

66-1,118. Assignment or transfer of certificate of convenience and necessity or certificate of public service; approval of commission; application; notice and hearing; findings. (a) A certificate of public convenience and necessity or a certificate of public service issued under the provisions of the motor carrier act or any portion of the authority conferred thereby may not be assigned or transferred without the consent of the commission.

(b) Applications for transfer of any certificate of public convenience and necessity or any portion of the authority conferred thereby shall be filed jointly by the assignor and the assignee. The commission may issue the transfer, as prayed for, or issue the transfer for the partial exercise only of the privilege sought, and may attach to the exercise of the rights granted such terms and conditions as in the commission's judgment the public convenience and necessity may require. Approval of the proposed transfer application, either in whole or in part, shall be given only upon a finding by the commission that the applicant is fit, willing and able to perform such service, except that if the commission finds that evidence shows that the proposed service is inconsistent with the public convenience and necessity, the commission shall not approve the transfer.

(c) Application for the transfer of any certificate of public service shall be filed jointly by the transferor and the transferee and shall be subject to the same provisions as the original application for a certificate of public service.

History: L. 1931, ch. 236, § 11; L. 1933, ch. 229, § 12; L. 1959, ch. 258, § 9; L. 1988, ch. 356, § 238; L. 1989, ch. 206, § 3; L. 1995, ch. 98, § 9; L. 2000, ch. 78, § 9; July 1.