operator's license;

(e) Report all details of the accident as soon as practicable after its occurrence to the motor carrier then using his services.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-3-10-.18 Striking Unattended Vehicle.

If a moving vehicle strikes a vehicle standing unattended on a highway, the driver of the former shall immediately stop and endeavor to locate the custodian of the unattended vehicle and, if his reasonable effort to do so is unsuccessful, the driver of the vehicle doing the striking shall place securely and conspicuously in or on the unattended vehicle his name and address and that of the motor carrier for whom he is then driving, and report to local enforcement officials.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-3-10-.19 Notification Of License Revocation.

A driver who receives a notice that his license, permit, or privilege to operate a motor vehicle has been revoked, suspended, or withdrawn shall notify the motor carrier that employs him of the contents of the notice before the end of the business day he received it.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-3-10-.20 Prevention Of Ignition Of Fuel.

(1) No driver or any employee of a motor carrier shall:

(a) Fuel a motor vehicle with the engine running except when it is necessary to run the engine to fuel the vehicle;

(b) Smoke or expose any open flame within twenty (20) feet of a vehicle being fueled.

(c) Fuel a motor vehicle unless the nozzle of the fuel hose is continuously in contact with the intake pipe of the fuel tank, or permit fueling of a motor vehicle unless it is being attended;

(d) Permit, insofar as practicable, any other person to engage in such activities as would be likely to result in fire or explosion.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-3-10-.21 Reserve Fuel.

No supply of fuel for the propulsion of said motor vehicle or for the operation of accessories shall be carried on any motor vehicle except in a properly mounted fuel tank or tanks.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-3-10-.22 Fueling.

No vehicle shall be fueled in a closed building with passengers aboard. The fueling of vehicles when passengers are being carried shall be reduced to the minimum number of times necessary during such transportation.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Amended August 2003. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-3-10-.23 Unauthorized Passengers.

(1) Except in case of emergency, no driver shall permit a motor vehicle to which he is assigned to be driven by any person not authorized to drive such vehicle by the motor carrier in control thereof.

(2) Unless specifically authorized in writing to do so by the motor carrier under whose authority the motor vehicle is being operated, no driver shall transport any person or permit any person to be transported on any non-passenger motor vehicle;

provided, however, that no written authorization is necessary for the transportation of:

(a) Employees or other persons assigned to a vehicle by a motor carrier; or

(b) Any person transported when aid is being rendered in case of an accident, a disabled vehicle, or other emergency.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Amended January 1981. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-3-10-.24 Towing Or Pushing Loaded Passenger Vehicle.

No disabled vehicle with passengers aboard shall be towed or pushed, nor shall any person use or permit to be used a vehicle with passengers aboard for the purpose of towing or pushing any disabled vehicle, except in such circumstances where the hazard to passengers would be increased by observance of the foregoing provisions of this section, and then only in traveling to the nearest point where safety of the passengers is assured.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-3-10-.25 Riding Within Closed Vehicles Without Proper Exits.

No person shall ride within the closed body of any motor vehicle unless there are means on the inside thereof of obtaining exit. Said means shall be in such condition as to permit ready operation by the occupant.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Amended July 1989. Amended August 2003. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-3-10-.26 **Carbon Monoxide; Use Of Vehicle When Detected.**

(1) No person shall dispatch or drive any motor vehicle or permit any passengers thereon when the following conditions are known to exist until such conditions have been remedied or repaired:

(a) Where an occupant has been affected by carbon monoxide;

(b) Where carbon monoxide has been detected in the interior of the vehicle;

(c) When a mechanical condition of the vehicle is discovered which would be likely to produce a hazard to the occupants by reason of carbon monoxide.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-3-10-.27 **Heater, Flame-Producing.**

No open-flame heater used in the loading or unloading of the commodity transported shall be in operation while the vehicle is in motion.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-3-10-.28 **Motive Power Not To Be Disengaged.**

No motor vehicle shall be driven with the source of motive power disengaged from the driving wheels except when such disengagement is necessary to stop or to shift gears.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-4 **Parts And Accessories Necessary For Safe Operation.**

Author:
Statutory Authority:
History:

770-X-10-.17-4-1-.01 **Lamps And Reflectors On Small Vehicles.**

(1) Every vehicle less than 80 inches in overall width shall be equipped as follows:

(a) On the front, at least two head lamps, an equal number at each side; two turn signals, one at each side;

(b) On the rear, two tail lamps, one at each side; two stop lamps, one at each side; two turn signals, one at each side; and two reflectors, one at each side.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January, 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-4-1-.02 **Lamps And Reflectors, Small Semi-Trailers And Full Trailers.**

On the rear, two tail lamps, one at each side; two turn signals, one at each side; two reflectors, one at each side; and two stop lamps, one at each side.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-4-1-.03 **Lamps And Reflectors, Combinations In Driveaway-Towaway Operations.**

(1) Combinations of motor vehicles engaged in driveaway-towaway operations shall be equipped as follows:

(a) On the towing vehicle:

1. On the front, at least two head lamps, an equal number at each side; two turn signals and two clearance lamps, one at each side;

2. On each side and near the front, one side-marker lamp;

3. On the rear, one tail lamp and one stop lamp.

(b) On the towed vehicle of a tow-bar combination, the towed vehicle of a single saddle-mount combination, and on the rearmost towed vehicle of a double or triple saddle-mounted combination, or on a vehicle full-mounted on a saddle-mounted vehicle:

1. On each side and near the rear, one side-marker lamp;

2. On the rear, one tail lamp, one stop lamp, two turn signals, two clearance lamps, and two reflectors, one at each side, and, if any vehicle in the combination is 80 inches or more in overall width, three identification lamps;

3. On the first saddle-mounted vehicle of a double saddle-mounted combination and on the first and second saddle-mounted vehicle of a triple saddle-mounted combination:

1. On each side and near the rear, one side-marker lamp.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-4-1-.04 **Lamps On Motor Vehicles With Projecting Loads.**

(1) Any motor vehicle transporting a load which extends beyond the width or having projections beyond the rear of such vehicle shall be equipped with the following lamps in addition to other required lamps:

(a) Loads projecting beyond sides of motor vehicles:

1. The foremost edge of the projecting load at its outermost extremity shall be marked with an amber lamp visible from the front and side;

2. The rearmost edge of the projecting load at its outermost extremity shall be marked with a red lamp visible from the rear and side;

3. If any portion of the projecting load extends beyond both the foremost and rearmost edge, it shall be marked with an amber lamp visible from the front, side, and rear;

4. If the projecting load does not measure over three feet from front to rear, it shall be marked with an amber lamp visible from the front, side, and rear except that if the projection is loaded at or near the rear, it shall be marked by a red lamp visible from the front, side, and rear.

(b) Projections Beyond Rear of Motor Vehicles - Motor vehicles transporting loads which extend over four feet beyond the rear of the motor vehicles or which have tailboards or tailgates extending over four feet beyond the body shall have these projections marked:

1. On each side of the projecting load one red lamp, visible from the side, located so as to indicate maximum overhang;

2. On the rear of the projecting load two red lamps, visible from the rear, one at each side, and two red reflectors, visible from the rear, one at each side, located so as to indicate maximum width.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-4-1-.05 Requirements For Turn Signaling Systems.

Every motor vehicle shall be equipped with a signaling system that, in addition to signaling turning movements, shall have a switch or combination of switches that will cause the two front turn signals and the two rear turn signals to flash simultaneously as a vehicular traffic hazard warning. The system shall be capable of flashing simultaneously with the ignition of the vehicle turned on or off.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the

Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-4-1-.06 **Clearance Lamps To Indicate Extreme Width And Height.**

Clearance lamps shall be mounted so as to indicate the extreme width of the motor vehicle (not including mirrors) and as near the top thereof as practicable; provided, that when rear identification lamps are mounted at the extreme height of the vehicle, rear clearance lamps may be mounted at optional height; provided further, that when mounting of front clearance lamps at the highest point of a trailer results in such lamps failing to mark the extreme width of the trailer, such lamps may be mounted at optional height but must indicate the extreme width of the trailer.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-4-1-.07 **Combination Of Lighting Devices And Reflectors.**

(1) Permitted Combinations - Except as provided in paragraph (2) of this section, two or more lighting devices and reflectors, whether or not required by the rules in this part, may be combined optically if:

(a) Each required lighting device and reflector conforms to the applicable rules in this part; and

(b) Neither the mounting nor the use of a non-required lighting device or reflector impairs the effectiveness of a required lighting device or reflector or causes that device or reflector to be inconsistent with the applicable rules herein.

(2) Prohibited Combinations

(a) A turn signal lamp must not be combined optically with either a head lamp or other lighting device or combination of lighting devices that produces greater intensity of light than the turn signal lamp.

(b) A turn signal lamp must not be combined optically with a stop lamp unless the stop lamp function is always deactivated when the turn signal function is activated.

(c) A clearance lamp must not be combined optically with a tail lamp or identification lamp.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-4-1-.08 Battery Covers.

Every storage battery on every vehicle, unless located in the engine compartment, shall be covered by a fixed part of the motor vehicle or protected by a removable cover or enclosure. Removable covers or enclosures shall be substantial and shall be securely latched or fastened. The storage battery compartment and adjacent metal parts which might corrode by reason of battery leakage shall be painted or coated with an acid-resisting paint or coating and shall have openings to provide ample battery ventilation and drainage. Wherever the cable to the starting motor passes through a metal compartment, the cable shall be protected against grounding by an acid and waterproof insulating bushing. Wherever a battery and a fuel tank are both placed under the driver's seat, they shall be partitioned from each other, and each compartment shall be provided with an independent cover, ventilation, and drainage.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective July 1989. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-4-1-.09 Brakes.
Author:
Statutory Authority:
History:

770-X-10-.17-4-1-.10 Parking Brake System.

