**Section 1306.10 Intrastate Commerce**

a) "Intrastate Commerce," as defined in Section 18c-1104 of the Illinois Commercial Transportation Law ("Law") (Ill. Rev. Stat. 1985, ch. 95½, par. 18c-1104), includes:

1) Movements between 2 points in Illinois which precede or follow interstate movements, provided that the movements are to or from a place of storage or distribution point or local marketing facility from which specific amounts of the commodity are sold or allocated.

2) Movements between 2 points in Illinois which precede or follow an interstate movement, provided that transportation within Illinois is specifically arranged for only after sale or allocation.

3) Movements between 2 points in Illinois in which the preceding movement is interstate commerce performed by exempt or private carriage, unless both the interstate movement in exempt or private carriage and the subsequent movement between 2 points in Illinois were on a through bill of lading issued prior to the inception of either movement.

4) Movements between 2 points in Illinois which have been preceded by a movement by rail in which the commodity being transported has never left the boundaries of the State of Illinois.

5) Movements between 2 points in Illinois which have been preceded by a movement by air in which the commodity being transported has never been off-loaded in another state.

6) Any movement between 2 points in Illinois taken out of the state to evade state jurisdiction.

b) In determining whether a movement was taken out of state to evade state jurisdiction, the Illinois Commerce Commission shall consider:

1) The locations of the carrier's in-state and out-of-state terminals, if any;

2) The circuity of the movement;

3) Any delay in completing the movement caused by taking it out of state; and

4) Any operational justification offered by the carrier which engaged in the movement.

c) The above movements are included in the definition of "intrastate commerce" whether such commerce moves wholly by motor carrier of property or partly by any other mode of transportation.