

5. EACH AUTHORIZED CARRIER SHALL:

(A) PROVIDE SAFE AND ADEQUATE TRANSPORTATION SERVICE, EQUIPMENT, AND FACILITIES; AND

(B) OBSERVE AND ENFORCE COMMISSION REGULATIONS ESTABLISHED UNDER THIS ACT.

CERTIFICATES OF AUTHORITY

6. (A) A PERSON MAY NOT ENGAGE IN TRANSPORTATION SUBJECT TO THIS ACT UNLESS THERE IS IN FORCE A "CERTIFICATE OF AUTHORITY" ISSUED BY THE COMMISSION AUTHORIZING THE PERSON TO ENGAGE IN THAT TRANSPORTATION.

(B) ON THE EFFECTIVE DATE OF THIS ACT A PERSON ENGAGED IN TRANSPORTATION SUBJECT TO THIS ACT UNDER AN EXISTING "CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY" OR ORDER ISSUED BY THE COMMISSION SHALL BE ISSUED A NEW "CERTIFICATE OF AUTHORITY" WITHIN 120 DAYS AFTER THE EFFECTIVE DATE OF THIS AMENDMENT.

(C) (I) PENDING ISSUANCE OF THE NEW CERTIFICATE OF AUTHORITY, THE CONTINUANCE OF OPERATIONS SHALL BE PERMITTED UNDER AN EXISTING CERTIFICATE OR ORDER ISSUED BY THE COMMISSION WHICH WILL CONTINUE IN EFFECT ON THE EFFECTIVE DATE OF THIS ACT.

(II) THE OPERATIONS DESCRIBED IN PARAGRAPH (I) OF THIS SUBSECTION SHALL BE PERFORMED ACCORDING TO THE RATES, REGULATIONS, AND PRACTICES OF THE CERTIFICATE HOLDER ON FILE WITH THE COMMISSION ON THE EFFECTIVE DATE OF THIS ACT.

7. (A) WHEN AN APPLICATION IS MADE UNDER THIS SECTION FOR A CERTIFICATE OF AUTHORITY, THE COMMISSION SHALL ISSUE A CERTIFICATE TO ANY QUALIFIED APPLICANT, AUTHORIZING ALL OR ANY PART OF THE TRANSPORTATION COVERED BY THE APPLICATION, IF IT FINDS THAT:

(I) THE APPLICANT IS FIT, WILLING, AND ABLE TO PERFORM THAT TRANSPORTATION PROPERLY, CONFORM TO THE PROVISIONS OF THIS ACT, AND CONFORM TO THE RULES, REGULATIONS, AND REQUIREMENTS OF THE COMMISSION; AND

(II) THAT THE TRANSPORTATION IS CONSISTENT WITH THE PUBLIC INTEREST.

(B) IF THE COMMISSION FINDS THAT THE REQUIREMENTS OF SUBSECTION (A) OF THIS SECTION HAVE NOT BEEN MET, THE APPLICATION SHALL BE DENIED BY THE COMMISSION.

(C) THE COMMISSION SHALL ACT UPON APPLICATIONS UNDER THIS ACT AS SOON AS POSSIBLE.