(1) Every motor vehicle shall at all times be equipped with a parking brake system adequate to hold the vehicle on any grade on which it is operated under any condition of loading on a surface free from ice or snow.

(2) The parking brake system shall at all times be capable of being applied in conformance with the requirements of paragraph

(1) of this section by either the driver's muscular effort, or by spring action, or by other energy; provided, that if such other energy is depended on for application of the parking brake, then an accumulation of such energy shall be isolated from any common source and used exclusively for the operation of the parking brake.

(3) The parking brake system shall be held in the applied position by energy other than fluid pressure, air pressure, or electric energy. The parking brake system shall be such that it cannot be released unless adequate energy is available upon release of the parking brake to make immediate further application with the required effectiveness.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-4-1-.11 Brakes Required On All Wheels.

Every motor vehicle shall be equipped with brakes acting on all wheels, except any full trailer, semi-trailer, or pole trailer of a gross weight not exceeding 3,000 pounds.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-4-1-.12 Breakaway And Emergency Braking.

(1) Every motor vehicle, if used to tow a trailer equipped with brakes, shall be equipped with means for providing that in case of breakaway of such trailer the service brakes of the towing vehicle will be sufficiently operative to stop the towing vehicle.

(2) Every truck or truck tractor equipped with air brakes, when used for towing other vehicles equipped with air brakes, shall be equipped with two means of activating the emergency features of the trailer brakes. One of these means shall operate automatically in the event of reduction of the towing vehicle air supply to a fixed pressure which shall not be lower than 20 pounds per square inch nor higher than 45 pounds per square inch. The other means shall be a manually-controlled device readily operable by a person seated in the driving seat. Its emergency position or method of operation shall be clearly indicated. In no instance may the

manual means be so arranged as to permit its use to prevent operation of the automatic means. The automatic and manual means required by this section may be, but are not required to be, separate.

(3) Every truck tractor and truck when used for towing other vehicles equipped with vacuum brakes shall have, in addition to the single control required to operate all brakes of the combination, a second manual-control device which can be used to operate the brakes on the towed vehicle in emergencies. Such second control shall be independent of brake air, hydraulic and other pressure, and independent of other controls, unless the braking system be so arranged that failure of the pressure on which the second control depends will cause the towed vehicle's brakes to be applied automatically. The second control is not required by this rule to provide modulated or graduated braking.

(4) Every trailer required to be equipped with brakes shall be equipped with brakes of such character as to be applied automatically and promptly upon breakaway from the towing vehicle, and means shall be provided to maintain application of the brakes on the trailer in such case for at least fifteen minutes.

(5) Air brake systems installed on towed vehicles shall be so designed, by the use of "no-bleed-back" relay emergency valves or equivalent devices, that the supply reservoir used to provide air for brakes shall be safeguarded against backflow of air to the towing vehicle upon reduction of the towing vehicle air pressure.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-4-1-.13 Brake Tubing And Hose Adequacy.

(1) Brake tubing and brake hose must:

(a) Be designed and constructed in a manner that insures proper, adequate, and continued functioning of the tubing or hose;

(b) Be installed in a manner that insures proper continued functioning of the tubing or hose;

(c) Be long and flexible enough to accommodate without damage all normal motions of the parts to which it is attached;

(d) Be suitably secured against chafing, kinking, or other mechanical damage;

(e) Be installed in a manner that prevents it from contacting the vehicle's exhaust system or any other source of high temperatures.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-4-1-.14 Brake Tubing And Hose Connections.

(1) All connections for air, vacuum, or hydraulic braking systems shall:

(a) Be adequate in material and construction to insure conditioned functioning;

(b) Be designed, constructed, and installed so as to insure, when properly connected, an attachment free of leaks, constrictions, or other defects;

(c) Have suitable provision in every detachable connection to afford reasonable assurance against accidental disconnection.

(d) Have the vacuum brake engine manifold connection at least three-eighths inch in diameter.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-4-1-.15 Brake Lining.

The brake lining on every motor vehicle shall be so constructed and installed as not to be subject to excessive fading and grabbing and shall be adequate in thickness, means of attachment, and physical characteristics to provide for safe and reliable stopping of the motor vehicle.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-4-1-.16 Brakes To Be Operative.

All brakes with which a motor vehicle is equipped must at all times be capable of operating.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-4-1-.17 Reservoirs Required.

Every bus, truck and truck tractor using air or vacuum for braking shall be equipped with reserve capacity or a reservoir sufficient to insure a full service brake application with the engine stopped without depleting the air pressure or vacuum below 70% of that pressure or degree of vacuum indicated by the gauge immediately before the brake application is made. For purposes of this section, a full service brake application is considered to be made when the service brake pedal is pushed to the limit of its travel.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-4-1-.18 Warning Devices And Gauges.

Each motor vehicle shall have a signal that provides a warning to the driver when a failure occurs in the vehicle's service brake system. Said signal shall comply with the Federal Motor Carrier Safety Regulations in 49 C.F.R. 393.51.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective July 1989. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-4-1-.19 Brake Performance.

(1) Service Brakes

(a) Passenger-carrying vehicles and property-carrying vehicles with the gross loaded weight of less than 10,000 pounds must be capable of stopping within 25 feet at a speed of 20 miles per hour.

(b) All other vehicles shall be capable of stopping within 40 feet at 20 miles per hour.

(2) Emergency Brake Systems - All vehicles shall be capable of being stopped within 90 feet at 20 miles per hour.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-4-1-.20 Fuel Systems.

(1) Application - The provisions of this section apply to the systems for containing and supplying fuel for the operation of motor vehicles or for the operation of auxiliary equipment installed on, or used in connection with, motor vehicles.

(2) Location - Each fuel system must be located on the motor vehicle so that:

(a) No part of the system extends beyond the widest part of the vehicle;

(b) No part of a fuel tank is forward of the front axle of a power unit;

(c) Fuel spilled vertically from a fuel tank while it is being filled will not contact any part of the exhaust or electrical systems of the vehicle, except the fuel level indicator assembly;

(d) Fill pipe openings are located outside the vehicle's passenger compartment and its cargo compartment;

(e) A fuel line does not extend between a towed vehicle and the vehicle that is towing it while the combination of vehicles is in motion;

(f) No part of the fuel system of a bus manufactured on or after January 1, 1973, is located within or above the passenger compartment.

(3) Fuel Tank Installation - Each fuel tank must be securely attached to the motor vehicle in a workmanlike manner.

(4) Gravity or Siphon Feed Prohibited - A fuel system must not supply fuel by gravity of siphon feed directly to the carburetor or injector.

(5) Selection Control Valve Location - If a fuel system includes a selection control valve which is operable by the driver to regulate the flow of fuel from two or more fuel tanks, the valve must be installed so that either:

(a) The driver may operate it while watching the roadway and without leaving his driving position; or

(b) The driver must stop the vehicle and leave his seat in order to operate the valve.

(6) Fuel Lines - A fuel line which is not completely enclosed in a protective housing must not extend more than two inches below the fuel tank or its sump. Diesel fuel crossover return and withdrawal lines which extend below the bottom of the tank or sump must be protected against damage or impact. Every fuel line must be:

(a) Long enough and flexible enough to accommodate normal movements of the parts to which it is attached without incurring damage.

(b) Secured against chafing, kinking, or other causes of mechanical damage.

(7) Excess Flow Valve - When pressure devices are used to force fuel from a fuel tank, a device which prevents the flow of fuel from the fuel tank if the fuel feed line is broken must be installed in the fuel system.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-4-1-.22 Liquid Fuel Tanks.

Liquid fuel tanks must be manufactured and mounted in a manner to provide safety during normal operations of the motor vehicle involved.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-4-1-.23 **Liquefied Petroleum Gas Systems.**

A fuel system that uses liquefied petroleum gas as a fuel for the operation of a motor vehicle or for the operation of auxiliary equipment installed on, or used in connection with, a motor vehicle must conform to the standards required by the Federal Department of Transportation.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-4-1-.24 **Coupling Devices And Towing Methods.**
Author:
Statutory Authority:
History:

770-X-10-.17-4-1-.25 **Other Than Driveaway-Towaway Operation.**

(1) Tracking - When two or more vehicles are operated in combination, the coupling devices connecting the vehicles shall be designed, constructed and installed, and the vehicles shall be designed and constructed, so that when the combination is operated in a straight line on a level, smooth, paved surface, the path of the towed vehicle will not deviate more than three inches to either side of the path of the vehicle that tows it.

(2) Fifth Wheel Assemblies

(a) Mounting

1. Lower Half - The lower half of the fifth wheel mounted on a truck tractor or converter dolly must be secured to the frame of that vehicle with properly designed brackets, mounting plates or angles and properly tightened bolts of adequate size and grade or devices that provide equivalent security. The installation shall not cause cracking, warping, or deformation of the frame. The installation must include a device for positively preventing the lower half of the fifth wheel from shifting on the frame to which it is attached.

2. Upper Half - The upper half of the fifth wheel must be fastened to the motor vehicle with at least the same

security required for the installation of the lower half on a truck tractor or converter dolly.

