



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 599

S.P. 186

In Senate, February 5, 2019

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

Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator HERBIG of Waldo.
Cosponsored by Representative DOUDERA of Camden and
Senators: DIAMOND of Cumberland, MIRAMANT of Knox, Representatives: BEEBE-
CENTER of Rockland, DODGE of Belfast, ZEIGLER of Montville.

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

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

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

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

13 **§4404. Tolls**

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

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

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

28 **SUMMARY**

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