

MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

N I N E T I E T H L E G I S L A T U R E

Legislative Document

No. 1195

H. P. 1957

House of Representatives, January 13, 1942.

Referred to Committee on Motor Vehicles. Sent up for concurrence and 750 copies ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Brewer of Presque Isle.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-TWO

AN ACT Relating to Inspectors in the Department of Secretary of State.

Emergency preamble. Whereas, a state of war exists between the United States and Germany, Italy, Japan and other foreign countries; and

Whereas, in the judgment of the legislature this fact creates an emergency within the meaning of section 16 of Article XXXI of the constitution of Maine and requires the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. R. S., c. 29, § 30, amended. Section 30 of chapter 29 of the revised statutes is hereby amended to read as follows:

'Sec. 30. Deputies. The secretary of state may ~~appoint and deputize agents, examiners and~~ enlist for a period of 3 years suitable persons as inspectors, stationed at convenient places in the state, to receive applications for registration and licenses, and to conduct examinations when ordered by the secretary of state.

The inspectors enlisted by the secretary of state shall enforce the laws,

rules and regulations relating to the registration of motor vehicles and the licensing of operators of motor vehicles. They shall assist in the collection of fees and penalties due the state under the laws relating to the registration of motor vehicles and the licensing of operators of such vehicles, and such other duties as are consistent with enforcement of laws under the supervision of the secretary of state.

The inspectors shall be provided with distinctive uniforms which shall distinguish them from other law enforcement officials. They shall have all the rights and powers of state policemen for the purpose of carrying out their duties as inspectors.

Inspectors enlisted under this section shall be entitled to the same retirement and pension privileges as provided for members of the state police.

Inspectors now employed in the office of the secretary of state who have been state police officers shall be eligible to enlistment as inspectors under this act.

Members of the state police who have had 10 years of service and who have attained their 40th birthday, and those who have previously been employed as inspectors in the office of the secretary of state, may, without any loss of their pension or retirement rights, resign from the state police and accept employment as inspectors in the office of the secretary of state.

Inspectors, other than those recruited from the ranks of the state police, shall be not less than 25 years of age and shall, before appointment, meet such qualifications as may be required of inspectors by the personnel board.

The secretary of state is authorized to maintain a regular force of 8 inspectors and may employ more with the approval of the personnel board.

The regular force shall consist of 1 chief inspector, 3 senior inspectors and 4 junior inspectors. They shall receive the same relative pay as captain, lieutenants, and sergeants of the state police.

In an emergency, with the approval of the personnel board, the secretary of state is authorized to employ on a temporary basis sheriffs, city police and state police to assist the inspectors in carrying out their duties.

Sec. 2. R. S., c. 29, § 103, amended. The first sentence of section 103 of chapter 29 of the revised statutes, as amended, is hereby further amended to read as follows:

The inspectors of the ~~state police~~ secretary of state, when in uniform, and all police officers in uniform may at all times, with or without process, stop any motor vehicle to examine identification numbers and marks

thereon, raising the hood or engine cover if necessary to accomplish this purpose, and may demand and inspect the driver's license, registration certificate, and permits.'

Sec. 3. R. S., c. 29, § 125, repealed. Section 125 of chapter 29 of the revised statutes is hereby repealed.

Sec. 4. P. L., 1939, c. 220, § 2, amended. Section 2 of chapter 220 of the public laws of 1939 is hereby amended to read as follows:

'Sec. 2. Discontinuance of state owned cars, exceptions. After January 1, 1940, the state shall provide no automobiles for travel of employees; provided, however, that this section shall not apply to the governor, the state police, **inspectors in the department of the secretary of state, wardens in the department of inland fisheries and game**, nor to such heads of departments or members of commissions as the governor and council may from time to time designate. Nothing herein contained shall be deemed to preclude the maintenance of a reasonable and proper number of state owned cars to be operated from the state garage.'

Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.