

MAINE STATE LEGISLATURE

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October 24, 1973

Charles E. Wyman, Director
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Motor Vehicle
Attorney General

Registration of Miscellaneous Type Vehicles

For several years, the Motor Vehicle Division has had in effect an undated, unsigned, policy statement directing that there be no registration required of miscellaneous type vehicles such as "equipment or machinery permanently mounted on a body with wheels drawn by a drawing unit."

29 M.R.S.A. § 1, sub-§§ 18 and 12 define "trailer" and "semi-trailer", respectively, as "any vehicle without motive power designed for carrying persons or property. . . ." The reference policy statement states that "as long as these vehicles do not carry property they cannot be definitely defined as trailers . . .". The policy statement makes no mention of conveyance of persons. Furthermore, the statutory criterion is not whether the vehicles do or do not carry persons or property, but whether or not they were so designed. The wheeled cement mixers, generators and tar buckets, mentioned in your memorandum, are not generally designed to carry persons. Are they designed to carry property? Title 29 contains no definition of "property", but since in the above cited statutory definitions, the word is modified by the word "carrying", it should be construed to mean property readily movable in or out of a conveyance. Thus, though the mixers, generators and tar buckets are "property", speaking generally, they would not be required to be registered if (1) they are permanently attached to wheels or to a body mounted on wheels and (2) they are not designed for carrying persons or property except where incident to the operation of such equipment or machinery. Alternatively, if the cement mixer or tar bucket is designed to carry cement or tar, it should be registered. The wheeled generator, not designed for carrying persons or property should not be required to be registered.

A suggested new directive is enclosed.

LVWJr/mf

Leon V. Walker, Jr.

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