

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 761

S. P. 254

In Senate, February 11, 1971

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

HARRY N. STARBRANCH, Secretary

Presented by Senator Hoffses of Knox.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

AN ACT Relating to Schedule of Rates of Motor Vehicles for Hire by Holders of Certificates of Public Convenience and Necessity from Public Utilities Commission.

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

Sec. 1. R. S., T. 35, § 1553, amended. The last sentence of section 1553 of Title 35 of the Revised Statutes is amended to read as follows:

Such person, firm or corporation and the service rendered or furnished shall be included under the general supervision and regulation of the commission and shall be subject to its jurisdiction and control in the same manner and to the same extent as service performed by other persons, firms or corporations engaged in the transportation of freight or merchandise as common carriers for hire, as provided in said chapters, except that sections 52, 70 and 171 to 211 shall not so apply.

Sec. 2. R. S., T. 35, § 1554, amended. The 10th sentence of section 1554 of Title 35 of the Revised Statutes is repealed and the following enacted in place thereof:

The commission shall at any time within 10 days after the date of filing a schedule or schedules give public notice of the proposed schedule or schedules and date and place of a public hearing in all state daily newspapers for 3 consecutive days. The date for the public hearing shall be no later than 20 days from the date of filing. At any such hearing the commission may investigate such proposed schedule or schedules and the burden of proof to show that each schedule is reasonable shall be upon the common carrier. After such hearing and investigation the commission may make such order

confirming or amending the schedule or schedules proposed in the filing and the order shall set an effective date for the schedule, the order of the commission and the effective date being no later than 45 days after the conclusion of the hearing.

STATEMENT OF FACT

The proposed Legislation would require a notice, opportunity for hearing, and a Public Utilities Commission determination of the reasonableness of any proposed change in a freight rate or charge filed by a truck carrier before any such rate or charge is effective. The present law allows any proposed changes in truck freight rates or charges to become automatically effective merely upon filing by the interested truck carrier of freight.