

(1) Any motor vehicle used exclusively for the transportation of pupils to and from public or private schools;

(2) Any motor vehicle operated for a period of not more than three months in any registration year in the transportation of persons employed at a cannery located in any county in Maryland;

(3) This subheading does not apply to taxicabs;

(4) Public transportation for hire authorized to operate on the boardwalk in the Town of Ocean City, Maryland;

(5) A vanpool operation as defined in the Transportation Article;

(6) The public transportation system for Washington County established pursuant to § 1-603 of the Code of Public Local Laws of Washington County being Article 22 of the Code of Public Local Laws of Maryland; or

(7) The public transportation system for Allegany County established under § 23-24 of the Code of Public Local Laws of Allegany County, being Article 1 of the Code of Public Local Laws of Maryland.

(c) The public duties of a common carrier shall not be imposed on any person with respect to any vehicle for which a permit is required under this section, if the vehicle is not actually engaged in public transportation.

[(d) (1) No person, or any person controlling, controlled by, or under common control with such person, shall hold a permit as a common carrier authorizing operation for the transportation of flammables by motor vehicle within the State of Maryland, if such person, or any such controlling person, controlled person, or person under common control, holds a permit as a contract carrier authorizing operation for the transportation of flammables by motor vehicle within the same territory, in the State of Maryland.

(2) No person, or any person controlling, controlled by, or under common control with such person, shall hold a permit as a contract carrier authorizing operation for the transportation of flammables by motor vehicle within the State of Maryland, if such person, or any such controlling person, controlled person, or person under common control, holds a permit as a common carrier authorizing operation for the transportation of flammables by motor vehicle within the same territory in the State of Maryland.

(3) Nothing in this section shall be construed as invalidating any action lawfully taken or rights lawfully acquired by any person prior to June 1, 1959.]

33.

[(a)] No motor carrier permit shall be issued unless the Commission, after considering the number of vehicles to be used, the rate to be charged, potential demand, qualifications of the applicant and such other factors as it deems relevant, deems that the issuance of a permit will be best for the public welfare and convenience.

[(b) In case of application by carriers of flammables, no permit shall be issued unless in addition to requirements of subsection (a) of this section, the applicant has complied with all safety requirements prescribed by the Commission and with the