

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Fifth Legislature

OF THE

STATE OF MAINE

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THE KNOWLTON AND MCLEARY COMPANY
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PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Fifth Legislature
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shall be issued, the number to be determined by the Secretary of State, who is authorized to prescribe reasonable limitations of use of such plates. Extra registration plates shall be furnished to replace lost or mutilated plates for \$1 each.

Effective September 23, 1971

Chapter 358

AN ACT Defining Home-made Farm Tractors under the Motor Vehicle Law.

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

R. S., T. 29, § 243, amended. The first sentence of the 3rd paragraph of section 243 of Title 29 of the Revised Statutes is amended to read as follows:

A home-made farm tractor with motor and chassis at least 10 years old and having a body capacity of not more than 1½ cubic yards used exclusively for agricultural purposes shall be registered for a fee of \$2.

Effective September 23, 1971

Chapter 359

AN ACT Relating to Enforcement Options under the Environmental Laws.

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

Sec. 1. R. S., T. 38, § 451, sub-§ 2, repealed and replaced. Subsection 2 of section 451 of Title 38 of the Revised Statutes, as repealed and replaced by section 1 of chapter 528 of the public laws of 1967 and as amended, is repealed and the following enacted in place thereof:

2. Hearing and order for violation. Whenever it appears to the commission or its authorized employee after investigation that there is a violation of this subchapter, the commission or its authorized employee may schedule a hearing thereon and shall notify the alleged violator in writing of the date, time and place of said hearing and shall set forth in said writing the alleged violation.

At such hearing the alleged violator may appear in person or by attorney and answer the allegations of violations, and file a statement of facts, including the methods, practices and procedures, if any, adopted or used by the alleged violator to comply with this subchapter and present such evidence as may be pertinent and relevant to the alleged violation.

The member or authorized employee of the commission presiding at such hearings is authorized to administer oaths and affirmations to witnesses testifying at such hearings. A complete verbatim transcript shall be made of all hearings held under this section.

Sec. 2. R. S., T. 38, § 451, amended. The 4th paragraph from the end of section 451 of Title 38 of the Revised Statutes, as repealed and replaced by section 2 of chapter 528 of the public laws of 1967, is repealed and the following enacted in place thereof:

After hearing, or in the event of a failure of the alleged violator to appear on the date set for a hearing, the commission shall, as soon thereafter as practicable, make findings of fact based on the record and, if it finds that a violation exists, it shall issue an order aimed at ending the violation.

Sec. 3. R. S., T. 38, § 451, amended. The last sentence of the next to the last paragraph of section 451 of Title 38 of the Revised Statutes, as repealed and replaced by section 11 of chapter 475 of the public laws of 1967, and as amended, is further amended to read as follows:

Within 30 21 days thereafter, the Attorney General shall forthwith commence an action in the Superior Court of any county where the violation of the commission's order has occurred.

Sec. 4. R. S., T. 38, § 454, repealed and replaced. Section 454 of Title 38 of the Revised Statutes is repealed and the following enacted in place thereof:

§ 454. Injunctions, civil and criminal actions

In the event of any violation of any of the provisions of this subchapter, or of any order or decision of the commission or decree of the court as the case may be, the Attorney General may institute injunction proceedings to enjoin the further violation thereof, a civil or criminal action under sections 416, 417 and 453, or any appropriate combination thereof, without recourse to section 451.

Effective September 23, 1971

Chapter 360

AN ACT to Repeal Obsolete Laws and Correct Errors and Inconsistencies in the Motor Vehicle Laws.

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

Sec. 1. R. S., T. 29, § 1, sub-§ 9, amended. Subsection 9 of section 1 of Title 29 of the Revised Statutes is amended to read as follows:

9. **Owner.** "Owner" for the purposes of registration only shall mean any person, firm, corporation or association holding title to a ~~motor~~ vehicle or having exclusive right to the use thereof for a period greater than 30 days or the mortgagor or the vendee in a conditional sales contract, and shall mean any person, firm, corporation or association owning a ~~motor~~ vehicle, or having the right to use the same, under contract, lease or hiring; except this definition shall not apply when said vehicle is engaged exclusively for the use set forth in Title 35, section 1560, subsection 1, paragraph E, or Acts amendatory thereto. It shall not mean or include a person engaged in the business of renting Maine registered ~~motor~~ vehicles without drivers, as provided for in section 901. Nothing contained in this definition shall require an owner or a common or contract carrier by ~~motor~~ vehicle operating under permit or cer-