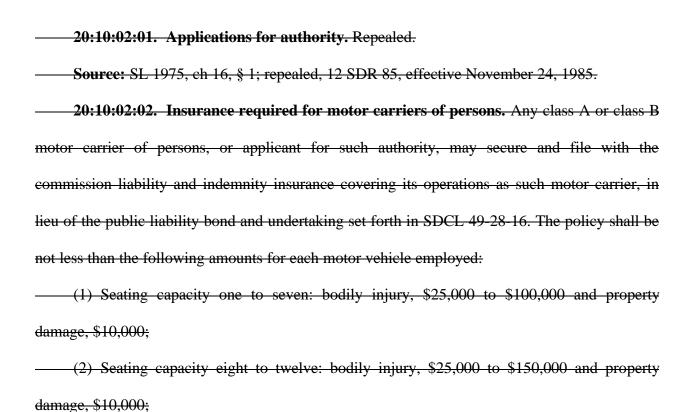
CHAPTER 20:10:02

GENERAL MOTOR CARRIER RULES

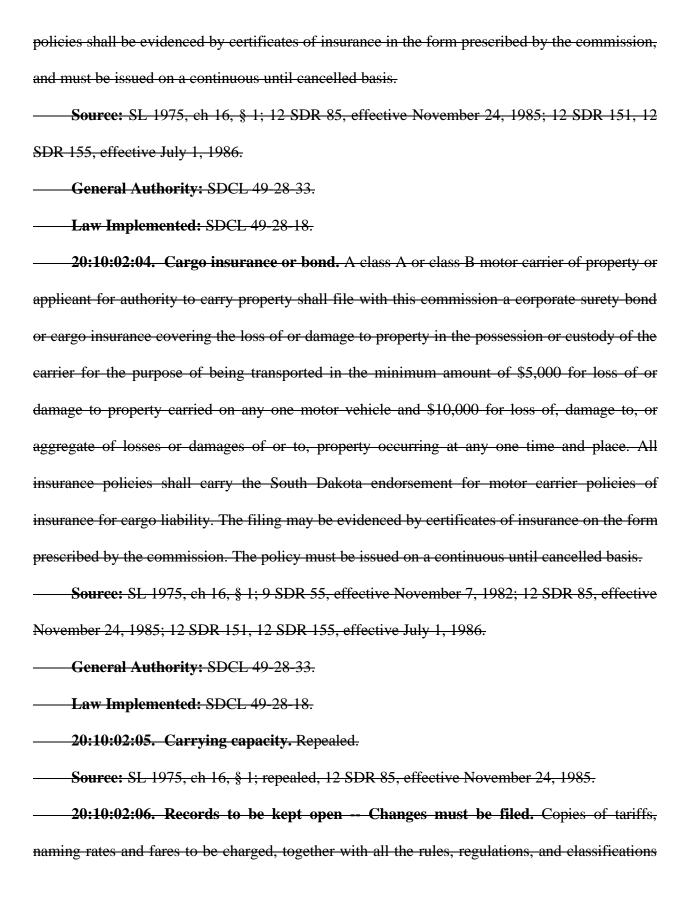
(Repealed.)

Section	
20:10:02:01	Repealed.
20:10:02:02	Insurance required for motor carriers of persons.
20:10:02:03	Insurance required for motor carriers of property.
20:10:02:04	Cargo insurance or bond.
20:10:02:05	Repealed.
20:10:02:06	Records to be kept open Changes must be filed.
20:10:02:07	Repealed.
20:10:02:08	Identification of vehicles required.
20:10:02:09	Identification of leased vehicles required.
20:10:02:10	Repealed.
20:10:02:11	Removal of identification.
20:10:02:12 to 20:10:02:1:	5-Repealed.
20:10:02:16	Class B carriers — Loading of livestock.
20:10:02:17	Class C carriers Written contract requirements.
20:10:02:18	"Property" defined.
20:10:02:19	Class B carriers — Property not permitted to be carried.
20:10:02:20	Class A carriers Charter operations.
20:10:02:21	Class A and B carriers Bills of lading.
20:10:02:22	Copies of bills of lading to be kept by drivers and principal office.

20:10:02:23	All carriers Leasing requirements.
20:10:02:24	All carriers Restriction on leases.
20:10:02:25	Class B carriers Carriage of cement.
20:10:02:26	Class B carriers Livestock carriage.
20:10:02:27	Repealed.
20:10:02:28	All carriers Handling of loss and damage claims.
20:10:02:29	Household goods carriers - Advertising must include permit
number.	
20:10:02:30	Class B carriers - Grain carriage.
20:10:02:31	Grounds for dismissal of applications.

