

**Non 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 (**Non Hearing Transfer**) form, or photocopies of this form, must be used.

Unless you qualify for a non-hearing transfer under Section 18c-4306 (*expedited transfer procedures*) as set forth in Supporting Document TTR, the Application for Transfer/Acquisition of Motor carrier Property License (**Hearing Transfer**) form must 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 IV or V, must accompany all Applications for Transfer/Acquisition of Motor Carrier of Property License (**Non Hearing Transfer**). 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. A copy of the license to be transferred, together with copies of any other licenses held by the Transferee, must accompany the application.
8. Publication of notice of a Non Hearing Transfer Application is not required.
9. This application will be considered on the basis of written submissions. If a non hearing transfer is not granted, the Transferor may amend its request to seek a hearing transfer by filing the appropriate application for Transfer/Acquisition (**Hearing Transfer**) form. Additional fees will be required.
10. 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.
11. A completed original 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 Non Hearing Transfer/Acquisition application form.*)

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



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

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 (**Non Hearing Transfer**).

PART I. APPLICATION CATERGORIES

ITEMS

1a - 3a: Select and enter here the appropriate two-digit fee code, the type of application, and the amount for the type of transfer/acquisition of authority the **transferee/Purchaser** is requesting.

42 Transfer (Non-Hearing) - HHG	\$450.00
50 Acquisition (Non-Hearing) - HHG	\$450.00

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.
(Ill. Rev Stat., Ch. 106 1/2, Sec. 6 Par. (1)).
- 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 compromising the group.
(Ill. Rev. State., Chap. 32).
- 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 *(License Holder)*.
- Transferee:** A person/company to whom a conveyance is made *(Purchaser)*.



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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 (abbreviate if necessary)	3. Fee Amount
a.	a.	a.\$
b.	b.	b.\$
4. Total Fees (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 (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	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)

Transferor or Transferee	Transferor or Transferee
___ B. Copy (ies) of Motor Carrier of Property License (s) previously issued to the applicant, if any.	___ G. Transferor/Transferee Relationship (Supporting Document TTR)
___ C. Letters of Office	___ H. Articles of Incorporation, if an Illinois corporation.
___ D. Probate Court Order	___ I. Certificate to do Business as a Foreign Corporation, if incorporated outside Illinois
___ E. Small Estates Affidavit	___ O. Copy (ies) of Motor Carrier of Property License (s) previously issued to the applicant, if any.
___ F. Heirship Affidavit	___ P. C.O.D Affidavit (Supporting Document COD)
	___ 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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IMPORTANT NOTICE

**Supporting Document
TTR**

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-4306. The Transferor and transferee represent that the following information, submitted as part of the accompanying Transfer/Acquisition Application and verified under oath by the signature thereon, is true and correct.

(Illinois MC Number)

Full Legal name:

Full Legal name:

- 1. Transferee is a member(s) of the Transferor's immediate family. Specify relationship and age (*minimum of 18 years*). Definition of immediate family relationship for this application is: husband-wife, parent-child (*natural or legally adopted child*), and sibling-sibling.

- 2. Transferee is a member(s) of the Transferor's partnership. List members of the Transferee's partnership.

- 3. Transferee is the heir of a person who died intestate or the legatees of a testator, upon order of the probate court. Specify Transferee and attach Probate Court Order.

- 4. Transferee is the heir or legatee of the Transferor pursuant to the Probate Act of 1975, as amended. Specify Transferee and attach Last Will and Testament of Transferor or Heirship Affidavit.

- 5. Transferee is a corporation, the stock of which is wholly owned by the Transferor or members of the Transferor's immediate family. In the space provided on the reverse side (*B. Transferee Information*), specify the stockholders, percentage of stock owned by the Transferee, the relationship to the members of the Transferor. Attach a copy of the Articles of Incorporation or Certificate of Authority to do Business as a Foreign Corporation in Illinois.
- 6. Transferee is a stockholder(s) of the Transferor corporation which is wholly owned by one person or members of one family. In the space provided on the next page (*B. Transferee Information*), specify the stockholder(s) of the Transferee corporation, relationship to Transferor and percentage of stock owned. Attach a copy of the Transferee's Articles of Incorporation or Certificate of Authority to do Business as a Foreign Corporation in Illinois.
- 7. Transferee is a corporation in which more than 50 percent of the stock is controlled by the stockholders of the Transferor corporation. (*No stockholder of the Transferee can acquire a majority or controlling interest unless the same stockholder possessed a majority or controlling interest in the Transferor corporation.*)
 - A. Specify present stockholders and percentage of ownership of the Transferor corporation in the space on the reverse side (*A. Transferor Information*).
 - B. Specify the stockholders and percentage of ownership of the Transferee corporation, the relationship to the stockholders of the Transferor corporation in the space on the reverse side (*B. Transferee Information*). Attach a copy of the Transferee's Articles of Incorporation or Certificate of Authority to do Business as a Foreign Corporation in Illinois.
- 8. Transferee is a corporation, all of the stock which is controlled by a member(s) of the immediate family of the stockholder(s) of the Transferor corporation.
 - A. Specify present stockholders and percentage of ownership of the Transferor corporation in the space below (*A. Transferor Information*).
 - B. Specify the stockholders and percentage of ownership of the Transferee corporation, the relationship to the stockholders of the Transferor corporation in the space below (*B. Transferee Information*). Attach a copy of the Transferee's Articles of Incorporation or Certificate of Authority to do Business as a Foreign Corporation in Illinois.



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FOR ITEMS 7 OR 8 ONLY

A. TRANSFEROR Information:

(Name and Relationship) *(Percent of Ownership)*

(Name and Relationship) *(Percent of Ownership)*

(Name and Relationship) *(Percent of Ownership)*

(Name and Relationship) *(Percent of Ownership)*

(Name and Relationship) *(Percent of Ownership)*

(Name and Relationship) *(Percent of Ownership)*

FOR ITEMS 5, 6, 7 OR 8 ONLY

A. TRANSFEREE Information:

(Name and Relationship) *(Percent of Ownership)*

(Name and Relationship) *(Percent of Ownership)*

(Name and Relationship) *(Percent of Ownership)*

(Name and Relationship) *(Percent of Ownership)*

(Name and Relationship) *(Percent of Ownership)*

(Name and Relationship) *(Percent of Ownership)*



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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)

Full Legal Name		FEIN/SSN
Applicant Signature	Position or Title	Date

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

Full Legal Name	FEIN/SSN
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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.

Applicant Signature	Position or Title	Date
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