

# MAINE STATE LEGISLATURE

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**Legislative Document**

**No. 1534**

H. P. 1071

House of Representatives, April 26, 1957.

Reported by Majority from Committee on Transportation. Printed under Joint Rules No. 10.

HARVEY R. PEASE, Clerk

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**STATE OF MAINE**

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FIFTY-SEVEN

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**AN ACT Relating to the Inspection of Motor Vehicles.**

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

**Sec. 1. R. S., c. 22, § 45, amended.** The 3rd paragraph of section 45 of chapter 22 of the Revised Statutes, as amended by chapter 384 of the public laws of 1955, is hereby repealed.

**Sec. 2. R. S., c. 22, § 45-A, additional.** Chapter 22 of the Revised Statutes is hereby amended by adding thereto a new section to be numbered 45-A, to read as follows :

**‘Sec. 45.-A. Inspectors.** The Secretary of State shall appoint and determine the salaries of a Chief Inspector and such other Inspectors as are necessary to carry out the provisions of sections 45 to 47, inclusive.’

**Sec. 3. R. S., c. 22, § 46, repealed and replaced.** Section 46 of chapter 22 of the Revised Statutes is hereby repealed and the following section enacted in place thereof :

**‘Sec. 46. Official inspection stations; suspension or revocation of license.** Upon written application giving such description of the garage and its equipment as may be required by the Secretary of State, the Secretary may license such garage as an official inspection station located as to convenience the public for the purposes of carrying out the provisions of section 45. Before a license as an official inspection station is granted, the premises shall be examined by an Inspector appointed by the Secretary of State and the operator investigated as to his reliability, fitness and sufficiency of his building and equipment. No application for a license to operate an official inspection station shall be considered

unless the garage building to be used as an inspection station shall be of suitable length and width, shall have a level floor, shall be equipped with a screen or chart or other equipment approved and required by the Secretary of State for the purpose of testing lights and with tools and machinery necessary to make repairs to motor vehicles.

Each official inspection station shall stock a sufficient number of stickers to meet their demands at all times. These shall be furnished by the office of the Secretary of State at 10c each. Stickers furnished for the April inspection period shall be used during the succeeding months through September of the same calendar year and shall be of a different color and design than those furnished for the October inspection period and succeeding months through March of the following year. Stickers on hand at the beginning of a new inspection period, or at the end of the calendar year if the license is not renewed or if the license is suspended, may be returned to the Secretary of State and the purchase price refunded.

Upon approval of an inspection station, the Secretary of State shall issue a license and sign, for which he shall charge an annual fee of \$2.

After hearing and determination, the Secretary of State may suspend or revoke the license issued to any official inspection station.

If any person is aggrieved by the decision of the Inspector in refusing approval, he may within 10 days thereafter appeal to any Justice of the Superior Court, by presenting to him a petition therefor, in term time or vacation. Such Justice shall fix a time and place for hearing, which may be in vacation, and cause notice thereof to be given to the Secretary of State; and after hearing such Justice may affirm or reverse the decision of the Inspector and the decision of such Justice shall be final. Pending judgment of the Court, the decision of the Inspector shall remain in full force and effect.'

Sec. 4. R. S., c. 22, § 46-A, additional. Chapter 22 of the Revised Statutes is hereby amended by adding thereto a new section to be numbered 46-A, to read as follows:

'Sec. 46-A. Nonapproval of vehicle by inspection station. Whenever an official inspection station shall decline to approve a vehicle presented for inspection because of faulty equipment, the person in charge of inspection at said station shall notify said applicant in writing of the refusal and reasons therefor. A copy of said notification shall be sent forthwith to the Chief of the State Police. Failure to so notify the Chief of the State Police at any such refusal shall constitute grounds for suspension of the inspection station license of any station so failing to report. Forms to be used by inspection stations for this purpose shall be furnished by the Secretary of State at no additional cost. The Chief of the State Police upon receiving such notification shall take appropriate measures to determine if the vehicle refused certification has been inspected and certified subsequent to the refusal. He shall determine whether or not the necessary repairs have been made prior to such subsequent certification. If it is determined that the vehicle has been certified when in fact the requirements of section 45 have not been complied with he shall immediately report the result of his findings to the Secretary of State. The Secretary of State shall thereupon

**summon the station operator for hearing on the question of the suspension of the inspection station license.'**

**Sec. 5. R. S., c. 22, § 47, amended.** Section 47 of chapter 22 of the Revised Statutes is hereby amended to read as follows:

**'Sec. 47. Fee for inspections.** The operator of any official inspection station shall conduct the inspection of motor vehicles presented to him for that purpose in accordance with rules and regulations promulgated by the Secretary of State, for which he shall receive a fee of ~~50¢~~ \$1 for each car inspected, this sum not to include labor or material used in correction of faults in equipment.'

**Sec. 6. R. S., c. 22, § 47-A, additional.** Chapter 22 of the Revised Statutes is hereby amended by adding thereto a new section to be numbered 47-A, to read as follows:

**'Sec. 47-A. Disposition of fees.** The amount received from the fees under the provisions of sections 45 to 47, inclusive, shall be credited to the general highway fund and there shall be allocated, annually, from the unappropriated surplus of the general fund a sum sufficient to defray the costs of the administration of the provisions of sections 45 to 47, inclusive.'