

MAINE STATE LEGISLATURE

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July 17, 1940

Franz U. Burkett, Attorney General

Lt. G. Colby Wardwell, State Police
Bangor, Maine

On July 11, you wrote asking for an interpretation of Section 19, Page 8 of the Motor Vehicle Law which exempts certain vehicles from the provisions of Section 8, which applies to moving certain vehicles in ~~cases~~ of the length, width or height prescribed in the motor vehicle laws. This section seems to mean only that the equipment there mentioned may be moved over the highways without obtaining a permit, and has no relation to the question of registration which you raise in the body of your letter. If the question of registration of this type of equipment is in your mind, it would seem to me that the following is a correct statement of the law as it exists concerning registration of this type of vehicle. I have discussed the matter with the Secretary of State before writing to you.

If a man wished to attach a mowing machine, hay rack or a hay rake to the rear end of his truck by a rope or chain for the purpose of hauling same property for temporary purposes he would not be making a trailer out of these vehicles so that they would be required to be registered under the provisions of Section 1 on Page 3 of the Motor Vehicle Law. A trailer is described as any vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle not operated on tracks and so constructed that no part of its weight rests upon the towing vehicle. So that if a man makes for himself a four-wheeled trailer having a body or platform on which he can transfer goods, builds it so it can be attached to his automobile or truck and uses it for hauling goods along the highway, this trailer should be registered in just the same manner as a big van which he might have purchased is a trailer. The question is not how much, or by whom constructed, but whether or not the equipment is designed for carrying persons or property and to be drawn by a motor vehicle. If man wanted to take a hay rack, build an attachment on front of it so that he could attach it more or less permanently to a truck or car and then uses it for hauling goods along the highway he would have constructed for himself a trailer and I believe should register it.

It would seem to me, therefore, that in all of the three cases mentioned in your letter, these farmers own trailers and should register them when they use them on the highway for the purpose of transferring property. If there are any further matters in connection with this which are not clear I should be glad to write you again, or come in and talk with you sometime I am in Bangor.

F. U. B.