

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 776

H. P. 672

House of Representatives, February 10, 1981

Submitted by the Department of Transportation pursuant to Joint Rule 24.

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

EDWIN H. PERT, Clerk

Presented by Representative McKean of Limestone.

Cosponsor: Representative Ridley of Shapleigh.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT Relating to Transit Districts.

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

Sec. 1. 30 MRSA § 4972, last 2 sentences, as enacted by PL 1979, c. 505, § 6, are repealed as follows:

~~In the case of a district that receives funds administered by the Department of Transportation, the Commissioner of Transportation shall appoint an additional member to the board of directors who shall sit formally as a member of the board, except that he shall neither vote upon official matters nor be counted for quorum purposes. The additional member shall serve at the pleasure of the Commissioner of Transportation~~

Sec. 2. 30 MRSA § 4984, as amended by PL 1979, c. 663, § 201, is repealed and the following enacted in its place:

§ 4984. Membership

Any municipality so located as to be contiguous to any other municipality authorized to provide transportation services in accordance with this chapter or contiguous to any municipality which is a member of the transit district may make application to the transit district for membership in the district and the board of directors may accept or refuse the application for the membership.

Sec. 3. 35 MRSA § 1501, first sentence is amended to read:

The Public Utilities Commission, hereinafter in chapters 91 to 97 called the "commission," shall have jurisdiction over every person, firm or corporation operating, **without state or municipal subsidies**, any motor vehicle upon any public street or highway for the carrying of passengers for hire in such a manner as to afford a means of transportation similar to that afforded by a railway company, by indiscriminately receiving and discharging passengers along the route on which the vehicle is operated or may be running or for transporting passengers for hire as a business between fixed and regular termini.

STATEMENT OF FACT

Sections 1 and 2 of the bill remove the Department of Transportation from management and membership provisions governing transit districts. These provisions were enacted during the first regular session of the 109th Legislature, but have been found to be unnecessary.

Section 3 of the bill deregulates state and municipal subsidized transportation systems by exempting them from the Public Utilities Commission regulations. The management study conducted by Ernst & Whinney recommended removing state subsidized common carriers from regulation by the Public Utilities Commission.