**Section 1308.20 Aiding and Abetting – Rates**

For purposes of imposing sanctions as authorized by Section 18c-1704(2) through (7) of the Law, a person aids or abets a licensed carrier in a violation of Sections 18c-3206 and 18c-4104(1)(j) of the Law when either:

a) The person hires a carrier to provide transportation services, and:

1) is informed by the carrier of the rate to be charged for the services to be performed, which rate is specified in a lawfully applicable tariff or schedule on file with the Commission; and

2) is billed by the carrier at that rate; and

3) without good cause, intentionally pays the carrier an amount different from the amount billed by the carrier; or

b) The person offers to hire a carrier to provide transportation services at a rate which the person knows:

1) is not specified in a lawfully applicable tariff or schedule on file with the Commission; and

2) cannot legally become effective prior to the time the transportation services are to be provided by the carrier; or

c) The person, without sufficient cause, fails or refuses to pay to a carrier the amount of undercharges which the Commission has ordered the carrier to collect from that person. The fact that the person and the carrier had negotiated a rate other than the rate specified in a lawfully applicable tariff or schedule shall not constitute sufficient cause.

d) The unintentional or accidental payment of a rate different from the rate contained in a lawfully applicable tariff will not constitute aiding and abetting.