

R2-66 BROKERS

(a) License Required. - No person, firm or association shall engage in the business of broker in arranging for the transportation of passengers and their baggage by motor vehicle in intrastate commerce in North Carolina without a license therefor issued by the Commission upon application to the Commission, with a copy of the application also being furnished to the Public Staff, and after a hearing, or after notice and no protests being filed as provided by G.S. 62-263.

(b) Evidence. - No such license shall be issued unless it shall appear from the testimony offered at the hearing:

- (1) That the applicant is not a bona fide employee or agent of any motor carrier.
- (2) That the applicant proposes to engage only those motor carriers authorized by the Commission to transport passengers as common carriers by motor vehicle in intrastate commerce in North Carolina.
- (3) That the proposed service is desired and will be used by the public.
- (4) That the applicant is fit, willing and able to properly perform the proposed service.

(c) Bond. - No person shall engage in the business of a broker as defined in the Public Utilities Act unless and until such person shall have furnished a bond approved by the Commission in the amount of not less than \$5,000, and in such form as will insure the financial responsibility of such broker and the supplying of authorized transportation in accordance with agreements, contracts, and arrangements therefor.

(d) Vehicles and Drivers. - The vehicles and drivers used in performing the transportation service shall be under the exclusive control of the motor carrier engaged to perform the transportation service, and the operation of such vehicles shall be limited to the authority set out in such carrier's certificate.

(e) Rates and Charges. - The transportation charges shall be in all respects as prescribed in the carrier's published tariff. Commissions or other compensation for sale of tickets by brokers shall not be allowed.

(NCUC Docket No. M-100, Sub 75, 10/27/77.)