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PSC REGULATION OF CHARTER BUS TRANSPORTATION ENDS

The state Public Service Commission will no longer regulate charter bus transportation in any manner as a result of a new federal law.

The Transportation Equity Act For the 21st Century passed by Congress in May pre-empts the ability of states to regulate transportation service by charter bus companies. State regulation of charter transportation rates, including charter bus rates, was pre-empted by federal law two years ago.

The PSC last week informed motor carriers of passengers in the state by letter that the federal pre-emption applies when the transportation involves all of the following elements:

- o A group of passengers with a common purpose traveling together to a specified destination which has secured exclusive use of the charter bus through contract;
- o A single contract for the transportation that was entered into and did not result from a spontaneous "curbside" agreement;
- o A single, fixed charge for the transportation rather than individual passenger fares; and
- o The transporting vehicle is not a limousine.

The pre-emption does not apply to state regulation of taxicab and limousine services.

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