

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**

**REPORT**

**OF THE**

**ATTORNEY GENERAL**

**for the calendar years**

**1945-1946**

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The information contained in the letter addressed to the Registry of Motor Vehicles by the operator of the truck-leasing corporation under consideration is that the corporation maintains a number of vehicles which it lets under contract, specifying the use which is to be made thereof by the lessee in the course of his business.

Such vehicles clearly come within the provisions of Subsection B., being used by the owner "for livery or hire," and the fees for registration are double the amount for passenger cars of the same horsepower.

This ruling applies to all owners of cars for livery or hire, whether individual, partnership, or corporation.

ABRAHAM BREITBARD  
Deputy Attorney General

March 27, 1946

Lt. Francis J. McCabe, Maine State Police  
Re: Motor Vehicle Law

Receipt is acknowledged of your memorandum of March 18th, wherein you ask whether a truck with a Massachusetts registration can lawfully transport building material from South Portland, Maine, to Waterville, Maine. This material is removed from structures being wrecked, and it is being transported to Waterville to be used in the erection of other buildings. You say that the work is being done by the government of the United States, although the truck is privately owned.

I am of the opinion that this truck is being illegally operated. Under the Reciprocity Law enacted in 1945, Chapter 342, Subsection IV, a motor vehicle owned by a non-resident and registered in accordance with the laws of the State of his residence, is allowed, without registration under our laws, to transport merchandise and material over our highways from a point in said foreign State to be delivered in our State, or to accept delivery here and transport it to such foreign State. That is not what this foreign registered truck was engaged in doing.

Section 27, Subsection B of Chapter 44, R. S. 1944, is not applicable. The exception there provided for dispenses in those cases with obtaining a certificate from the Public Utilities Commission before commencing operations. It has nothing to do with the registration of the vehicle.

This vehicle could not perform the service it was engaged in doing, without being first registered in this State.

ABRAHAM BREITBARD  
Deputy Attorney General