(b) Locking - Every fifth wheel assembly must have a locking mechanism, and any adapter used in conjunction with it must prevent separation of the upper and lower halves of the fifth wheel assembly unless a positive manual release is activated. The release may be located so that the driver can operate it from the cab. If a motor vehicle has a fifth wheel designed and constructed to be readily separable, the fifth wheel locking devices shall apply automatically on coupling.

(c) Location - The lower half of a fifth wheel shall be located so that, regardless of the condition of leading, the relationship between the kingpin and the rear axle or axles of the towing motor vehicle will properly distribute the gross weight of both the towed and towing vehicles on the axles of those vehicles, will not unduly interfere with the steering, braking, and other maneuvering of the towing vehicle, and will not otherwise contribute to unsafe operation of the vehicles comprising the combination. The upper half of a fifth wheel shall be located so that the weight of the vehicles is properly distributed on their axles and the combination of vehicles will operate safely during normal operation.

(3) Towing of Full Trailers - A full trailer must be equipped with a tow-bar and a means of attaching the tow-bar to the towing and towed vehicles. The tow-bar and the means of attaching it must:

(a) Be structurally adequate for the weight being drawn;

(b) Be properly and securely mounted;

(c) Provide for adequate articulation at the connection without excessive slack at the location; and

(d) Be provided with a locking device that prevents accidental separation of the towed and towing vehicles. The mounting of trailer hitch on the towing vehicle must include reinforcement or bracing of the frame sufficient to provide strength and rigidity of the frame to prevent its undue distortion.

(4) Safety Devices in Case of Tow-bar Failure or Disconnection - Every full trailer and every converter dolly used to convert a semi-trailer to a full trailer must be coupled to the frame, or an extension of the frame, of the motor vehicle which tows it with one or more safety devices to prevent the towed vehicle from breaking loose in the event the tow-bar fails or becomes disconnected.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the

Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-4-1-.26 Driveaway-Towaway Operations.

(1) Number and Combinations

(a) No more than three saddle-mounts may be used in any combination.

(b) No more than one tow-bar may be used in any combination;

(c) When motor vehicles are towed by means of triple saddle-mounts, the towed vehicles shall have brakes acting on all wheels which are in contact with the roadway.

(2) Carrying Vehicles on Towing Vehicle

(a) When adequately and securely attached, a motor vehicle or motor vehicles may be full-mounted on the structure of a towing vehicle engaged in any driveaway-towaway operation.

(b) No motor vehicle or motor vehicles may be full-mounted on a towing vehicle unless the relationship of such full-mounted vehicles to the rear axle or axles results in proper distribution of the total gross weight of the vehicles and does not unduly interfere with the steering, braking, or maneuvering of the towing vehicle, or otherwise contribute to the unsafe operation of the vehicles comprising the combination.

(3) Carrying Vehicles on Towed Vehicles

(a) When adequately and securely attached, a motor vehicle or motor vehicles may be full-mounted on the structure of towed vehicles engaged in any driveaway-towaway operation.

(b) No motor vehicle shall be full-mounted on a motor vehicle towed by means of a tow-bar unless the towed vehicle is equipped with brakes and is provided with means of effective application of brakes acting on all wheels and is towed on its own wheels.

(c) No motor vehicle or motor vehicles shall be full-mounted on a motor vehicle towed by means of a saddle-mount unless the center line of the kingpin or equivalent means of attachment of such towed vehicle shall be so located on the towing vehicle that the relationship to the rear axle or axles results in the proper distribution of the total gross weight of the vehicles and does not unduly interfere with the steering, braking, or other maneuvering of the towing vehicle

or otherwise contribute to the unsafe operation of the vehicles comprising the combination, and unless a perpendicular to the ground from the center of gravity of the full-mounted vehicles lies forward of the center line of the rear axle of the saddle-mounted vehicle.

(d) If a motor vehicle towed by means of a double saddle-mount has any vehicle full-mounted on it, such saddle-mounted vehicle shall at all times while so loaded have effective brakes acting on those wheels which are in contact with the roadway.

(4) Bumper Tow-bar or Heavy Vehicles Prohibited - Tow-bars of the type which depend upon the bumpers as a means of transmitting forces between the vehicles shall not be used to tow motor vehicles weighing more than 5,000 pounds.

(5) Front Wheels of Saddle-Mounted Vehicles Restrained - A motor vehicle towed by means of a saddle-mount shall have the motion of the front wheels restrained if, under any turning of such wheels, they will project beyond the widest part of either the towed or towing vehicle.

(6) Vehicles to be Towed in Forward Position - Unless the steering mechanism is adequately locked in a straightforward position, all motor vehicles towed by means of a saddle-mount shall be towed with the front end mounted on the towing vehicle.

(7) Means Required for Towing

(a) No motor vehicle or motor vehicles shall be towed in driveaway-towaway operations by means other than tow-bar or saddle-mount connections which shall meet the requirements of this section.

(b) For the purpose of the regulations of this part:

1. Coupling devices such as those used for towing house trailers and employing ball and socket connections shall be considered as tow-bars.

2. Motor vehicles or parts of motor vehicles adequately, securely and rigidly attached shall be considered as one vehicle in any position in any combination.

(8) Requirements for Tow-Bars

(a) Tow-bars shall comply with the following requirements:

1. Structural adequacy and mounting

Every tow-bar shall be structurally adequate and properly installed and maintained.

2. Joined - The tow-bar shall be so constructed as to freely permit motion in both horizontal and vertical planes between the towed and towing vehicles. The means used to provide the motion shall be such as to prohibit the transmission of stresses under normal operation between the towed and towing vehicle, except along the longitudinal axis of the tongue or tongues.

3. Tow-bar Fastenings - The means used to transmit the stresses to the chassis or frames of the towed and towing vehicles may be either temporary structures or bumpers or other integral parts of the vehicles.

4. Means of Adjusting Length - On tow-bars, adjustable as to length, the means used to make such adjustment shall fit tightly and not result in any slackness or permit the tow-bar to bend.

5. Method of Clamping - Adequate means shall be provided for securely fastening the tow-bar to the towed and towing vehicles.

6. Tow-bar Connection to Steering Mechanism - The tow-bar shall be provided with suitable means of attachment to and actuation of the steering mechanism, if any, of the towed vehicle. The attachment shall provide for sufficient angularity of movement of the front wheels of the towed vehicle so that it may follow substantially in the path of the towing vehicle without cramping the tow-bar. The tow-bar shall be provided with suitable joints to permit such movement.

7. Tracking - The tow-bar shall be so designed, constructed, maintained, and mounted as to cause the towed vehicle to follow substantially in the path of the towing vehicle. Tow-bars of such design or in such condition as to permit the towed vehicle to deviate more than three inches to either side of the path of a towing vehicle moving in a straight line are prohibited.

8. Safety Devices in Case of Tow-bar Failure or Disconnection

(i) The towed vehicle shall be connected to the towing vehicle by a safety device to prevent the towed vehicle from breaking loose in the event the tow-bar fails or becomes disconnected. When safety chains or cables are used as the safety device for that vehicle, at least two safety chains or cables meeting the requirements of subdivision (2) of this subparagraph shall be used.

(ii) If chains or cables are used as the safety device, they shall be crossed and attached to the vehicles near the points of bumper attachments to the chassis of the vehicles. The length of chain used shall be no more than necessary to permit free turning of the vehicles. The chains shall be attached to the tow-bar at the point of crossing or as close to that point as is practicable.

(iii) A safety device other than safety chains or cables must provide strength, security of attachment, and directional stability equal to, or greater than, that provided by safety chains or cables. A safety device other than safety chains or cables must be designed, constructed, and installed so that, if the tow-bar fails or becomes disconnected, the tow-bar will not drop to the ground.

9. Saddle-mounts - Saddle-mounts shall be so constructed and attached as to provide a safe and secure attachment of the towed vehicle to the towing vehicle and shall be so constructed and attached as to provide safety of operation in the towing operation.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-5 Other Parts And Accessories.
Author:
Statutory Authority:
History:

770-X-10-.17-5-1-.01 Tires.

No motor vehicle shall be operated on any tire that does not comply with Alabama law, and no motor vehicle shall be operated with regrooved, recapped or retreaded tires on the front wheels.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-5-1-.02 Prohibited Heaters.

(1) Contaminated Air - No heater shall permit the conveyance of exhaust gases into compartments occupied by the driver, passengers or any other persons.

(2) Unenclosed Flame Heaters - No heater employing a flame which is not fully enclosed shall be used except for heating the cargo of tank motor vehicles.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-5-1-.03 Windshields.

(1) Windshield Condition - Every windshield shall be free of discoloration or other damage in that portion thereof extending upward from the height of the topmost portion of the steering wheel, but not including a two-inch border at the top and a one-inch border at each side of the windshield or each panel thereof except that discoloration and damages as follows are allowable:

(a) Coloring or tinting applied in manufacture for reduction of glare;

(b) Any damaged area which can be covered by a disc 3/4-inch in diameter, if not closer than three inches to any other such damaged area.

(2) Use of Vision-reducing Matter - No motor vehicle may be operated with any label, sticker, decalcomania, or other vision-reducing matter covering any portion of its windshield or windows at either side of the driver's compartment, except that stickers required by law may be affixed at the bottom of the windshield, provided no portion of any label, sticker, decalcomania, or other vision-reducing matter may extend upward more than 4-1/2 inches from the bottom of such windshield.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-5-1-.04 Windshield Wipers.

