

# 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**

June 8, 1938

John W. Healey, Chief  
Maine State Police  
Augusta, Maine

Dear Chief:

Attached hereto is a letter written to you by Officer Wilbert Bartlett of Presque Isle, in which he raises some question concerning the punishment of a truckman whose loaded truck is operated across a bridge which has been posted with a warning sign limiting the weight to 5 tons.

This matter is covered by Section 22 of Chapter 20, Revised Statutes, and in my opinion if the warning sign was posted by the local officials charged with the repair and maintenance of the bridge, or by the State Highway Commission any person responsible for operating a truck across the bridge in excess of the posted limits is liable to punishment under this section, penalties for which are fixed by Section 24 of the same chapter.

It would seem to me, however, that if it is desired to arrest any person for violation of this section he should be charged specifically with the offense outlined in the section rather than generally for driving an overloaded truck along the highway. The complaint should allege the operation of a motor vehicle across a certain bridge - naming it - with a load in excess of the limits fixed by the local officers charged with the repair and maintenance of said bridge which limits were conspicuously posted at each end of said bridge; and the complaint should give the weight of the load. I can see no reason why, if this type of a complaint is made and embodied in the warrant, there should be any trouble with securing conviction for such an offense.

I am enclosing a copy of this letter.

Very truly yours,

Frans U. Burkett  
Attorney General

FUB H