



131st MAINE LEGISLATURE

SECOND REGULAR SESSION-2024

Legislative Document

No. 2148

H.P. 1372

House of Representatives, January 3, 2024

An Act to Establish Common Carrier Reporting for the Direct Shipment of Wine

Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 203.

Reference to the Committee on Veterans and Legal Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative SUPICA of Bangor.

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

2 **Sec. 1. 28-A MRSA §1403-A, sub-§1, ¶C** is enacted to read:

3 C. "Common carrier" means a company that transports goods upon reasonable request,
4 on regular routes and at set rates.

5 **Sec. 2. 28-A MRSA §1403-A, sub-§5,** as enacted by PL 2009, c. 373, §1, is
6 amended to read:

7 **5. Common carrier.** Shipments made in accordance with this chapter must be made
8 by a common carrier and must be accompanied by a shipping label that clearly indicates
9 the name of the direct shipper and the name and residence address of the recipient. The
10 common carrier shall obtain the signature of a person 21 years of age or older at the address
11 listed on the shipping label prior to delivery of the shipment. The common carrier shall
12 request photographic identification from the person signing for the shipment and verify that
13 the person is 21 years of age or older.

14 **Sec. 3. 28-A MRSA §1403-A, sub-§11,** as amended by PL 2013, c. 476, Pt. A,
15 §31, is repealed and the following enacted in its place:

16 **11. Reporting.** Reports to the bureau regarding direct shipments of wine are governed
17 by this subsection.

18 A. A direct shipper shall submit a report to the bureau quarterly in a manner and form
19 prescribed by the bureau that includes the total number of cases of wine shipped to
20 recipients in the State and, for a direct shipper located in the State, shipments made
21 outside the State, the name and residence address of shipment recipients in the State,
22 the common carrier used to deliver the shipments and the date, quantity and purchase
23 price of each shipment.

24 B. A common carrier shall submit a report to the bureau quarterly in a manner and
25 form prescribed by the bureau that includes the name of the common carrier; the period
26 of time covered by the report; the name, direct shipper license number and business
27 address of each direct shipper that consigned a shipment of wine; the name and
28 residence address of each recipient; the quantity shipped and weight of each package
29 delivered to each residence address; a unique tracking number for each shipment; and
30 the date of delivery. A failure by a common carrier to comply with the reporting
31 requirements of this paragraph that continues for more than 30 days after receiving
32 from the bureau a notice of that failure may result in the suspension of the common
33 carrier's license to operate in the State or the imposition of any other penalty the
34 relevant licensing authority in the State is authorized to impose.

35 **Sec. 4. 28-A MRSA §1403-A, sub-§12,** as enacted by PL 2009, c. 373, §1, is
36 amended to read:

37 **12. Audit and records retention.** The bureau may perform an audit of a direct
38 shipper's or common carrier's records relevant to compliance with this section. A direct
39 shipper or common carrier shall provide copies of any records requested by the bureau
40 within 10 business days of that request.

1 A. A direct shipper shall maintain the books, records and documents supporting a
2 report submitted under subsection 11, paragraph A for 3 years after the reporting date,
3 unless otherwise directed by the bureau.

4 B. A common carrier shall maintain the books, records and documents supporting a
5 report submitted under subsection 11, paragraph B, including an electronic or paper
6 copy of each recipient's signature, for 3 years after the reporting date, unless otherwise
7 directed by the bureau.

8 **SUMMARY**

9 This bill amends the laws governing the direct shipment of wine to require quarterly
10 reporting to the Department of Administrative and Financial Services, Bureau of Alcoholic
11 Beverages and Lottery Operations by common carriers delivering direct shipments of wine.
12 The bill also changes the reporting requirement for direct shippers from annual reports to
13 quarterly reports, establishes record retention requirements for direct shippers and common
14 carriers and requires that a shipping label specifically indicate the residence address of the
15 recipient.