Every vehicle having a windshield shall be equipped with at least two automatically operated windshield wiper blades, one at each side of the center line of the windshield, for cleaning rain, snow, or other moisture from the windshield and which shall be in such condition as to provide clear vision for the driver, unless one such blade be so arranged as to clean an area of the windshield extending to within one inch of the limit of vision through the windshield at each side; provided, however, that in driveaway-towaway operations this section shall apply only to the driven vehicle, and provided further, that one windshield wiper blade will suffice under this section when driven vehicle in driveaway-towaway operation constitutes part or all of the property being transported and has no provision for two such blades.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-5-1-.05 Rear-Vision Mirrors.

Every vehicle shall be equipped with two rear-vision mirrors, one at each side firmly attached to the outside of the motor vehicle, and so located as to reflect to the driver a view of the highway to the rear along both sides of the vehicle; provided, however, that only one outside mirror shall be required, which shall be at the driver's side, on vehicles which are so constructed that the driver has a view to the rear by means of an interior mirror; and provided further that in driveaway-towaway operations the driven vehicle shall have at least one mirror furnishing a clear view to the rear.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-5-1-.06 Horn.

Every vehicle shall be equipped with a horn and actuating elements which shall be in such condition as to give an adequate and reliable warning signal.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-5-1-.07 Speedometer.

Every vehicle shall be equipped with a speedometer indicating vehicle speed in miles per hour, which shall be operative with reasonable accuracy; however, this requirement shall not apply to any driven vehicle which is part of a shipment being delivered in a driveaway-towaway operation if such driven vehicle is equipped with an effective means of limiting its maximum speed to 45 miles per hour, nor to any towed vehicle.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-5-1-.08 Flags On Projecting Loads.

Any motor vehicle having a load which extends beyond the sides or more than four feet beyond the rear shall have the extremities of the load marked with a red flag, not less than twelve inches square.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-5-1-.09 Television Receivers.

Any motor vehicle equipped with a television viewer, screen or other means of visually receiving a television broadcast shall have the viewer or screen located in the motor vehicle at a point at the rear of the back of the driver's seat if such viewer or screen is in the same compartment as the driver and the viewer or screen shall be so located as not to be visible to the driver while he is driving the motor vehicle. The operating controls for the television receiver shall be so located that the driver cannot operate them without leaving the driver's seat.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-5-1-.10 Mudflaps.

All buses, trucks and semi-trailers shall have mudflaps covering the rear of the rear wheels sufficient to prevent as far as practicable gravel, stones or other materials from being thrown into the windshield of other vehicles.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-5-1-.11 Emergency Equipment - All Power Units.

(1) Fire Extinguisher - Every power unit, except taxis, must be equipped with a fire extinguisher that is properly filled and located so that it is readily accessible for use. The fire extinguisher must be securely mounted on the vehicle. The fire extinguisher must have a dial gauge to permit visual determination of whether it is fully charged. The fire extinguisher must have an extinguishing agent that does not need protection from freezing. The fire extinguisher must not use a vaporizing liquid that gives off vapors more toxic than those produced by the substances shown as having a toxicity rating of 5 or 6 in the Underwriter's Laboratories "Classification of Comparative Life Hazard Gases and Vapors." The fire extinguisher must have an Underwriter's Laboratories Rating of 5 B:C or more.

(2) Spare Fuses - At least one spare fuse or other overload protective device, if the devices used are not of a reset type, for each kind and size used shall be carried on each power unit.

(3) Warning Devices for Stopped Vehicles - Except as provided in paragraph (4) of this section, one of the following combinations of warning devices shall be carried on every power unit:

(a) Three liquid-burning emergency flares and three fuses and two red flags; or

(b) Three electric emergency lanterns and two red flags; or

(c) Three red emergency reflectors and two red flags.

(4) Flame-Producing Devices Prohibited on Certain Vehicles - Liquid-burning emergency flares, fuses, oil lanterns, or any signal produced by a flame shall not be carried on any motor vehicle transporting explosives, any cargo tank motor vehicle used for the transportation of flammable liquid or flammable compressed gas whether loaded or empty, or any motor vehicle using compressed gas as a motor fuel.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-5-1-.12 **Protection Against Shifting Or Falling Cargo.**

(1) Every truck and every tractor/trailer combination, when transporting cargo, must be loaded and equipped to prevent the shifting of the cargo and to prevent the cargo from falling from the vehicle.

(2) An open-top cargo vehicle transporting commodities in bulk shall have a tarpaulin covering the cargo to prevent the cargo from blowing, bouncing or otherwise discharging from the vehicle.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-5-1-.13 Accident Reports.

(1) All carriers operating on the highways of this State under the jurisdiction of this Commission shall file with the Commission reports of any and all accidents occurring on the highways of this State involving property damage of $2,000.00 or more or involving injury to, or death of, a person. This report shall include, as a minimum, the following:

(a) Date and time of the accident.

(b) The name of the carrier filing the report.

(c) The name of the driver who was operating the vehicle of the carrier filing the report and the name of his co-driver, if any, and their driver's license numbers.

(d) Name and address of the drivers of other involved vehicles.

(e) The name of the law enforcement organization that investigated the accident.

(f) Detailed location of the site of the accident.

(g) The name of any and all persons injured, with a general description of the injuries, and the location of damaged occurring to the vehicles involved.

(2) Accident reports must be filed with the Commission within fifteen (15) days of the accident. In addition, the Commission must be notified of an accident involving a death of a person within 24 hours of the death.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-22.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-6 Hours Of Service Of Drivers.
Author:
Statutory Authority:
History:

770-X-10-.17-6-.01 **Compliance With, And Knowledge Of, The Rules In This Part.**

(1) General - Except as provided in paragraph (B) of this section, every motor carrier and its officers, drivers, agents, employees and representatives shall comply with the rules in this part and every motor carrier shall require that its officers, drivers, agents, employees and representatives be conversant with the rules in this part.

(2) Exemptions

(a) The requirements of 770-X-10-.17-6-.05 below shall not apply to any regularly employed driver who drives wholly within a radius of 100 air line miles of the garage or terminal at which he reports for work; provided, that the motor carrier employing such driver maintains and retains for a period of one year accurate and true records showing total number of hours that the driver is on duty per day and the time at which the driver reports for, and is released from, duty each day.

(b) The requirements of this rule shall not apply to the transportation of passengers or property to or from any section of the country with the object of providing relief in case of earthquake, flood, fire, famine, drought, epidemic, pestilence, or other calamitous visitation, or disaster.

(c) The requirements of 770-X-10-.17-6-.03 and 770-X-10-.17-6-.05 shall not apply to carriers hauling commodities solely in open-top dump trucks and/or dump trailers, or to the drivers of such carrier; provided, however, that:

1. Such carrier shall not permit or require any driver used by them to drive, nor shall any such drivers drive, after a driver has accumulated 14 hours of on-duty time following eight or more consecutive hours off duty; nor shall any such driver drive, or be permitted or required to drive, between the hours of midnight and 6 O'clock a.m. after a driver has accumulated eight hours of driving time following eight or more consecutive hours off duty; and

2. Such carriers shall not permit or require any such driver used by them to drive, nor shall any such drivers drive, more than six hours following a period of at least thirty consecutive minutes of non-driving time; and

3. Such carriers shall maintain and retain for a period of one year accurate and true records showing total

number of hours that each driver is on duty per day, the time at which the driver reports for, and is released from, duty each day.

Author: Alabama Public Service Commission

Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-22.

History: Effective January 1978. Amended January 1981. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-6-.02 Definitions.

(1) As used in this rule, the following words and terms are construed to mean:

(a) On-duty Time - All time from the time a driver begins to work or is required to be in readiness to work until the time he is relieved from work and all responsibility for performing work. The term "on-duty" time shall include:

1. All time at a carrier or shipper plant, terminal, facility, or other property, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the motor carrier;

2. All time inspecting, servicing, or conditioning equipment or motor vehicles;

3. All driving time as defined in paragraph (b) of this section;

4. All time other than driving time in or upon any motor vehicle except time spent resting in a sleeper berth;

5. All time loading or unloading a vehicle, supervising or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded;

6. All time spent performing the driver requirements relating to accidents;

7. All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle;

8. Performing any work in the capacity of, or in the employ or service of, a common, contract, exempt, or private motor carrier.

(b) Driving Time - The term "drive" and "driving time" shall include all time spent at the driving controls of a motor vehicle in operation. All stops made in any one village, town, or city, may be computed as one.

(c) Consecutive Days - The term "consecutive days" means a period beginning at 12:01 A.M. on any one day.

(d) Twenty-four Consecutive Hours - The term "twenty-four consecutive hours" means any such period starting at the time the driver reports for duty as defined in paragraph (1) of this section.

(e) Regularly Employed Driver - The term "regularly employed driver" means a driver who in any period of seven consecutive days is employed or used as a driver solely by a single motor carrier.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-6-.03 Maximum Driving And On-Duty Time.

(1) Except as provided in 770-X-10-.17-6-.01(B)(ii), no motor carrier shall permit or require any driver used by it to drive, nor shall any such driver drive, more than ten hours following eight consecutive hours off duty or drive for any period after having been on duty fifteen hours following eight consecutive hours off duty; provided, however, that drivers using sleeper-berth equipment may accumulate the aforementioned total of at least eight hours off duty in two periods of at least two hours each, resting in a sleeper berth.

(2) Except as provided in 770-X-10-.17-6-.01(B)(ii), no motor carrier shall permit or require any driver used by it to be on duty, nor shall any such driver be on duty, more than 60 hours in any seven consecutive days or 70 hours in any eight consecutive days regardless of the number of motor carriers using the driver's services.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-6-.04 Travel Time.

