

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**

**R E P O R T**

**OF THE**

**ATTORNEY GENERAL**

**for the calendar years**

**1949 - 1950**

## OPINIONS

January 27, 1949

To the Honorable Governor and Council

The Secretary of State communicated to my office a copy of a vote of your body dated January 26th, in which you requested a written opinion as to how many state-owned cars must be marked with insignia showing ownership and how many more state-owned cars the Governor and Council may require to be marked.

In compliance with your request I advise that Section 29 of Chapter 14 of the Revised Statutes, which was amended by Chapter 390 of the Public Laws of 1947, provides that this section shall not apply to the Governor, State Police, Department of Inland Fisheries and Game, inspectors in the Motor Vehicle Division of the Secretary of State, supervisors in the Maine Forestry District, Highway Department, nor to such heads of departments or members of commissions as the Governor and Council may from time to time designate.

Therefore the last paragraph of this section, under the language of the statute, would not apply. This last paragraph of this section reads as follows:

“All state owned cars under the control of the supervisor of travel shall display a marker or insignia, approved by the secretary of state, plainly designating them as state owned vehicles.”

The reading of this section caused considerable doubt in the minds of law enforcement officials in several departments and it was taken up with me by the supervisor of travel. We agreed that those officers of the law who were engaged in the investigation of crime and the enforcement of the law should not all be required to display a marker or insignia which would give law violators notice that a State enforcement officer was in the vicinity. However, no binding ruling from this office was made in regard to this matter.

In reply to your request I will say that I feel that the Governor and Council may cause to be marked with insignia as many cars as they deem advisable.

In this connection I wish to state that yesterday I had a conference with Senators Greeley of Waldo County and Noyes of Hancock County and the Purchasing Agent, Mr. Orr, and they are going to introduce an amendment to this section separating the last paragraph of Section 29 as amended, so that there will be no question but that all state owned cars under the control of the supervisor of travel shall display a marker or insignia, with a few exceptions. However, Senator Greeley stated that he did not want too many exceptions; but that is a matter for the two senators to agree upon before they put in their amendment. I promised to prepare an amendment for them, clarifying the language of this statute, so that there will be no question in the future.

RALPH W. FARRIS  
Attorney General