

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)

1 SECOND REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 2123

6
7 H.P. 1509

House of Representatives, March 4, 1986

8 Reported by Representative McPherson from the Committee on
Transportation. Sent up for concurrence and ordered printed. Approved by
9 the Legislative Council on June 18, 1985.

EDWIN H. PERT, Clerk

10 Reported from the Joint Standing Committee on Transportation under
Joint Rule 19.

11
12 STATE OF MAINE
13

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

17 AN ACT to Modernize Laws Related to
18 Railroads.
19

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

22 Sec. 1. 17 MRSA §3607 is enacted to read:

23 §3607. Railroad; rights-of-way

24 No person without right may remain or place, or
25 cause to be placed any property or obstruction on the
26 right-of-way of a railroad corporation, or on land
27 owned by a railroad corporation adjoining or adjacent
28 to its right-of-way, or, without right, may board or
29 attempt to board or remain on any railroad freight
30 train, freight car, caboosse, locomotive or work
31 equipment. Any person violating this section shall be
32 punished by a fine of not more than \$100 or by im-
33 prisonment for not more than 90 days, or by both.

34 Sec. 2. 29 MRSA §2190 is enacted to read:

1 §2190. Evading payment of fare; public transporta-
2 tion

3 No person is entitled to transportation upon any
4 ferry or in a taxicab or public automobile, who does
5 not on demand first pay the established fare. Whoever,
6 while being transported over any ferry or in a
7 taxi or public automobile, willfully refuses on de-
8 mand to pay the established fare by giving a false
9 answer or by traveling beyond the place to which he
10 has paid or by leaving a ferry or taxicab or public
11 automobile without paying the established fare,
12 whether the fare is demanded or not, forfeits not
13 less than \$5 nor more than \$20, to be recovered on
14 complaint.

15 Sec. 3. 35 MRSA §901 is repealed.

16 Sec. 4. 35 MRSA §902, as amended by PL 1977, c.
17 234, §4, is repealed.

18 Sec. 5. 35 MRSA §§903 and 904 are repealed.

19 Sec. 6. 35 MRSA §908, as amended by PL 1977, c.
20 234, §6, is repealed.

21 Sec. 7. 35 MRSA §931, as amended by PL 1977, c.
22 234, §7, is repealed.

23 Sec. 8. 35 MRSA §932, as amended by PL 1977,
24 c.234, §8, is repealed.

25 Sec. 9. 35 MRSA §§962 and 963 are repealed.

26 Sec. 10. 35 MRSA §1161 is repealed.

27 Sec. 11. 35 MRSA §1168 is repealed.

28 Sec. 12. 35 MRSA §1186 is repealed.

29 Sec. 13. 35 MRSA §3296 is amended to read:

30 §3296. Water utility line crossing railroad
31 right-of-way

32 Wherever a line or main of a water utility is lo-
33 cated and about to be constructed across the right-

1 of-way of any railroad, unless the officers of such
2 water utility shall agree with the corporation oper-
3 ating such railroad as to the place, manner and con-
4 ditions of the crossing, the ~~Public Utilities~~
5 ~~Commission~~ Department of Transportation upon petition
6 of either party, after notice and hearing, shall de-
7 termine the place, manner and conditions of such
8 crossing. All the work within the limits of such
9 railroad location shall be done under the supervision
10 of the officers of the corporation operating said
11 railroad and to the satisfaction of the commission,
12 and the expense thereof shall be borne by the water
13 utility. Said commission shall make report of their
14 decision in the same manner as in the case of high-
15 ways located across railroads and subject to the same
16 right of appeal.

17 STATEMENT OF FACT

18 The purpose of this bill is to modernize, clarify
19 and in some cases recodify laws that relate to rail-
20 roads.

21 Sections 3 to 12 repeal some laws relating to
22 passenger trains and stations, and it removes obso-
23 lete provisions that relate to discontinued functions
24 in operating trains. The repeal sections are as fol-
25 lows: The Maine Revised Statutes, Title 35, section
26 901 - Fares and tolls established; Title 35, section
27 902 - Rights of ticket holders; Title 35, section 903
28 - Railroad tickets, cancellation and exchange; Title
29 35, section 904 - Sale of limited tickets; Title 35,
30 section 931 - Loitering about or soliciting passen-
31 gers; Title 35, section 932 - Law posted; Title 35,
32 section 962 - Trains crossing at same hour; exchange
33 of baggage; Title 35, section 963 - Equal facilities
34 to all expresses; Title 35, section 1161 - Brakemen;
35 Title 35, section 1168 - Posting of law; and Title
36 35, section 1186 - Location of railroad near station
37 of another company.

1 Section 13 transfers this section to the juris-
2 diction of the Department of Transportation since the
3 Public Utilities Commission no longer has jurisdic-
4 tion over railroads by virtue of PL 1981, chapter
5 469.

6

5739021486