

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FOURTH LEGISLATURE

Legislative Document

No. 1341

H. P. 1087

House of Representatives, March 21, 1969

Reported by Mr. Finemore from Committee on Transportation. Printed Under Joint Rule No. 18.

BERTHA W. JOHNSON, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-NINE

AN ACT Providing for Transportation of Passangers in Units of Trucking Equipment on a Test Basis.

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

Sec. 1. R. S., T. 35, § 1505, amended. Section 1505 of Title 35 of the Revised Statutes is amended to read as follows:

§ 1505. Certificates for operation; baggage; mail and express for hire

No person, firm or corporation shall operate a motor vehicle or vehicles as described in section 1501 on any street or highway in any city or town of this State, without obtaining from the commission a certificate permitting such operation. Nor shall the commission issue an original certificate or amend a certificate unless it finds after public hearing that public convenience and necessity require such operation. The commission may, in its discretion and for good and sufficient reason, issue a temporary certificate authorizing such operation and hold the prescribed hearing at a later date and then determine whether a certificate shall be finally issued; but no temporary certificate shall be issued for a period longer than 30 days. The commission may in its discretion issue a trial certificate authorizing operations described in section 1501 on an experimental basis to the holder of a certificate of public convenience and necessity issued pursuant to section 1552. No trial certificate shall be issued until after a public hearing has been held and in determining whether or not to issue such certificate the commission shall give due regard to whether the public interest will be served by the proposed experiment and the effect the proposed experiment will have upon existing carriers. The commission order authorizing the issuance of a trial certificate shall contain a limitation with regard to the time period during which the

experiment will be conducted and such other terms, conditions and limitations as the commission deems consistent with the public interest. If convenient service is presently available between two points by reason of an existing certificate or certificates of public convenience and necessity, no trial certificate shall authorize operations between those points. No temporary certificate shall be extended or renewed, and no temporary or trial certificate shall be issued, unless the applicant has paid the fees and has established proof of financial responsibility for liability for personal injury or property damage as required by sections 1510 to 1512.

The commission may authorize transportation of baggage, mail and express for hire in passenger motor vehicles in such cases as the said commission, after notice given to motor carriers operating under chapter 93 and to the extent therein provided, and after hearing, at which persons protesting shall be heard on such matters as may be applicable under this or other laws, finds the transportation of baggage, mail and express for hire in passenger vehicles to be in the public interest. Such authority shall be made a part of the certificate of public convenience and necessity described above and may be made subject to such terms, conditions and restrictions as said commission may prescribe.

Sec. 2. R. S., T. 35, § 1644, amended. Section 1644 of Title 35 of the Revised Statutes is amended to read as follows:

§ 1644. Certificate holders exempted

A license shall not be required to be obtained by a common carrier transporting passengers under a certificate issued pursuant to section 1505 and such common carriers may transport between any points in the State of Maine special or charter parties under such rules and regulations as the commission shall have prescribed. **This section shall not apply to the holders of a trial certificate as described in section 1505.**