

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and First Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with the Revised Statutes of 1954, Chapter 10, Section 27, Subsection VI.

The Knowlton and McLeary Company
Farmington, Maine
1963

PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the One Hundred and First Legislature

1963

Chapter 242

AN ACT Relating to Crossing Railroad Right-of-Way by Water Utility.

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

R. S., c. 52, § 28, additional. Chapter 52 of the Revised Statutes is amended by adding a new section 28 to read as follows:

'Sec. 28. Water utility line crossing right-of-way of railroad. Wherever a line or main of a water utility is located and about to be constructed across the right-of-way of any railroad, unless the officers of such water utility shall agree with the corporation operating such railroad as to the place, manner and conditions of the crossing, the Public Utilities Commission upon petition of either party, after notice and hearing, shall determine the place, manner and conditions of such crossing. All the work within the limits of such railroad location shall be done under the supervision of the officers of the corporation operating said railroad and to the satisfaction of the commission, and the expense thereof shall be borne by the water utility. Said commission shall make report of their decision in the same manner as in the case of highways located across railroads and subject to the same right of appeal.'

Effective September 21, 1963

Chapter 243

AN ACT Relating to Transportation of Household Goods for Hire by a Common Carrier.

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

Sec. 1. R. S., c. 48, § 20, amended. The first sentence of section 20 of chapter 48 of the Revised Statutes is amended to read as follows:

'No person, corporation, partnership, railroad, street railway or other transportation company shall operate, or cause to be operated, any motor vehicle or vehicles not running on rails or tracks upon any public way in the business of transporting freight or merchandise for hire as a common carrier over regular routes or in the business of transporting household goods, as such commodity shall from time to time be defined by the commission, for hire as a common carrier over irregular routes between points within this State without having obtained from the commission a certificate declaring that public necessity and convenience require and permit such operations.'

Sec. 2. R. S., c. 48, § 20, amended. The last sentence of section 20 of chapter 48 of the Revised Statutes is repealed.

Sec. 3. R. S., c. 48, § 20, sub-§§ I - III, additional. Section 20 of chapter 48 of the Revised Statutes is amended by adding 3 new subsections, to be numbered I to III, to read as follows:

I. Certificate for transportation of household goods; service having been rendered. A certificate authorizing the transportation of household goods, as such commodity shall from time to time be defined by the commission, for hire as a common carrier over irregular routes, shall be granted as a matter of right when it appears to the satisfaction of the commission, after hearing, that an adequate and responsible service in transportation of used furniture or used household goods is being lawfully rendered by the applicant within the general area covered by the application, and that the applicant has been rendering such service without substantial interruption since the first day of January, 1963, and in cases where such authorized service has been so rendered the operation may lawfully be continued pending the issuance of such certificate, provided application therefor is made within 15 days from the effective date of this act.

II. Common carrier. Holders of contract carrier permits who since January 1, 1963 have not engaged in the transportation of used furniture or used household goods for hire but who propose to engage in such transportation as a common carrier over irregular routes shall upon application be granted a certificate authorizing the transportation of household goods, as such commodity shall from time to time be defined by the commission, for hire as a common carrier over irregular routes when it appears to the satisfaction of the commission, after hearing, that such transportation was within the scope of the permit held by the applicant.

III. Limitation. A certificate issued under subsections I and II shall not grant more authority than existed by virtue of the contract carrier permit held by the applicant, except as may result from the adoption of the term "household goods" as such commodity shall from time to time be defined by the commission.'

Sec. 4. R. S., c. 48, § 23, amended. The first sentence of section 23 of chapter 48 of the Revised Statutes is amended to read as follows:

'The term "contract carrier" as used in this chapter is intended to include all persons, firms or corporations operating or causing the operation of motor vehicles transporting freight or merchandise for hire upon the public highways, other than common carriers over regular routes or common carriers of household goods, as such commodity shall from time to time be defined by the commission, over irregular routes; except that the term shall not be construed to include any person, firm or corporation not regularly engaged in the transportation business but who on occasional trips transports the property of others for hire.'