

# MAINE STATE LEGISLATURE

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December 4, 1947

To Laurence C. Upton, Chief, Maine State Police  
Re: Spot and Fog Lights, Chapter 320, . L. 1947

This department acknowledges receipt of your memo:

"Reference is made to the above named law relating to the regulation of spot, fog or auxiliary lights.

"The last sentence of this law provides: 'This section shall not apply to ambulances, police and fire department vehicles, vehicles engaged in highway maintenance, wreckers and public utility emergency service vehicles; . . .'

"We would like your opinion on the exact meaning of 'police and fire department vehicles'. We have two specific questions in mind: (1) Would this include vehicles used by volunteer firemen? There are two problems presented, one where the municipalities pay mileage for the use of the vehicle, and the second where the vehicle is furnished gratis. (2) Would it include vehicles used by fire investigation and inspection services, such as the Bureau of Fire Prevention, Inspection and Investigation of the State Insurance Department?"

The vehicles above mentioned in categories one and two are excluded from the operation of the exception. The words "police and fire department vehicles" are well understood to mean the vehicles of an organized police or fire department, belonging to the department. In the case of a fire department, it would include not only the fire-fighting apparatus and equipment, but also the vehicles used by the fire chief and his deputy, provided by the municipality as department vehicles. It would not apply to the private pleasure cars used by volunteer firemen. In other words, it would not include a vehicle used for pleasure or business and, when the occasion demands it, to go to a fire, but relates solely to vehicles built, equipped and used solely in the extinguishment of fires.

Abraham Brøitbard  
Deputy Attorney General

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