

2023 Kansas Statutes

66-1,114b. Public motor carrier of property other than household goods or passengers; certificate of public service; procedure to obtain; basis for issuance. (a) Except as hereinafter provided, it shall be unlawful for any public motor carrier to operate as a carrier of property other than household goods or passengers in intrastate commerce within this state without first having obtained from the commission a certificate of public service to transport property other than household goods or to transport passengers.

(b) The commission, upon the filing of an application for a certificate of public service, shall ascertain that the motor carrier is fit, knowledgeable and in compliance with the commission's safety rules and regulations, liability insurance requirements and other applicable state laws. Once a motor carrier submits a complete application demonstrating that the motor carrier is fit, knowledgeable and in compliance with the commission's safety rules and regulations, liability insurance requirements and other applicable state laws, the commission may issue that motor carrier a certificate of public service. A motor carrier denied a certificate shall be afforded the opportunity of a hearing on the matter in accordance with the provisions of the Kansas administrative procedure act. If such a hearing is requested, the hearing shall be held within 10 business days of the request.

(c) Motor carriers holding a certificate of convenience and necessity to transport property other than household goods shall be considered as holding a certificate of public service to transport that property originally granted by the commission as a public motor carrier of property. Pursuant to federal law those motor carriers may transport that property originally granted by the commission statewide.

(d) Within 18 months of the issuance to a public motor carrier of a certificate of public service to transport property other than household goods or passengers, the commission shall verify that such public motor carrier continues to be fit, knowledgeable and in compliance with the commission's safety rules and regulations, liability insurance requirements and other applicable state laws.

History: L. 2000, ch. 78, § 1; L. 2003, ch. 124, § 20; L. 2010, ch. 39, § 2; L. 2013, ch. 14, § 2; L. 2021, ch. 77, § 9; July 1.