

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)

N I N E T Y - S I X T H L E G I S L A T U R E

Legislative Document

No. 704

H. P. 661

House of Representatives, February 12, 1953

Referred to the Committee on Labor, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. O'Dell of Eastport

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-THREE

**AN ACT Relating to Hours of Labor of Operators of Motor Trucks
and Buses.**

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

R. S., c. 25, § 40-B, additional. Chapter 25 of the revised statutes, as amended, is hereby further amended by adding thereto a new section to be numbered 40-B, to read as follows:

'Sec. 40-B. Hours of labor of operators of motor trucks and buses. When any driver of a motor truck or motor bus shall have been on duty continuously for 12 hours or at separate intervals for 12 hours in the aggregate or less in any 14 consecutive hours including time for meals, even though part of such time shall have been outside of the state of Maine he shall not continue or again go on duty without having had at least 8 consecutive hours off duty. The periods of release from duty herein required shall be free from and off the truck or bus and free from work of any kind and shall be given at such places and under such circumstances that rest and relaxation from the strain of the duties of employment may be obtained. Every driver of a motor truck or motor bus shall be allowed at least 24 consecutive hours of rest in every calendar week. The provisions of this section shall not apply in case of accident or act of God nor when there is delay which was caused by the elements or a cause not known to the driver

or owner or to his or its officers in charge of such operations at the time that such driver left the place where he last went on duty prior to such delays. Every driver of a motor truck or motor bus shall keep and carry on the vehicle records showing the day and hour when and the place where he went on and was released from duty, whether in this state or outside of this state. The commissioner of labor and industry shall prescribe the form of such records and may require such other information to be shown thereon as he shall deem advisable to insure the proper enforcement of this section. Such records shall be exhibited to the commissioner of labor and industry, his representatives or to any state policeman or enforcement officer who shall demand to see the same and shall be held available for further inspection for a period of 60 days within the State of Maine in an office designated by the owner. Failure to produce such records upon demand shall be presumptive evidence of a violation of this section relating to keeping such records. In any prosecution for the violation of any of the provisions of this section such records shall be prima facie evidence of the truth of the contents thereof. The provisions of this section with reference to the carrying of records on the vehicle shall not apply to the operation of a motor bus or motor buses operated on fixed schedules, but this shall not relieve any corporation, company, association, joint-stock association, partnership or person engaged in the operation of a motor bus or motor buses on fixed schedules from the necessity of keeping such records and having them available in an office within the state of Maine. The term "motor truck" as used in this section shall be deemed to mean and include a motor vehicle equipped or used for the transportation of goods, wares and merchandise, commonly known as an auto truck or light delivery car. The term "motor bus" as used in this section shall be deemed to mean and include any motor vehicle held and used for the transportation of passengers for hire. Any person violating the provisions of this section or failing to keep or falsifying any records to be kept in compliance therewith, or any corporation, company, association, joint-stock association, partnership, person or any officer or agent thereof, who shall require or permit any person to violate the provisions of this section or to falsify any record to be kept in compliance therewith shall be punished by a fine of not more than \$50, or by imprisonment for not more than 6 months, or by both such fine and imprisonment. It shall be the duty of the commissioner of labor and industry, the state police and all enforcement officers, and they are hereby authorized, empowered and required to enforce the provisions of this section. The provisions of this section shall not apply to the operation of a motor truck or motor bus while being operated exclusively in a city, town or plantation nor to the operation of a motor truck or motor bus in

and between cities, towns or plantations lying adjacent to the place where the driver thereof has gone on duty nor to the operation of a motor truck owned by a farmer and operated by himself or an employee when used in the hauling of farm, dairy, horticultural or wood products and farm supplies for himself or his farm neighbors to market, creamery or place of storage, nor to the operation of wrecking and towing cars.'