

# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1991

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Legislative Document

No. 1836

S.P. 690

In Senate, May 13, 1991

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.  
Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script, reading 'Joy J. O'Brien'.

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator SUMMERS of Cumberland  
Cosponsored by Senator RICH of Cumberland.

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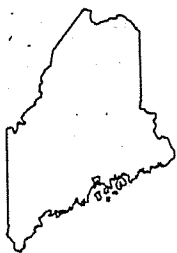
STATE OF MAINE

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

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An Act to Amend the Laws Concerning Transit District Services.



(AFTER DEADLINE)

(EMERGENCY)

2           **Emergency preamble.** Whereas, Acts of the Legislature do not  
become effective until 90 days after adjournment unless enacted  
as emergencies; and

4           Whereas, this legislation will have an impact on commercial  
6 buses; and

8           Whereas, the use and needs of commercial buses increase  
dramatically in the tourist season; and

10           Whereas, the tourist season will be well underway prior to  
12 the expiration of the 90-day period; and

14           Whereas, in the judgment of the Legislature, these facts  
create an emergency within the meaning of the Constitution of  
16 Maine and require the following legislation as immediately  
necessary for the preservation of the public peace, health and  
18 safety; now, therefore,

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

22           **Sec. 1. 30-A MRSA §3502, sub-§4, ¶¶B and C,** as enacted by PL  
1989, c. 726, §2, are amended to read:

24           B. Existing vacant office or storage space owned by the  
26 transit district; and

28           C. Used equipment not originally purchased for resale; and

30           **Sec. 2. 30-A MRSA §3502, sub-§4, ¶D** is enacted to read:

32           D. Washing and servicing of a commercial bus when private  
34 servicing agencies are not open for business between the  
hours of 9 p.m. and 6 a.m. The owner or operator of such a  
36 commercial bus shall forward a copy of the relevant log to  
the Department of Transportation when a transit district is  
38 used for services authorized by this paragraph.

40           **Sec. 3. 30-A MRSA §3502, sub-§5,** as enacted by PL 1989, c.  
726, §2, is amended to read:

42           **5. Penalty.** Any transit district violating subsection 4,  
is subject to a civil penalty of not more than \$5,000, payable to  
44 the State, and recoverable in a civil action. A bus owner or  
operator that fails to forward a log or uses a transit district  
46 in violation of subsection 4, paragraph D commits a civil  
violation for which a forfeiture of \$750 may be adjudged.

48           **Emergency clause.** In view of the emergency cited in the  
50 preamble, this Act takes effect when approved.

## STATEMENT OF FACT

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4 This bill authorizes the use of a transit district for  
washing and servicing of a commercial bus only if a private  
6 servicing agency is not open for business between the hours of  
9 p.m. and 6 a.m. The bill also requires the owner or operator  
of a bus that uses those services to forward a log to the  
8 Department of Transportation. Violation of these requirements  
subjects the owner or operator to a civil forfeiture of \$750.