

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and First Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS
OF THE
STATE OF MAINE

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'Sec. 51. Appeal to Superior Court. Any person entitled to appeal to a board of assessment review or to the county commissioners for an abatement of his taxes may, if he so elect, appeal under the same terms and conditions from the decision of the assessors to the Superior Court in and for that county.'

Sec. 8. Application. Boards of assessment review presently existing pursuant to special municipal charters may be continued in office provided the legislative body of the town or city council, as the case may be, votes to adopt a board of assessment review under the Revised Statutes, chapter 90-A, section 36, subsection IV-B, or section 58, subsection I-A. Upon completion of existing terms in such cases, the boards shall be thereafter constituted and chosen under this act. If no such vote is taken, boards of assessment review existing under special charters shall cease to exist on and after January 1, 1965.

Effective September 21, 1963

Chapter 300

AN ACT Relating to Inspection of Motor Vehicles.

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

Sec. 1. R. S., c. 22, § 13, amended. The last sentence of the next to the last paragraph of section 13 of chapter 22 of the Revised Statutes, as enacted by chapter 209 of the public laws of 1961, is amended to read as follows:

'~~Section 45~~ Chapter 15, section 13-A, shall not apply to such invalid chairs but the Secretary of State shall not issue such registration unless he is satisfied that such chair is equipped with an adequate stopping and holding device and means of giving audible signal.'

Sec. 2. R. S., c. 15, §§ 13-A – 13-G, additional. Chapter 15 of the Revised Statutes is amended by adding 7 new sections, to be numbered 13-A to 13-G, to read as follows:

'Inspection of Motor Vehicles.

Sec. 13-A. Inspection of motor vehicles. The Chief of the State Police shall require twice each year that every vehicle registered in this State be inspected at an official inspection station, duly appointed and certified as such by the Chief of the State Police, to determine the proper adjustment and sufficiency of the following required equipment: Brakes, lights, running gear, wheels, tires, horns, glazing, mechanical windshield wipers, rear view mirrors, reflectors, exhaust system and body components. 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. If said vehicle is not normally equipped with a windshield, the certificate of in-

spection shall be kept with the registration certificate of the vehicle. The owner or operator of said vehicle shall produce the certificate of inspection upon demand of any police officer. It shall be unlawful, except as otherwise provided, for any person to operate a vehicle on the highways of this State unless said vehicle has been inspected and bears a certificate as provided in this section.

No person shall operate any vehicle or combination of vehicles on any highway of this State unless the equipment upon any and every said vehicle is in good working order and adjustment and said vehicle is in such safe mechanical condition as not to endanger the driver or other occupant or any person upon the highway.

The Chief of the State Police or any member of the State Police may at any time upon reasonable grounds to believe that a vehicle is unsafe or not equipped as required by law, or that its equipment is not in proper adjustment or repair, require the driver of such vehicle to proceed to an official inspection station and submit such vehicle to an inspection and such tests as may be appropriate. The \$1 fee as required by law for semi-annual inspection shall not apply in such case.

Said inspection shall not apply to motor vehicles owned and registered in another state nor to new or used motor vehicles being driven by a dealer or holder of a transit registration certificate or their authorized representative from the point of distribution to his place of business. Said inspection shall not apply to motorcycles.

No dealer or holder of a transit registration certificate in new or used motor vehicles shall permit any such vehicle owned or controlled by him to be released for operation upon the highways until it has been inspected and a proper inspection sticker certifying such inspection placed thereon. If such vehicle bears thereon a certificate showing a prior inspection, the same shall be removed.

This section shall not apply to farm tractors which are manufactured as such. Motor vehicles 25 years or older registered as antique automobiles shall be deemed in proper condition if the mechanical condition of the vehicle conforms to the original mechanical condition of such vehicle.

The Chief of the State Police, a State Police officer or a state driver license examiner may issue a permit to owners of motor vehicles which are not inspected to enable them to operate such vehicle to an inspection station for the purpose of complying with this law.

The Chief of the State Police is authorized to make necessary rules and regulations for the administration and enforcement of this section and to designate any period or periods of time during which owners of any vehicles, subject to this section, shall display upon such vehicles certificates of inspection or shall produce the same upon the demand of any police officer.

Any vehicle required by law to be registered in this and any other state may be exempt from the first paragraph of this section, providing said vehicle bears a valid inspection sticker issued by such other state.

Sec. 13-B. Penalty. It shall be a misdemeanor for any owner or operator, or both, of any vehicle required to be inspected under section 13-A to operate or permit to be operated such vehicle without having displayed thereon a current and valid certificate of inspection or fail to produce same on demand of any police officer. Whoever violates or fails to comply with any provision of sections 13-A to 13-G, 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.

Sec. 13-C. Official inspection stations. Upon written application giving such description of the garage and its equipment as may be required by the Chief of the State Police, the Chief of the State Police may license such garage as an official inspection station located as to convenience the public for the purpose of carrying out section 13-A. No application for a license to operate an official inspection station shall be considered unless the garage building to be used as an inspection station shall be of suitable length and width, shall have a level floor, shall be equipped with a screen or chart or other equipment approved by the Chief of the State Police for the purpose of testing lights and with sufficient tools, machinery and qualified personnel to make repairs to motor vehicles.

Before a license as an official inspection station is granted, the premises shall be examined by a member of the State Police and the operator investigated as to his reliability and fitness for such appointment. If any person is aggrieved by the decision of the Chief of the State Police in refusing approval, he may within 30 days thereafter appeal to the Superior Court, by filing a complaint. The court shall fix a time and place for hearing and cause notice thereof to be given to the Chief of the State Police. After hearing the court may affirm or reverse the decision of the Chief of the State Police and the decision of the court shall be final. Pending judgment of the court, the decision of the Chief of the State Police shall remain in full force and effect.

