

MAINE STATE LEGISLATURE

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29 MRSA 1354 79-132

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July 10, 1979

To: Rodney S. Quinn, Secretary of State
From: Steven Wright, Assistant Attorney General
Re: June 13, 1979, opinion request

This responds to your June 13, 1979, request for the opinion of the Attorney General on the proper use of motor vehicle dealer registration plates. Specifically, you have asked whether the use of a dealer registration plate on a vehicle owned or controlled by a new or used car dealer as a "pace car" for a race track is within the use limitations established by 29 M.R.S.A. § 354. We answer in the affirmative.

The use of motor vehicle dealer plates is stringently restricted by 29 M.R.S.A. § 354. This statutory provision limits the use of dealer registration plates to

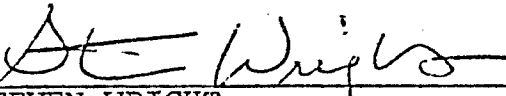
[v]ehicles owned and controlled by vehicle manufacturers and new and used vehicle dealers . . . under the following conditions only:

* * *

B. For purposes directly connected with the business of . . . selling, demonstrating . . . such vehicles;

The particular paragraph of § 354 quoted above authorizes the use of dealer plates on vehicles owned or controlled by dealers for demonstration purposes. The use of vehicles by dealers to "pace," or begin, automobile races appears to constitute a legitimate means

of demonstrating those vehicles and, therefore, attachment of dealer plates to vehicles used for this purpose does not violate the statute. It should be noted that we understand that the plates will be utilized on the vehicle only while it is being operated by an employee of the dealer as a pace car and in transporting it between the race track and the dealership for that purpose. Any further use of the vehicle with the dealer plates would constitute a violation of § 354. While potential customers are not provided the experience of operating the vehicle, they may at least view it in operation and are presented with the opportunity to make subjective determinations as to its appearance, a quality not unimportant to some purchasers of motor vehicles.



STEVEN WRIGHT
Assistant Attorney General

SW:mfe