When a driver, at the direction of a motor carrier, is traveling but not driving or assuming any other responsibility to the carrier, such time shall be counted as on-duty time unless the driver is afforded at least eight consecutive hours off duty when arriving at destination, in which case he shall be considered off duty for the entire period.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-6-.05 Driver's Daily Log.

(1) Except as provided in 770-X-10-.17-6-.01(2) every motor carrier shall require that a driver's daily log shall be made in duplicate by every driver used by him or it and every driver who operates a motor vehicle shall make such a log. Failure to make logs, failure to make required entries therein, falsification of entries, or failure to preserve logs shall make both the driver and the carrier liable to prosecution. Driver's logs shall be prepared and retained in accordance with the provisions below.

(2) Entries to be current. Drivers shall keep the log current to the time of the last change of duty status.

(3) Entries made by the driver only. Except that the name and principal place of business address of the carrier may be printed, all entries shall be made by the driver in his own handwriting.

(4) Date. Enter month, day, and year of each calendar day on or off duty.

(5) Total mileage. Total mileage entered shall be that mileage traveled while driving, on duty but not driving, and resting in sleeper berth during the day covered by the log. Mileage while driving shall be shown separately.

(6) Vehicle Identification. The carrier's vehicle number or numbers or the State and license number or numbers of each vehicle or unit of a combination operated during the calendar day shall be entered.

(7) Name of Carrier. The name or names of the carrier or carriers shall be that or those for which duty is performed. When work is

performed for more than one carrier on the same calendar day, the beginning and finishing time, showing A.M. or P.M., worked for each carrier shall be shown after each carrier name. Drivers of leased vehicles shall show the name of the carrier performing the transportation.

(8) Driver's Signature. The driver shall certify to the correctness of the log by signing his first name and last name in full and his middle initial, if any. Below the driver's signature he shall list the initials and last name of each co-driver.

(9) Home Terminal. The driver's home terminal address shown shall be that at which he normally reports for duty.

(10) Time Base to be used. The log shall be prepared, maintained, and submitted using the time standard in effect at the driver's home terminal, for a twenty-four calendar day beginning at midnight.

(11) Line 1, Off-Duty. Except for time spent resting in a sleeper berth, a continuous line shall be drawn between the appropriate time markers to record the period or periods of time when the driver is not on duty, not required to be in readiness for work, or is not under any responsibility for performing work.

(12) Line 2, Sleeper Berth. A continuous line shall be drawn between the appropriate time markers to record the period or periods of time off duty resting in a sleeper berth.

(13) Line 3, Driving. A continuous line shall be drawn between the appropriate time markers to record the period or periods of time on duty driving a motor vehicle.

(14) Line 4, On Duty Not Driving. A continuous line shall be drawn between the appropriate time markers to record the period or periods of time on duty not driving.

(15) Remarks. The appropriate time marker and the name of the city, town, or village, with State abbreviations, or place at or near which each change of duty occurs, shall be recorded, such as the place of reporting for work, starting to drive, on duty not driving, and where released from work. Show the transportation performed each day by entering a shipping document number or numbers, or name of a shipper or commodity.

(16) Total Hours. The total hours in each duty status: Off duty other than in a sleeper berth; off duty in a sleeper berth; driving; and on duty not driving shall be entered, the total of which entries shall equal twenty-four hours.

(17) Origin and Destination. The name of the place where a trip begins and the final destination or farthest point shall be shown at the bottom of the log. If the trip requires more than one

calendar day, the log for each day shall show the origin and final destination. If a driver departs from and returns to the same place on any day, the destination shall be indicated by entering the farthest point reached followed by the words "and return."

(18) Filing Driver's Log. The driver shall forward each day the original log to his home terminal or to the motor carrier's principal place of business. When the services of a driver are used by more than one carrier during any calendar day, the driver shall furnish each such carrier a copy of the log containing full and complete entries including: the entry of all duty time for the entire day; the name of each such carrier served by the driver that day; and the beginning and finishing time, showing a.m. or p.m., worked for each carrier. Motor carriers, when using a driver for the first time or intermittently, shall obtain from the driver a signed statement giving the total time on duty during the immediately preceding seven days and the time at which such driver was last relieved from duty prior to beginning work for such carrier.

(19) Retention of Driver's Log. Daily logs for each calendar month may be retained at the driver's home terminal until the twentieth day of the succeeding calendar month and shall then be forwarded to the carrier's principal place of business where they shall be retained for twelve months from date of receipt. The driver shall retain a copy of each daily log for thirty days, which shall be in his possession while on duty.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-22.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-6-.06 Drivers Declared "Out Of Service".

(1) Authority to Declare Drivers "Out of Service" - Every enforcement officer of this Commission is authorized to declare a driver out of service and to notify the motor carrier of that declaration, if he finds at the time and place of examination that the driver has driven or been on duty immediately prior to the examination longer than the maximum period permitted by this rule; or that the driver does not have his daily logs in his possession, as required by900-17-10-6-.05(7); or that no log entries have been made within the immediately preceding 36 hours.

(2) Action Taken When a Driver is Declared "Out of Service"

(a) When he declares a driver out of service, the officer shall:

1. Record his findings that the driver has exceeded the allowable hours of service in a report and serve the finding on the motor carrier by tendering a copy of that report; and

2. Place a notice on the motor vehicle.

3. Duties of the Motor Carrier - A motor carrier must not require or permit a driver who has been declared out of service to drive or operate a motor vehicle until that driver may lawfully do so under this rule.

4. Duties of the Driver - A driver who has been declared out of service may not drive or operate a motor vehicle until he may lawfully do so under this rule. Also, the driver who has been declared out of service must so notify his employer.

5. Eight Hours of Service - A driver who has been declared out of service for no logs or for no log entries within the immediately preceding thirty-six (36) hours may resume driving or operating a vehicle following eight (8) consecutive hours off duty after being declared out of service.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-7 Inspection And Maintenance.
Author:
Statutory Authority:
History:

770-X-10-.17-7-.01 General.

(1) Every motor carrier shall systematically inspect and maintain, or cause to be systematically maintained, all motor vehicles subject to its control, and the accessories required hereby to be mounted thereon, to insure that such motor vehicles and accessories are in safe and proper operating condition. A systematic inspection and maintenance record shall be maintained for each motor vehicle controlled by a motor carrier for a period during which such vehicle is subject to the motor carrier's control; provided, however, that such records need not be retained for more than three (3) years from the time they were required to be made. Such record shall include, at least:

(a) An identification of the vehicle including make, model, serial number and number of tires and their size;

(b) A record of inspection and repairs indicating their date and nature;

(c) A lubrication record;

(d) A systematic means of indicating for each vehicle the nature and due date of the various inspection and maintenance operations to be performed;

(e) If leased, or otherwise contracted for, such records shall also include an identification of the lessor or contractor furnishing the motor vehicle.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-22.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-7-.02 Unsafe Operations Forbidden.

No motor carrier shall permit or require a driver to drive any motor vehicle revealed by inspection or operation to be in such condition that its operation would be hazardous or likely to result in a breakdown of the vehicle, nor shall any driver drive any motor vehicle which by reason of its mechanical condition is so imminently dangerous to operate as to be likely to cause an accident or a breakdown of the vehicle. If, while any motor vehicle is being operated on a highway, it is discovered to be in such unsafe condition, it shall be continued in operation only to the nearest place where repairs can safely be effected, and then such operations shall be conducted only if it be less hazardous to the public than permitting the vehicle to remain on the highway.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-7-.03 Vehicles Declared "Out Of Service".

(1) Authority to Declare Vehicles "Out of Service" - Every enforcement officer of this Commission is authorized to inspect motor carriers' vehicles and is authorized to declare out of

service any vehicle which by reason of its mechanical condition or loading is so imminently dangerous to operate as to be likely to cause an accident or a breakdown of the vehicle.

(2) Action Taken When a Vehicle is Declared "Out of Service" - When he declares a vehicle out of service, the officer shall:

(a) Record his findings of the mechanical condition or manner of loading of the vehicle and serve the finding on the motor carrier by tendering a copy of that report; and

(b) Place a notice on the motor vehicle, which notice shall include a statement or list of the mechanical problems or loading problems.

(3) No motor carrier shall require or permit any person to operate, nor shall any person operate, any motor vehicle declared and marked "Out of Service" until all repairs required by the notice have been satisfactorily completed.

(4) No person shall remove the out of service notice from any motor vehicle prior to completion of all repairs required by the notice.

(5) Any person or persons completing the repairs required by the out of service notice shall complete, sign and date the certificate on the out of service notice.

(6) Motor carriers shall notify the Enforcement Division of the Commission's staff within fifteen (15) days after the date of the out of service notice of its actions as a result of the notice by returning the completed out of service notice to the Enforcement Division.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-22.
History: Effective January 1981. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-7-.04 Damaged Vehicles, Inspection.

No motor carrier shall permit or require a driver to drive, nor shall any driver drive, a motor vehicle which has been damaged in an accident or by other cause until inspection has been made by a person qualified to ascertain the nature and extent of the damage and the relationship of such damage to the safe operation of the motor vehicle, nor shall such motor vehicle be operated until such person has determined it to be in safe operating condition.

Author: Alabama Public Service Commission

Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-7-.05 Vehicle Condition Report.

(1) Reports by Drivers - Every motor carrier operating more than one motor vehicle shall require its drivers to report, and every driver shall report, in writing, to his dispatcher or other responsible person, at the completion of his day's work or tour of duty, any defect or deficiency of the motor vehicle discovered by said driver or reported to him as would be likely to affect safety of operation of the motor vehicle or result in its mechanical breakdown, or shall indicate that no such defect or deficiency was discovered by or reported to him.

