

House Trans 2-20-89 (p.511)  
Do pass 2-27-89 (p.530)

FILED FEB 07 1989

SENATE FILE 169  
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO SSB 143)

Passed Senate, Date 2-14-89 (p.389) Passed House, Date 4-10-89 (p.1411)  
Vote: Ayes 46 Nays 0 Vote: Ayes 94 Nays 0  
Approved 4-27-89 (p.179)

A BILL FOR

1 An Act relating to the rate filing requirements of common  
2 carriers.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23

SF 169

1 Section 1. Section 327D.66, unnumbered paragraph 1, Code  
2 1989, is amended to read as follows:

3 Every common carrier except railway corporations, subject  
4 to the provisions of this chapter shall file with the  
5 department and shall print schedules showing the rates for the  
6 transportation within this state of persons and property from  
7 each point upon its route to all other points on the route and  
8 from all points upon its route to all points upon every other  
9 route leased, operated, or controlled by it; and from each  
10 point on its route or upon any route leased, operated, or  
11 controlled by it to all points upon the route of any other  
12 common carrier, whenever a through route and a joint rate has  
13 been established or ordered between any two points. If no  
14 joint rate over a through route has been established, the  
15 schedules of the several carriers in the through route shall  
16 show the separately established rates, applicable to the  
17 through transportation.

18 Sec. 2. Section 327D.66, Code 1989, is amended by adding  
19 the following new unnumbered paragraph:

20 NEW UNNUMBERED PARAGRAPH. Railway corporations shall  
21 maintain a copy of schedules and rates on file in the office  
22 of the carrier readily accessible to and for inspection by the  
23 public.

24 Sec. 3. Section 327D.72, Code 1989, is amended to read as  
25 follows:

26 327D.72 INTERSTATE COMMERCE SCHEDULES.

27 When schedules and classifications required by the  
28 interstate commerce commission contain in whole or in part the  
29 information required by the provisions of this chapter, the  
30 posting and filing of a copy of such schedules and  
31 classifications with the department interstate commerce  
32 commission shall be deemed a compliance with the filing  
33 requirements of this chapter insofar as such schedules and  
34 classifications contain the information required by this  
35 chapter, and any additional or different information may be

1 posted and filed in a supplementary schedule.

2 EXPLANATION

3 This bill requires railway corporations to maintain copies  
4 of schedules and rates on file in their offices for public  
5 inspection and eliminates the requirement that they file rates  
6 with the state department of transportation.

7 This bill also eliminates the requirement that common  
8 carriers file copies of their schedules and classifications  
9 with the state department of transportation if they have filed  
10 the required information with the interstate commerce  
11 commission.

12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35

LLOYD-JONES, CH.  
DIELEMAN  
GOODWIN

SSB 143  
TRANSPORTATION

SENATE FILE 169  
BY (PROPOSED STATE DEPARTMENT  
OF TRANSPORTATION BILL)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the rate filing requirements of common  
2 carriers.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

1 Section 1. Section 327D.66, unnumbered paragraph 1, Code  
2 1989, is amended to read as follows:

3 Every common carrier except railway corporations, subject  
4 to the provisions of this chapter shall file with the  
5 department and shall print schedules showing the rates for the  
6 transportation within this state of persons and property from  
7 each point upon its route to all other points on the route and  
8 from all points upon its route to all points upon every other  
9 route leased, operated, or controlled by it; and from each  
10 point on its route or upon any route leased, operated, or  
11 controlled by it to all points upon the route of any other  
12 common carrier, whenever a through route and a joint rate has  
13 been established or ordered between any two points. If no  
14 joint rate over a through route has been established, the  
15 schedules of the several carriers in the through route shall  
16 show the separately established rates, applicable to the  
17 through transportation.

18 Sec. 2. Section 327D.66, Code 1989, is amended by adding  
19 the following new unnumbered paragraph:

20 NEW UNNUMBERED PARAGRAPH. Railway corporations shall  
21 maintain a copy of schedules and rates on file in the office  
22 of the carrier readily accessible to and for inspection by the  
23 public.

24 Sec. 3. Section 327D.72, Code 1989, is amended to read as  
25 follows:

26 327D.72 INTERSTATE COMMERCE SCHEDULES.

