PART 730 – TARIFFS OF COMMON CARRIERS OF PASSENGERS BY MOTOR VEHICLE.

§730.0 Filing of tariffs of common carriers of passengers by motor vehicle.

(a) Every common carrier of passengers by motor vehicles subject to the jurisdiction of the Commissioner of Transportation (commissioner or department) shall file with the department tariffs showing the fares, rates, and charges applicable to the transportation of passengers between points within this State on routes over which vehicles of such carrier are operated, together with all rules and regulations and general privileges and facilities granted or allowed which apply in connection therewith.

(b) All tariffs on file with the department and currently effective shall continue in force until changed as provided in this Part. All such tariffs hereafter filed shall conform with this Part. The department may direct the reissue or modification of any tariff at any time.

§730.1 Definitions.

(a) Definitions in section 2 of the Transportation Law apply to this Part. The following additional definition also applies: tariff means a publication stating the fares, rates, charges, classification ratings, and regulations in connection therewith, applying to the transportation of passengers.

§730.2 Construction and filing of tariffs.

(a) Form. All tariffs and supplements thereto must be submitted in a legible form suitable for review, copying, filing, and inspection, as determined by the department, which may reject any tariff that is deemed not suitable. The department may issue additional guidelines and may prescribe the use of specific filing instruments, whether electronic or printed.

(b) Statutory notice. All tariffs and supplements must be filed with the department and posted as required by section 730.5 of this Part at least 30 days before the effective date thereof, unless otherwise authorized by the commissioner, or as exempted by this Part.

§730.3 Contents of tariffs.

Tariffs shall contain:

(a) The name of the carrier as it appears in its certificate, and the carrier's DOT case number.

(b) Except as provided by subdivision (c) of this section, the effective date. The effective date must be at least 30 days after the date the tariff is received by the department, unless the carrier has been granted an exemption.
(c) Tariffs for new services or for round trip excursion fares.

(1) New services. When the department has issued a new certificate of public convenience and necessity, the initial fares may be established by filing and posting tariff schedules on one day's notice to the commissioner and the public.

(2) Round-trip excursion fares.

(i) Fares for a round-trip excursion limited to a designated period of not more than three days may be established, without further notice, on posting a tariff one day in advance in two public and conspicuous places, in each place where tickets for such excursion are sold, and by filing a copy thereof with the commissioner.

(ii) Fares for a round-trip excursion limited to a designated period of more than three days and not more than 30 days or fares for a series of daily round-trip excursions, such series covering a period not exceeding 30 days, may be established on a like notice of three days.

(3) Fares for all other round-trip excursion must be established on a statutory 30 days' notice to the commissioner and the public, unless shorter time is allowed by the commissioner.

d) The carrier's territory of operations as it appears on its certificate.

e) All fares together with the names of the places between which they apply, arranged in a simple and systematic manner. If fares for any form of ticket are provided, the tariff must state any and all conditions applicable to their sale and use.

(f) Where applicable, a statement of transfer privileges showing the point or points where transfers are permitted, the extent to which such privileges are granted or allowed, and the fares associated with such transfers. Such information must be shown both for transfers between lines, routes, or services operated by one carrier and for transfers between lines, routes, and services operated by two or more carriers.

g) Each tariff shall provide for and incorporate into any tariff schedules filed by the carrier a provision for the redemption of unused tickets substantially in the following form: Wholly or partly unused tickets will be redeemed at (specify location of office). The redemption value of such tickets will be determined as follows:

(1) Wholly unused tickets will be redeemed at the price paid thereof.

(2) The redemption value of partially used tickets will be the difference, if any, between the amount paid therefor and the lawful tariff charge for the service actually rendered.
(h) Any other information that the department may deem necessary in order to render the tariff complete and comprehensible to potential passengers.

§730.4 Changes in tariffs.

(a) Notice.

Fares and regulations which have been filed must be allowed to become effective and remain in effect for at least 30 days before being changed, canceled, or withdrawn. Any change must be received for filing at least 30 days before its proposed effective date, unless otherwise authorized by the department.

§730.5 Posting of tariffs and newspaper publication.

(a) Every common carrier of passengers by motor vehicles shall keep open for public inspection all current tariffs at each location at which an agent is employed. Such tariffs must be produced for inspection upon request at all reasonable times.

(b) Posting of proposed changes. The carrier shall post in a prominent location in each vehicle operating on the routes affected, an appropriate notice of any proposed tariff changes in accordance with this subdivision. Such notice shall be of sufficient size as to be easily read and understood and shall state the general nature and amount of the proposed fare change and the effective date thereof, but need not include the complete text of the proposed change. Such notice shall be posted starting at least 20 days prior to the effective date of the proposed change. A copy of such notice, in the form it is to be posted, shall accompany the tariff filing. The department may require evidence of such posting prior to approving the proposed tariff changes.