

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

---

---

ONE HUNDRED AND EIGHTH LEGISLATURE

---

---

**Legislative Document**

**No. 190**

---

---

S. P. 82

In Senate, January 27, 1977

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

MAY M. ROSS, Secretary

Presented by Senator Cummings of Penobscot.

---

---

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-SEVEN

---

---

**AN ACT** Requiring Public Utilities Commission Regulated Motor Carriers to File a Designated Agent for Service of Process and Court Appearances.

---

---

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

**Sec. 1.** 29 MRSA § 1656, 3rd, 4th & 5th ¶¶'s, as last amended by PL 1971, c. 43, are repealed.

**Sec. 2.** 35 MRSA § 1565 is enacted to read:

§ 1565. Agents for service of process

Each carrier holding a permit or certificate from the commission under chapter 95 shall file with the commission, in writing, an appointment of a resident of this State to be its true and lawful agent, representative or attorney upon whom all lawful processes may be served, and who may be required to appear in court on behalf of the carrier with the same legal force and validity as if the carrier were itself in court. The written assent of the resident agent, representative or attorney shall be filed with the commission.

Should the carrier fail to file any appointment of a resident agent, representative or attorney as required, the commission shall refuse to issue the permit or certificate or any renewal thereof held by the carrier until such time as the carrier shall file an appointment of resident agent, representative or attorney in compliance with this section.

If any carrier holding a permit or certificate from the commission has been required to appear in any court, through its appointed lawful agent or attorney, and shall fail to comply with or satisfy any lawful order or judgment of the court, the court shall so notify the commission, which shall immediately

suspend the permit or certificate held by the carrier until such time as the carrier shall have complied with or satisfied the order or judgment.

#### STATEMENT OF FACT

The purpose of this bill is to require carriers of freight, holding operating authority from the Public Utilities Commission, to file a designation of agent for service of processes and court appearances with the commission.