(2) Action by Carrier - Each driver's report shall be checked by the motor carrier before the vehicle is again dispatched, and if any defect or deficiency is noted, the matter shall be investigated, and any needed repairs made, before the vehicle is again dispatched. The motor carrier shall prepare a report for each driver's report noting a defect or deficiency. The motor carrier's report shall state the conditions found and the action taken, or that no action was taken.

(3) Retention of Reports - The drivers' reports and the motor carrier reports shall be retained for at least twelve months.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-22.
History: Effective January 1978. Amended January 1981. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-7-.06 Transportation Of Hazardous Materials And Hazardous Wastes.

Each motor carrier engaged in the transportation of explosives, hazardous materials, or hazardous wastes, as defined by the United States Department of Transportation, must comply with the United States Department of Transportation regulations governing carriage by public highway of explosives and hazardous materials.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the

Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-7-.07 Failure To Appear In Court.

Any driver receiving a citation from a member of the Motor Carrier Enforcement Division to appear in court for a violation of the Alabama Motor Carrier Act or any rule or regulation of the Commission who fails to appear in the proper court or to settle the case shall be disqualified to drive a vehicle for a motor carrier until such time as said driver appears or is released by the court. Upon notification by the court that a driver has neither appeared nor settled a case, the Motor Carrier Enforcement Division shall notify the employer-carrier of said disqualification. No motor carrier shall permit a driver to drive a motor vehicle during the period the driver is disqualified as provided herein.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective January 1986. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.17-7-.08 Wheelchair Restraints.

Carriers who transport passengers in wheelchairs shall provide securement locations with systems to secure the wheelchair in a manner to keep the wheelchair within the securement area. This system must not require the active attention of the driver.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective December 2004. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.18 Transportation Brokers.
Author:
Statutory Authority:
History:

770-X-10-.18-.01 Applicability.

The following sections apply, to the extent provided herein, to all brokers of transportation by motor vehicle as defined in 18.2.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-15.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.18-.02 Definitions.

(1) As used in these sections, the following terms shall have the meanings indicated:

(a) "Broker" means any person as defined in Section 37-2-2(9), Code of Ala. 1975, who, as principal or agent, for compensation, sells or offers for sale transportation subject to the Alabama Motor Carrier Act, other than transportation of property by common carriers of passengers, or makes any contract, agreement, or arrangement to provide, procure, furnish or arrange for such transportation or shall hold himself out by advertisement, solicitation, or otherwise as one who sells, provides, procures, contracts, or arranges for such transportation; PROVIDED, however, that the term "Broker" shall not include any person who holds himself out as a carrier by motor vehicle or any bona fide employee or agent of such person, insofar as concerns shipments which such person is authorized to transport in whole or in part and which such person has accepted pursuant to a holding out to transport and has legally bound himself by contract to transport in whole or in part.

(b) "Motor Carrier" means a common or contract carrier by motor vehicle of property as defined in Section 37-3-2(6) and (7), respectively, of the Code of Alabama 1975.

(c) "Transportation" means transportation of property by motor vehicle performed for compensation by a motor carrier which is required by Sections 37-3-10 or 37-3-13 of the Code of Ala. 1975, to hold a certificate or permit authorizing such transportation.

(d) "Brokerage" or "Brokerage Service" means the selling or offering for sale of transportation; or the making of any contract, agreement, or arrangement to provide, procure,

furnish, or arrange for transportation, or the holding out by advertisement, solicitation, or otherwise, to sell, provide, procure, contract, or arrange for transportation, for compensation, by a broker as defined in paragraph (a) of this section.

(5) "Non-Brokerage Service" means any service which is not a "brokerage service," as defined in this section and which is furnished by a broker to, for, or on behalf of, a motor carrier or consignor or a consignee of shipments moving by motor vehicle.

(6) "A Bona Fide Agent", as distinguished from a broker, is a person who is part of the normal organization of a motor carrier and performs his duties under the direction of the carrier pursuant to a preexisting agreement with the carrier providing for continuing relationship between them and precluding the exercise of discretion on the part of the agent in allocating traffic as between the principal and others.

Author: Alabama Public Service Commission

Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-15.

History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.18-.03 Records To Be Kept By Brokers.

(1) Each broker shall keep and retain for a period of three (3) years an exact record of each transaction in which he participates which records shall show for each transaction:

(a) Name and address of consignor.

(b) Name, address, and the lead or principal certificate or permit number of the originating motor carrier.

(c) Bill of lading or freight bill number.

(d) Description of commodity or commodities, weight, rate and tariff reference.

(e) Date of shipment.

(f) Origin and destination of shipment.

(g) Amount of compensation received by the broker for brokerage service furnished and from whom it was received.

(h) Description of any non-brokerage service performed in connection with each particular shipment or otherwise, amount

of compensation received for such service, and from whom such compensation was received.

(i) If freight charges are collected by the broker, the record shall show, for each shipment, the amount collected and the date of payment to the carrier.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-15, 37-3-22.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.18-.04 Carrier's Operating Authority.

In the execution of any contract, agreement, or arrangement to sell, provide, procure, furnish or arrange for any transportation by motor vehicle, no broker shall employ, allocate, or surrender any shipment to any carrier by motor vehicle who, or which, cannot lawfully transport it either to destination or to a normal point of interchange with the connecting carrier.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-15.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.18-.05 Misrepresentation.

(1) No broker shall perform any brokerage service or hold himself out to perform such service, by advertisement or otherwise, in any name other than that in which his license is issued.

(2) No broker shall directly or by implication represent himself to be a carrier in respect to any service which he does not hold authority as a carrier to perform.

(3) No broker shall advertise in any manner any offer of service as a broker without showing in such advertisement his status as a broker in any type which is clear and bold and equally as large as any other in the same advertisement.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-15.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the

Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.18-.06 Billing.

(1) No broker shall, in any name except that of a carrier, issue any bill of lading, freight bill, or any other document which is appropriate only for use by a carrier transporting or agreeing to transport a shipment.

(2) No broker shall issue any order for service or any other document appropriate for use by brokers which does not clearly show thereon the name and address of the broker and that it is executed as a broker for transportation in type which is clear and bold and equally as large as the name of the issuing broker.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-15.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.18-.07 Rebating.

(1) No broker shall charge or receive compensation from a motor carrier for brokerage service performed in connection with any shipment which he owns or in which he has a material interest, or the routing of which he controls by reason of any affiliation with, or non-brokerage relationship, to the shipper, consignor, or consignee as traffic consultant or otherwise, or which he controls by reason of his performance of the shipper, consignor, or consignee of non-brokerage services, as defined in these rules.

(2) No broker shall pay, give, or offer to pay or give, directly or indirectly, anything of value, except ordinarily used inexpensive, advertising specialties to any shipper, consignor, consignee or to any officer or employee of a shipper, consignor or consignee.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-15.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.18-.08 Duties And Obligations Of Brokers.

(1) A broker shall fairly protect the interest of any shipper employing his services by providing or advising the shipper of the transportation services which, because of rates, schedules, type of motor carrier, or otherwise, will best meet the needs of the shipper, and no broker shall misrepresent or make false promises to any shipper with respect to the service rendered or to be rendered by any motor carrier.

(2) No broker shall knowingly misrepresent to a motor carrier the commodity to be transported or otherwise give to a motor carrier incorrect information which may affect the applicable charges for a particular transportation service.

(3) No broker shall charge or accept compensation from both a shipper and a motor carrier with the same shipment, whether for brokerage or non-brokerage service, without first advising both parties of the amount and basis for the charge or payment by the other.

(4) A broker shall exercise due diligence to carry out any undertaking to arrange for desired transportation, to carry out the terms of its arrangements with any shipper or motor carrier, and to pay promptly any monies received by him for such shipper or motor carrier.

(5) Any freight charges collected by a broker shall be paid in full to the carrier or carriers employed by him, without deduction for any amount due to him from such carrier or carriers.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-15.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.18-.09 Transfer Of Brokers' License.

A license issued a broker may be transferred, if approved by the Commission, upon application and proof that the transferee is fit, willing and able to perform the duties, and that the transfer will not be contrary to the public interest.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-15.

History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.18-.10 **Corporations And Associations Holding Brokers' Licenses.**

A change in the control of a corporation or association holding a brokers' license may be accomplished only with the approval of the Commission upon application and proof that the change in control will not be contrary to the public interest.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-15.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.18-.11 **Accounting.**

Each broker who is engaged in any other business, whether as a carrier, warehouseman, or otherwise, shall keep and maintain his accounts in such manner that the revenue and expenses pertaining to his brokerage operations will be segregated from those of his other operations. Expenses that are common to his brokerage and other operations shall be allocated to each on an equitable basis, and the broker shall be prepared to show at any time and to report to the Commission when required the allocation of such common expenses and the basis of the allocation.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7, 37-3-15, 37-3-22.
History: Effective January 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.19 **Commuter Carriers.**
Author:
Statutory Authority:
History:

770-X-10-.19-.01 Definitions.

(1) Commuter Carrier - The term "commuter carrier" means a person who is not otherwise engaged in transportation for hire, and who engages in the transportation of not more than fourteen (14) passengers per vehicle to and from their regular place or places of employment for compensation, but not for profit.

(2) Commuter Certificate - The term "commuter certificate" means a certificate issued under Act No. 13 of the 1978 Special Session and under this rule to a commuter carrier who has duly registered with the Commission.

