
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1849 Session of
2003

INTRODUCED BY WHEATLEY, ARMSTRONG, CAPPELLI, CRAHALLA, CRUZ,
FABRIZIO, FRANKEL, GEORGE, HARHAI, HERSHEY, HORSEY, JAMES,
LEACH, McCALL, McGEEHAN, McILHATTAN, R. MILLER, PAYNE,
PETRARCA, READSHAW, ROBERTS, SAYLOR, SCHRODER, SEMMEL,
SHANER, WALKO, WASHINGTON AND YOUNGBLOOD, JULY 14, 2003

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, JULY 14, 2003

AN ACT

1 Amending Title 66 (Public Utilities) of the Pennsylvania
2 Consolidated Statutes, further providing for the procedure
3 for certificates of public convenience.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Section 1103(a) of Title 66 of the Pennsylvania
7 Consolidated Statutes is amended and the section is amended by
8 adding a subsection to read:

9 § 1103. Procedure to obtain certificates of public convenience.

10 (a) General rule.--Every application for a certificate of
11 public convenience shall be made to the commission in writing,
12 be verified by oath or affirmation, and be in such form, and
13 contain such information, as the commission may require by its
14 regulations. [A] Except as set forth in subsection (e) or (f), a
15 certificate of public convenience shall be granted by order of
16 the commission, only if the commission shall find or determine
17 that the granting of such certificate is necessary or proper for

1 the service, accommodation, convenience, or safety of the
2 public. The commission, in granting such certificate, may impose
3 such conditions as it may deem to be just and reasonable. In
4 every case, the commission shall make a finding or determination
5 in writing, stating whether or not its approval is granted. Any
6 holder of a certificate of public convenience, exercising the
7 authority conferred by such certificate, shall be deemed to have
8 waived any and all objections to the terms and conditions of
9 such certificate.

10 * * *

11 (f) Common carriers by motor vehicle.--The commission may,
12 by order, grant a certificate of public convenience to provide
13 service as a common carrier by motor vehicle if the commission
14 determines that the applicant is capable of providing safe,
15 adequate, lawful and dependable service to the public according
16 to 52 Pa. Code (relating to public utilities).

17 Section 2. This act shall take effect in 60 days.