

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SECOND LEGISLATURE

Legislative Document

No. 912

S. P. 298

In Senate, February 3, 1965

Referred to Committee on Public Utilities. Sent down for concurrence and ordered printed.

EDWIN H. PERT, Secretary

Presented by Senator Boisvert of Androscoggin.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-FIVE

AN ACT Relating to Transportation of Commodities for Hire by a Common Carrier.

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

Sec. 1. R. S., T. 35, § 1552, amended. The first sentence of section 1552 of Title 35 of the Revised Statutes is amended to read as follows:

'No person, corporation, partnership, railroad, street railway or other transportation company shall operate, or cause to be operated, any motor vehicle or vehicles not running on rails or tracks upon any public way in the business of transporting freight or merchandise for hire as a common carrier over regular routes or in the business of transporting household goods **or other commodities**, as such commodity **or commodities** shall from time to time be defined by the commission, for hire as a common carrier over irregular routes between points within this State without having obtained from the commission a certificate declaring that public necessity and convenience require and permit such operation.'

Sec. 2. R. S., T. 35, § 1552, sub-§§ 1-3, amended. Subsections 1 to 3 of section 1552 of Title 35 of the Revised Statutes are amended to read as follows:

1. Certificate for transportation of household goods; service having been rendered. A certificate authorizing the transportation of household goods **or other commodities**, as such commodity **or commodities** shall from time to time be defined by the commission, for hire as a common carrier over irregular routes, shall be granted as a matter of right when it appears to the satisfaction of the commission, after hearing, that an adequate and responsible service in **transportation of used furniture or used household goods, or any other com-**

modity or commodities, is being lawfully rendered by the applicant within the general area covered by the application, and that the applicant has been rendering such service without substantial interruption since the first day of January, 1963, and in cases where such authorized service has been so rendered the operation may lawfully be continued pending the issuance of such certificate, provided application therefor is made within 15 days from September 21, 1963.

2. **Common carrier.** Holders of contract carrier permits who since January 1, 1963 have not engaged in the transportation of used furniture or used household goods, **or any other commodity or commodities**, for hire but who propose to engage in such transportation as a common carrier over irregular routes shall upon application be granted a certificate authorizing the transportation of household goods, **or other commodities**, as such commodity **or commodities** shall from time to time be defined by the commission, for hire as a common carrier over irregular routes when it appears to the satisfaction of the commission, after hearing, that such transportation was within the scope of the permit held by the applicant.

3. **Limitation.** A certificate issued under subsections 1 and 2 shall not grant more authority than existed by virtue of the contract carrier permit held by the applicant, except as may result from the adoption of the term "household goods," **"conformity," or "commodities,"** as such commodity **or commodities** shall from time to time be defined by the commission.'

Sec. 3. R. S., T. 35, § 1555, amended. The first sentence of section 1555 of Title 35 of the Revised Statutes is amended to read as follows:

'The term "contract carrier" as used in chapters 91 to 97 is intended to include all persons, firms or corporations operating or causing the operation of motor vehicles transporting freight or merchandise for hire upon the public highways, other than common carriers over regular routes or common carriers of household goods **or other commodities**, as such commodity **or commodities** shall from time to time be defined by the commission, over irregular routes; except that the term shall not be construed to include any person, firm or corporation not regularly engaged in the transportation business but who on occasional trips transports the property of others for hire.'