

CHAPTER 543
(House Bill 579)

AN ACT to repeal and re-enact, with amendments, Section 2(o) of Article 78 of the Annotated Code of Maryland (1969 Replacement Volume), title "Public Service Commission Law," subtitle "General Provisions"; to add new Section 2(ii) to the Article, to follow immediately after Section 2(hh) thereof; and to add new Section 55A to the Article, subtitle "Public Service Companies," to follow immediately after Section 55 thereof and to be under the new subheading "Radio Common Carriers," to add radio common carrier to the list of the types of companies included in the term "Public Service Company," to add a definition of "Radio Common Carrier," and to provide for the regulation of and the granting of jurisdiction to the Public Service Commission over Radio Common Carriers.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 2(o) of Article 78 of the Annotated Code of Maryland (1969 Replacement Volume), title "Public Service Commission Law," subtitle "General Provisions," be and it is hereby repealed and re-enacted, with amendments; and that new Section 2(ii) be and it is hereby added to the Article, to follow immediately after Section 2(hh) thereof, and that new Section 55A be and it is hereby added to the Article, subtitle "Public Service Companies," to follow immediately after Section 55 thereof, and to be under the new subheading "Radio Common Carriers," and all to read as follows:

2.

(o) "Public Service Company" means a common carrier company, gas company, electric company, steam heating company, telephone company, telegraph company, *radio common carrier*, water company, sewage disposal company, and/or any combination thereof. Two public service companies shall be considered of the same class, where they are both common carrier companies or both gas companies, electric companies, gas and electric companies, steam heating companies, telephone companies, telegraph companies, water companies or sewage disposal companies.

2.

(ii) "*Radio Common Carrier*" shall mean every public service company operating or managing a radio common carrier engaged in the business of providing a service of one way or two way radio communications and licensed as a miscellaneous common carrier by the Federal Communications Commission, but not engaged in the business of providing a public land line message telephone service or a public message telegraph service. The terms "telegraph company," "telephone company," or "a person operating telegraph or telephone lines" when used in this Article, shall not be construed to include radio common carriers.

55A. RADIO COMMON CARRIERS

(a) No radio common carrier shall begin or continue the construction or operation of any radio common carrier system or any extension thereof, either directly or indirectly, without first obtain-