

# MAINE STATE LEGISLATURE

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ACTS, RESOLVES AND CONSTITUTIONAL RESOLUTIONS

AS PASSED BY THE

One Hundred and Sixth Legislature

OF THE

STATE OF MAINE

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THE KNOWLTON AND McLEARY COMPANY  
FARMINGTON, MAINE  
1973

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

1973

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given by registered or certified mail to the applicant and any person, firm or corporation filing lawful objections. Adjudication by the licensing authority on validity of the applicant's notice or procedures shall be final and conclusive. If the licensing authority finds its notice of hearing or the applicant's notice of application or the applicant's procedures defective, it may fix a new time and place for hearing and shall order appropriate notice to be published or defect corrected and shall adjourn the hearing to meet at the time and place fixed in its order, otherwise it shall proceed with the hearing.

Sec. 4. R. S., T. 35, § 2483, sub-§ 20, repealed and replaced. Subsection 20 of section 2483 of Title 35 of the Revised Statutes, as last repealed and replaced by section 6 of chapter 262 of the public laws of 1967, is repealed and the following enacted in place thereof:

20. Legal Effect.

A. Facilities and appurtenances heretofore installed, maintained and now in use within any public way, together with any facilities and appurtenances hereafter installed and maintained in accordance with this section, shall be deemed legal structures and the party maintaining the same shall be liable on account thereof only for acts of carelessness or negligence in the erection or maintenance of the same.

B. The failure of the licensing authority to grant or deny a permit for which application is made within 60 days of filing shall be deemed to constitute the issuance of such location permit.

Effective October 3, 1973

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## CHAPTER 448

### AN ACT Relating to Schools Teaching Real Estate Subjects.

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

Sec. 1. R. S., T. 20, § 2661, amended. The first paragraph of section 2661 of Title 20 of the Revised Statutes, as enacted by chapter 451 of the public laws of 1969 and as amended, is further amended to read as follows:

Any person, partnership or institution or corporation operating or maintaining a private business, trade, vocational or technical school in Maine, except schools of hairdressing and beauty culture required to be approved by the State Board of Hairdressers, schools of barbering required to be approved by the State Board of Barbers, schools for real estate required to be approved by the Real Estate Commission, and an institution authorized by law to grant a degree, shall register the institution with the Commissioner of Educational and Cultural Services on forms prepared for this purpose, and prior to operation obtain a permit from the Department of Educational and Cultural Services.

Sec. 2. R. S., T. 32, § 4101-A, additional. Title 32 of the Revised Statutes is amended by adding a new section 4101-A to read as follows:

§ 4101-A. Schools

The commission is authorized to formulate rules and regulations relative to the establishment and operation of schools offering courses designed to prepare students for the examinations of the commission for licenses for real estate brokers and salesmen and relative to the courses of study, instruction, instructor qualifications, grades and grading systems and related matters. Nothing in this section shall be construed to grant the commission any authority over any such courses conducted by the University of Maine or any other public higher education institution or any institution authorized by law to grant a degree.

1. Certificate of approval. Any such school shall first obtain a certificate of approval from, and thereafter abide by the rules and regulations of, the commission covering such schools.

2. —suspension or revocation. The commission shall have authority to suspend or revoke the certificate of approval of any school for violation of this section or of the rules and regulations promulgated pursuant thereto.

3. Prohibitions. It shall be unlawful for any school to offer courses or to conduct classes of instruction in real estate subjects without first procuring a certificate of approval; or having obtained a certificate of approval, to represent that its students are assured of passing examinations given by the commission, or to represent that the issuance of a certificate of approval is a recommendation or endorsement of the school to which it is issued or of any course of instruction given by it.

4. Fees. The application of each school shall be accompanied by a fee of \$20 and, if issued, shall be annually renewable on payment of a fee of \$10.

5. Penalty. In the event that any person is found guilty of violating this section in the operation of a school, or any rule or regulation adopted pursuant thereto, or attempts to continue to operate as a school after the revocation or during a period of suspension of a permit, he shall be deemed guilty of a misdemeanor.

Effective October 3, 1973

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## CHAPTER 449

### AN ACT Relating to Mirrors on Certain Vehicles.

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

R. S., T. 29, § 1367, amended. Section 1367 of Title 29 of the Revised Statutes, as amended, is further amended by adding at the end the following new paragraph:

Whenever an automobile to which temporary outside mirrors have been attached for the purpose of permitting an unobstructed view to the rear when towing a trailer or semitrailer is operated when not towing a trailer or semitrailer, such temporary rear view mirrors shall be removed or otherwise adjusted so as not to extend beyond the width of the automobile.

Effective October 3, 1973