

MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 2156

H. P. 1967

House of Representatives, February 2, 1976

Referred to Committee on Legal Affairs. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Hinds of South Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SIX

AN ACT to Regulate Vehicles Transporting Combustible, Flammable or
Hazardous Materials.

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

35 MRSA c. 99 is enacted to read:

CHAPTER 99

HAZARDOUS MATERIALS

§ 1701. Policy

The operation on state highways of vehicles transporting combustible, flammable or hazardous materials affects the interests of the public. This chapter requires that vehicles transporting such goods must be in safe operating condition.

§ 1702. Obligation

The Public Utilities Commission shall have the responsibility of regulating within the State the motor vehicle transportation of combustible, flammable or hazardous materials.

§ 1703. Rules and regulations

The Public Utilities Commission shall make rules and regulations it deems necessary for the safe operation of all motor vehicles transporting within the State combustible, flammable or hazardous materials. These rules and regulations shall conform as nearly as practicable to the standards set forth by

the Interstate Commerce Commission, the United States Department of Transportation and any other governmental unit having jurisdiction over the safety and operation of motor vehicles.

§ 1704. Combustible, flammable or hazardous materials

Combustible, flammable or hazardous materials shall be limited to those materials currently designated by the Federal Highway Administration, United States Department of Transportation as combustible, flammable or hazardous.

§ 1705. Motor vehicle

The term "motor vehicle" includes all vehicles defined in Title 29, section 1, subsection 7.

§ 1706. Enforcement

It shall be the duty of the Department of Public Safety, sheriffs and their deputies, and officers and investigators of the Public Utilities Commission to investigate and to initiate prosecution of violators of this chapter.

Investigators of the Public Utilities Commission shall have the same powers and duties throughout the several counties of the State as sheriffs have when enforcing this chapter in their respective counties.

STATEMENT OF FACT

The purpose of this bill is to empower the Public Utilities Commission to regulate the highway transportation of combustible, flammable or hazardous materials. Public Utilities Commission investigators, when enforcing this chapter shall have the same powers and duties as sheriffs.