

MAINE STATE LEGISLATURE

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STATE OF MAINE

Inter-Departmental Memorandum Date July 8, 1969

To Col. Parker F. Hennessey, Chief

Dept. Maine State Police

From Richard S. Cohen, Chief, Crim. Div.

Dept. Attorney General

Subject Windshield requirements under Motor Vehicle Inspection Law

SYLLABUS:

29 M.R.S.A., § 2122, providing for inspection of every motor vehicle registered in this State, requires only those vehicles originally equipped with a windshield from the place of manufacture to have a windshield in order to qualify for inspection under the Motor Vehicle Inspection Law.

FACTS:

It has been requested by the State Police, who are responsible for carrying out inspections as to all motor vehicles registered in this State, as to whether or not all motor vehicles are required to be equipped with a windshield and in the alternative if all motor vehicles are not required to be equipped with a windshield, what motor vehicles must in fact have a windshield.

QUESTION #1:

Whether Maine law requires all motor vehicles to be equipped with a windshield.

ANSWER:

No.

July 8, 1969

QUESTION #2:

What motor vehicles must be equipped with a windshield in order to qualify for inspection under the Motor Vehicle Inspection Law?

ANSWER:

All motor vehicles originally equipped with a windshield at the place of manufacture must have a windshield for inspection purposes.

OPINION:

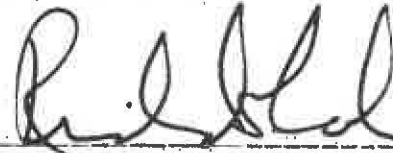
29 M.R.S.A., § 2122 reads in part as follows:

"The Chief of the State Police shall require twice each year that every vehicle registered in this State be inspected at an official inspection station, duly appointed and certified as such by the Chief of the State Police, to determine the proper adjustment and sufficiency of the following required equipment: Brakes, lights, safety seat belts on 1966 and subsequent models, running gear, wheels, tires, horns, glazing, mechanical windshield wipers, rear view mirrors, reflectors, exhaust system and body components. If, at the time of such inspection, the condition of said vehicle conforms in each and every respect as required by law and the rules and regulations governing inspection promulgated by the Chief of the State Police, an official inspection sticker as a certificate of inspection furnished by the Chief of the State Police shall be placed in the lower left-hand corner of the windshield or in the center of the windshield back of the rear mirror. If said vehicle is not normally equipped with a

July 8, 1969

windshield, the certificate of inspection shall
be kept with the registration certificate of the
vehicle...".

It is clear from the above emphasized portion of § 2122 that the inspection law provides for certain motor vehicles not to be equipped with a windshield. Therefore, in order to qualify for inspection purposes under the Motor Vehicle Inspection Law only those motor vehicles originally equipped with a windshield from the place of manufacture must have a windshield.



RICHARD S. COHEN
Assistant Attorney General
Chief, Criminal Division

RSC/p