

[CHAPTER 835]

AN ACT

September 1, 1950
[H. R. 8417]
[Public Law 748]

To amend part II of the Interstate Commerce Act, with respect to the regulation of motor carriers engaged in commerce to and from the Territories and possessions of the United States.

Interstate Commerce Act, amendment.
49 Stat. 544.
49 U. S. C. § 303 (a) (8).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 203 (a) (8) of part II of the Interstate Commerce Act, as amended, is amended to read as follows:

"(8) The term 'State' means any of the several States or the District of Columbia; and the term 'United States' means the several States and the District of Columbia."

49 Stat. 544.
49 U. S. C. § 303 (a) (11).
"Foreign commerce."

(b) Section 203 (a) (11) of such part II is amended to read as follows:

"(11) The term 'foreign commerce' means commerce, whether such commerce moves wholly by motor vehicle or partly by motor vehicle and partly by rail, express, or water, (A) between any place in the United States and any place in a foreign country, or between places in the United States through a foreign country; or (B) between any place in the United States and any place in a Territory or possession of the United States insofar as such transportation takes place within the United States."

49 Stat. 551.
49 U. S. C. § 306 (a).

SEC. 2. Paragraph (a) of section 206 of such part II is hereby amended by inserting "(1)" after "(a)" where it appears at the beginning of such paragraph, and by inserting at the end of such paragraph two subparagraphs as follows:

Certificate of convenience and necessity.

"(2) Unless otherwise specifically indicated in such certificate, the holder of any certificate heretofore issued under this part, or hereafter issued under this part pursuant to an application filed on or before the date on which this paragraph takes effect, authorizing the holder thereof to engage as a common carrier by motor vehicle in the transportation in interstate or foreign commerce of passengers or property over any route or routes or within any territory, may without making application under this section engage, to the same extent and subject to the same terms, conditions, and limitations, as a common carrier by motor vehicle in the transportation of passengers or property, as the case may be, over such route or routes or within such territory, in commerce between places in the United States and places in Territories or possessions of the United States.

49 Stat. 554.
49 U. S. C. § 310.

"(3) Subject to the provisions of section 210, if any person (or its predecessor in interest) was in bona fide operation on March 1, 1950, over any route or routes or within any territory, as a common carrier engaged in the transportation of passengers or property by motor vehicle in commerce between any place in the United States and any place in a Territory or possession of the United States, and has so operated since that time (or if engaged in furnishing seasonal service only, was in bona fide operation on March 1, 1950, during the season ordinarily covered by its operations and has so operated since that time), except in either instance as to interruptions of service over which such applicant or its predecessor in interest had no control, the Commission shall issue a certificate authorizing such operations without requiring further proof that public convenience and necessity will be served thereby, and without further proceedings, if application for such certificate is made to the Commission as provided in paragraph (b) of this section and within one hundred and twenty days after the date on which this subparagraph takes effect. Pending the

determination of any such application, the continuance of such operation without a certificate shall be lawful. Any carrier which, on the date this subparagraph takes effect, is engaged in an operation of the character specified in the foregoing provisions of this subparagraph, but was not engaged in such operation on March 1, 1950, may under such regulations as the Commission shall prescribe, if application for a certificate is made to the Commission within one hundred and twenty days after the date on which this subparagraph takes effect, continue such operation without a certificate pending the determination of such application in accordance with section 207 (a)."

SEC. 3. Paragraph (a) of section 209 of such part II is hereby amended by inserting "(1)" after "(a)" where it appears at the beginning of such paragraph, and by inserting at the end of such paragraph two subparagraphs as follows:

"(2) Unless otherwise specifically indicated in such permit, the holder of any permit heretofore issued under this part, or hereafter issued under this part pursuant to an application filed on or before the date on which this paragraph takes effect, authorizing the holder thereof to engage as a contract carrier by motor vehicle in the transportation in interstate or foreign commerce of passengers or property over any route or routes or within any territory, may without making application under this part engage, to the same extent and subject to the same terms, conditions, and limitations, as a contract carrier by motor vehicle in the transportation of passengers or property, as the case may be, over such route or routes or within such territory, in commerce between places in the United States and places in Territories or possessions of the United States.

"(3) Subject to the provisions of section 210, if any person (or its predecessor in interest) was in bona fide operation on March 1, 1950, over any route or routes or within any territory, as a contract carrier engaged in the transportation of passengers or property by motor vehicle in commerce between any place in the United States and any place in a Territory or possession of the United States, and has so operated since that time (or if engaged in furnishing seasonal service only, was in bona fide operation on March 1, 1950, during the season ordinarily covered by its operations and has so operated since that time), except in either instance as to interruptions of service over which such applicant or its predecessor in interest had no control, the Commission shall issue a permit authorizing such operations, without further proceedings, if application for such permit is made to the Commission as provided in paragraph (b) of this section and within one hundred and twenty days after the date on which this subparagraph takes effect. Pending the determination of any such application, the continuance of such operation without a permit shall be lawful. Any carrier which, on the date this subparagraph takes effect, is engaged in an operation of the character specified in the foregoing provisions of this subparagraph, but was not engaged in such operation on March 1, 1950, may under such regulations as the Commission shall prescribe, if application for a permit is made to the Commission within one hundred and twenty days after the date on which this subparagraph takes effect, continue such operation without a permit pending the determination of such application in accordance with subsection (b) of this section."

SEC. 4. This Act shall take effect upon the date of its enactment, except that the first section of this Act shall take effect on the one hundred and twentieth day after such date.

Approved September 1, 1950.

49 Stat. 551.
49 U. S. C. § 307 (a).
49 Stat. 552.
49 U. S. C. § 309 (a).

Permit to operate.

49 Stat. 554.
49 U. S. C. § 310.

Effective date.