

## Chapter PSC 38

NONEXERCISE OF OPERATING RIGHTS BY COMMON  
AND CONTRACT CARRIERS

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**PSC 38.01 Common carriers, initial service.** Every grant of authority to a common motor carrier hereafter issued shall be conditional upon initial exercise of authority within 60 days after the effective date of the grant unless authority is secured from the commission to defer commencement of operations for a further period of time.

**PSC 38.02 Public contract carriers, establishing service.** Every grant of authority hereafter issued to a public contract motor carrier shall be conditional upon the establishment of service thereunder within a reasonable time and maintenance thereof with reasonable continuity.

**PSC 38.03 Private contract carriers, unexercised authority.** Every grant of authority hereafter issued to perform any operation as a private contract motor carrier shall be conditional upon such authority not remaining unexercised at any one time for a period in excess of 1 year unless consent is obtained from the commission to cease operation for a longer period upon good cause shown.

**PSC 38.04 Contract carriers, abandoned service.** Every contract motor carrier shall be presumed to have abandoned authority for each and every operation not performed for the period of 1 year unless authority is secured from the commission to suspend such operation for a longer period upon good cause shown.

**PSC 38.05 Contract carriers, license suspension or revocation.** Every contract motor carrier license or any item of authority under a license, which is presumed to have been abandoned under above provision section PSC 38.04 shall be subject to suspension or revocation upon a finding, after notice to the licensee and an opportunity to be heard, that service under the contract motor carrier license or under the item of authority in question has been abandoned under the provisions of section 194.46, Wis. Stats.

**PSC 38.06 Contract carriers entering armed forces.** The contract motor carrier authority held by any person who has entered the armed forces of the United States during a national war emergency will not be presumed to have been abandoned under above provision section PSC 38.04 until 6 months after the licensee's discharge from such service, or until later, within the discretion of the commission.