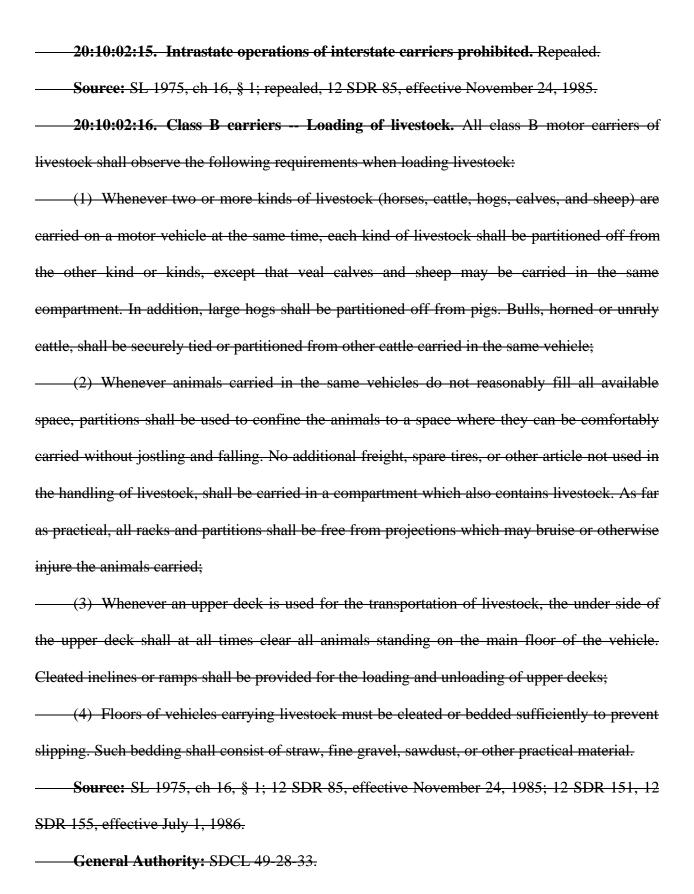


(3) Seating capacity thirteen to twenty: bodily injury, \$25,000 to \$200,000 and property
damage, \$10,000;
(4) Seating capacity twenty-one to thirty: bodily injury, \$25,000 to \$250,000 and property
damage, \$10,000;
(5) Seating capacity of thirty one or more: bodily injury, \$25,000 to \$350,000 and
property damage, \$10,000.
Source: SL 1975, ch 16, § 1; 12 SDR 85, effective November 24, 1985; 12 SDR 151, 12
SDR 155, effective July 1, 1986.
— General Authority: SDCL 49-28-33.
Law Implemented: SDCL 49-28-18.
20:10:02:03. Insurance required for motor carriers of property. Any motor carrier of
property or applicant for such authority may secure and file with the commission liability and
indemnity insurance covering its operations as such motor carrier in lieu of the public liability
bond and undertaking set forth in SDCL 49-28-16, and such policy shall be for each motor
vehicle employed not less than the following amounts:
(1) For bodily injuries to or death of one person: \$25,000;
(2) For bodily injuries to or death of all persons injured or killed in any one accident
(subject to a maximum of \$25,000 for bodily injuries to or death of one person): \$100,000;
(3) For loss or damages in any one accident to property of others (excluding cargo):
\$10,000.
\$10,000. Such liability and indemnity insurance shall in all cases carry the South Dakota

