

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
115TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 136, L.D. 276, Bill, "An Act to Create a Special Liquor License for Certain Service Provider Organizations"

Amend the bill by striking out all of section 1 and inserting in its place the following:

Sec. 1. 28-A MRSA §2, sub-§15, ¶K-2 is enacted to read:

K-2. "Limousine" means a motor vehicle that:

(1) Falls within the definition of taxicab under Title 29, section 1, subsection 1-I;

(2) Is owned and operated under an operating permit obtained under Title 29, section 2703; and

(3) Is generally hired at least 48 hours in advance of the time the service is provided.

Sec. 2. 28-A MRSA §2, sub-§15, ¶T-2 is enacted to read:

T-2. "Transportation service provider" means any person regularly providing limousine services for hire.'

Further amend the bill in section 8 in subsection 1 in the last line (page 1, line 49 in L.D.) by striking out the following: "~~and aircraft and buses.~~" and inserting in its place the following: 'and aircraft.'

Further amend the bill by inserting after section 9 and before the statement of fact the following:

'E. Notwithstanding any rule or law to the contrary, a transportation service provider may permit persons on the premises to consume liquor purchased from a licensee other than the transportation service provider.'

2 F. Notwithstanding any rule or law to the contrary, local
3 approval of a transportation service provider license is not
4 required.

6 Sec. 10. 28-A MRSA §1077, sub-§5, as enacted by PL 1987, c.
45, Pt. A, §4, is amended to read:

8 5. License sufficient throughout the State. One Except as
10 provided in subsection 4-A, one license issued under this section
12 is sufficient to cover all aircraft, passenger cars or vessels
operated by the licensed public service corporation.

14 Sec. 11. 28-A MRSA §2078, sub-§3 is enacted to read:

16 3. Liquor provided in connection with transportation
18 services. The provision of liquor in connection with the
20 provision of transportation services for hire by a limousine
22 rental service is considered the sale of liquor, whether the
24 charge for the liquor is separately stated by the service
provider or included as part of a comprehensive fee. Liquor
purchased by a customer of the service provider from a licensee
other than the service provider and consumed on the premises of
the service provider is not considered liquor sold by the service
provider.'

26 Further amend the bill by renumbering the sections to read
28 consecutively.

30 Further amend the bill by inserting at the end before the
statement of fact the following:

32 **FISCAL NOTE**

34

	1991-92	1992-93
36 REVENUES		
38 General Fund	\$4,175	\$4,175

40

42 This bill provides for the licensing of limousine services
to sell liquor. Additional license fees will increase General
44 Fund revenues by \$4,175 in fiscal year 1991-92 and \$4,175 in
fiscal year 1992-93.'

R. 013

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STATEMENT OF FACT

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6 The amendment adds language to the bill to make clear that
limousine services must be licensed if they are providing liquor
8 as part of the transportation service for a single stated fee.
If limousine services are licensed to sell liquor, they are also
10 permitted to allow their customers to bring their own liquor in
the limousines for consumption.

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The amendment also specifically limits the license to
limousine rental services, and defines limousine, exempts this
type of license from the local approval requirement and corrects
a technical error.

Reported by the Minority for the Committee on Legal Affairs.
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