

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**

July 17, 1940

Frank U. Burkett, Attorney General

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

In your letter of July 12, you ask for an interpretation of the Secretary of State's ruling in regard to the use of temporary plates on a loaded truck without a permit from the Secretary of State.

This rule was made under the authority of the statute giving the Secretary of State the right to make rules and regulations for the operation of motor vehicles and equipment. This rule was approved by the Governor and Council and has been enforced, a number of prosecutions having been completed under it and at the present time no person arrested for violation of this ruling has appealed or taken the case to the Law Court, so that at the present time it is part of the motor vehicle law and the duty of all of us is to enforce it until such time as the Courts say it is improper.

The ruling was made to correct a situation which had given the department considerable trouble and might be unfair to those who had regularly and properly registered trucks. Dealers would purchase new and used trucks, attach to them temporary plates and then let the trucks out for road work or other jobs and, at the end of the period permitted by the temporary plates, would attach another set of temporary plates and permit the trucks to be operated for revenue purposes for comparatively long periods of time without ever taking out regular registration.

It seemed to the Secretary of State, and to me as we have discussed the situation on many occasions, it was a necessary and reasonable rule, and I do not know of any Court that has refused to issue a warrant in such cases. If you know of any such action on the part of any Court official and will let me know, I will try to adjust the matter.

F. U. B.