(3) Fourteen (14) Passengers - The fourteen (14) passengers permitted is determined by excluding the driver.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-4, 37-3-5, 37-3-7.
History: Effective October 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.19-.02 No Operations Without Commuter Certificate; Exemption.

(1) No person subject to the Alabama Motor Carrier Act shall engage in operations as a commuter carrier unless there is in force with respect to such person a commuter certificate issued by the Commission authorizing such operations.

(2) The requirement of a commuter certificate and no other part of this rule shall apply to:

(a) Operations (car pools) where the driving and vehicles used are rotated among the participants in the operation; or

(b) Operations involving four (4) or less persons, including the driver.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-4, 37-3-5, 37-3-7.
History: Effective October 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.19-.03 **Applications For Commuter Certificates.**

(1) Applications for commuter certificates shall be made in writing to the Commission, on forms prescribed by the Commission, and shall contain the information required by such forms. All such applications shall be verified under oath.

(2) Applications shall be accompanied by a filing fee of ten dollars ($10.00).
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-4, 37-3-5, 37-3-7.
History: Effective October 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.19-.04 **Identification Of Vehicles.**

All commuter carriers shall display on the back window of each vehicle they operate under a commuter certificate the commuter certificate number issued by the Commission, together with a prefix of "Commuter Certificate No." or "CC". The above shall be legibly painted directly in the back window in a readily visible color in letters of not less than one and one-half inches in size provided, however, that placards or decals may be used if approved in writing by the Chief of the Enforcement Division.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-4, 37-3-5, 37-3-7.
History: Effective October 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.19-.05 **Insurance.**

(1) No Operations Without Insurance - No person shall engage in operations as a commuter carrier unless such person has insurance in not less than the amounts prescribed in this rule and unless such person has current evidence of such insurance on file with the Commission.

(2) Minimum Insurance Coverage Required

(a) The minimum amount of insurance coverage required of a commuter carrier shall be:

1. Limit for bodily injuries to, or death of, one person $ 25,000.00

2. Limit for bodily injuries to, or death of, all persons injured or killed in any one accident (subject to (1) above) $ 100,000.00

3. Limit for loss or damage in any one accident to property of others $ 10,000.00

(3) Insurance Forms

(a) Proof of Coverage: Proof of liability insurance coverage in at least the amounts prescribed in (2), above, shall be filed on Form EC.

(b) Notice of Cancellation: Notice that insurance coverage will be cancelled shall be given on Form K.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-4, 37-3-5, 37-3-7.
History: Effective October 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.19-.06 **Reserved.**
Author:
Statutory Authority:
History:

770-X-10-.19-.07 **Safety Regulations.**
Author:
Statutory Authority:
History:

770-X-10-.19-7-.01 **Applicability.**

All commuter carriers shall strictly comply with the requirements of this rule.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-4, 37-3-5, 37-3-7.
History: Effective October 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.19-7-1-.01 **Minimum Qualifications Of Drivers, Generally.**

(1) A person shall not drive a motor vehicle, and a commuter carrier shall not require or permit a person to drive a motor vehicle, unless that person meets the following qualifications:

(a) Is at least 18 years of age.

(b) Can read, write, and speak the English language.

(c) Can, by reason of experience, training, or both, safely operate the type motor vehicle he drives.

(d) Holds a currently valid driver's license.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-4, 37-3-5, 37-3-7.
History: Effective October 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.19-7-1-.02 **Disqualifications.**

(1) No person shall drive a motor vehicle, and no commuter carrier shall permit or require a person to drive a motor vehicle if, within the preceding year:

(a) That person was convicted of operating a motor vehicle while under the influence of alcohol, an amphetamine, a narcotic drug, a formulation of an amphetamine, or a derivative of a narcotic drug, or

(b) That person was convicted of a felony involving the use of a motor vehicle.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-4, 37-3-5, 37-3-7.
History: Effective October 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.19-7-1-.03 **(Reserved).**
Author:
Statutory Authority:
History:

770-X-10-.19-7-1-.04 Physical Qualifications.

(1) Such person must not have a loss of, or a loss of the use of, a foot, a leg, a hand, or an arm, which interferes with his ability to control and safely drive a motor vehicle.

(2) Such person shall not have a medical history of, or a current diagnosis of, any condition or impairment which is likely to cause loss of consciousness or any loss of ability to control and safely drive a motor vehicle.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-4, 37-3-5, 37-3-7.
History: Effective October 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.19-7-1-.05 Applicable Operating Rules.

Every motor vehicle operated under a commuter certificate must be operated in accordance with these rules, and in accordance with the Rules of the Road in Chapter 32-5 of the Alabama Code and the ordinances and regulations of any county or municipality in which it is being operated.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-4, 37-3-5, 37-3-7.
History: Effective October 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.19-7-1-.06 (Reserved).
Author:
Statutory Authority:
History:

770-X-10-.19-7-1-.07 Ill Or Fatigued Operator.

No driver shall operate a motor vehicle, and a commuter carrier shall not require or permit a driver to operate a motor vehicle while the driver's ability or alertness is so impaired or so likely to become impaired through fatigue, illness or any other cause as to make it unsafe for him to begin or continue to operate the motor vehicle. However, in a case of grave emergency where the

hazard to occupants of the vehicle or other users of the highway would be increased by compliance with this section, the driver may continue to operate the motor vehicle to the nearest place at which the hazard is removed.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-4, 37-3-5, 37-3-7.
History: Effective October 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.19-7-1-.08 Narcotics, Amphetamines, And Other Dangerous Substances.

(1) No person shall operate, or be in physical control of, a motor vehicle if he possesses or is under the influence of, or is using, any of the following substances:

(a) A narcotic drug or any derivative thereof;

(b) Any amphetamine or any formulation thereof (including, but not limited to, "pep pills" and "bennies");

(c) Any other substance to a degree which renders him incapable of safely operating a motor vehicle.

(2) No commuter carrier shall knowingly require or permit a driver to violate paragraph (A) of this section.

(3) Paragraph (A) of this section does not apply to the possession or use of a substance administered to a driver by or under the instructions of a physician who has advised the driver that the substance will not affect his ability to operate a motor vehicle.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-4, 37-3-5, 37-3-7.
History: Effective October 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.19-7-1-.09 Intoxicating Liquor.

(1) No person shall:

(a) Consume any intoxicating liquor, regardless of its alcoholic content, or be under the influence of an intoxicating liquor, within four hours before going on duty or operating or having physical control of, a motor vehicle; or

(b) Consume an intoxicating liquor, regardless of its alcoholic content, or be under the influence of an intoxicating liquor while on duty or operating or in physical control of, a motor vehicle.

(2) No commuter carrier shall require or permit a driver to:

(a) Violate any provisions of paragraph (1) of this section; or

(b) Be on duty or operate a motor vehicle if, by his general appearance or by his conduct or by other substantiating evidence, he appears to have consumed an intoxicating liquor within the preceding four hours.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-4, 37-3-5, 37-3-7.
History: Effective October 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.19-7-1-.10 Schedules To Conform With Speed Limits.

No commuter carrier shall schedule a run nor permit nor require the operation of any motor vehicle between points in such period of time as would necessitate the vehicle being operated at speeds greater than those prescribed by the State of Alabama or any subdivision thereof in or through which the vehicle is being operated.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-4, 37-3-5, 37-3-7.
History: Effective October 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.19-7-1-.11 Corrective Lenses And Hearing Aids.

A driver whose physical condition requires corrective lenses or a hearing aid must wear the proper corrective lenses or hearing aid at all times while he is driving.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-4, 37-3-5, 37-3-7.
History: Effective October 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.19-7-1-.12 Driving By Unauthorized Persons.

Except in case of emergency, no driver shall permit a motor vehicle to which he is assigned to be driven by any person not authorized to drive such vehicle by the commuter carrier in control thereof.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-4, 37-3-5, 37-3-7.
History: Effective October 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.19-7-1-.13 Carbon Monoxide; Use Of Vehicle When Detected.

(1) No person shall dispatch or drive any motor vehicle or permit any passengers therein, when the following conditions are known to exist, until such conditions have been remedied or repaired:

(a) Where an occupant has been affected by carbon monoxide;

(b) Where carbon monoxide has been detected in the interior of the vehicle;

(c) When a mechanical condition of the vehicle is discovered which would be likely to produce a hazard to the occupants by reason of carbon monoxide.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-4, 37-3-5, 37-3-7.
History: Effective October 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.19-7-1-.14 Required Parts And Accessories.

Every motor vehicle operated under a commuter certificate must have the parts and accessories required by these rules and in the condition required by these rules.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-4, 37-3-5, 37-3-7.
History: Effective October 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.19-7-1-.15 Lamps (Lights) Required.

(1) Every motor vehicle operated under a commuter certificate shall have:

(a) On the front, at least two head lamps, an equal number at each side; two turn signals, one at each side.

(b) On the rear, two tail lamps, one at each side, two stop lamps, one at each side; and two turn signals, one at each side.

(c) These lamps shall be in operating condition and shall not be obscured.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-4, 37-3-5, 37-3-7.
History: Effective October 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.19-7-1-.16 (Reserved).
Author:
Statutory Authority:
History:

770-X-10-.19-7-1-.17 Requirements For Brakes.

(1) Parking Brakes - Every motor vehicle operated under a commuter certificate shall have a parking brake system adequate to hold the vehicle on any grade on which it is operated under any condition of loading on a surface free from ice or snow, and capable of stopping the vehicle within 90 feet at 20 miles per hour when it is fully loaded.

(2) Service Brake - Every motor vehicle operated under a commuter certificate shall have service brakes which operate on all wheels and which are capable of stopping the vehicle within 25 feet at 20 miles per hour when it is fully loaded.

