

ILLINOIS COMMERCE COMMISSION
Transportation Division

INSTRUCTIONS for Completing
Broker's License Application and accompanying Applicant's Fitness Statement

1. The Commission's Broker's License Application and Applicant's Fitness Statement forms must be used. Applications for name change ONLY (no change in ownership or control), address change, correction of scrivener's error and other amendments which do not alter the scope of authority conveyed in an existing license, should be submitted on the Commission's Non-Substantive License Amendment Application form.
2. The application must be filled out carefully, completely, and legibly in ink or typed.
3. If any space on the forms is insufficient write "See Attached Sheet" in the space provided and attach a plain, white sheet with that portion of your answer which would not fit on the form. ON the attached sheet, identify the question to which each answer applies. If more than one attached sheet is used, number attached sheets consecutively.
4. A filing fee in the amount of \$50 must accompany all Broker's License Applications. The fee must be paid by check, money order, cashier's check, VISA or MasterCard. Payments must be made out to the Illinois Commerce Commission.
5. A balance sheet must be filled out with the application. The balance sheet must reflect the most current calendar or fiscal year.
6. If the applicant is a corporation, the corporation must be qualified to do business in Illinois under the Illinois Business Corporation Act.
7. If the applicant is not domiciled in Illinois, a resident of Illinois must be designated as the applicant's local agent for service of process in compliance with Section 18c-1801 of the Illinois Commercial Transportation Law (ICTL). Correspondence from the Commission, lawsuits and other processes can be served on the applicant by service upon the local agent.
8. In order to qualify for a broker's license, you must demonstrate that you are fit, willing and able to provide brokerage service in compliance with applicable laws. The applicant's fitness form attached to the application must be completed and filed with the application.
9. Applicant must publish notice of the application one time in the Official State Newspaper, and may be required to publish further notice. If you have properly filed and completed the application, you will receive a letter from the Commission authorizing you to publish notice. The notice form to be completed and mailed to the Official State Newspaper, together with the name and address of the newspaper will be enclosed with the letter. You must secure a Certificate of Publication from the Official State Newspaper and promptly file a copy with the Commission.
10. A hearing on a Broker's License application is generally not required; the application will be considered on the basis of written submissions. However, if a hearing is deemed necessary by the Commission, or if any interested person intervenes in opposition to your application and is granted leave to intervene, an oral hearing will be required.
11. The application must be signed and dated by the applicant in person, if the applicant is an individual; by each partner if a partnership; or by an officer of the corporation. Attached documents must be likewise signed.
12. If the application is granted, the license cannot be issued in the name of the applicant/broker until proof of bond coverage in compliance with Commission regulations has been filed. Proof must be in the form of a Broker Surety Bond or Broker's Trust Fund Agreement signed and filed by the applicant and surety/trustee.
13. An original and two copies of the completed forms must be mailed or delivered to the Commission offices at the following address:
Illinois Commerce Commission
Transportation Division
527 East Capitol Avenue
Springfield, Illinois 62701

SUMMARY OF BROKER REGULATIONS

1. Unauthorized Operations Prohibited

Intrastate broker operations which are not expressly authorized by a license issued by the Commission are a violation of the Law.

2. Transfer of Licenses

Once a license is issued to a broker, it cannot thereafter be transferred to another person, or operated by another person, without the express written approval of the Commission. Moreover, ownership or control of the broker which holds the license cannot be changed without the express written approval of the Commission.

3. Insurance

You must file proof of continuous insurance or bond coverage with the Commission before beginning operations. Proof must be in the form of a Broker Surety Bond or Broker's Trust Fund Agreement. The Commission's minimum insurance requirements are the same as the Federal Motor Carrier Safety Administration's requirements for interstate brokers.

4. Record-Keeping

Section 18c-5106 of the Illinois Commercial Transportation Law establishes requirements for records to be kept by brokers for each brokering transaction.

5. Other Requirements

Other requirements for brokers are set forth in Sections 18c-5101 through 18c-5205 of the Illinois Commercial Transportation Law.

6. General Obligation to Comply with Statutes and Regulations

You should familiarize yourself with the requirements of the Illinois Commercial Transportation Law and Commission regulations. Compliance with these requirements is a condition of continued operation in Illinois. Each violation of the Law or Commission regulations is a misdemeanor. In addition, the Commission may impose civil sanctions including suspension or revocation of licenses, civil penalties of up to \$1,000 per violation, and other sanctions.

