

MAINE STATE LEGISLATURE

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

Legislative Document

No. 1098

H. P. 780

House of Representatives, March 4, 1959.

Referred to the Committee on Transportation, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Weston of Farmingdale.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-NINE

AN ACT Relating to the Inspection of Motor Vehicles.

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

Sec. 1. R. S., c. 22, § 45, amended. The 2nd, 3rd and 6th paragraphs of section 45 of chapter 22 of the Revised Statutes, as amended by chapter 384 of the public laws of 1955, are further amended to read as follows:

‘Such inspection shall be made during the months of April and October of each year at an official inspection station, duly appointed and certified as such by the ~~Secretary of State~~ **Chief of the State Police**. If, at the time of such inspection and before the said vehicle is again operated upon the highway, the condition of said vehicle conforms in each and every respect as required by law, an official sticker as a certificate of inspection furnished by said ~~Secretary~~ **Chief of the State Police** shall be placed in the upper right-hand corner of the windshield or in the center of the windshield back of the rear mirror. Notwithstanding the requirement that all registered motor vehicles be inspected in April and October of each year, it shall be unlawful, except as ~~hereinafter~~ provided, for any person to operate a motor vehicle on the highways of this State unless said motor vehicle has been inspected and bears a certificate as provided in this section.

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~~ **Chief of the State Police** at ~~50~~ **100** 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~~ **Chief of the State Police** and the purchase price refunded.

The ~~Secretary of State or authorized agent~~ **Chief of the State Police** or a state police officer may issue a permit to owners of motor vehicles which are not inspected to enable them to operate such vehicle to the nearest inspection station for the purpose of complying with this law.'

Sec. 2. R. S., c. 22, § 46, amended. Section 46 of chapter 22 of the Revised Statutes is amended to read as follows:

'**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~~ **Chief of the State Police**, the ~~secretary~~ **Chief of the State Police** 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. 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 by the ~~Secretary of State~~ **Chief of the State Police** for the purpose of testing lights and with **sufficient tools, and machinery and qualified personnel necessary** to make repairs to motor vehicles.

Before a license as an official inspection station is granted, the premises shall be examined by a member of the State Police and the operator investigated as to his reliability and fitness for such appointment. If any person is aggrieved by the decision of a member of the State Police 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 Chief of the State Police; ~~and after.~~ **After** hearing such justice may affirm or reverse the decision of the member of the State Police and the decision of such justice shall be final. Pending judgment of the court, the decision of the member of the State Police shall remain in full force and effect.

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

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

Sec. 3. R. S., c. 22, § 47, amended. Section 47 of chapter 22 of the Revised Statutes is 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~~ **Chief of the State Police**, for which he shall receive a fee of ~~50c~~ **\$1** for each car inspected, this sum not to include labor or material used in correction of faults in equipment.'

Sec. 4. R. S., c. 22, § 47-A, additional. Chapter 22 of the Revised Statutes is amended by adding 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 sections 45 to 47 shall be credited to the **General Highway Fund** and there shall be allocated, annually, from the **Unappropriated Surplus of the Highway Fund** a sum sufficient to defray the costs of the administration and enforcement of sections 45 to 47.'