

THE MOTOR CARRIER ACT (EXCERPT)
Act 254 of 1933

***** 477.6.amended THIS AMENDED SECTION IS EFFECTIVE APRIL 1, 2015 *****

477.6.amended Submission of contract to commission; approval; disclosure; determination of predatory filings; filing statement of charges with commission; inapplicability of section to local move.

Sec. 6. (1) A motor carrier of household goods operating under a contract with a manufacturer, store, or any other organization shall submit the contract to the commission for approval. A member of the commission, or a clerk, officer, or employee of this state shall not divulge or make known, in any manner whatsoever not provided by this section, to any person the rate filings of a motor carrier of household goods unless a complaint has been brought by order of the commission against a motor carrier of household goods alleging that a rate of the motor carrier of household goods or practice or rule of the motor carrier of household goods related to the rate or value of service under that rate is predatory. Rate filings of a motor carrier of household goods operating under a contract with a manufacturer, store, or any other organization are exempt from disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246, unless a complaint has been brought by order of the commission under this section. The commission shall review all rate filings to determine if they are predatory. If the commission finds that a rate of a motor carrier of household goods or practice or rule of a motor carrier of household goods related to the rate or the value of service under that rate is predatory, the commission shall prescribe the minimum rate, practice, or rule. In making a predatory rate determination and when prescribing a minimum rate, practice, or rule related to a rate for a motor carrier of household goods, the commission shall consider all of the following:

- (a) All revenues and costs associated with 1 specific contract or appendix to that contract.
- (b) The effect of a prescribed minimum rate, practice, or rule on the movement of traffic by that carrier.
- (c) Other matters as the commission considers necessary.

(2) A motor carrier of household goods shall not receive or accept property for transportation upon the highways until it has filed the statement of charges with the commission.

(3) This section does not apply to a local move.

History: 1933, Act 254, Eff. Oct. 17, 1933;—CL 1948, 477.6;—Am. 1982, Act 399, Imd. Eff. Dec. 28, 1982;—Am. 1993, Act 352, Imd. Eff. Jan. 13, 1994;—Am. 2007, Act 33, Imd. Eff. July 10, 2007;—Am. 2014, Act 493, Eff. Apr. 1, 2015.