

**Hearing Transfer Application for Transfer/Acquisition of Motor Carrier of Property License**

GENERAL INSTRUCTIONS

1. The Commission's Application for Transfer/Acquisition of Motor Carrier of Property License (**Hearing Transfer**) form, or photocopies of this form, must be used.

Unless you qualify for a non-hearing transfer under Section 18c-4306, the Application for Transfer/Acquisition of Motor Carrier of Property License (**Hearing Transfer**) form must be used. If you qualify for a non-hearing transfer, the Application for Transfer/Acquisition of Motor Carrier of Property License (*Non Hearing Transfer*) may be used. All types of transfers, including sales, acquisitions of control by stock purchase, and other transfers are covered by these forms.
2. The application must be typed or printed legibly with black ink only.
3. If any space on the forms is insufficient, write "*See Attached Sheet*" in the space and attach a plain, white 8 1/2" x 11" 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 **non-refundable** filing fee in the amount specified in the attached Reference Sheet, Chart II or III, must accompany all Applications for Transfer/Acquisition of Motor Carrier of Property License (**Hearing Transfer**). If you fill in more than one blank in Part I of the application, add respective fees and pay total amount. The fee must be paid by check or money order made out to the Illinois Commerce Commission.
5. If the Transferee/Purchaser is an Illinois corporation, the Articles of Incorporation must be filed with the application. If the Transferee/Purchaser is incorporated in a state other than Illinois, the corporation must be qualified to do business in Illinois under the Illinois Business Corporation Act. A Certificate of Authority to Do Business as a Foreign Corporation, must be filed with the application.
6. If the Transferee/Purchaser is domiciled in a state other than Illinois, a resident of Illinois must be designated as the applicant's "*agent for service of process*", in compliance with Section 18c-1801 of the Illinois Commercial Transportation Law (ICTL). The purpose of the Illinois Process Agent is to receive Commission correspondence, such as notices, orders, administrative or judicial process, on behalf of the applicant.
7. In order to qualify for a Transfer/Acquisition of Motor Carrier of Property License (**Hearing Transfer**), the Transferee/Purchaser must demonstrate that he is fit, willing and able to provide the service in compliance with applicable law. A Fitness Statement (*Supporting Document FS*) and Financial Statement (*Supporting Document FIS*) must accompany this application.
8. Contract for transfer Section 18c-4303 requires that applications for transfer/acquisition be accompanied by a copy of the written contract executed by both the Transferor/License Holder and Transferee/Purchaser. The contract must state that it: (1) is expressly conditioned on approval of the transfer by the Commission, (2) is a complete and exclusive statement of the rights of the parties in regard to the proposed transfer, and (3) cannot be amended without notice to and approval by the Commission.
9. Abstract of shipments. Section 18c-4303 also requires an Abstract of Shipments (*Supporting Document AS*) which lists shipments performed by the Transferor/License Holder within the last year prior to the date of the contract for transfer, showing the date, the identification number, the origin and destination of the shipment, and a description of the commodity shipped. Supporting Document AS must accompany this application.
10. For transfer/acquisition, the Transferee/Purchaser must publish notice of each application one time in the Official State Newspaper, and may be required to publish further notice. If the Transferee has properly completed and filed the application, he will receive a letter from the Commission authorizing him 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 this letter. Notice must be published on the Public Notice form mailed to the Transferee by the Commission. The transferee must secure a Certificate of Publication from the Official State Newspaper, promptly file a copy of the publication with the review and Examination Section of the Commission, and bring the original Certificate of Publication to the hearing. An oral hearing is required by statute on all transfer/acquisition applications for motor carrier of property authority.



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GENERAL INSTRUCTIONS (cont.)

- 11. If the application is granted, the license cannot be issued to the Transferee until the following documents have been filed with the Commission:
 - a) Proof of insurance (*Forms E and/or H*) or bond coverage in compliance with Commission regulations;
 - b) Tariffs (*if Transferee/Purchaser is a common carrier*) in compliance with Commission regulations;
 - c) Franchise fees per vehicle used in intrastate commerce in the amount prescribed by Commission regulation.
- 12. The original and two copies of this application (*with all supporting documents*) must be mailed or delivered to the Commission offices at the address below. (*See Checklist in Part IV of the Hearing Transfer/Acquisition application form.*)

Illinois Commerce Commission
 Transportation Division
 527 East capitol Avenue
 Springfield, Illinois 62701
 Phone: [217] 782-4654

SPECIFIC INSTRUCTIONS

This form is to be used as an application for transfer/acquisition of control by stock purchase of a Motor Carrier of Property License (**Hearing Transfer**). (**Note: You MAY NOT apply for temporary authority without also applying for permanent authority.**)

PART I. APPLICATION CATEGORIES

ITEMS

1 - 4: Select and enter here the appropriate two-digit fee code, the type of application, and the fee amount the **Transferee/Purchaser** is requesting.

