



**Kansas Legislative Research Department**

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**PROPOSED REVOCATIONS – STATE CORPORATION COMMISSION**

Reference	Title	Text
KAR 82-4-40	Passengers on property-carrying vehicles.	A certificate, permit, or license authorizing transportation of property shall not authorize the transportation of persons. A motor carrier operating solely as a carrier of property shall not transport passengers or permit passengers to be transported with or without compensation. The owner of the property being transported, or the owner’s lawful agent, may be carried in the same vehicle that is transporting the owner’s property.
KAR 82-4-44	Discontinuing service.	Discontinuance of service by a common motor carrier without approval of the commission shall be deemed grounds for forfeiture of the certificate.
KAR 82-4-46	Uniform system of accounts and annual reports.	Each Kansas intrastate common motor carrier of household goods shall maintain a uniform system of accounts, as formulated and compiled by the commission, and shall file an annual financial report on forms prescribed or approved by the commission. The annual financial report for the preceding calendar year shall be filed on or after January 1, but not later than May 1, of each year.
KAR 82-4-48a	Motor carriers of property other than household goods carriers electing to be subject to uniform bills of lading and antitrust immunity regulations.	(a) Any intrastate common motor carrier of property, other than household goods carriers, may elect to be subject to regulations related to any of the following: (1) Uniform cargo liability rules for property being transported pursuant to K.S.A. 66-304, and amendments thereto, and K.A.R. 82-4-48 through K.A.R. 82-4-85; (2) uniform bills of lading or receipts for property being transported pursuant to K.S.A. 66-304 and amendments thereto, K.A.R. 82-4-48, and K.S.A. 84-7-101 through 84-7-603 and amendments thereto; or (3) antitrust immunity for joint line rates or routes, classification, and mileage guides, pursuant to K.A.R. 82-4-68 through K.A.R. 82-4-85. (b) All motor carriers electing to be subject to an existing commission regulation dealing with one or more of the subjects specified in subsection (a) shall file written notice with the commission. The written notice filed with the commission shall specify the commission regulations that apply and provide one-day notice of adoption. If the motor carrier elects to opt out of any prior commission regulation listed in subsection (a), the motor carrier shall file written notice with the commission providing 30-day notice of abrogation.

Reference	Title	Text
KAR 82-4-51	Treatment of passengers by common carrier.	<p>(a) Common motor carriers of persons and drivers or operators of a motor vehicle used in the transportation of persons the motor carrier shall not refuse to carry any person offering himself or herself for carriage at any regular stopping place, if the person tenders the regular fare to any regular stopping place on the route operated by the motor carrier. The carrier operating the motor vehicle has the right to carry passengers for hire to that point under a certificate regularly issued by the commission under the provisions of the motor carrier law, unless at the time the person offers himself or herself the seats of the motor vehicle are fully occupied.</p> <p>(b) Transportation shall be refused to any person who is in an intoxicated condition or who is conducting himself or herself in a boisterous or disorderly manner, or is using profane language, or is unable to reasonably care for himself or herself unless accompanied by a capable attendant. The driver or operator of motor vehicles used in the transportation of persons as a common motor carrier shall have the right to supervise the seating of his or her passengers at all times.</p>
KAR 82-4-58d	Financial filing requirements for abandonment of motor carrier passenger service.	<p>In addition to the formal filing of an application for abandonment of intrastate motor carrier passenger service, the applicant shall also provide the following financial data on each route proposed to be abandoned:</p> <p>(a) U.S. department of transportation or federal highway administration reports or shareholder annual reports for the three previous years;</p> <p>(b) expense data of the intrastate route or routes in question for the three previous years and an explanation of the methodology used to determine costs;</p> <p>(c) actual intrastate revenue by category, associated with the route or routes in question, on a monthly basis for the three previous years;</p> <p>(d) an estimate of the off-route revenue that will be lost as a result of the abandonment and an explanation of how the estimates were derived;</p> <p>(e) monthly intrastate ridership data for the intrastate route or routes in question for the three previous years;</p> <p>(f) monthly intrastate variable cost computations for the three previous years; and</p> <p>(g) copies of interstate tariffs applicable to the routes in question.</p>
KAR 82-4-66	Intrastate carriers serving specified incorporated or specified unincorporated municipalities.	<p>A certificate issued to any intrastate general commodity carrier of property that operates intrastate in Kansas, and that is authorized to serve at a specified municipality, shall authorize service within the limits of that municipality and at the points, places and areas, indicated in (a) and (b) of this regulation. The certificate shall not authorize service beyond the territorial limits, if any, fixed in the certificate. (a) Operating authority to serve a specified incorporated municipality shall also authorize service to all areas within eight miles of the corporate limits of the specified municipality. (b) Operating authority to serve a specified unincorporated community shall also authorize services to all places within eight miles of the post office of the same name in the unincorporated community.</p>

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KAR 82-4-86	Vehicle inspection status.	<p>(a) Each commission authorized inspection station shall be located in Kansas. Any carrier with vehicles that are registered with the commission may file an application to serve as an authorized inspection station.</p> <p>(b) Each application shall be submitted in the form of a letter on company stationery or letter-head and shall be signed by the owner of the company or an authorized officer of the corporation. The letter shall include the following:</p> <ol style="list-style-type: none"> <li>(1) the carrier's name, address and telephone number;</li> <li>(2) geographic description, location or address of the proposed inspection station;</li> <li>(3) the current number of motor vehicles and trailers operated by the carrier;</li> <li>(4) the name of the proposed, company-authorized and certified mechanic or mechanics;</li> <li>(5) a non-refundable check, payable to the state corporation commission of Kansas, for \$100.</li> </ol> <p>(c) An investigation of the application shall be conducted by a designated representative of the state corporation commission who shall report all findings. Upon approval by the commission, an order shall be issued designating the carrier and inspection station as an approved inspection location. The order or a copy shall be retained at the approved inspection station and shall be made available upon request to any representative of the commission and any state or local law enforcement officer.</p> <p>(d) Any relocation of approved inspection stations or any revision in the name or names of the company-authorized and certified mechanic shall be approved by the commission.</p> <p>(e) Each approved inspection station shall have:</p> <ol style="list-style-type: none"> <li>(1) a minimum of one authorized and certified mechanic on duty or on call.</li> <li>(2) an inspection area suitable for inspections; and</li> <li>(3) sufficient tools and equipment to inspect each type of vehicle. All tools and equipment shall be maintained in good operating condition.</li> </ol> <p>(f) The company-authorized and certified mechanic shall inspect the motor vehicle or trailer in accordance with K.A.R. 82-4-3 and K.A.R. 82-4-20. Vehicles in compliance shall be issued a certificate which shows the date of the inspection. The certificate shall be signed by the company-authorized and certified mechanic performing the inspection.</p> <p>(g) One copy of the certificate shall remain with the motor vehicle or trailer, one copy of the certificate shall be retained by the authorized inspection station for a period of one year from the date of issuance, and one copy shall be forwarded to the Kansas corporation commission within 30 days of the inspection. Each certificate issued shall be valid for 12 months from the date of issue.</p> <p>(h) Certificates may be purchased from the commission by an approved inspection station for \$5.00 each. The motor carrier purchasing the certificates shall be accountable for the disposition of each certificate. Abuse of the authority to inspect or abuse of its accountability for the certificate shall be grounds for suspension or revocation of the carrier's authority by the Commission.</p>