

281.690 Changes in rates.

- (1) A common carrier or irregular route common carrier of passengers or household goods shall not make any change in any rate that has been duly established under this chapter except after thirty (30) days' notice to the department, which notice shall state plainly the changes proposed to be made and the proposed effective date of the change. The carrier shall also give notice of the proposed change to other interested persons in the manner as the department directs in its administrative regulations. All proposed changes shall be shown by filing new tariffs in the form and manner prescribed by the department. The department may, in accordance with administrative regulations and upon the showing of good cause, provide for the allowance of a change in rates by holders of certificates authorizing only transportation of property upon notice less than that specified in this subsection.
- (2) Whenever any tariff setting forth a change in rates is filed, the department may, upon its own initiative, and shall, upon protest filed in accordance with the administrative regulations of the department, enter upon a hearing, to be conducted in accordance with KRS Chapter 13B, concerning the lawfulness of the proposed rate. The department shall mail written notice of the hearing to the applicant, the protestant, and to any other person who, in the opinion of the department, may be interested in or affected by the proposed change in rate. The department may suspend the operation of the new rates for a period of not more than six (6) months from the proposed effective date by order, giving reasons therefor. If after the hearing the department finds the proposed rate, or any part thereof, to be unjust, unreasonable, or unjustly discriminatory, or in violation of law, the department shall determine the just and reasonable rate to be charged and shall fix the same by final order.
- (3) A contract carrier shall not make any change in its contract filed with the department except upon the approval of the department.

Effective: July 15, 1998

History: Amended 1998 Ky. Acts ch. 331, sec. 5, effective July 15, 1998. -- Amended 1996 Ky. Acts ch. 318, sec. 202, effective July 15, 1996. -- Amended 1958 Ky. Acts ch. 130, sec. 16. -- Amended 1954 Ky. Acts ch. 188, sec. 8. -- Created 1950 Ky. Acts ch. 63, sec. 25, effective June 15, 1950.