

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

AT THE

SECOND REGULAR SESSION

January 2, 1980 to April 3, 1980

AND AT THE

THIRD SPECIAL SESSION

May 22, 1980

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 164, SUBSECTION 6.

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PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED AT THE
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Sec. 2. 12 MRSA § 6671, sub-§ 4, ¶ B, as enacted by PL 1977, c. 661, § 5, is amended to read:

B. Receive and file with the municipal clerk the written approval of the commissioner for the proposed **program and ordinance**.

Sec. 3. 12 MRSA § 6671, sub-§ 5, 2nd sentence, as enacted by PL 1977, c. 661, § 5, is amended to read:

A certified copy of the ordinance shall be filed with the commissioner within ~~7~~ **20** days of its adoption.

Effective July 3, 1980

CHAPTER 609

S. P. 683 — L. D. 1806

AN ACT to Encourage Car Pools and Van Pools.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the conservation of energy is in the best interests of our State and nation; and

Whereas, the following legislation is vital to meet this urgent need; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 35 MRSA § 1642, sub-§ 5, as enacted by PL 1977, c. 306, is repealed.

Sec. 2. 35 MRSA § 1642, sub-§§ 6-8 are enacted to read:

6. Cooperative use transportation. “Cooperative use transportation” means the collective use of privately owned vehicles by 2 or more people where the providing of transportation is not the primary business of the owner or driver of the vehicle, or both, but is incidental to their livelihood. Cooperative use includes, but is not limited to, shared driving, shared expense car pools, station wagon pools and van pools, employer owned or leased vehicles, including buses which are operated for convenience of the employees, commuter services organized and

arranged by employee cooperatives, labor unions, credit unions and neighborhood groups which are operated for the convenience of their members, and vehicles operated under the auspices of government sponsored commuter matching services and brokerage programs, and individuals or groups providing nonprofit matching and other brokerage type services.

7. For profit brokerage and matching services. "For profit brokerage and matching services" means that the provider of the service neither sets the rates for the service, provides backup transportation, passes upon the qualifications of the drivers or their vehicles, establishes the routes nor collects the fees paid for the service. The business of matching drivers with passengers and the rendering of technical assistance in support of cooperative use transportation is exempt from regulation under this chapter.

8. For profit car pooling and van pooling. "For profit car pooling and van pooling" means the business of organizing and operating a car pooling or van pooling system. In this context, "car pools and van pools" mean any vehicle used in a continuing form of prearranged commuter transportation by a relatively fixed group of 15 persons or less for travel between their places of residence and their place of employment. The business of organizing and operating a car pooling or van pooling system, including the selection and approval of cars, vans and drivers, the fixing and collection of fees, the establishment of routes and the provision of backup transportation, is exempt from regulation under this chapter provided that proof of adequate insurance coverage, as determined by the Bureau of Insurance and the Public Utilities Commission, is filed with the Public Utilities Commission prior to commencing operation.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective February 22, 1980

CHAPTER 610

S. P. 709 — L. D. 1845

AN ACT to Aid Recovery of Medicaid Funds.

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

Sec. 1. 22 MRS § 14, as enacted by PL 1979, c. 145 is amended to read:

§ 14. Action against parties liable for medical care rendered to assistance recipients; assignment of claims