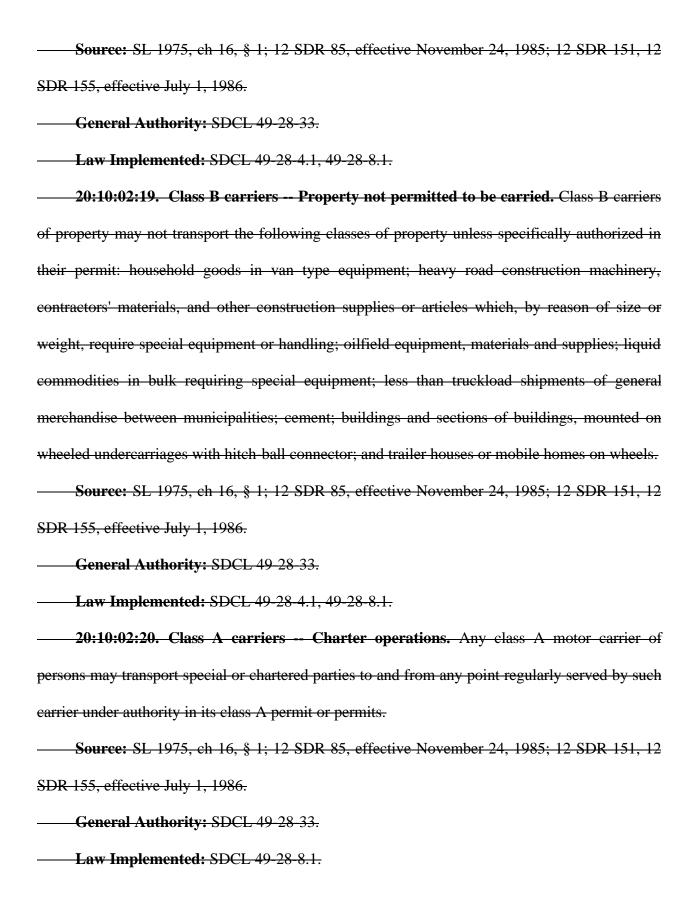


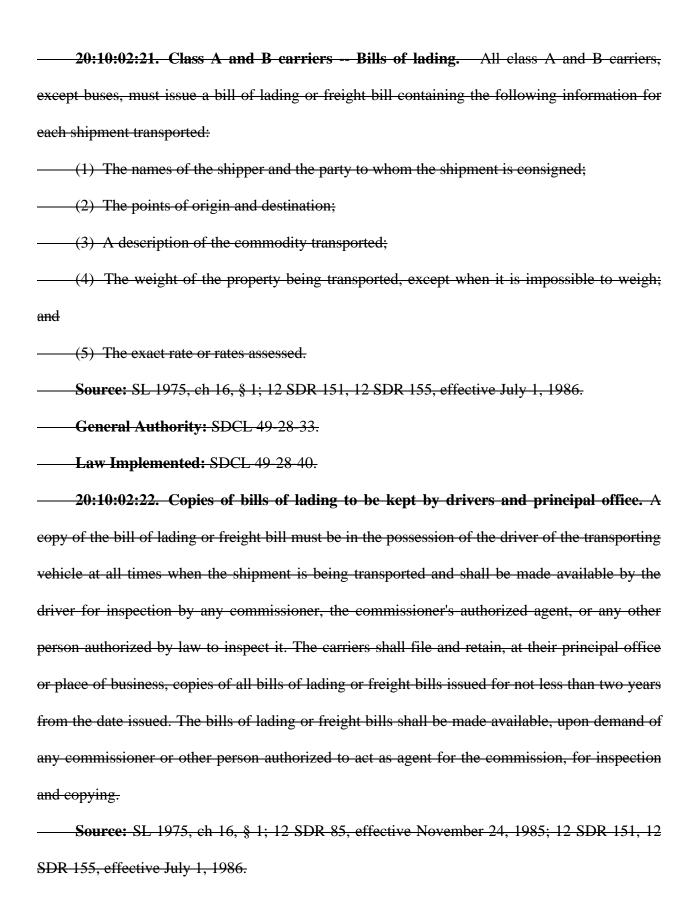
governing them, shall be kept open for public inspection by every carrier engaged in
transportation of persons or property by motor vehicle at its principal office, and a copy thereof
and all amendments thereto or changes therein must be filed with the commission before
becoming effective.
Source: SL 1975, ch 16, § 1; 12 SDR 85, effective November 24, 1985; 12 SDR 151, 12
SDR 155, effective July 1, 1986.
— General Authority: SDCL 49-28-33.
Law Implemented: SDCL 49-28-25, 49-28-48.
20:10:02:07. Improper loading. Repealed.
Source: SL 1975, ch 16, § 1; repealed, 12 SDR 85, effective November 24, 1985.
20:10:02:08. Identification of vehicles required. Motor vehicles operated by a motor
carrier on the public highways shall be plainly identified by numbers and letters not less than two
inches in height in a conspicuous place on each side of the power unit as follows:
(1) For class A carriers, the letters and figures: "Permit, S.D. noA";
(2) For class B carriers, the letters and figures: "Permit, S.D. noB";
(3) For class C carriers, the letters and figures: "Permit, S.D. noC".
Source: SL 1975, ch 16, § 1; 12 SDR 85, effective November 24, 1985; 12 SDR 151, 12
SDR 155, effective July 1, 1986.
— General Authority: SDCL 49-28-33.
Law Implemented: SDCL 49 28 2.1, 49 28 8.1.
20:10:02:09. Identification of leased vehicles required. When a motor vehicle is
operated by a motor carrier for hire acquiring the use of the equipment under the terms of a bona

