

## CHAPTER 267

(Senate Bill 364)

AN ACT to repeal and re-enact, with amendments, Section 389 of Article 23 of the Annotated Code of Maryland (1939 Edition), title "Corporations," sub-title "Public Service Commission," and Section 304 of Article 56 of said Code, title "Licenses," sub-title "Public Passenger Motor Vehicles," to provide that no common carrier, railroad corporation or street railroad corporation shall abandon or discontinue the exercise of any franchise, right or permit without the consent of the Public Service Commission.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 389 of Article 23 of the Annotated Code of Maryland (1939 Edition), title "Corporations," sub-title "Public Service Commission," and Section 304 of Article 56 of said Code, title "Licenses," sub-title "Public Passenger Motor Vehicles," be and they are hereby repealed and re-enacted, with amendments, all to read as follows:

389. No common carrier, railroad corporation or street railroad corporation shall abandon or discontinue in whole or in part, the exercise of any franchise or right, under any provision of the railroad law, or any other law, in so far as it is then actually being exercised for the public service, without the permission and approval of the Commission first obtained, after due hearing, and the determination by the Commission that the present or future public convenience or necessity permit of such abandonment or discontinuance of the exercise of such franchise or right. *The Commission is hereby authorized to require the continuance of any service rendered the public by any such common carrier, railroad corporation or street railroad corporation under any such franchise, right, or permit after its expiration date, if any, until the determination by the Commission that present or future public convenience or necessity permits such abandonment or discontinuance.* , PROVIDED, HOWEVER, THAT SUCH DETERMINATION SHALL BE MADE BY THE COMMISSION NOT LATER THAN NINETY DAYS FROM THE EXPIRATION DATE OF SUCH PERMIT.

EXPLANATION: *Italics indicate new matter added to existing law.*

[Brackets] indicate matter stricken from existing law.

CAPITALS indicate amendments to bill.

~~Strike out~~ indicates matter stricken out of bill.