ILLINOIS COMMERCE COMMISSION
Transportation Division
527 East Capitol Avenue
Springfield, Illinois 62701
Phone: (217)782-4654

BROKER'S LICENSE APPLICATION

MC Number _____
(To be entered by the Commission)

I. IDENTITY OF APPLICANT

Full Legal Name: _____

Trade Name (if applicable): _____

Street Address: _____

City, State and Zip : _____

County: _____ Telephone Number: _____

Applicant is a (check one):

____ Sole Proprietorship (Individual) ____ Partnership (attach list of partners) ____ Corporation

State of Incorporation: _____ Date of Incorporation: _____

II. INFORMATION ABOUT APPLICANT

Are you licensed as a broker with the Federal Motor Carrier Safety Administration (FMCSA)? _____

If yes, please enter your FMCSA Motor Carrier Number _____

Please supply the name of your FMCSA insurance bond number (trust number) and the name of the insurance bond company (trustee) _____

Do you hold any type of authority license from the Illinois Commerce Commission (ILCC), such as a common authority (Public Carrier Certificate) or a certificate of registration? _____

If yes, please enter your ILCC number _____

Are you affiliated by common control, in any manner, with a motor carrier(s)? _____

If yes, please attach a list of all such carriers together with their FMCSA and ILCC authority numbers, where applicable.

III. LIST OF ATTACHMENTS

- ____ A. Filing Fee of \$50 (required)
- ____ B. Balance Sheet (required)
- ____ C. Applicant's Fitness Statement (required, see attached form)
- ____ D. Articles of Incorporation
- ____ E. Certificate of Authority to do Business as a Foreign Corporation (if incorporated outside of Illinois)
- ____ F. Local Agent for Service of Process Designation (if out of state)

IV. ATTORNEY OR OTHER CONTACT

If correspondence and other communication regarding this application should be with your attorney or any other particular person, please identify that person here.

Name: _____

Law Firm: _____

Street Address: _____

City, State and Zip Code: _____

Telephone Number: _____

V. SIGNATURE

Your signature on this application constitutes your verification that the information contained herein is true and correct.

You are entitled to a hearing on your application if you so desire. However, you may waive hearing to expedite consideration of your application. Your signature on this form will constitute a waiver of hearing in the event that the application is GRANTED. No application will be denied without the opportunity for hearing.

Applicant Signature

Date

Position or Title

Process Agent for Non-Illinois Residents Only (A Public Official is not acceptable)

Name

Street Address

_____, Illinois _____
City Zip Code

ILLINOIS COMMERCE COMMISSION
Transportation Division

Applicant's Fitness Statement
To accompany Broker's License Application Filed by

Name of Applicant

The applicant represents that the following information, submitted as part of the Application for a Broker's License and verified under oath by the signature thereon, is true and correct.

1. Applicant is fit, willing and able to provide the brokering service authorized by the license sought in this application; applicant has sufficient knowledge of the brokering business and experience therein, and either possesses or can obtain sufficient facilities, equipment, personnel and financial resources to provide the service.
2. Applicant will, if the application is approved, provide a reasonable continuous and adequate service as authorized by the license.
3. Applicant understands that it is under an obligation, before conducting any operations under a license issued to it by the Commission, to obtain a copy of the Illinois Commercial Transportation Law and Commission regulations or orders; to become familiar with same; and to consult with legal counsel or Commission staff where necessary. Applicant is representing, by the filing of this application, that it has done so or will do so before conducting any operations.
4. Applicant does not owe the State of Illinois any fee or tax due for the privilege of operating a motor vehicle over the public roads of this state, or any penalties for failure to pay such fees or taxes in a timely manner; or if any fee, tax or penalty is owed an agreement to pay the delinquent monies has been entered into between the applicant and the Attorney General, which agreement is not in default as attested to by the certification of the Attorney General attached to this statement.
5. Applicant (check one) _____ has _____ has not been convicted during the past three years of a breach of fiduciary responsibility, or any other offense which might bear on its fitness. If so, explain the date and nature of the offense, and state any sanction imposed.
6. Applicant (check one) _____ is _____ is not the holder of a motor carrier of property license issued by the Commission. If so, attach copy.
7. Applicant (check one) _____ has _____ has not at any time been the holder of a license from the Commission or the Federal Motor Carrier Safety Administration which was suspended or revoked. If so, explain the date of, and reason for, the suspension or revocation.

Signature

Date

Position or Title

Employer