

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Second Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS
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STATE OF MAINE
AS PASSED BY THE
One Hundred and Second Legislature
1965

Chapter 368

AN ACT Relating to Retail Liquor Store Premises With Entrances to Other Premises.

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

R. S., T. 28, § 7, additional. Title 28 of the Revised Statutes is amended by adding a new section 7, to read as follows:

‘§ 7. Entrances from retail liquor store premises

Notwithstanding any other statute or rule or regulation of the commission to the contrary, no person, firm or corporation shall be denied a license for the retail sale of malt liquor solely because the retail store premises of the applicant has entrances, doorways or other apertures which are not securely and permanently sealed leading from the retail store premises of the applicant to other premises where other types of business are carried on, provided that the retail store premises of the applicant and the nonlicensed portions of the other premises are under a common roof and all merchandising in the building is done on a single floor having common entranceways into which all persons enter for both the proposed licensed premises and any unlicensed premises. All persons carrying on any business, except any bank or savings and loan institution, duly organized and existing by virtue of the laws of the State of Maine or of the United States of America under the common roof and having common entranceways shall in writing to the commission agree to allow reasonable inspection of their premises by authorized enforcement agents of the Liquor Commission. Any persons taking a drink of liquor or offering a drink to another within the unlicensed area and under the common roof shall be deemed in violation of Title 17, section 2003, and shall be punished in a like manner. That part of the premises which the applicant owns, leases or rents shall be fully described in the application for license and the licensee may be required by the commission to identify on the premises by an appropriate marking the area which he owns, rents or leases.’

Effective September 3, 1965

Chapter 369

AN ACT to Clarify the Motor Vehicle Laws.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the following legislation is vitally necessary to prevent undue hardship for manufacturers and dealers of certain trailers; and

Whereas, it is in the best interest of the travelling public and the people of Maine that inequities in the motor vehicle laws be corrected as soon as possible; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine, and require the following leg-

isolation 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., T. 29, § 337, amended. Section 337 of Title 29 of the Revised Statutes is amended to read as follows:

‘§ 337. Motorcycle dealer’s registration; fee

Every manufacturer or dealer in motorcycles shall annually pay a fee of \$15 for a registration certificate to handle, demonstrate, sell and exchange motorcycles. The Secretary of State shall furnish the manufacturer of, or dealer in, motorcycles with 3 ~~sets of~~ distinguishing plates free of cost and additional ~~sets~~ plates for \$5 per ~~set~~ plate. For every plate in addition to the 3 originally furnished to the manufacturer or dealer in motorcycles, to replace lost or mutilated plates, \$1 shall be charged.’

Sec. 2. R. S., T. 29, § 340, amended. Section 340 of Title 29 of the Revised Statutes is amended to read as follows:

‘§ 340. Temporary number plates; notification; cost

A manufacturer or dealer or holder of a transporter registration certificate or boat trailer or trailer registration certificate may, upon the sale or exchange of a motor vehicle ~~or~~, boat trailer or trailer, attach to rear plate holder of such motor vehicle ~~or~~, boat trailer or trailer a temporary registration plate, and the purchaser of such motor vehicle ~~or~~, boat trailer or trailer may operate the same for a period not to exceed 10 consecutive days thereafter without payment of a regular fee. If the purchaser of such motor vehicle ~~or~~, boat trailer or trailer is a nonresident member of the armed services, said purchaser may operate the same for a period not to exceed 20 consecutive days thereafter without payment of a regular fee. A temporary registration plate may not be used on a loaded truck without a written permit from the Secretary of State. No manufacturer or dealer or holder of a transporter registration certificate shall attach to the rear plate holder of a house trailer or mobile home any temporary registration plate unless the operator of the vehicle hauling the trailer has in his possession the written certificate from the tax collector required by section 336, subsection 5.

A manufacturer or dealer or holder of a transporter registration certificate or boat trailer or trailer registration certificate shall, upon attaching a temporary registration plate to a motor vehicle ~~or~~, boat trailer or trailer sold or exchanged by him, mark thereon the date when said license expires and immediately notify the Secretary of State of said sale or exchange, giving the name and address of the purchaser, the number of the temporary plate and such further information as the Secretary of State may require. The markings required by this paragraph to be placed on a temporary registration plate shall be made not less than one inch in height, with indelible or waterproof ink.

The Secretary of State may issue temporary registration plates to bona fide dealers or holders of transporter registration certificates ~~or~~, boat trailer or trailer registration certificates who request them under such rules and regulations as he shall deem necessary, and shall receive for them 50¢ per plate.’

Sec. 3. R. S., T. 29, § 541, amended. The first paragraph of section 541 of Title 29 of the Revised Statutes is amended to read as follows:

'In the event that an operator's license ~~or~~, registration card ~~or~~ **instruction permit** issued under this Title shall be lost or destroyed, the person to whom the same was issued may obtain a duplicate or substitute upon furnishing proof satisfactory to the Secretary of State that such license ~~or~~, card ~~or~~ **instruction permit** has been lost or destroyed and upon payment of a fee of 50¢.'

