

underscored material = new
[bracketed material] = delete

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SENATE BILL 244

49TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2010

INTRODUCED BY

Michael S. Sanchez

AN ACT

RELATING TO MOTOR CARRIERS; ALLOWING COUNTIES AND
MUNICIPALITIES TO RECEIVE CERTIFICATES FOR COMPENSATED
INTRASTATE AMBULANCE SERVICE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 65-2A-8 NMSA 1978 (being Laws 2003,
Chapter 359, Section 8) is amended to read:

"65-2A-8. CERTIFICATES FOR INTRASTATE COMMON MOTOR
CARRIERS OF PERSONS.--

A. A common motor carrier of persons shall not
provide compensated intrastate transportation in the state
without a certificate from the commission.

B. Except as provided in this section, the
commission shall issue a certificate allowing a person to
provide compensated intrastate transportation as a common motor

underscored material = new
[bracketed material] = delete

1 carrier of persons after notice and public hearing requirements
2 are met, if:

3 (1) the person is fit, willing and able to
4 provide the transportation service to be authorized by the
5 certificate;

6 (2) the person is in compliance with the
7 safety and financial responsibility requirements of the Motor
8 Carrier Act, the rules of the commission and other applicable
9 federal and state laws and rules; and

10 (3) the transportation service to be provided
11 under the certificate is or will serve a useful public purpose
12 that is responsive to a public demand or need.

13 C. Before granting a certificate to an intrastate
14 common motor carrier of persons, the commission shall consider
15 the effect that issuance of the certificate would have on
16 existing motor carriers; provided that the commission shall not
17 find diversion of revenue or traffic from an existing motor
18 carrier to be, in and of itself, sufficient grounds for denying
19 the certificate.

20 D. The commission shall issue a certificate
21 allowing a county or municipality to provide compensated
22 intrastate ambulance services within its own boundaries upon a
23 showing that the county or municipality is in compliance with
24 the safety and financial responsibility requirements of the
25 Motor Carrier Act, the rules of the commission and other

.181226.1

underscoring material = new
[bracketed material] = delete

1 applicable federal and state laws and rules.

2 ~~[D-]~~ E. A certificate issued by the commission to
3 an intrastate common motor carrier of persons shall specify
4 the:

- 5 (1) service to be rendered;
- 6 (2) territory to be served; and
- 7 (3) reasonable terms, conditions and
8 limitations as the public convenience and necessity may
9 require; and, if necessary:

10 (a) terminals between which service is
11 to be provided; or

12 (b) routes, schedules and intermediate
13 and off-route points on the route for regular route service."