

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

**This document is from the files of the Office of  
the Maine Attorney General as transferred to  
the Maine State Law and Legislative Reference  
Library on January 19, 2022**

January 13, 1922

To Hon. Frank W. Ball, Secretary of State  
Re: Motorcycle Side car Registration under Chapter 211, P. L. 1921.

The definition of a trailer in Section 1 does not conflict with the claim that the side car of a motorcycle fits into its provisions, but in my opinion it was the intention of the legislature to make a distinction between trailers and side cars, and, therefore, the side car should be registered under Section 47, sub-paragraph (e).

It is a well known rule of construction that where two provisions of an act conflict or seem to conflict, the intention of the legislature should be determined and the conflicting passage interpreted in accordance therewith. Applying this test, I am of the opinion that the legislature intended to differentiate motorcycle side cars from trailers. In the construction of words in a statute, the ordinary meaning of the word is used, if consistent with the act, and any one speaking of a trailer in connection with the statute immediately thinks of something drawn along behind another vehicle and not a vehicle pushed ahead or fastened to the side.

The act further provides in Section 47 as follows:

"The annual fees for registration and licensing of vehicles shall be in accordance with the following schedule,"

and divides the vehicles into classes a, b, c, d and e. Class e, motorcycle side cars \$5.00 each, In my opinion it was the intention of the legislature to class motorcycle side cars so that a tax of \$5.00 could be levied on the same and that the legislature did not intend to class them as trailers, although the definition of the trailer can well apply to side cars. The legislature has the right to make definitions and then, after making the definition of a class, to exempt specific individual cases from the operation of the definition.

I am, therefore, advising you that you are authorized to collect \$5.00 for each motorcycle side car registered.

Ransford W. Shaw  
Attorney General