Upon approval of an inspection station, the Chief of the State Police shall issue a license and sign, for which he shall charge an annual fee of \$2.

No license for an official inspection station shall be assigned or transferred or used at any location other than therein designated and every said license shall be posted in a conspicuous place at the location designated.

No person shall in any manner represent any place as an official inspection station unless such station is operating under a valid license issued by the Chief of the State Police.

No person other than the holder of a valid inspection mechanic's certificate issued by the Chief of the State Police shall issue and sign a certificate of inspection.

No person shall make, have in his possession, issue or knowingly use any imitation or counterfeit of an official certification of inspection.

No person shall display or cause or permit to be displayed upon any vehicle any certificate of inspection knowing the same to be fictitious or issued to another vehicle or issued without an inspection having been made.

After hearing, as provided in chapter 20-A, the Hearing Officer may suspend or revoke the license issued to any official inspection station.

Each official inspection station shall stock a sufficient number of stickers to meet their demands at all times. These shall be furnished by the office of the Chief of the State Police at 10c each. If the license is not renewed at the end of the calendar year, or if the license is suspended, any unused or expired stickers shall, within 30 days, be returned to the Chief of the State Police and the purchase price refunded.

Sec. 13-D. Fee for inspections. The operator of any official inspection station shall conduct the inspection of motor vehicles presented to him for that purpose in accordance with rules and regulations promulgated by the Chief of the State Police, for which he shall receive a fee of \$1 for each car inspected, this sum not to include labor or material used in correction of faults in equipment.

Sec. 13-E. Disposition of fees. The amount received from the fees under sections 13-A to 13-D shall be credited to the General Highway Fund.

Safety Glass.

Sec. 13-F. Safety glass, required; definition; replacements; reports. Except as otherwise provided, it shall be unlawful to operate on any highway any motor vehicle which is registered in the State and which shall have been manufactured or assembled after December 31, 1937, unless such motor vehicle be equipped with safety glass wherever glass is used in partitions, doors, windows or windshields.

The term "safety glass" as used in this section shall be construed to mean any product composed of glass or of other materials, so manufactured, fabricated or treated as substantially to prevent shattering and flying of the glass when broken. The Chief of the State Police shall approve and maintain a list of the approved types of glass.

All replacements of glass partitions, doors, windows or windshields of any motor vehicles shall be made with "safety glass."

It shall be unlawful to operate on any highway any motor vehicle which is registered in this State if the front windshield or the window at either end of the driver's seat or the rear window is composed of any opaque substance so as to obscure in any way the operator's vision of the highway or any intersecting highway. When the glass in either window is broken, the operator may make temporary repairs by placing an opaque substance therein temporarily until a reasonable opportunity is afforded for the replacement in accordance with this section.

Sec. 13-G. Windshields unobstructed. No person shall drive any motor vehicle with any sign, poster or other nontransparent material upon the front windshield, side wings or side or rear windows of such vehicle which obstructs the driver's clear view of the highway or any intersecting highway.

It shall be unlawful to operate a motor vehicle with an object placed or hung in or upon the vehicle other than the required or provided equipment of the ve-

hicle in such a manner as to obstruct or interfere with the view of the operator through the windshield or to prevent him from having a clear and full view of the road and conditions of traffic behind such vehicle.

Any sticker authorized by law to appear on the windshield of a motor vehicle, other than the official inspection sticker, shall be located to the right of the inspection sticker and no part thereof shall be more than 4 inches from the bottom edge of the windshield.'

Sec. 3. R. S., c. 22, § 16, sub-§ I, ¶ D, amended. The last sentence of paragraph D of subsection I of section 16 of chapter 22 of the Revised Statutes, as last repealed and replaced by section 9 of chapter 363 of the public laws of 1959, is amended to read as follows:

'The Secretary of State may waive ~~the provisions of section 45~~ chapter 15, section 13-A, with respect to vehicles operated in accordance with this paragraph.'

Sec. 4. R. S., c. 22, § 48, amended. Section 48 of chapter 22 of the Revised Statutes, as amended, is further amended by adding at the end the following new paragraphs:

'Notwithstanding chapter 15, section 13-A, every school bus as defined in this section shall be submitted to an official inspection station during the months of August and February for the purpose of complying with chapter 15, section 13-A, concerning adjustment and sufficiency of the required equipment. This inspection shall be conducted by certain specified official inspection stations.

Notwithstanding the provisions of chapter 15, section 13-D, the fee for such inspection shall be \$2.'

Sec. 5. R. S., c. 22, §§ 39, 39-A, 45 - 47-A, repealed. Section 39 of chapter 22, section 39-A of chapter 22, as enacted by chapter 171 of the public laws of 1959, section 45 of chapter 22, as amended, section 45-A of chapter 22, as enacted by chapter 129 of the public laws of 1961, sections 46 and 47 of chapter 22, as amended and section 47-A of chapter 22, as enacted by section 4 of chapter 343 of the public laws of 1961, all of the Revised Statutes, are repealed.

Effective September 21, 1963

Chapter 301

AN ACT Relating to Use of Credit Cards.

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

R. S., c. 133, §§ 29-A - 29-B, additional. Chapter 133 of the Revised Statutes is amended by adding 2 new sections, to be numbered 29-A and 29-B, to read as follows:

'Sec. 29-A. Use of false or unauthorized credit devices. Any person who knowingly obtains or attempts to obtain credit, or purchases or attempts to pur-