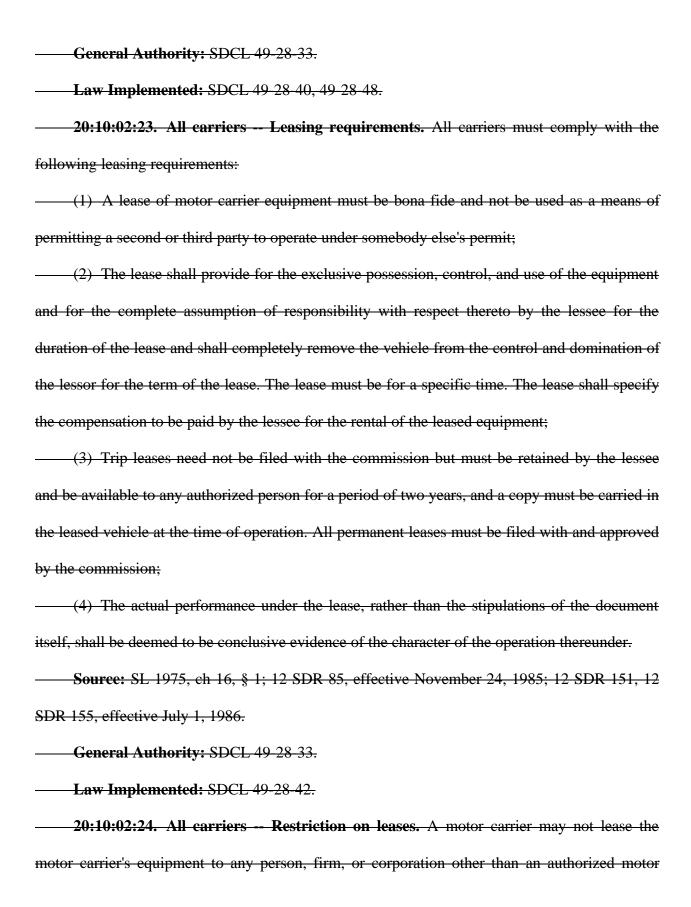
fide lease, the requirement prescribed in § 20:10:02:08 shall apply to such leased or acquired
motor equipment during the term of said lease.
Source: SL 1975, ch 16, § 1; 12 SDR 85, effective November 24, 1985; 12 SDR 151, 12
SDR 155, effective July 1, 1986.
— General Authority: SDCL 49-28-33.
Law Implemented: SDCL 49-28-2.1, 49-28-8.1.
20:10:02:10. Identification of vehicles of owner operators performing for hire
operations. Repealed.
Source: SL 1975, ch 16, § 1; repealed, 12 SDR 85, effective November 24, 1985.
20:10:02:11. Removal of identification. The motor vehicle marking required by §
20:10:02:08 must be removed or entirely effaced by the owner of such vehicle before any sale,
lease or transfer of ownership is made, or upon the expiration or cancellation of the insurance
policy, bond or authority.
Source: SL 1975, ch 16, § 1; 12 SDR 85, effective November 24, 1985; 12 SDR 151, 12
SDR 155, effective July 1, 1986.
— General Authority: SDCL 49-28-33.
Law Implemented: SDCL 49 28 2.1, 49 28 8.1.
20:10:02:12. Lighting of closed passenger vehicles. Repealed.
Source: SL 1975, ch 16, § 1; repealed, 12 SDR 85, effective November 24, 1985.
20:10:02:13. Accounting. Repealed.
Source: SL 1975, ch 16, § 1; repealed, 12 SDR 85, effective November 24, 1985.
20:10:02:14. Safety equipment required. Repealed.
Source: SL 1975, ch 16, § 1; repealed, 12 SDR 85, effective November 24, 1985.



