

# MAINE STATE LEGISLATURE

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(Governor's Bill)  
SECOND REGULAR SESSION

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ONE HUNDRED AND NINTH LEGISLATURE

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**Legislative Document**

**No. 1806**

S. P. 683

In Senate, January 15, 1980

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

MAY M. ROSS, Secretary of the Senate

Presented by Senator Usher of Cumberland.

Cosponsor: Senator R. Martin of Aroostook.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY

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**AN ACT to Encourage Car Pools and Van Pools.**

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

**Sec. 1.** 35 MRSA § 1642, sub-§ 5, as enacted by PL 1977, c. 306, is repealed.

**Sec. 2.** 35 MRSA § 1642, sub-§§ 6-8 are enacted to read:

**6. Cooperative use transportation.** "Cooperative use transportation" means the collective use of privately owned vehicles by 2 or more people where the providing of transportation is not the primary business of the owner or driver of the vehicle, or both, but is incidental to their livelihood. Cooperative use includes, but is not limited to, shared driving, shared expense car pools, station wagon pools and van pools, employer owned or leased vehicles, including buses which are operated for convenience of the employees, commuter services organized and arranged by employee cooperatives, labor unions, credit unions and neighborhood groups which are operated for the convenience of their members, and vehicles operated under the auspices of government sponsored commuter matching services and brokerage programs, and individuals or groups providing nonprofit matching and other brokerage type services.

**7. For profit brokerage and matching services.** "For profit brokerage and matching services" means that the provider of the service neither sets the rates

for the service, provides backup transportation, passes upon the qualifications of the drivers or their vehicles, establishes the routes nor collects the fees paid for the service. The business of matching drivers with passengers and the rendering of technical assistance in support of cooperative use transportation is exempt from regulation under this chapter.

8. For profit car pooling and van pooling. "For profit car pooling and van pooling" means the business of organizing and operating a car pooling or van pooling system. In this context, "car pools and van pools" mean any vehicle used in a continuing form of prearranged commuter transportation by a relatively fixed group of 15 persons or less for travel between their places of residence and their place of employment. The business of organizing and operating a car pooling or van pooling system, including the selection and approval of cars, vans and drivers, the fixing and collection of fees, the establishment of routes and the provision of backup transportation, is exempt from regulation under this chapter provided that proof of adequate insurance coverage, as determined by the Bureau of Insurance and the Public Utilities Commission, is filed with the Public Utilities Commission prior to commencing operation.

#### STATEMENT OF FACT

It is the intent of this bill to remove all regulatory barriers to the expansion of ridesharing in cooperative use vehicles, for profit brokerage and matching services and for profit car pools and van pools, as described, so that citizens will be free to solve their own transportation problems. For purposes of clarity, and because some of these concepts are new, in-depth definitions of each of these 3 operations are provided in each subsection. While exempting these rideshare modes from unnecessary regulation, it is important to insure that adequate insurance coverage will be procured in certain instances. Therefore, the separation of "for profit brokerage and matching services" and "for profit car pooling and van pooling."