

# MAINE STATE LEGISLATURE

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June 13, 1917

To Frank W. Ball, Secretary of State  
Re: Automobiles used in the Postal Service

Having considered the letter of the Postmaster of Bangor relative to use of automobiles used in postal service and license of drivers thereof, I must advise that I can find no authority for the exemption of such motor vehicles or drivers under our Statutes.

The registration of an automobile under our Statutes is intended to safeguard persons who are lawfully using the highway from serious risks of injury by unregistered machines, the owners of which have furnished no means by which they can be identified. Our Statute prohibits the use upon the highways of the State of an unregistered automobile. This is an exercise of police power for the protection of travelers among themselves, including pedestrians, persons traveling in horse-drawn vehicles, and other persons legally operating automobiles. Our Supreme Court has considered this Statute, and has declared that an unregistered automobile traveling upon the highways of our State is merely a trespasser, that it is no more a traveler than a runaway horse.

Our Supreme Court shows that it is firmly established that the Legislature has the right to limit and control the use of the highways of the State whenever necessary to provide for and promote the safety, peace, health and general welfare of the people. Both registration of vehicle and license of drive are within the police power of the State, and the fees charged therefor, under our Statutes, are not taxes, but are charges for permits or licenses.

If the Postmaster of Bangor can show you any authority exempting automobile trucks used in the postal service and driver thereof from the provisions of our Statutes, I trust you will request that he do so and will send the same to me for examination. I am unable to find any federal statute or law authorizing such exemption, and until authority to the contrary is show, you should proper insist upon registration and license in the case referred to.

Guy H. Sturgis  
Attorney General

GHS/C