



ADMINISTRATIVE RULES OF MONTANA



38.3.1201 USUAL BUSINESS OPERATION

- (1) A motor carrier who possesses a Class D motor carrier certificate conducts his Class D activities "as part of the motor carrier's usual business operation" as that requirement is set out in section 69-12-314 (2) , MCA, if the carrier actually transports Class D materials and holds itself out to the public as a common carrier willing to serve the public within the area authorized by the commission, provided the carrier offers the Class D service for the payment of charges intended to exceed the costs of providing such service and further provided that such service is not merely incidental to any other service provided to the customer by the carrier.

Authorizing statute(s): Sec. 69-12-201, MCA

Implementing statute(s): Secs. 69-12-314 and 69-12-407, MCA

History: NEW, 1980 MAR p. 1717, Eff. 6/27/80.