(3) Condition of Brakes - No motor vehicle shall be operated under a commuter certificate if the brakes or any of their parts or components are worn or in such condition that a failure would be anticipated by a reasonable man.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-4, 37-3-5, 37-3-7.

History: Effective October 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.19-7-1-.18 (Reserved).
Author:
Statutory Authority:
History:

770-X-10-.19-7-1-.19 Fuel Systems.

No motor vehicle shall be operated under a commuter certificate if the fuel tank, fuel lines, or any other part of the fuel system is not in good condition or is leaking.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-4, 37-3-5, 37-3-7.
History: Effective October 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.19-7-1-.20 Other Parts And Accessories.

(1) Requirements for Tires

(a) No motor vehicle shall be operated under a commuter certificate if the tires do not comply with Alabama law.

(b) No motor vehicle shall be operated under a commuter certificate with regrooved, recapped or retreaded tires on the front wheels.

(2) Requirements for Windshields - No motor vehicle shall be operated under a commuter certificate with a cracked or discolored windshield (provided that coloring or tinting applied in manufacture is not prohibited); or with any label, sticker or other vision-reducing matter obstructing any part of the driver's view.

(3) Windshield Wipers - Every motor vehicle operated under a commuter certificate shall be equipped with one or more automatically operated windshield wiper blades, which shall be in such condition as to provide clear vision for the driver when in operation.

(4) Rear-vision Mirrors - Every motor vehicle operated under a commuter certificate shall be equipped with at least two rear-vision mirrors which shall be firmly attached to each side of the vehicle provided, that only one outside mirror on the driver's side is required if the driver has a clear view to the rear by means of an interior mirror.

(5) Horn - Every motor vehicle operated under a commuter certificate shall have a horn and actuating elements in such condition as to give an adequate and reliable warning signal.

(6) Speedometer - Every motor vehicle operated under a commuter certificate shall be equipped with a speedometer indicating, with reasonable accuracy, vehicle speed.

(7) Television Receivers - No motor vehicle shall be operated under a commuter certificate with a television receiver or screen which can be seen by the driver while he is driving the vehicle.

(8) Emergency Equipment - Every motor vehicle operated under a commuter certificate shall have a fire extinguisher and a first aid kit.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-4, 37-3-5, 37-3-7.
History: Effective October 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.19-7-1-.21 (Reserved).
Author:
Statutory Authority:
History:

770-X-10-.19-7-1-.22 (Reserved).
Author:
Statutory Authority:
History:

770-X-10-.19-7-1-.23 Inspection And Maintenance Of Vehicles.

(1) General - Every commuter carrier shall systematically inspect and maintain, or cause to be systematically maintained, all motor vehicles subject to its control, and the accessories required hereby to be mounted thereon, to insure that such motor vehicles and accessories are in safe and proper operating condition. A systematic inspection and maintenance record shall be maintained

for each motor vehicle controlled by a commuter carrier for the period during which such vehicle is subject to the commuter carrier's control; provided, however, that such records need not be retained for more than three years from the time they were required to be made. Such record shall include, at least:

(a) An identification of the vehicle, including make, model, serial number, and number of tires, their size, and number of ply;

(b) A record of inspection and repairs indicating their date and nature;

(c) A lubrication record;

(d) A systematic means of indicating for each vehicle the nature and due date of the various inspection and maintenance operations to be performed;

(e) If leased or otherwise contracted for, such records shall also include an identification of the lessor or contractor furnishing the motor vehicle.

(2) Unsafe Operations Forbidden - No commuter carrier shall permit or require a driver to drive any motor vehicle revealed by inspection or operation to be in such condition that its operation would be hazardous or likely to result in a breakdown of the vehicle, nor shall any driver drive any motor vehicle which by reason of its mechanical condition is so imminently dangerous to operate as to be likely to cause an accident or a breakdown of the vehicle. If, while any motor vehicle is being operated on a highway it is discovered to be in such unsafe condition, it shall be continued in operation only to the nearest place where repairs can safely be effected, and even such operations shall be conducted only if it be less hazardous to the public than permitting the vehicle to remain on the highway.

(3) Damaged Vehicles, Inspection - No commuter carrier shall permit or require a driver to drive, nor shall any driver drive, a motor vehicle which has been damaged in an accident or by other cause until inspection has been made by a person qualified to ascertain the nature and extent of the damage and the relationship of such damage to the safe operation of the motor vehicle, nor shall such motor vehicle be operated until such person has determined it to be in safe operating condition.

Author: Alabama Public Service Commission

Statutory Authority: Code of Ala. 1975, §§37-3-4, 37-3-5, 37-3-7.

History: Effective October 1978. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.20 Carriers For Nonprofits.
Author:
Statutory Authority:
History:

770-X-10-.20-.01 Definitions.

(1) Carrier For Nonprofits - The term "Carrier for Nonprofits" means a person who for compensation transports passengers for any nonprofit educational, religious, or charitable institution, society or corporation, or for any nonprofit literary or scientific institution, or public institution, society or corporation, or other organizations with tax exempt status by the federal government pursuant to 26 U.S.C.A. Sec. 501(c).

(2)(a) Certificate for Nonprofits A - The term "Certificate for Nonprofits A" means a certificate issued under Section 37-3-4(e), Code of Alabama 1975 and this rule to a carrier for nonprofits who has duly registered with this Commission and has no restriction on vehicle size or capacity.

(b) Certificate for Nonprofits B - The term "Certificate for Nonprofits B" means a certificate issued under Section 37-3-4(e), Code of Ala. 1975 and this rule to a carrier for nonprofits who has duly registered with this Commission and operates only vehicles with a capacity of 14 passengers or less.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective July 1994. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.20-.02 Operations Without Certificate Prohibited; Exemption.

(1) No person subject to the Alabama Motor Carrier Act shall operate as a carrier for nonprofits unless there is in force with respect to such person a Certificate for Nonprofits A, or Certificate for Nonprofits B, or a Certificate of Public Convenience and Necessity.

(2) The requirement of a Certificate for Nonprofits B, and no other part of this rule shall apply to a person who is not otherwise engaged in transportation for compensation and who

operates as a carrier for nonprofits in vehicles with a capacity of 14 passengers or less for 8 hours or less per week.
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective July 1994. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.20-.03 Applications For Certificates; Filing Fee.

(1) Applications for Certificates for Nonprofits A and B shall be made in writing to the Commission, in the form prescribed by the Commission, and shall contain the information required by such forms. All of these applications shall be verified under oath.

(2) Each application shall be accompanied by a filing fee of ten dollars ($10.00).
Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective July 1994. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.20-.04 Identification Of Vehicles.

(1) Each holder of a Certificate for Nonprofits A shall display on both sides of each vehicle operated under the certificate the following:

(a) The name or business name under which the certificate was issued,

(b) The name of the carrier's domicile or principal place of business, and

(c) The letters "FNP" followed by the certificate number issued to the carrier.

All the above shall be legibly displayed in a readily visible color in letters not less than two inches in size.

(2) Each holder of a Certificate for Nonprofits B shall display on the back of each vehicle operated under the certificate the letters "FNP" followed by the certificate number issued to the carrier. This shall appear in a readily visible color in letters not less than two inches in size.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective July 1994. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.20-.05 Insurance.

(1) No person shall engage in operations as a carrier for nonprofits unless such person has insurance in not less than the amounts prescribed in this rule, and unless such person has current evidence of such insurance on file with the Commission as prescribed in this rule.

(2) The minimum amount of insurance coverage required of a Carrier for Nonprofits A and B, respectively, shall be:

	A	B
(a) Limit for bodily injuries to, or death of one person	$ 100,000	$ 50,000
(b) Limit for bodily injuries to, or death of all persons injured or killed in any one accident (subject to (1) above)	$ 500,000	$ 200,000
(c) Limit for loss or damage in any one accident to property of others	$ 50,000	$ 30,000

(3)(a) Proof that a carrier for nonprofits has obtained the necessary insurance shall be filed on the Uniform Motor Carrier Form E.

(b) Notice that insurance coverage will be cancelled shall be given on Uniform Motor Carrier Form K.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective July 1994. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.20-.06 Reports And Fares.

(1) Each motor carrier that operates as a carrier for nonprofits shall file quarterly reports listing the names and addresses of

the nonprofit organization, corporation, institution, or society and the organizers, sponsors, or promoters, if any together with the date(s) of each trip and the carrier's published fare, rate and charge for each group; provided, however, that this requirement shall not apply to service provided pursuant to regular schedules.

(2) The quarterly report shall be filed within 30 days after the end of the calendar quarter to which it relates.

(3)(a) Each motor carrier that operates as a carrier for nonprofits shall publish, post at its domicile or principal place of business, and provide upon demand a schedule containing all the rates, fares and charges for carriage for nonprofits.

(b) Each common carrier and each contract carrier that also operates as a carrier for nonprofits shall file said schedule with the Commission, and all changes to said schedules, together with a statement setting forth the terms and conditions upon which said schedule shall apply.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective July 1994. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-10-.20-.07 Safety Regulations.

(1) Each holder of a Certificate for Nonprofits A shall comply with the Federal Motor Carrier Safety Regulations now or hereafter promulgated by the Federal Motor Carrier Safety Administration of the United States Department of Transportation.

(2) Each holder of a Certificate for Nonprofits B shall comply with Rule 17.1, et seq. of this Commission's Motor Carrier Rules.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §§37-3-5, 37-3-7.
History: Effective July 1994. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.