

# MAINE STATE LEGISLATURE

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# 131st MAINE LEGISLATURE

## SECOND REGULAR SESSION-2024

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Legislative Document

No. 2148

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H.P. 1372

House of Representatives, January 3, 2024

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### **An Act to Establish Common Carrier Reporting for the Direct Shipment of Wine**

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Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 203.

Reference to the Committee on Veterans and Legal Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative SUPICA of Bangor.

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

2 **Sec. 1. 28-A MRSA §1403-A, sub-§1, ¶C** is enacted to read:

3 C. "Common carrier" means a company that transports goods upon reasonable request,  
4 on regular routes and at set rates.

5 **Sec. 2. 28-A MRSA §1403-A, sub-§5,** as enacted by PL 2009, c. 373, §1, is  
6 amended to read:

7 **5. Common carrier.** Shipments made in accordance with this chapter must be made  
8 by a common carrier and must be accompanied by a shipping label that clearly indicates  
9 the name of the direct shipper and the name and residence address of the recipient. The  
10 common carrier shall obtain the signature of a person 21 years of age or older at the address  
11 listed on the shipping label prior to delivery of the shipment. The common carrier shall  
12 request photographic identification from the person signing for the shipment and verify that  
13 the person is 21 years of age or older.

14 **Sec. 3. 28-A MRSA §1403-A, sub-§11,** as amended by PL 2013, c. 476, Pt. A,  
15 §31, is repealed and the following enacted in its place:

16 **11. Reporting.** Reports to the bureau regarding direct shipments of wine are governed  
17 by this subsection.

18 A. A direct shipper shall submit a report to the bureau quarterly in a manner and form  
19 prescribed by the bureau that includes the total number of cases of wine shipped to  
20 recipients in the State and, for a direct shipper located in the State, shipments made  
21 outside the State, the name and residence address of shipment recipients in the State,  
22 the common carrier used to deliver the shipments and the date, quantity and purchase  
23 price of each shipment.

24 B. A common carrier shall submit a report to the bureau quarterly in a manner and  
25 form prescribed by the bureau that includes the name of the common carrier; the period  
26 of time covered by the report; the name, direct shipper license number and business  
27 address of each direct shipper that consigned a shipment of wine; the name and  
28 residence address of each recipient; the quantity shipped and weight of each package  
29 delivered to each residence address; a unique tracking number for each shipment; and  
30 the date of delivery. A failure by a common carrier to comply with the reporting  
31 requirements of this paragraph that continues for more than 30 days after receiving  
32 from the bureau a notice of that failure may result in the suspension of the common  
33 carrier's license to operate in the State or the imposition of any other penalty the  
34 relevant licensing authority in the State is authorized to impose.

35 **Sec. 4. 28-A MRSA §1403-A, sub-§12,** as enacted by PL 2009, c. 373, §1, is  
36 amended to read:

37 **12. Audit and records retention.** The bureau may perform an audit of a direct  
38 shipper's or common carrier's records relevant to compliance with this section. A direct  
39 shipper or common carrier shall provide copies of any records requested by the bureau  
40 within 10 business days of that request.