27 When schedules and classifications required by the  
28 interstate commerce commission contain in whole or in part the  
29 information required by the provisions of this chapter, the  
30 posting and filing of a copy of such schedules and  
31 classifications with the department interstate commerce  
32 commission shall be deemed a compliance with the filing  
33 requirements of this chapter insofar as such schedules and  
34 classifications contain the information required by this  
35 chapter, and any additional or different information may be

1 posted and filed in a supplementary schedule.

2 EXPLANATION

3 This bill requires railway corporations to maintain copies  
4 of schedules and rates on file in their offices for public  
5 inspection and eliminates the requirement that they file rates  
6 with the state department of transportation.

7 This bill also eliminates the requirement that common  
8 carriers file copies of their schedules and classifications  
9 with the state department of transportation if they have filed  
10 the required information with the interstate commerce  
11 commission.

12 BACKGROUND STATEMENT

13 SUBMITTED BY THE AGENCY

14 Since 1873 railroad companies have been required to file  
15 rates with the State of Iowa. The department took over that  
16 responsibility in 1975 when it was formed. The original  
17 intent of railroad regulation was to assure service to the  
18 public for a reasonable rate. The Interstate Commerce  
19 Commission (ICC) required interstate and intrastate railroads  
20 to file rates with them and allowed states to require  
21 railroads to file rates within the state. Railroad companies  
22 operating interstate and intrastate must currently file with  
23 both the ICC and the department. This bill would eliminate  
24 the requirement that a railroad company file rates with the  
25 department. Since the railroad company is still required to  
26 file with the ICC and to maintain a copy of schedules and  
27 rates in their offices, filing rates with the department is an  
28 unnecessary duplication.

29 This bill also eliminates the requirement that all motor  
30 carriers file their interstate rates with the department.  
31 However, motor carriers with intrastate authority are still  
32 required to file rates with the department but not with the  
33 ICC.

34 The department is still able to fulfill its  
35 responsibilities to the public under section 327C.10 and

1 327D.89 which permits the department to order a railroad or  
2 motor carrier to produce information or documents, and to  
3 conduct investigations on its own or on the basis of a  
4 complaint from the public. The department has received very  
5 few requests for rate quotations and no complaints concerning  
6 rail rates in more than two years. The department has  
7 received complaints concerning rates for interstate motor  
8 carriers. The complaints are primarily concerning household  
9 goods carriers. The department contacts the ICC when  
10 researching complaints because the ICC has other needed  
11 information and often more current rate information. The  
12 administration of rate filing has become burdensome and  
13 expensive to both the department and common carriers.

14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35

SENATE FILE 169

AN ACT

RELATING TO THE RATE FILING REQUIREMENTS OF COMMON CARRIERS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 327D.66, unnumbered paragraph 1, Code 1989, is amended to read as follows:

Every common carrier except railway corporations, subject to the provisions of this chapter shall file with the department and shall print schedules showing the rates for the transportation within this state of persons and property from each point upon its route to all other points on the route and from all points upon its route to all points upon every other route leased, operated, or controlled by it; and from each point on its route or upon any route leased, operated, or controlled by it to all points upon the route of any other common carrier, whenever a through route and a joint rate has been established or ordered between any two points. If no joint rate over a through route has been established, the schedules of the several carriers in the through route shall show the separately established rates, applicable to the through transportation.

Sec. 2. Section 327D.66, Code 1989, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Railway corporations shall maintain a copy of schedules and rates on file in the office of the carrier readily accessible to and for inspection by the public.

Sec. 3. Section 327D.72, Code 1989, is amended to read as follows:

327D.72 INTERSTATE COMMERCE SCHEDULES.

When schedules and classifications required by the interstate commerce commission contain in whole or in part the

information required by the provisions of this chapter, the posting and filing of a copy of such schedules and classifications with the department interstate commerce commission shall be deemed a compliance with the filing requirements of this chapter insofar as such schedules and classifications contain the information required by this chapter, and any additional or different information may be posted and filed in a supplementary schedule.

\_\_\_\_\_  
JO ANN ZIMMERMAN  
President of the Senate

\_\_\_\_\_  
DONALD D. AVENSON  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 169, Seventy-third General Assembly.

\_\_\_\_\_  
JOHN F. DWYER  
Secretary of the Senate

Approved 4/27 1989

\_\_\_\_\_  
TERRY E. BRANSTAD  
Governor

SF 169