

MAINE STATE LEGISLATURE

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March 3, 1922

To H. A. Shorey, Jr., Directing Enforcement of Motor Vehicle Laws
Re: Regular Use for Hire

. . . The only way to give practical effect to that part of the motor vehicle law under consideration is to make a sharp division of all motor vehicles classified as used for the conveyance of passengers into two general classes, including in the first all such as are used regularly for livery or hire, construing those words as meaning all such as are regularly used for compensation or profit, the other being confined to those vehicles not so used.

There is a slight distinction between the meanings of the words "livery" and "hire", the first having a more restricted use and meaning temporary hire, while "hire" is the broader term.

Answering your specific questions, having in mind the above rule, I conclude that a motor vehicle regularly used for the conveyance of scholars to and from school for hire comes within the first class mentioned and should pay the double license fee. If such vehicle is used for the above purpose, though its construction is such that it might be called a truck, still I think it should be classified as "used for the conveyance of passengers".

Second. A hotel bus comes within the same classification, also the vehicle making regular trips between stated points carrying passengers.

The answer to your question as to the person who occasionally uses his car evenings or Sundays for the conveyance of friends or acquaintances who reimburse him for the expense depends, it seems to me, upon the extent of his business in that line. If he does it regularly, he should pay the double fee.

William H. Fisher
Deputy Attorney General