Fee Code	Type of Application	Fee
15	New - HHG	\$900.00
22	Transfer (Hearing) - HHG	\$900.00
42	Acquisition (Hearing) - HHG	\$900.00



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PART II. IDENTITY OF TRANSFEROR/LICENSE HOLDER, AND

PART III. IDENTITY OF TRANSFEREE/PURCHASER

ITEMS

1. Select the appropriate business type. Place a check mark in the appropriate box. Check only one. Note:
2. Sole Proprietorship: Last name, first name, and middle initial.
Partnership: The legal name of the Partnership exactly as it appears on the partnership's agreement or other legal document, if any, that created the partnership.
Corporation: The corporate name exactly as listed on the corporation's charter or other legal document creating the corporation.
3. Federal Employee Identification Number (*FEIN*). If the Transferor/Transferee is not required to have a FEIN, enter the Transferor/Transferee's social security number.
4. Trade name if any, and if different from the legal name in Item 2. The trade name should be entered exactly as it was last registered with the state or local governing body which regulates trade or business names in you locality.
5. The address should be the actual physical location of the business. Do **not** use P.O. Box Number.
6. If Transferor/Transferee receives business correspondence at an address that is different from Item 6 above.
7. Business Phone Number.
8. If correspondence and other communication regarding this application should be with your attorney or other contact person, enter that person's name, address and phone number.
9. Illinois Process Agent. See General Instructions #6. (*Transferee only*).

PART IV. CHECKLIST

Review the checklist carefully to ensure that all supporting documents, attachments, and fees are included with the application at the time it is submitted to the Commission. Check each item to be included.

PART V. CERTIFYING STATEMENT AND SIGNATURES

The application must be signed and dated by both the Transferor/License Holder and Transferee/Purchaser in person, if the Transferor/Transferee is an individual; by a partner, if the Transferor/Transferee is a partnership; or by an officer of the corporation, if the Transferor/Transferee is a corporation.

If the Transferor/License Holder is deceased and the transferor/License Holder's estate was probated, a copy of the Letters of Office appointing an executor and a Probate Court Order authorizing the transfer must be filed with the application. If the Transferor/ License Holder's estate was not probated, a copy of a Small Estates Affidavit and an Heirship Affidavit which releases all rights, title and interest to the Transferee/Purchaser must be filed.



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PART VI. DEFINITIONS

Sole Proprietorship:	A person who has a legal title and exclusively owns and operates a business establishment.
Partnership:	An association, of two or more persons, to carry on as co-owners a business for profit. <i>(Ill. Rev Stat., Ch. 106 1/2, Sec. 6 Par. (1)).</i>
Corporation:	A chartered group of people granted, as a body, certain legal power, rights, privileges and liabilities of an individual, but distinct from the individuals comprising the group. <i>(Ill. Rev. State., Chap. 32).</i>
Common Carrier:	Any motor carrier engaged in the transportation of property for the general public over regular or irregular routes.
For-Hire:	For compensation or hire, regardless of the form of compensation and whether compensation is direct or indirect.
Interstate Carrier:	Any person engaged in the for-hire transportation of persons or property in interstate or foreign commerce in Illinois.
Intrastate Carrier:	Any person engaged in the for-hire transportation of persons or property in intrastate commerce in Illinois.
Transferor:	A person/company that conveys a title, right or property <i>(License Holder)</i> .
Transferee:	A person/company to whom a conveyance is made <i>(Purchaser)</i> .



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Office Use Only _____

Illinois MC No. _____

(Transferor)

IMPORTANT NOTICE:
Completion of this form is necessary to transfer/acquire control by stock purchase of a Motor Carrier of Property License under the Illinois Commercial transportation Law, Chapter 18c.

The following materials are required to complete this form:

1. Instruction Sheet - Please read General & Specific Instructions carefully before completing this form.
2. Reference Sheet - Coding Information and Definitions.
3. Supporting Documents - Forms you may be required to submit with the application.

