

Prime Case Up and Running

Supreme Court declines to hear carrier's appeal

On April 17, the Supreme Court declined to hear Prime's appeal on the 8th Circuit Court of Appeals ruling upholding private right of action. Under the ICC Sunset Act of 1995, owner-operators were granted the right to have disputes with motor carriers over federal leasing regulations heard in the courts (private right of action). However, when OOIDA filed suit against Prime in 1996, the carrier contended that the courts had no jurisdiction, saying instead the Department of Transportation had jurisdiction in these matters. The district court agreed with Prime and dismissed the case. OOIDA appealed and on Aug. 10, 1999, the appeals court reversed the lower court decision, upholding private right of action. With the decision by the Supreme Court not to review the appeals court case, the jurisdictional issue is settled, and the case can now proceed on its merits.

OOIDA encourages owner-operators who have questions about the lawsuit against Prime - or about any other trucker matters - to contact the association at its toll-free phone number (1-800-444-5791) or e-mail us at info@ooida.com