

281.632 Temporary authority for service -- Renewal of temporary authority period.

- (1) To enable the provision of service for which there is an immediate and urgent need to or from a point or points or within a territory having no carrier service capable of meeting such need, the department may, in its discretion and without hearings or other proceedings, grant temporary authority for such service by a common carrier or contract carrier by motor vehicle or by an applicant for a nonprofit bus certificate, as the case may be. Such temporary authority, unless suspended or revoked for good cause, shall be valid for such time as the department shall specify but for not more than an aggregate of one hundred eighty (180) days, and shall create no presumption that corresponding permanent authority will be granted thereafter. For good cause shown, the temporary authority period may be extended for one (1) additional one hundred eighty (180) day period.
- (2) Pending the determination of an application filed with the department for approval of a consolidation or merger of the properties of two (2) or more motor carriers, or of a purchase, lease, or contract to operate the properties of one (1) or more motor carriers, the department may, in its discretion, and without hearings or other proceedings, grant temporary approval, for a period not exceeding one hundred eighty (180) days, of the operation of the motor carrier properties sought to be acquired by the persons proposing in such pending application to acquire such properties, if it shall appear that failure to grant such temporary approval may result in destruction of or injury to such motor carrier properties sought to be acquired, or to interfere substantially with their future usefulness in the performance of adequate and continuous service to the public. For good cause shown, the temporary authority period may be extended for one (1) additional one hundred eighty (180) day period.

Effective: July 15, 1998

History: Amended 1998 Ky. Acts ch. 329, sec. 1, effective July 15, 1998. -- Amended 1978 Ky. Acts ch. 232, sec. 9, effective June 17, 1978. -- Amended 1974 Ky. Acts ch. 74, Art. IV, sec. 20(2). -- Created 1956 (2nd Extra. Sess.) Ky. Acts ch. 7, sec. 10.