

66-1,221. Orders and decisions of commission; service of copy upon carrier; effective date. (a) If upon such hearing and investigation the rates, joint rates, fares, tolls, charges, rules, regulations, classifications or schedules of any common carrier, except a motor carrier holding a certificate of public service, governed by this act are found unjust, unreasonable, unfair, unjustly discriminatory or unduly preferential, or in any way in violation of this act, or of any of the laws of the state of Kansas, the commission shall have the power to fix and establish, and order substituted therefor, such rates, joint rates, fares, tolls, charges, rules, regulations, classifications or schedules as it shall determine to be just, reasonable and necessary. If it is found that any regulation, practice or act, relating to any service performed or to be performed by such common carrier for the public is in any respect unreasonable, unjust, unfair, unreasonably inefficient or insufficient, unjustly discriminatory or unduly preferential, or otherwise in violation of this act or of any of the laws of the state of Kansas, the commission may substitute therefor such other regulations, practice, service or act as it determines to be just, reasonable and necessary.

(b) All orders and decisions of the commission whereby any rates, joint rates, fares, tolls, charges, rules, regulations, classifications, schedules, practice or acts relating to any service performed or to be performed by any common carrier, except a motor carrier holding a certificate of public service for the public are altered, changed, modified, fixed or established shall be reduced to writing, and a copy thereof, duly certified, shall be served on the common carrier affected thereby. Such order and decision shall become operative and effective within 30 days after such service. Such common carrier, unless an action is commenced in a court of proper jurisdiction to set aside the findings, orders and decisions of the commission, or to review and correct the same, shall carry the provisions of such order into effect.

History: L. 1985, ch. 225, § 42; L. 1988, ch. 356, § 257; L. 1995, ch. 98, § 16; Apr. 13.