

# MAINE STATE LEGISLATURE

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March 30, 1933

Honorable Robinson C. Tobey  
Secretary of State  
Augusta, Maine

Dear Sir:

Under date of March 29, you state that a judge of one of our municipal courts has ruled that a person operating a truck may use such truck for the purpose of transporting passengers for hire, using truck plates and without paying a double fee; and requesting an opinion from this office as to the soundness of the ruling.

Section 54, of chapter 29 of the Revised Statutes covers the matter in question, and the amendments of that section contained in the Public Laws of 1931, chapters 234 and 262, have no bearing.

In Sub-section A of said Section 54, it provides that motor vehicles used for livery or hire shall pay double fees, with certain exceptions not applicable in the present instance.

Section 1 of Chapter 29 defines the word "vehicle" to include all kinds of conveyances for persons and for property except those propelled or drawn by human power, or used exclusively on tracks.

Accordingly, the above Sub-section A gives a clear and positive statement and is susceptible of only one construction. A truck is a motor vehicle, and one used for livery or hire shall pay double fees, and I do not conceive how anyone could construe the language in any different way. The last sentence of Sub-section A simply relates to jitney routes and is not applicable in the present case, I assume.

Very truly yours,

Attorney General

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