

MAINE STATE LEGISLATURE

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N I N E T I E T H L E G I S L A T U R E

Legislative Document

No. 507

S. P. 297

In Senate, February 5, 1941.

Referred to the Committee on Public Utilities and 500 copies ordered printed. Sent down for concurrence.

ROYDEN V. BROWN, Secretary.

Presented by Senator Libby of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-ONE

**AN ACT Relative to the Regulation of the Use of the Highways by Motor
Vehicles Transporting Property and for the Supervision and Control of
Such Motor Vehicles.**

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

Chapter 259 of the public laws of 1933, as amended by chapter 146 of the public laws of 1935, chapters 165, 171, 186 and 208 of the public laws of 1937 and chapter 140 of the public laws of 1939, is hereby further amended by adding, after section 5, the following :

'Sec. 5-A. Supervision of motor vehicles transporting property. Whereas certain private carriers by motor vehicle acquire actual or beneficial title to property for the purpose of carrying it for sale at destination, realizing from said sale a price which is primarily compensation for the carriage, thereby being fundamentally engaged in transportation of property for hire but avoiding regulation as common or contract carriers, and whereas such operations affect the public interest, the safety and welfare of the public on the highways, the proper regulation of common and contract carriers, and the adjustment and correlation of the various transportation agencies of the state, it is hereby declared that such private carriers by motor vehicle shall be regulated as hereinafter provided.

Any private carrier by motor vehicle who acquires actual or beneficial title to any commodity for the purpose of transporting that commodity for sale at destination at a price which primarily represents the cost of the commodity plus compensation for the carriage, shall not operate nor cause to be operated any motor vehicle for the transportation of said commodity without having obtained from the commission a certificate declaring that public necessity and convenience require and permit such operation. No such certificate shall be required of any private carrier by motor vehicle who has grown, produced, processed or manufactured the commodity, nor who maintains at point of origin or destination a regular store, wholesale house, warehouse, coal yard or similar permanent and established place of business for bona fide dealing in the commodity carried, or who regularly sells or distributes commodity at retail as an itinerant vendor.'