

Article - Transportation

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§7-502.

(a) The Public Service Commission may not grant or renew any operating permit or license unless, after notice and opportunity for hearing, it finds that the route to be served and the service to be performed under the permit or license will conform to the legislative policy stated in § 7-102 of this title.

(b) Except as otherwise provided in this section, on application, complaint, or its own motion, the Public Service Commission shall:

(1) Direct private carriers to coordinate their service schedules with those of the transit facilities owned or controlled by the Administration;

(2) Direct private carriers to improve or extend any existing service or to provide additional service over additional routes; and

(3) If, after notice and opportunity for hearing, it finds that through service and joint fares are required by the public interest:

(i) Authorize a private carrier, under an agreement between the carrier and the Administration, to establish and maintain through routes and joint fares for transportation to be rendered with transit facilities owned or controlled by the Administration and otherwise to integrate its service with the service performed by the transit facilities owned or controlled by the Administration; or

(ii) In the absence of agreement, direct a private carrier to establish and maintain with the Administration through routes and joint fares.

(c) (1) Unless the private carrier is earning a reasonable return on its operation as a whole in rendering transportation subject to the jurisdiction of the Public Service Commission, the Public Service Commission may not authorize or direct a private carrier to perform any service, including the establishment or continuation of a joint fare for a through route with the Administration, if the service is based on a division between the Administration and private carrier that does not provide a reasonable return to the private carrier.

(2) In determining the issue of reasonable return, the Public Service Commission shall consider any income that is derived from the Administration, whether as payment for services or otherwise, and is attributable to the private carrier or to any corporation, firm, association, or other entity owned in whole or in part by the carrier.

(d) The Public Service Commission may not require the Administration to establish and maintain any through service or joint fare.

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