

281.619 Nonprofit bus certificate.

- (1) The term "nonprofit bus certificate" means a certificate authorizing a private, nonprofit corporation or a community action agency, not otherwise exempt from the provisions of this chapter, to operate motor bus or van equipment to transport passengers for hire, on other than a casual or occasional basis, between certain points within a given county or counties over regular or irregular routes, or a combination of such routes. A nonprofit bus system shall be deemed "for hire" if there is charged, contributed or received any compensation or grant of funds from the passengers themselves, individually or as a group, or from any outside source paying for or subsidizing, in whole or in part, the operating expenses attributable to the transportation services being provided, but a holder of a nonprofit bus certificate shall be deemed to be exempt from rates and services regulation by the department, as provided for by KRS 281.675 through 281.705, unless otherwise provided therein.
- (2) If any intracity passenger service is proposed by an applicant for a nonprofit bus certificate, a letter or resolution of support from the affected city shall be filed with the application.
- (3) Any nonprofit bus certificate issued by the department shall describe the passenger service or services authorized to be performed, including the types of passengers who may be transported if service is not to be held out to the general public, the points between which or the area within which such passengers may be transported, and whether regular or irregular route operations, or both, are authorized. If regular route operations are to be authorized, the certificate may merely set forth that such are permitted between certain points or within a certain area, leaving it to the certificate holder to develop its own specific route structures and schedules.
- (4) Any private, nonprofit corporation or community action agency engaged, as of June 17, 1978, in the for-hire transportation of persons, as defined in subsection (1), pursuant to a valid certificate of public convenience and necessity or permit shall, upon application, be entitled to the issuance of a nonprofit bus certificate to thereafter authorize a continuation of the same operations. Any such corporation then having an application pending for a certificate of public convenience and necessity or permit shall be entitled to a conversion of such, consistent with principles of procedural due process, to one for a nonprofit bus certificate.

Effective: July 15, 1982

History: Amended 1982 Ky. Acts ch. 453, sec. 21, effective July 15, 1982. -- Created 1978 Ky. Acts ch. 232, sec. 6, effective June 17, 1978.