

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calendar years
1951 - 1954

of "Not guilty" is a final determination in a criminal matter. The decision is res judicata, and that same case cannot be tried a second time, either by complaint or by indictment of a grand jury.

JAMES G. FROST
Deputy Attorney General

January 13, 1954

To General George M. Carter, The Adjutant General
Re: Directional Lights

This office is in receipt of your memo of December 29, 1953, with attached correspondence relating to Sections 107-A, B and C of Chapter 19 of the Revised Statutes of 1944, as amended.

It is stated in a letter dated May 29, 1953, from your Bureau to the Chief, National Guard Bureau, Washington, D. C., that the effect of these sections was to enact into law a proviso that all motor vehicles, irrespective of purpose, shall be equipped, front and rear, with directional signal lights.

You were advised in response to that letter that standardization of military vehicles would not include such equipment and that authority was not granted for any such installation on your vehicles. You therefore request an opinion from this office to the effect that your department is authorized to operate vehicles in the control of the Maine National Guard, Air and Army, on Maine highways in connection with the training of the Maine National Guard and the necessary use supporting any State interest, without complying with such law.

Personally, we wish to advise that the effect of the above quoted law is not that which was contained in your letter of May 29th above referred to. Signals may be given by means of the hand and arm or by a signal lamp or lamps or mechanical signal device, provided that, when a vehicle is so constructed or loaded that a hand-and-arm signal would not be visible both to the front and to the rear of such vehicle, then said signals must be given by such a lamp or lamps or signal device.

The Secretary of State has issued a memo in which are set out the measurements of a truck which require a lamp or lamps or a mechanical signal device. From the list of vehicles in the control of the Maine National Guard, Air and Army, supplied to this office in your memo of December 29th, it is very probable that not all of your vehicles would require such equipment.

Having reviewed our laws relative to registration, inspection and the application of these laws to federally owned vehicles, this office is of the opinion that federally owned military vehicles being used by the National Guard Bureau need not comply with the requirement of the law with respect to mechanical signaling devices.

ALEXANDER A. LaFLEUR
Attorney General