I. TRANSFER CATEGORIES (see Specific Instructions)

1. Fee Code	2. Type of Transfer/Acquisition of Control (<i>abbreviate if necessary</i>)	3. Fee Amount
		\$

(Fees are Non-refundable, submit with application)

II. IDENTITY OF TRANSFEROR/LICENSE HOLDER

1. Business Type: (Check One) <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation			State of Incorporation _____
2. Full Legal Name of Transferor/License Holder:			3. FEIN/SSN:
4. Trade Name of Business if different from Item #2:			
5. Principal Place of Business:			
City	State	Zip	County
6. Mailing Address, if different: Street & Number (<i>P.O. Box</i>):			
City	State	Zip	7. Phone Number
8. Attorney or Other Contact for Transferor/License Holder: (<i>Person's or Law Firm's name</i>):			Phone Number
Street & Number			
City	State	Zip	County



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III. IDENTITY OF TRANSFEREE/PURCHASER				
1. Business Type: (Check One) <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation				State of Incorporation _____
2. Full Legal Name of Transferee/Purchaser:			3. FEIN/SSN:	
4. Trade Name of Business if different from Item #2:				
5. Business Address: Street & Number::				
City	State	Zip	County	
6. Mailing Address, if different: Street & Number (P.O. Box):				
City	State	Zip	7. Phone Number	
8. Attorney or Other Contact for Transferor/License Holder: (Person's or Law Firm's name):			Phone Number	
Street & Number				
City		State	Zip	
9. Illinois Process Agent's Name:	Street & Number	City	State	Zip

IV. CHECKLIST (Check applicable Items)

Transferor or Transferee

- A. Filing Fee. (Equal to the Amount on Item 4, Part I)
- B. Contract for Transfer (See General Instruction #8)

Transferor or Transferee	Transferor or Transferee
<input type="checkbox"/> C. Business Ownership Information (Supporting Document BI)	<input type="checkbox"/> J. Articles of Incorporation, if an Illinois corporation
<input type="checkbox"/> D. Abstract of Shipments (See General Instruction #9, Supporting Document AS)	<input type="checkbox"/> K. Certificate to do Business as a Foreign Corporation, if incorporated outside Illinois
<input type="checkbox"/> E. Copy (ies) of Motor Carrier of Property License (s) previously issued to the applicant, if any.	<input type="checkbox"/> L. Business Ownership Information (Supporting Document BI)
<input type="checkbox"/> F. Letters of Office	<input type="checkbox"/> M. Financial Statement (Supporting Document FIS)
<input type="checkbox"/> G. Probate Court Order	<input type="checkbox"/> N. Fitness Statement (Supporting Document FS)
<input type="checkbox"/> H. Small Estates Affidavit	<input type="checkbox"/> O. Copy (ies) of Motor Carrier of Property License (s) previously issued to the applicant, if any.
<input type="checkbox"/> I. Heirship Affidavit	<input type="checkbox"/> P. C.O.D Affidavit (Supporting Document COD)
	<input type="checkbox"/> Q. Cargo Affidavit (Supporting Document CA)



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V. CERTIFYING STATEMENT AND SIGNATURES

Under penalty of perjury, I declare that I have examined the application and all supporting documents submitted by me in connection therewith, and to the best of my knowledge, they are true, correct, and complete. Signature authorizes the Illinois Commerce Commission to lower the amount of the check if fees submitted exceed the correct amount.

Transferor/License Holder's Signature: _____ Date: _____

Transferor/License Holder Attorney's Signature: _____ Date: _____

Transferee/Purchaser's Signature: _____ Date: _____

Transferee/Purchaser Attorney's Signature: _____ Date: _____



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FINANCIAL STATEMENTS

IMPORTANT NOTICE

Completion of this form is necessary for obtaining a Motor Carrier of Property License under the Illinois Commercial Transportation Law, Chapter 18c. the applicant represents that the following information, submitted as part of the accompanying application and verified under oath by the signature thereon, is true and correct.

Supporting Document FIS

(Illinois MC Number)

