

# MAINE STATE LEGISLATURE

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*Maine*  
REVISED STATUTES  
1964

*Prepared Under the Supervision  
of the  
Committee on Revision of Statutes*

Being the Tenth Revision of the  
Revised Statutes of the State  
of Maine, 1964

Volume 5  
Titles 26 to 32



**Boston, Mass.**  
Boston Law Book Co.

**Orford, N. H.**  
Equity Publishing Corporation

**St. Paul, Minn.**  
West Publishing Co.

**Text of Revised Statutes**

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## CHAPTER 13

**EXAMINATION AND INSPECTION OF  
MOTOR VEHICLES**

Sec.

- 2121. Examination of vehicles by police officers.
- 2122. Inspection required biannually; equipment tested.
- 2123. Penalties.
- 2124. Official inspection stations.
- 2125. Fees.
- 2126. —Disposition.

**§ 2121. Examination of vehicles by police officers**

All police officers in uniform may at all times, with or without process, stop any motor vehicle to examine identification numbers and marks thereon, raising the hood or engine cover if necessary to accomplish this purpose, and may demand and inspect the driver's license, registration certificate and permits.

It shall be unlawful for the operator of any motor vehicle to fail or refuse to stop any such vehicle, upon request or signal of any officer whose duty it is to enforce the motor vehicle laws when such officer is in uniform.

Whenever a motor vehicle is being operated by a person not having upon his person or in such vehicle the registration certificate covering such vehicle, or if it be operated by a person other than the person in whose name it is registered, and such operator is unable to present evidence of his authority to operate such motor vehicle, such police officer, or any sheriff or his deputy, may impound such vehicle and hold it until the same is claimed and taken by the registered owner thereof, who shall be forthwith notified of the impounding. Said officers if wearing a badge may also at all times, with or without process, and with or without uniform, enter public garages, parking places and buildings where motor vehicles are stored or kept, for the purpose of examining identification numbers and marks thereon and may also examine any vehicle standing in any public way or place.

Any such officer may in like manner and under like circumstances examine any vehicle to ascertain whether its equipment complies with the requirements of this Title.

Whoever while operating a vehicle in violation of any of the provisions of this Title shall fail or refuse when requested by an

Ch. 13            EXAMINATION AND INSPECTION    **29 § 2122**

officer authorized to make arrests to give his correct name and address shall be punished by a fine of not more than \$100 or by imprisonment for not more than 90 days, or by both.

R.S.1954, c. 22, § 153; 1957, c. 308, § 11.

**§ 2122.    Inspection required biannually; equipment tested**

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 inspection 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 semiannual 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 transporter 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 transporter 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.

1963, c. 296; c. 300, § 2.

### **§ 2123. Penalties**

It shall be a misdemeanor for any owner or operator, or both, of any vehicle required to be inspected under section 2122 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 1369, 1370

and 2122 to 2126, 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.

1963, c. 300, § 2.

**§ 2124.    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 2122. 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 Title 5, chapters 301 to 307, the Administrative Hearing Commissioner 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 10¢ 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.

1963, c. 300, § 2; c. 412, § 23.

### **§ 2125. Fees**

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.

1963, c. 300, § 2.

### **§ 2126. —Disposition**

The amount received from the fees under this chapter shall be credited to the General Highway Fund.

1963, c. 300, § 2.