

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

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**Legislative Document**

**No. 1312**

S. P. 454

In Senate, March 12, 1971

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

HARRY N. STARBRANCH, Secretary

Presented by Senator Violette of Aroostook.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-ONE

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**AN ACT Relating to Motor Carriers for Hire Transporting  
Certain Perishable Agricultural Commodities Grown in Maine.**

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

R. S., T. 35, § 1561, repealed and replaced. Section 1561 of Title 35 of the Revised Statutes is repealed and the following enacted in place thereof:

§ 1561. Further exemptions

1. Reshipment; wood or lumber for manufacture. Carrier trucks when carrying property to warehouses, railroads or boats for reshipment by rail or vessel, and when carrying logs, wood or lumber to mills for manufacture, shall not be subject to rate regulation for such service.

2. Agricultural commodities. The commission shall issue to motor carriers engaged exclusively in the interstate transportation of perishable exempt agricultural commodities grown in Maine, 30-day emergency authority to operate within the State during the period beginning February 15th and ending May 15th, which authority is renewable for not more than 2 additional 30-day periods in any calendar year. The commission shall collect a fee of \$10 for each authorization for each vehicle, regardless of the number of axles, operating under this authority, provided

A. that no renewal need be granted if the commission has concrete evidence of careless, hazardous or illegal driving on the part of any driver of any vehicle operated under this authority;

B. That the owner or operator of vehicles operated under this authority shall not be relieved of compliance with any state or federal motor vehicle

safety or weight regulations, or of responsibility to file with the commission certification of insurance required;

C. That carriers operating under this authority shall:

(1) Not be deemed to be doing permanent business in Maine and therefore shall display on authorized vehicles only those temporary plates or markers essential to expedite identification,

(2) Not be required to designate a Maine-domiciled resident agent as otherwise provided in Title 29, section 1656, and

(3) Not be subject to Maine state fuel tax reportage;

D. that authority to operate under this provision may be granted by the commission by either letter or telegram or through a representative located for that purpose at the State Police weighing station in Kittery;

E. That no part of this authorization shall abrogate the right of any motor carrier to register for regular permit to operate within the State as provided elsewhere in this Title.

#### STATEMENT OF FACT

The intent of this bill is to ease the shortage of trucks to haul Maine potatoes to market during emergency shipping periods.