IDENTITY OF APPLICANT

Full Legal Name

BALANCE SHEET AT DATE OF APPLICATION

ASSETS	
Current Assets	
Cash	\$ _____
Receivables - Trade	_____
Receivables - Other	_____
Prepayments	_____
Other Current Assets	_____
Total Current Assets	\$ _____
Fixed and Other Assets	
Buildings/Terminals - Net	\$ _____
Other Property - Net	_____
Revenue Equipment - Net	_____
Other Equipment - Net	_____
Other Fixed Asset	_____
Total Fixed Assets	\$ _____
TOTAL ASSETS	\$ _____
LIABILITIES	
Current Liabilities <i>(Due within one year)</i>	
Payables - Equipment	\$ _____
Payables - Trade	_____
Wages/Salaries	_____
Taxes	_____
Other Liabilities	_____
Total Current Liabilities	\$ _____
Long-Term Liabilities <i>(Due more than one year)</i>	
Payables - Equipment	\$ _____
Payables - Trade	_____
Other Long Term Liabilities	_____
Total Long-Term Liabilities	\$ _____
TOTAL LIABILITIES	\$ _____
OWNER'S EQUITY	
Equity	
Sole Proprietorship/Partnership Capital	\$ _____
Corporations	
Outstanding Capital Stock	_____
Retained Earnings	_____
TOTAL EQUITY	\$ _____
TOTAL LIABILITIES AND EQUITY	\$ _____

(Total Assets must equal total liabilities and equity)

PROJECTED INCOME STATEMENT FOR ONE YEAR

OPERATING REVENUE	
Transportation Revenue	
Intrastate based on Supporting Document SS	\$ _____
Intrastate from other than Supporting Shippers	_____
Interstate	_____
Non-Transportation Revenue	_____
TOTAL REVENUE	\$ _____
OPERATING EXPENSES	
Salaries	
Officers/Owners	\$ _____
Employees	_____
Payroll Taxes	_____
Total Salaries	\$ _____
Operations	
Fuel, Oil, Lube	\$ _____
License	_____
Taxes	_____
Other	_____
Total Operation	\$ _____
Insurance	
Public Liability	_____
Cargo Liability	_____
Other Insurance	_____
Total Insurance	\$ _____
Depreciation	
Buildings	\$ _____
Revenue Equipment	_____
Other Depreciation	_____
Total Depreciation	\$ _____
General	
Office Supplies	\$ _____
Utilities	_____
Uncollectible Accounts	_____
Other	_____
Total General	\$ _____
Rents	
Net-equipment Rents	\$ _____
Other Rents	_____
Total Rents	_____
TOTAL EXPENSES	_____
NET OPERATING INCOME	\$ _____
<i>(Revenue - Expenses)</i>	



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IMPORTANT NOTICE

Supporting Document FS

Completion of this form is necessary for obtaining a Motor Carrier of Property License under the Illinois Commercial Transportation Law, Chapter 18c. the applicant represents that the following information, submitted as part of the accompanying application and verified under oath by the signature thereon, is true and correct.

(Illinois MC Number)

IDENTITY OF APPLICANT

Full Legal name:

YES NO

- 1. Applicant will, if the application is approved, provide continuous and adequate service as authorized by the license.
2. 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 the 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.
3. 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.
4. Applicant has been cited for violations of applicable motor carrier safety standards. If yes, explain the date and nature of the citations and their disposition.
5. Has applicant been convicted of any crime other than a minor traffic offense? If yes, attach a detailed explanation of the date and nature of the offense, and a statement of any sanctions imposed.
6. Has applicant at any time been the holder of a license from the Commission which was suspended or revoked. If yes, explain the date of, and reason for, the suspension or revocation.
7. Does applicant or applicant's general partners, if partnership; principal officers; if corporation; have an interest in another license issued by this Commission? If yes, attach a copy of the Motor Carrier of Property License(s).



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ILLINOIS COMMERCE COMMISSION
TRANSPORTATION DIVISION
C.O.D. AFFIDAVIT

Supporting Document

COD

(Illinois MC Number)

IMPORTANT NOTICE

Completion of this form is necessary for obtaining a Motor Carrier of Property License under the Illinois Commercial Transportation Law, Chapter 18c.

Yes No Does applicant intend to conduct a C.O.D. Business?

If yes, complete Part I. A certificate of C.O.D. Bond will be required prior to issuance of a Motor Carrier of Property License.

If no, complete Part II.

I. IDENTITY OF APPLICANT (For "yes" Answer)

Table with 3 columns: Full Legal Name, FEIN/SSN, Applicant Signature, Position or Title, Date

II. IDENTITY OF APPLICANT (For "no" answer)

Table with 2 columns: Full Legal Name, FEIN/SSN

The undersigned applicant states that he will not handle any C.O.D. shipments under the license herein applied for, and requests that the license be restricted against any such shipments. This affidavit is part of the motor carrier of property license application.

CERTIFYING STATEMENT

Under penalty of perjury, I declare that I have examined this document in connection with my application for a motor carrier of property license, and to the best of my knowledge, it is true, correct and complete.

Table with 3 columns: Applicant Signature, Position or Title, Date