

281.645 New application after denial of previous application.

- (1) When any application for a certificate or permit, or for an amendment thereto has been heard and denied by the department, or approved by the department and the final order of the department later set aside by a court of competent jurisdiction, the department shall not accept another application concerning the same or similar routes or service until the expiration of six (6) months from the date of the original final order of the department, unless the denial was based upon the applicant's failing to show that he was fit, willing and able.
- (2) In the event that at the time of denial, unless the denial was based upon the applicant's failing to show that he was fit, willing and able, there is on file with the department any other application concerning the same or similar routes or service as that denied, the department shall take no further action upon such application for a period of six (6) months from the date of denial unless the hearing relative to such application has been concluded prior to the denial.
- (3) In no event shall the provisions of subsections (1) and (2) hereof be construed to apply to any application which the commissioner has by order dismissed without prejudice.

History: Amended 1960 Ky. Acts ch. 90, sec. 1. -- Amended 1954 Ky. Acts ch. 188, sec. 5. -- Created 1950 Ky. Acts ch. 63, sec. 16, effective June 15, 1950.