

# MAINE STATE LEGISLATURE

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N I N E T I E T H                      L E G I S L A T U R E

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**Legislative Document**

**No. 547**

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H. P. 1281

House of Representatives, February 6, 1941.

Referred to Committee on Public Utilities and sent up for concurrence.  
750 copies ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Morrison of Winter Harbor.

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**STATE OF MAINE**

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FORTY-ONE

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**AN ACT Relating to the Use of the Highways by Motor Vehicles  
Transporting Property for Hire.**

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Be it enacted by the People of the State of Maine, as follows :

**P. L., 1933, c. 259, § 5, amended.** Paragraph (C) of section 5 of chapter 259, of the public laws of 1933, as amended, is hereby repealed and the following enacted in place thereof :

‘(C) No application for permit shall be granted by the commission until after a hearing, notice of which shall be at least 7 days prior to the time fixed for such hearing, except as now provided by law, nor shall any such permit be granted if the commission shall be of the opinion that the proposed operation of any such contract carrier or contract carriers will impair the efficient public service of any authorized common carrier or common carriers then adequately serving the same routes or territory or is not contrary, in the opinion of the commission, to the declaration of policy as set forth in sections 1 and 5 of chapter 259 of the public laws of 1933. Permits may be granted authorizing in whole or in part the operations covered by the application, if it appears that the applicant is fit, willing and able properly to perform the service of a contract carrier by motor vehicle and to conform to the provisions of chapter 259 of the public

laws of 1933, as amended, and the rules and regulations of the commission thereunder. Commission shall specify in the permit the business of the contract carrier covered thereby and the scope thereof and shall attach to it, at the time of issuance and from time to time thereafter, such reasonable terms, conditions, and limitations as it may find consistent with said chapter 259 as amended. No terms, conditions or limitations shall restrict the right of such contract carrier to substitute or add contracts which are within the scope of his permit or to add to his equipment and facilities within the scope of the permit as the development of the business and the demands of the public may require.

Contract carriers now operating by virtue of so-called grandfather rights, whose present permits in the opinion of the commission need clarification, may be directed, upon reasonable notice, to appear before the commission for further hearing, at which hearing evidence of operation during the period from March 1, 1932, to June 30, 1933, may be submitted, and may be supplemented by evidence of operation from said period to Jan. 1, 1941, and said commission shall issue a new permit in accordance with the facts thus determined, but said new permit shall not limit or restrict any existing rights.'