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HOUSE BILL NO. 546

Offered January 13, 2010

Prefiled January 12, 2010

A *BILL to amend and reenact §§ 46.2-2096, 46.2-2097.1, and 46.2-2099.2 of the Code of Virginia, relating to motor carriers of passengers; permit requirements.*

Patron—Marshall, D.W.

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That §§ 46.2-2096, 46.2-2097.1, and 46.2-2099.2 of the Code of Virginia are amended and reenacted as follows:

§ 46.2-2096. Permit required; certificates required unless exempted.

It shall be unlawful for any contract passenger carrier to operate on any highway within the Commonwealth on an intrastate basis without first obtaining from the Department a permit in accordance with the provisions of this chapter.

Unless otherwise exempted, no person shall engage in the business of a contract passenger carrier by motor vehicle on any highway within the Commonwealth on an intrastate basis unless such person has secured from the Department a certificate of public convenience and necessity authorizing such business.

§ 46.2-2097.1. When certificates granted.

The public convenience and necessity to be served by contract passenger carriers is to provide safe and convenient transportation for passengers and, in the issuance of all certificates authorized by this article, the Department shall consider all facts bearing on that purpose, including provisions of § 46.2-2011, existing means of transportation, and the kind and location of the equipment the applicant proposes to use. The Department shall issue no more certificates than the public convenience and necessity require, and shall place such terms, limitations, and restrictions upon such certificates as the Department may deem proper or reasonably necessary. ~~Any terms, limitations, or restrictions imposed by the Department shall not be applicable to charter buses, as defined in this chapter.~~ The Department shall not deny a certificate solely on the ground that the applicant may render contract passenger service originating at the same point or points as other motor carriers. If the Department finds that the proposed operation is not justified, the application shall be denied.

§ 46.2-2099.2. Required certificate of fitness; permit for service.

No contract bus carrier, unless otherwise exempted, shall transport passengers on any highway within the Commonwealth on an intrastate basis without first having obtained from the Department a certificate of fitness authorizing such operation.

It shall be unlawful for any contract bus carrier to operate on any highway within the Commonwealth on an intrastate basis without first obtaining from the Department a permit in accordance with the provisions of this chapter.

INTRODUCED

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