

281.633 Personal representative's power over decedent's certificate -- Transferring certificate when holder incorporates.

- (1) Upon the death of a certificate or permit holder, the properly qualified administrator or executor of the estate of the deceased certificate or permit holder may hold, control and transfer any certificate held by the decedent upon application and approval by the department, and further provided that should the administrator or executor find it necessary to hold the certificate or permit in excess of six (6) months, he must first obtain written approval of the commissioner of the department. Should the executor or administrator seek to transfer the certificate or permit to an heir or heirs of the deceased certificate or permit holder, such transfer shall be accomplished by application regularly filed, except that the commissioner may waive any notice requirements otherwise applicable.
- (2) Any individual or partnership holding a certificate or permit and desiring to operate as a corporation and having applied for and received their charter as a corporation shall file an application with the department seeking to transfer the certificate or certificates from one business organization to the other and in which event the commissioner may waive any notice requirements otherwise applicable and assign the same for hearing as in other cases required by statute or rules and regulations.

History: Created 1960 Ky. Acts ch. 139, sec. 13.