

## 2012 Kansas Statutes

**66-1,119a. Lease or assignment of territory, operating rights and authority prohibited; pooling agreement; action by commission; procedure.** No public motor carrier authorized under the provisions of the motor carrier act to operate shall by contract, lease, agreement or any other means made with any person, partnership, association or corporation, lease or assign any authority or operating rights to perform any transportation service or operations authorized or assign any territory granted by any certificate of convenience and necessity or certificate of public service issued to such motor carrier. When the relevant federal agency has issued an order approving and authorizing a pooling agreement between two or more motor carriers covering points and places in this state, nothing herein shall be construed as prohibiting, invalidating or otherwise affecting any agreement between such motor carriers insofar as it relates to service or operations between the same points and places in intrastate commerce within this state. Any such order shall be filed with the corporation commission, and such agreement shall not be effective unless the commission finds that the proposed service or any part thereof is proposed to be performed by the applicants and that the applicants are fit, willing and able to perform such service or fit, knowledgeable and in compliance with the commission's safety rules and regulations and liability and cargo insurance requirements. If the commission makes such findings, the commission shall approve such agreement, except that if the commission finds that the proposed service is inconsistent with the public convenience and necessity, the commission shall not approve the agreement.

**History:** L. 1957, ch. 348, § 2; L. 1974, ch. 265, §1; L. 1982, ch. 275, § 4; L. 1988, ch. 356, § 240; L. 1995, ch. 98, § 10; L. 2000, ch. 78, § 11; July 1.