

CHAPTER 165

S.B. No. 862

AN ACT

relating to the regulation of motor buses transporting railroad crews.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Section 2, Chapter 270, Acts of the 40th Legislature, Regular Session, 1927, as amended (Article 911a, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 2. *Except as provided by Section 2A of this Act, all [A4] motor-bus companies, as defined herein, are hereby declared to be "common carriers" and subject to regulation by the State of Texas, and shall not operate any motor propelled passenger vehicle for the regular transportation of persons as passengers for compensation or hire over any public*

highway in this State except in accordance with the provision of this Act, provided, however, that nothing in this Act or any provision thereof shall be construed or held to in any manner affect, limit, or deprive cities and towns from exercising any of the powers granted them by Chapter 147, pages 307 to 318 inclusive, of the General Laws of the State of Texas, passed by the Thirty-third Legislature, or any amendments thereto.

SECTION 2. Chapter 270, Acts of the 40th Legislature, Regular Session, 1927, as amended (Article 911a, Vernon's Texas Civil Statutes), is amended by adding Section 2A to read as follows:

*Sec. 2A. (a) A motor bus company in the business of transporting railroad crews is considered to be engaged in contract carriage and shall apply to the Commission for a permit to operate as a contract motor bus company.*

*(b) The Commission shall issue a permit under this section if the applicant demonstrates:*

- (1) that it has one or more contracts to transport railroad crews; and*
- (2) financial and operating fitness.*

*(c) The Commission may not restrict the number of contracts held by a contract motor bus company.*

*(d) A contract motor bus company is subject to all provisions of this Act and rules of the Commission relating to insurance and safety, equipment necessary for the comfort of occupants of the vehicle, the qualifications and physical condition of the driver, and enforcement.*

SECTION 3. This Act takes effect September 1, 1987.

SECTION 4. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed the Senate on May 1, 1987, by a viva-voce vote. Passed the House on May 12, 1987, by a non-record vote.

Approved May 25, 1987.

Effective Sept. 1, 1987.