

MAINE STATE LEGISLATURE

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WD
September 30, 1963

Captain Ralph E. Staples

State Police - Div. Spec. Ser.

George C. West, Deputy

Attorney General

Interpretation of word "truck" in last sentence of
Chapter 22, Section 109.

FACTS:

Chapter 22, section 109, in the last sentence says:

"All trucks with 4 or more axles shall have
adequate brakes on the wheels of all axles."

QUESTION:

Does the word "trucks" include the combination of truck-tractors
and semi-trailers?

ANSWER: No.

REASONS:

The word "trucks," as such, is not defined in chapter 22. There
is a definition of "motor truck", "truck-tractors" and "semi-trailers."
It is necessary to examine all of section 109 to determine what is
meant by the word "trucks."

Section 109 begins: "No motor truck, trailer, tractor,
combination of truck tractor and semi-trailer or other
commercial vehicle. . . ."

Following this wordage, the word "vehicle" is used 7 times in
the first paragraph of the section. In the second paragraph the word
"vehicle" is used 3 times until the wording is changed to, "except
that 3-axle trucks with brakes on the wheels of all axles . . . and
except further that 3-axle trucks . . . and that tractor-trailer
combinations . . . by vehicles . . . and except that 3-axle trucks
. . . ." (Underlining supplied.)

It appears quite obvious that the legislature started the section
by limiting the weight of all types of commercial vehicles. It then
set up a schedule of permissible maximum weights for all commercial

vehicles, based on number of axles. Following this the legislature then limited the weight to be imparted to the road surface by any one or both axles on any "vehicle." Next, the legislature makes certain exemptions pertaining to "trucks" and "tractor-trailer combinations" hauling forest products during specified months. It then prohibited "vehicles" from the Interstate System over maximum weights and widths. Then certain "trucks" hauling construction materials were provided for. Finally the section ended with the sentence in question.

A careful analysis of the section and the use of words by the legislature indicates that there is a clear pattern developed. Obviously, the legislature intended the use of the words "motor trucks" in the last sentence even as it did in places in the preceding sentence. There is nothing in the wording to indicate that the legislature intended to cover "truck-tractors and semi-trailers" by the use of the word "truck."

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