Sec. 3-A. R. S., T. 29, § 581, amended. The last sentence of section 581 of Title 29 of the Revised Statutes is amended to read as follows:

'No such application for reexamination shall be accepted until 6 months after the expiration of said permit, **except that the Secretary of State, in his discretion, may waive such 6-month "waiting period."**'

Sec. 4. R. S., T. 29, § 2011, amended. The 6th paragraph of section 2011 of Title 29 of the Revised Statutes is amended to read as follows:

'All school buses shall be equipped with a fire extinguisher of a type and size approved by the laboratories of the National Board of Fire Underwriters. In addition to other lights required by law on each such bus, its front and rear shall be equipped with ~~a stop light~~ **flashing red lights** of a type approved by the Secretary of State. Such ~~flashing red light~~ **lights** shall be clearly displayed ~~whenever the bus stops to receive or discharge its passengers.~~ **Flashing lights on school buses** shall be turned on by the operator of such bus at least 100 feet before any stop is made to receive or discharge its passengers and shall be continually displayed until after the bus has received or discharged its passengers. This section with reference to lights shall apply only to school buses with a carrying capacity of 10 or more pupils.'

Sec. 5. R. S., T. 29, § 2012, sub-§ 5, amended. Subsection 5 of section 2012 of Title 29 of the Revised Statutes is amended to read as follows:

'**5. Fee.** A fee of ~~\$7~~ **\$3** shall be paid to the Secretary of State for such examination. **The fee for all subsequent examinations shall be \$2.'**

Sec. 6. R. S., T. 29, § 2181, amended. Section 2181 of Title 29 of the Revised Statutes is amended to read as follows:

§ 2181. Fraud or falsity on applications for license or registration

Whoever shall make any material misstatement of fact upon his application for license to operate a motor vehicle, or for registration thereof, **application for instruction permit or driver's examination** and whoever shall deceive or substitute, or cause another to deceive or substitute in connection with any examination required, or shall knowingly make use of any registration certificate, number plate or operator's license or badge issued upon an application containing any material false statement of fact shall be punished by a fine of not more than \$100 or by imprisonment for not more than 90 days, or by both. Every such certificate, license plate or badge shall be void from the date of its issue, and shall be surrendered to the Secretary of State upon demand, and any moneys paid for the same shall be forfeited to the State.'

Sec. 7. R. S., T. 36, § 1483, sub-§ 5, amended. Subsection 5 of section 1483 of Title 36 of the Revised Statutes is amended to read as follows:

'**5. Transporter registration.** Vehicles to be lawfully operated on ~~transit~~ **transporter registration certificates;**'

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

Effective May 28, 1965

Chapter 370

AN ACT Exempting State-Owned Motor Vehicles and Trailers from Registration.

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

R. S., T. 29, § 256, amended. The 2nd paragraph of section 256 of Title 29 of the Revised Statutes is repealed and the following enacted in place thereof:

'All motor vehicles and trailers owned and used by any municipal corporation therein and all motor vehicles loaned by automobile dealers to municipalities for use in driver education in the secondary schools shall be registered, but shall be exempt from the provisions of this Title as to payment of registration fees, except that when such vehicles are leased or rented for commercial purposes they shall be subject to payment of the fees as provided in this Title. All such vehicles and trailers shall display registration plates as required by this Title or approved by the Secretary of State. All motor vehicles and trailers owned by the State and all vehicles and trailers owned by a municipal fire department or an organized volunteer fire department may be exempt from the provisions of this Title as to registration and payment of registration fees. Such motor vehicles and trailers shall display an identifying marker or insignia approved by the Secretary of State.'

Effective September 3, 1965

Chapter 371

AN ACT Relating to Tuition for Students Attending Secondary School Outside of Residence.

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

Sec. 1. R. S., T. 20, § 1291, amended. The first sentence of the 2nd paragraph of section 1291 of Title 20 of the Revised Statutes is amended to read as follows:

'In the case of any youth attending school, under conditions as provided for in the preceding paragraph, ~~in schools in which the average daily membership, as reported in the preceding year, is 100 or more students~~ and the school offers at least 2 occupational courses, the annual tuition shall not exceed 125% of the average cost per pupil in all secondary schools of the State ~~for the current fiscal year as determined in section 1292~~; except that, for schools ~~with fewer than 100 pupils enrolled or not offering at least 2 or more occupational courses,~~ the tuition shall not exceed the average cost per pupil in all secondary schools of the State ~~for the current fiscal year as determined in section 1292~~. Payments in excess of the legal tuition charge as defined in this section may be made when authorized by the voters of the sending administrative unit at a regular or special town meeting.'