

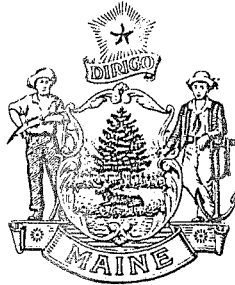
# MAINE STATE LEGISLATURE

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STATE OF MAINE  
DEPARTMENT OF THE ATTORNEY GENERAL  
AUGUSTA, MAINE 04333

March 26, 1979

Honorable William Blodgett  
House of Representatives  
State House  
Augusta, Maine 04333

Dear Representative Blodgett:

This is in response to your request for an opinion with respect to the limited exemption from licensing and registration laws granted owners of farm equipment and special equipment by 29 M.R.S.A. §§ 242-A and 255.

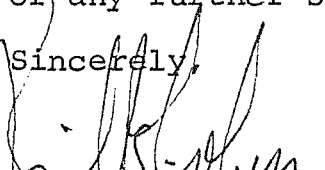
Your first question was whether the exemption from licensing and registration applicable to travel to and from farm lots is limited to lots actually owned by the owner of the farm or special equipment. We answer in the negative.

The pertinent parts of §§ 242-A and 255 are virtually identical, in that they exempt from licensing and registration requirements farm tractors and trailers and special equipment operated over the highways by their owners "to or from a farm lot and between farm lots used for farm purposes by the owner of the farm tractor." (emphasis supplied) It seems clear that the lots need not be owned by the owner of the vehicles in order for him to qualify for the exemption. Rather, the lots must be in the use of the owner of the vehicles, and that "use" must be a farm one. It is not unusual for a farmer to use a lot or field actually owned by another by either leasing or entering into a mutually beneficial arrangement with the actual owner. In that set of circumstances, the owner of a farm tractor or trailer or the owner of special equipment may travel between these lots without an operator's license or a registration for the vehicle.

Your second question was whether farm or special equipment offered for occasional use to nonowners or to the general public must be registered if transported over the highways between different job sites. We answer in the affirmative. The exemptions in §§ 242-A and 255 which allow the operation of these vehicles for farm purposes between lots used by them are specifically limited to owners of the vehicles. Thus, the exemptions cannot be stretched to allow nonowners to operate farm vehicles or special equipment over the highways without the required license and vehicle registration.

Please let me know if I can be of any further service.

Sincerely,



RICHARD S. COHEN  
Attorney General

RSC/ec