

### **281.637 Charter bus certificate.**

- (1) As used in this section, the term "charter bus certificate" means an irregular route certificate which authorizes the owner and holder thereof to transport a group of persons who, pursuant to a common purpose and under a single contract and at a fixed charge for the vehicle in accordance with the carrier's tariff lawfully on file with the department, have acquired the exclusive use of a passenger carrying motor vehicle to travel together as a group to a specified destination or for a particular itinerary, either agreed upon in advance or modified by the charter group after having left the place of origin.
- (2) The contract provided for in subsection (1) of this section shall be entered into at least forty-eight (48) hours prior to the departure of the vehicle from its point of origin. All trips shall either originate or terminate within the county of the situs of the carrier's operation which shall be designated in its certificate.
- (3) All carriers subject to the provisions of subsection (1) of this section shall be prohibited from providing service to any person who is not a member of the group having entered into the contract for carriage, and no pickup or delivery service may be allowed at any intermediate points.
- (4) Any person, or his respective predecessor in interest, engaged as of December 31, 1983, in the transportation of chartered parties or groups of persons with a common purpose, pursuant to a valid certificate issued by the department, authorizing the activity as an additional incident of conducting a regular route, common carrier passenger service, except holders of taxicab, industrial bus, and nonprofit bus certificates, shall, upon application, be entitled to the issuance of a charter bus certificate to thereafter authorize a continuation of the same operations. Upon petition by any interested party, or upon its own motion if it so desires, the department shall require a hearing upon any application, to be conducted in accordance with KRS Chapter 13B, to establish an applicant's rights thereunder. Any subsequent change in situs, or additional situs to a charter bus certificate, shall be granted only upon application to the department in the same manner as other applications made under KRS 281.625. However, nothing in this section shall in any manner limit the area of this state over which previously authorized charter operations were or which may have been lawfully performed by existing carriers as of December 31, 1983.
- (5) Notwithstanding any other requirement of this chapter, a holder of a charter bus certificate issued by the department or the Interstate Commerce Commission shall not be required to pay any fee for registering or renewing the certificate provided a current copy of the certificate is filed with the department. However, all the requirements of KRS 281.655, 281.710, and 281.752 shall be satisfactorily complied with in order for the holder of a charter bus certificate to be properly registered to operate in this Commonwealth.

**Effective:** July 15, 1996

**History:** Amended 1996 Ky. Acts ch. 318, sec. 198, effective July 15, 1996. -- Created 1984 Ky. Acts ch. 151, sec. 1, effective July 13, 1984.