

MAINE STATE LEGISLATURE

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See also Oct 23, 1978

October 27, 1978

Honorable John L. Martin
Speaker of the House
House of Representatives
State House
Augusta, Maine 04333

Dear Mr. Speaker:

This responds to your request for clarification of my letter to you dated October 23, 1978 on the question of automobile inspection station requirements. As that letter indicated, current Department of Public Safety regulations interpreting 29 M.R.S.A. § 2124, require that all inspections be conducted within buildings. We believe those regulations are reasonable interpretations of the statute which requires that any applicant for an inspection station have a suitable building.

You have further inquired, however, whether the statute itself absolutely requires that all inspections be conducted within a building. We believe that it is possible to interpret the statute to require a suitable building but not to require that all inspections be conducted within the building. However, as indicated above, we do believe that the Department of Public Safety's interpretation of that statute by regulation is a reasonable interpretation of the statute.

I hope this information is helpful.

Sincerely,

DONALD G. ALEXANDER
Deputy Attorney General

DGA/ec