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An Act To Ensure Fair Access and Pricing for Residents Who Use the Maine State Ferry Service

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

Sec. 1. 23 MRSA §4210-C, sub-§2, as amended by PL 2005, c. 664, Pt. C, §1, is further amended to read:

2. Purpose of account. The purpose of the account is to allow the Highway Fund to provide support to the Maine State Ferry Service that was previously provided by the General Fund because ferries are an integral part of the highway system and carry motor vehicles and are the only method of vehicular transportation available to and from the islands. The state support to the Marine Highway account ~~may not exceed 50% of the budgeted revenues that support them~~ must fund 100% of the capital and operating costs of the Maine State Ferry Service.

Sec. 2. 23 MRSA §4404, as enacted by PL 1981, c. 456, Pt. A, §88, is amended to read:

§ 4404. Tolls

The Department of Transportation shall, ~~in a manner consistent with the Maine Administrative Procedure Act, Title 5, chapter 375, establish~~ adopt rules establishing tolls for the use of ~~such~~ the ferry ~~line~~ route or ~~lines~~ routes under this subchapter by vehicles, freight and passengers. Tolls must be calculated separately for each route of travel. The department may not apply a surcharge or transaction fee to the payment of tolls. Tolls collected from the operation of the Maine State Ferry Service ~~shall~~ must at all times be kept in a separate fund distinct from all other ~~monies~~ money of the State and ~~shall~~ must be used for the operation and debt retirement of the ferry service.

Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 3. Rates. No later than November 1, 2019, the Department of Transportation shall adopt rules pursuant to the Maine Revised Statutes, Title 23, section 4404 establishing the tolls for the Maine State Ferry Service at the rates that were in effect on May 20, 2018.

SUMMARY

This bill requires that state support to the Marine Highway account must fund 100% of the capital and operating costs of the Maine State Ferry Service. It also requires the Department of Transportation to establish, by rule, ferry tolls separately for each route of travel and to adopt no later than November 1, 2019 the toll rates that were in effect on May 20, 2018.