Law Implemented: SDCL 49-28-2.1.
20:10:02:17. Class C carriers Written contract requirements. The contract between
a shipper and a class C carrier shall be a continuing contract, in writing, signed by the shipper
and carrier and accepted for filing by the commission before operations under the contract are
conducted. The contract shall include the rate or rates and charges.
Source: SL 1975, ch 16, § 1; 9 SDR 55, effective November 7, 1982; 12 SDR 85, effective
November 24, 1985; 12 SDR 151, 12 SDR 155, effective July 1, 1986.
General Authority: SDCL 49-28-33.
Law Implemented: SDCL 49-28-8.1, 49-28-9.1.
20:10:02:18. "Property" defined. The term "property" as used in class B permits
includes:
(1) All property without restriction when transported between authorized points within the
base area (base point plus radial area as authorized), except as provided in §-20:10:02:19;
(2) Livestock, agricultural products, farm machinery and farm equipment, animal or
poultry feed, petroleum products in containers, and used household goods in other than van type
equipment, when transported between authorized points within the base area and other points in
the state;
(3) Dry fertilizer, in bags and bulk when transported between points, including
municipalities, within the base area and other points in the state;
(4) All materials, supplies and equipment used in the production of agricultural
commodities, when transported in single shipments to rural places or authorized municipalities
of less than 500 population within the base area from other points in the state.







carrier. Both doors of the leased power unit shall have affixed thereto a placard which has the following information printed upon it in a legible manner: "Vehicle leased to (name of lessee); P.U.C. number (in accordance with § 20:10:02:08)". Source: SL 1975, ch 16, § 1; 12 SDR 85, effective November 24, 1985; 12 SDR 151, 12 SDR 155, effective July 1, 1986. General Authority: SDCL 49-28-33. Law Implemented: SDCL 49-28-42. 20:10:02:25. Class B carriers -- Carriage of cement. All class B motor carriers of property, for hire, operating under permits in which their authority is limited and defined in § 20:10:02:18 may have their present operating authority amended to include the transportation, for hire, of cement, in bags, in single shipments of not more than 24,000 pounds per trip, from Rapid City, South Dakota, to points, including municipalities, within the radial area described in the permit; and between points, including municipalities, within said radial area, by the submission of an application and the payment of the application fee. Source: SL 1975, ch 16, § 1; 12 SDR 85, effective November 24, 1985; 12 SDR 151, 12 SDR 155, effective July 1, 1986. General Authority: SDCL 49-28-33.

20:10:02:26. Class B carriers -- Livestock carriage. A class B motor carrier authorized to transport livestock, either by specific reference to livestock in the permit or by application of § 20:10:02:18, may transport livestock to and from livestock auction markets, livestock dealers, National Farmers Organization collection points, and any point where livestock is assembled for purchase and sale, in all municipalities within the base area described in the permit.

Law Implemented: SDCL 49-28-8.1.

Source: SL 1975, ch 16, § 1; 12 SDR 85, effective November 24, 1985; 12 SDR 151, 1	2
SDR 155, effective July 1, 1986.	
General Authority: SDCL 49-28-33.	
Law Implemented: SDCL 49-28-8.1.	
20:10:02:27. Federal safety regulations adopted. Repealed.	
Source: SL 1975, ch 16, § 1; repealed, 12 SDR 85, effective November 24, 1985.	
20:10:02:28. All carriers Handling of loss and damage claims. Every authorized	:d
intrastate motor carrier subject to the provisions of SDCL 49-28, upon the receipt of a notice in	n
writing of loss of, or damage to, cargo during the transportation shall:	
(1) Acknowledge receipt in writing within 15 days. Acknowledgment shall either information	m
the claimant that the notice has been accepted for processing as a claim or point out the	ıe
deficiencies which prevent it from being recorded as a claim. Upon the receipt of a proper	y
documented claim, the carrier shall record the date of receipt on the claim;	
(2) Commence an investigation to determine whether it acknowledges or denies liability	ty
for the loss or damage;	
(3) Maintain a separate file on each claim for loss or damage and keep in the file a	.11
documents, acknowledgments, instruments, correspondence, memoranda, and other writing	5S
relating to the claim. A carrier may keep a single register of claims for both interstate an	ıd
intrastate claims. Claim files shall be made available for inspection immediately upon request be	y
any law enforcement officer or Public Utilities Commission personnel;	
(4) Either acknowledge or deny liability for the loss or damage, in writing, outlining the	ю
reasons if denied in whole or in part, within 120 days after receipt of the original claim. If for	æ
reasons beyond the control of the carrier, the claim cannot be processed and disposed of within	n

