

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Fourth Legislature

OF THE

STATE OF MAINE

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THE KNOWLTON AND MCLEARY COMPANY
FARMINGTON, MAINE
1969

PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
ONE HUNDRED AND FOURTH LEGISLATURE
1969

presence of his parent or guardian, shall be punished by a fine of not more than \$200 or by imprisonment for not more than 11 months, or by both.

Effective October 1, 1969

Chapter 181

AN ACT Providing for Transportation of Passengers in Units of Trucking Equipment on a Test Basis.

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

Sec. 1. R. S., T. 35, § 1505, amended. Section 1505 of Title 35 of the Revised Statutes is amended to read as follows:

§ 1505. Certificates for operation; baggage; mail and express for hire

No person, firm or corporation shall operate a motor vehicle or vehicles as described in section 1501 on any street or highway in any city or town of this State, without obtaining from the commission a certificate permitting such operation. Nor shall the commission issue an original certificate or amend a certificate unless it finds after public hearing that public convenience and necessity require such operation. The commission may, in its discretion and for good and sufficient reason, issue a temporary certificate authorizing such operation and hold the prescribed hearing at a later date and then determine whether a certificate shall be finally issued; but no temporary certificate shall be issued for a period longer than 30 days. The commission may in its discretion issue a trial certificate authorizing operations described in section 1501 on an experimental basis to the holder of a certificate of public convenience and necessity issued pursuant to section 1552. No trial certificate shall be issued until after a public hearing has been held and in determining whether or not to issue such certificate the commission shall give due regard to whether the public interest will be served by the proposed experiment and the effect the proposed experiment will have upon existing carriers. The commission order authorizing the issuance of a trial certificate shall contain a limitation with regard to the time period during which the experiment will be conducted and such other terms, conditions and limitations as the commission deems consistent with the public interest. If service is presently available between 2 points by reason of an existing certificate or certificates of public convenience and necessity, no trial certificate shall authorize operations between those points. No temporary certificate shall be extended or renewed, and no temporary or trial certificate shall be issued, unless the applicant has paid the fees and has established proof of financial responsibility for liability for personal injury or property damage as required by sections 1510 to 1512.

The commission may authorize transportation of baggage, mail and express for hire in passenger motor vehicles in such cases as the said commission, after notice given to motor carriers operating under chapter 93 and to the extent therein provided, and after hearing, at which persons protesting, shall be heard on such matters as may be applicable under this or other laws, finds the transportation of baggage, mail and express for hire in passenger vehicles to be in the public interest. Such authority shall be made a part of the certifi-

cate of public convenience and necessity described above and may be made subject to such terms, conditions and restrictions as said commission may prescribe.

Sec. 2. R. S., T. 35, § 1644, amended. Section 1644 of Title 35 of the Revised Statutes is amended to read as follows:

§ 1644. Certificate holders exempted

A license shall not be required to be obtained by a common carrier transporting passengers under a certificate issued pursuant to section 1505 and such common carriers may transport between any points in the State of Maine special or charter parties under such rules and regulations as the commission shall have prescribed. **This section shall not apply to the holders of a trial certificate as described in section 1505.**

Effective October 1, 1969

Chapter 182

AN ACT Relating to Timely Mailing of Tax Reports and Returns.

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

R. S., T. 36, § 4, additional. Title 36 of the Revised Statutes is amended by adding a new section 4 to read as follows:

§ 4. Timely mailing treated as timely filing and paying

1. Any report, claim, tax return, statement or other document required or authorized to be filed under this Title with, or any payment made under this Title to, the State or to any political subdivision thereof which is:

A. Transmitted through the United States mail, shall be deemed filed and received by the State or political subdivision on the date shown by the post office cancellation mark stamped upon the envelope or other appropriate wrapper containing it;

B. Mailed but not received by the State or political subdivision or where received and the cancellation mark is illegible, erroneous or omitted, shall be deemed filed and received on the date it was mailed if the sender establishes by competent evidence as provided in subsection 2 that the report, claim, tax return, statement, remittance or other document was deposited in the United States mail on or before the date due for filing; and in cases of such nonreceipt of a report, tax return, statement, remittance or other document required by law to be filed, the sender files with the State or political subdivision a duplicate within 30 days after written notification is given to the sender by the State or political subdivision of its nonreceipt of such report, tax return, statement, remittance or other document.

2. Registered mail, certified mail, certificate of mailing. If any report, claim, tax return, statement, remittance or other document is sent by United