

No. 380, S.]

[Published June 11, 1945.]

**CHAPTER 290.**

AN ACT to amend 194.34 (1) of the statutes, relating to the regulation of motor carriers.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

194.34 (1) of the statutes is amended to read:

194.34 (1) No person shall operate a motor vehicle upon the public highways as a contract motor carrier without first having obtained from the commission a license and a permit for the operation of such vehicle. The commission, upon the filing of an application for such license, shall have power as the public interest may require, upon a finding of *public* convenience and necessity *as to service to be performed for the public generally or any (well defined) class thereof, and of convenience and necessity as to other contract motor carrier services*, to grant or deny the license prayed for or to grant it for the partial exercise only of the privilege sought, and may attach to the exercise of the privilege granted by such license such terms and conditions as in its judgment the public interests may require; provided that no application for a license or permit to operate a motor vehicle for automobile wrecking or tow service when such motor vehicle is used to transport other vehicles for emergency repairs shall be denied for failure of the applicant to show or the commission to find convenience and necessity therefor. Before granting a license to a contract motor carrier the commission shall take into consideration existing *public* transportation facilities in the territory for which a license is sought, including *contract motor carriers*, common motor carriers and steam and electric railways. If the commission shall grant in whole or in part any application for a license or amendment without hearing, it shall publish the authority so granted in such manner as it may deem proper, and in such detail as is necessary to show the extent thereof. Any person having an interest may, within 30 days of any such grant, petition the commission for a public hearing thereon and such petition shall be granted by the commission as a matter of course, and the commission may in its discretion suspend such license or amendment until further order of the commission.

Approved June 7, 1945.