

MAINE STATE LEGISLATURE

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May 7, 1952

To Albert F. Cook, Judge, Fort Fairfield Municipal Court
Re: Use of Farm Tractor on Public Ways

This office is in receipt of your inquiry: "Is it lawful for a dealer in farm machinery to drive a 'farm tractor', to be used solely for farming purposes, over a public way in order to get said 'farm tractor' from the railroad station where same has been delivered to him, to his place of business for servicing before sale, without having said farm tractor registered?"

You will understand that this is not an official opinion of this office, as we are restrained from giving advice except to State officials on State matters, and in every instance we hesitate to encroach upon the duties of the courts of the State of Maine. However, in answer to your question we have examined the laws relative to farm tractors and, for whatever consideration you may wish to give it, the following is our unofficial opinion: that the exemptions provided by statute relative to farm tractors extend only to such tractors as are used solely for agricultural or farm purposes, which would mean, we feel, that to be exempt a tractor must be in the hands of a farmer and being used for farm purposes. Under Section 1 of Chapter 19, "Definitions", a farm tractor is defined as "any motor vehicle". We feel that for the purposes of transporting a farm tractor it should be in the same classification as other motor vehicles traveling on the highways, and the dealer transporting such vehicle should be subject to the same laws as would an automobile dealer in transporting his cars from the railroad tracks to his place of business.

Paragraph II of Section 15 may or may not be pertinent, but we would draw your attention to that paragraph, which provides that registration fees for farm tractors used for agricultural purposes and not customarily used on public ways shall be a tenth of the above rates.

James Glynn Frost
Deputy Attorney General

jgf/c