

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1123

H. P. 918

House of Representatives, March 9, 1979

On Motion of Mr. Carroll of Limerick, referred to the Committee on Transportation. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Dudley of Enfield.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-NINE

AN ACT Concerning Rules and Regulations Governing the Inspection of Motor  
Vehicles.

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

**Sec. 1.** 29 MRSA § 2122, first ¶, 3rd sentence, as amended by PL 1977, c. 268, § 1, is further amended to read:

If, at the time of such inspection, the condition of said vehicle conforms in each and every respect as required by law ~~and the rules and regulations governing inspection promulgated by the Chief of the State Police~~, an official inspection sticker as a certificate of inspection furnished by the Chief of the State Police shall be placed in the lower left-hand corner of the windshield or in the center of the windshield back of the rear mirror, as the owner or operator may prefer.

**Sec. 2.** 29 MRSA § 2122, 8th ¶, is repealed.

**Sec. 3.** 29 MRSA § 2122, 10th ¶, as enacted by PL 1965, c. 248, § 7, is repealed.

**Sec. 4.** 29 MRSA § 2122, last ¶, last sentence, as repealed and replaced by PL 1971, c. 360, § 46, is repealed.

**Sec. 5.** 29 MRSA § 2122-B is enacted to read:

§ 2122-B. Rules and regulations

**Neither the Secretary of State nor the Chief of the Maine State Police shall make any rule or regulation concerning the inspection of motor vehicles or the administration and enforcement of this chapter unless expressly authorized to do so by this chapter.**

**Sec. 6. 29 MRSA § 2123, sub-§ 1, as repealed and replaced by PL 1977, c. 696, § 217, is amended to read:**

**1. Penalties.** Notwithstanding the provisions of Title 17-A, section 4, whoever violates or fails to comply with any provision of sections 1369, 2122, 2124 or 2125, ~~or any rules or regulations established thereunder~~ shall be punished by a fine of not less than \$10 nor more than \$100, or by imprisonment for not more than 90 days, or by both, except as provided in subsection 2.

**Sec. 7. 29 MRSA § 2124, 6th ¶, as amended by PL 1973, c. 231, is further amended to read:**

No person shall make, have in his possession, issue or knowingly use any imitation or counterfeit of an official certificate of inspection or have in his possession, issue or knowingly use a certificate of inspection that was not issued by an official inspection station in accordance with this Title ~~or the rules and regulations promulgated by the Chief of the State Police governing motor vehicle inspection.~~

**Sec. 8. 29 MRSA § 2125, as last amended by PL 1973, c. 291, § 4, is further amended to read:**

**§ 2125. Fees**

The operator of any official inspection station, or his agent, shall conduct the inspection of motor vehicles presented to him for that purpose in accordance with section 2122 ~~and with the rules and regulations promulgated by the Chief of the State Police,~~ for which he shall receive a fee of \$2 for each vehicle inspected, this sum not to include labor or material used in correction of faults in equipment.

**STATEMENT OF FACT**

The purpose of this bill is to prohibit the Secretary of State or Chief of the Maine State Police from promulgating any rules or regulations dealing with motor vehicle inspection unless expressly authorized to do so by law.