

## **Certificate of Public Convenience and Necessity (CPCN) Instructions**

The requirements of a Petition for a CPCN depend on the type of service you intend to operate, as follows:

**Intra-state Regular Route Operations** – this service consists of carrying passengers on a regular schedule between fixed points in New Jersey; with one-way fares available; such service may be open to the public at large or restricted to a specific group;

**Regular Route in the Nature of Special Bus Operations or Casino Bus Operations** – this service consists of carrying passengers to and from one or more casinos in Atlantic City from places throughout New Jersey;

**Special Bus Operations** – this service consists of carrying passengers for hire, not on a regular schedule, to or from a place in New Jersey for a fare that is charged per person; the fare may include special discounts or premiums for attractions that are served by the route; the trip is offered and arranged by the owner of the bus company;

In order to apply for a Certificate of Public Convenience and Necessity for any of the above types of operations, please follow the General Instructions on the following pages, as well as the instructions specific to the Petition for the type of service you intend to provide.

**PLEASE NOTE:** The following types of service do ***not*** require a CPCN. If you wish to initiate any of the following types of operations, please seek advice from the entity indicated:

**Taxicab Service** – this consists of accepting all passengers that present themselves for transportation to addresses in New Jersey, not along a fixed route; this service requires the consent of every municipality in which it is operated; if the vehicle's gross vehicle weight or weight rating exceeds 26,000 lbs. or if the vehicle is designed to be, or has ever been, used to carry more than 16 passengers, it will also require authority from the Federal Motor Carrier Safety Administration [**See N.J.S.A.** 48:16-1 **through** 48:16-12];

**Limousine Service** – this consists of prearranged, charter premium transportation, not on a regular route, in a vehicle that is not designed for, or has even been used to carry, more than 14 passengers; this service requires a

certificate of compliance from the clerk of the municipality in which the principal place of business is located; if any vehicle is operated in interstate service and has a gross vehicle weight or weight rating over 10,000 lb., it will also require authority from the Federal Motor Carrier Safety Administration [**See N.J.S.A.** 48:16-13 **through** 48:16-22];

**School Bus Service** - this consists of carrying children to and from school or any school related activity; this service requires inspections coordinated through the Motor Vehicle Commission's Division of Inspection Services;

**Inter-state Regular Route Service** - this consists of carrying passengers between fixed termini on a regular schedule between places in New Jersey and another state; this service requires authority from the United States Department of Transportation that can be contacted at (609) 275-2604/2607 or (800) 832-5660;

**Charter Bus Operation** - this service is limited to New Jersey based companies providing out-of-state transportation services (*inter-state*), and consists of carrying passengers not on a regular schedule pursuant to a contract or other arrangements whereby the bus and the driver is supplied to a person or organization for a trip designated by the customer for a fixed charge per trip, per autobus, per time period or per mile, but not per person; if any vehicle has a passenger capacity greater than eight passengers, the service requires the authority of the United States Department of Transportation. Intra-state charter authority, which may be obtained by following the directions for Special Route Authority, should be sought only if there is no possibility of crossing State lines;

Once your Notice is published, you must obtain an Affidavit of Publication from the newspaper and forward it to this office.

In addition, unless you have also applied for Emergency Authority, if you are applying for Regular Route or Casino Route Authority, you must serve by certified mail, return receipt requested, a copy of the entire petition on the municipal clerk of each municipality in which you propose to conduct pick-up and drop-off operations and on all the carriers listed in Paragraph 16. (See above at Page 4).

If you have applied for Emergency Authority and no changes or additions to the petition have been made since it was served on all other passenger carriers in the area, you may simply provide the docket number to all those who have previously received a copy of your petition. The docket number will be provided to you by MVC upon MVC's receipt of your petition. Any changes or additions must be served by certified mail, return receipt requested.

If you are applying for Special Operations Authority, you must serve a copy by certified mail, return receipt requested, of the entire petition on the clerk of each county in which you propose to conduct pick-up and drop-off operations; you must also supply a copy of the entire petition to any carrier conducting special operations, to anyone with a petition pending for authority to conduct special operations or to any municipality within the proposed service area, provided that the request is made no later than twenty days after the last date of publication.

When you have received the Green Cards from the post office, the originals must be returned to this office. If a letter is returned as undeliverable, it must be returned to this office in the condition it was returned to you (*i.e., sealed and with green return receipt card attached*).

Once all of the above guidelines have been followed and all necessary information has been provided, your petition for purposes of the application process should be complete. It will be reviewed and you will be notified of what action will be taken by MVC.

If you are not sure in what category the type of service you intend to operate will fall, or if you intend to operate a hotel bus, jitney (*within up to four contiguous municipalities in a shore county*), commuter van, special para-transit vehicle or funeral limousine, please contact the MVC at (609) 777 - 4186 or P.O. Box 680, Trenton, New Jersey 08666-0680.