

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 725

H. P. 577

House of Representatives, February 22, 1979

On Motion of Mr. Carroll of Limerick, referred to the Committee on Public Utilities. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mrs. Nelson of Portland.

Cosponsor: Mr. Davies of Orono.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT Relating to Permits for Contract Carriers.

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

Sec. 1. 35 MRSA § 1555, sub-§ 1, is amended to read:

1. Permits. No contract carrier shall operate, or cause to be operated, any motor vehicle or vehicles for the transportation of property for hire **for the same person, firm or corporation more than 2 times during any 6-month period** on any public highway within this State without having obtained a permit from the commission.

Sec. 2. 35 MRSA § 1555, sub-§ 3, next to the last sentence, is amended to read:

Contract carriers now operating by virtue of so-called grandfather rights granted by the commission pursuant to this subsection as originally enacted, and whose present permits, in the opinion of the commission, need clarification, may be directed, upon reasonable notice given as provided, to appear before the commission for further public hearing, at which hearing evidence of regular operation as a contract carrier from March 1, 1932 to June 30, 1933 may be submitted, and the carrier may ~~supplement same by~~ **also submit as independent evidence of the scope of his grandfather rights** evidence of **other** regular operation

~~subsequent to~~ **by the carrier between** said period **and December 31, 1978**, and the commission shall issue an amended permit in accordance with the facts found on the original and new evidence presented.

STATEMENT OF FACT

The purposes of this bill are:

1. To allow contract carriers to introduce evidence of regular operation between 1933 and 1978 at clarification proceedings before the Public Utilities Commission. The present law, passed in the 1930's, limits the evidence which can be presented at such proceedings to evidence of regular operation in 1932 and 1933. Obviously, businesses have expanded since the 1930's and enforcement of the present law would create a great hardship, not only on truckers who have made significant investments in equipment since the 1930's but also on the general public which uses the services of contract carriers; and

2. To allow contract carriers to make up to 2 trips for hire for a shipper in a 6-month period without having obtained a permit from the commission, thus, allowing individuals or companies which have an occasional shipment to have greater flexibility in choosing a carrier for the goods.