

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

**This document is from the files of the Office of
the Maine Attorney General as transferred to
the Maine State Law and Legislative Reference
Library on January 19, 2022**

August 14, 1972

Ben W. Long

Motor Vehicle Division

Leon V. Walker, Jr., Assistant

Attorney General

Conditional Issuance of Transporter and Used Car Dealer Plates

With regard to Question 1, Situation - whether the Secretary of State may issue plates upon condition that certain requirements be met within a specified time, 29 M.S.A. § 331 requires that to qualify as a dealer in used automobiles an applicant must have proper facilities. This strongly implies that the facilities must be in existence before the application can be approved. Transporter plates are for the use of "garage owners, body shops, trailer dealers" etc. I see nothing in § 332, sub§1, upon which conditional plates might be issued.

As for Situation 2, § 331 provides that the number of plates is "to be determined by the Secretary of State." The question you ask, therefore, is a discretionary matter for his determination.

With regard to Question 2, § 331 provides that "upon payment of \$10 per plate, plates shall be issued, the number to be determined by the Secretary of State" This language imparts that the number of plates is to be determined, at the price of \$10 per plate, both the determination and payment to be at the time of the application.

In view of the above, Question 3 is not applicable.

Leon V. Walker, Jr.
Assistant Attorney General

LVWJr:H