

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 957

7 H.P. 745

House of Representatives, March 2, 1983

8 Submitted by the Public Utilities Commission pursuant to Joint
9 Rule 24.

10 On Motion of Representative Vose of Eastport referred to the Com-
mittee on Public Utilities. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative Matthews of Winslow.

11 Cosponsors: Representative Baker of Portland, Representative
Paradis of Old Town and Senator Emerson of Penobscot.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-THREE
16

17 AN ACT to Transfer Residual Jurisdiction
18 of the Public Utilities Commission Over
19 Municipal Transit Districts to the Depart-
20 ment of Transportation.
21

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

24 Sec. 1. 30 MRS §4971, as amended by PL 1979, c.
25 505, §5, is further amended to read:

26 §4971. Formation

27 Any municipality may by vote of its legislative
28 body by itself, or in cooperation with one or more
29 other municipalities, form a transit district for the
30 purposes provided in this chapter, except that munic-
31 ipalities not in the same geographic public trans-
32 portation region shall gain approval from the Depart-
33 ment of Transportation. With the consent of the

1 Public Utilities Commission Department of Transporta-
2 tion and of the municipal officers of any municipal-
3 ity not included in a transit district, a transit
4 district may provide transportation services within
5 that municipality. The district so formed shall be a
6 body politic and corporate, may sue, be sued, plead
7 and be impleaded, adopt a name, adopt and alter a
8 common seal, and do all things necessary to furnish
9 motor vehicle mass transportation within ~~said~~ that
10 district, including charter service, for public pur-
11 poses in the interest of public health, safety, com-
12 fort and convenience of the inhabitants of the munic-
13 ipality or municipalities comprising such district.

14 **Sec. 2.** 30 MRSA §4981, first ¶, as amended by PL
15 1979, c. 663, §200, is further amended to read:

16 The directors of a district shall establish such
17 routes and fix such rates of fares to be charged for
18 the mass transportation service as shall to the
19 extent possible reasonably assure sufficient income
20 to meet the cost of the service, including, but not
21 limited to, operating expenses, insurance, taxes,
22 rentals, annual serial bond payments, interest, allo-
23 cation for a reserve account and an allowance for
24 depreciation, except that the directors of a district
25 that participates in a regional operations plan that
26 has been approved in accordance with Title 23,
27 section 4209, shall establish routes and fixed fares
28 in accordance with the plan whenever the plan re-
29 quires. If, after all such obligations have been
30 met, a surplus shall remain, the directors may
31 deposit all or any part of such surplus in a reserve
32 account or in the sinking fund created by this chap-
33 ter. In the event all or any part of such surplus is
34 deposited in the sinking fund, the amount of the
35 annual commitment to the tax assessors of the munic-
36 ipalities comprising the district covering payments to
37 ~~said~~ the sinking fund shall be reduced by the amount
38 of ~~said~~ that deposit. The director of a regional
39 transportation corporation shall not fix any rates of
40 fare to be charged for mass transportation other than
41 that specifically provided for under the conditions
42 of any license granted the corporation by the Public
43 Utilities Commission Department of Transportation.

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STATEMENT OF FACT

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This bill transfers residual jurisdiction of the Public Utilities Commission over municipal transit districts to the Department of Transportation. Public Law 1981, chapter 469 transferred the Public Utilities Commission's jurisdiction over motor carriers of passengers to the Department of Transportation, but, by oversight, failed to transfer jurisdiction over municipal transit districts.

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