

# MAINE STATE LEGISLATURE

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**CHAPTER 5**  
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**SUBCHAPTER I**

**GENERAL REGISTRATION**

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## ARTICLE 1. GENERAL PROVISIONS

**§ 101. Gross weight, defined**

“Gross weight” as used in sections 244, 246, 250 and 1656 shall mean the actual empty weight in pounds of the vehicle to be registered plus the maximum weight of the load to be carried by such vehicle.

R.S.1954, c. 22, § 20.

**§ 102. Persons required to register; tows; applications**

Except as section 2243 provides for reciprocity with other states, any resident of this State and any owner, as defined in section 1, shall register any vehicle to be operated or to remain on any way in this State, except that residents of this State who have been required to register a vehicle in another state may operate said vehicle in this State for a period not to exceed a total of 30 calendar days in any one year.

No motor vehicle or trailer shall be operated, or remain upon any way, unless the same is registered and equipped in accordance with this Title, excepting that any officer of the State Police may, when in his opinion the same is necessary and not detrimental to the public safety, grant a permit in writing for an unregistered motor vehicle to be towed either by a regular service wrecker or by the use of a towbar. Application for such registration may be made by mail or otherwise to the Secretary of State upon blanks prepared under his authority. The application shall be signed by the owner and shall contain such particulars as may be required by the Secretary of State, including the name, residence and address of the owner, with a brief description of the vehicle, the name of its maker, the motor and serial numbers or identification number, the amount of motive power, stated in figures of horsepower, the type of motor fuel if other than gasoline as defined in Title 36, section 2902, under the

phrase "internal combustion engine fuel" and the actual gross weight of the vehicle if intended for commercial use.

R.S.1954, c. 22, § 13; 1955, c. 160; c. 370, § 2; 1957, c. 308, § 1; 1961, c. 73; 1963, c. 270.

### § 103. Defaced or missing identification numbers

Upon the presentation of an application for registration of a motor vehicle or trailer, the engine or serial number or identification number of which has been omitted, altered, removed or defaced, the Secretary of State shall assign a special number. Said Secretary of State shall issue a return card to be filled in by the operator of an inspection station, that the number has been embossed, stamped or entered on said motor vehicle. A record of the special number shall be maintained by the Secretary of State.

R.S.1954, c. 22, § 13.

### § 104. Certificate of registration

The Secretary of State upon granting the application shall register in a book or upon suitable index cards to be kept for the purpose, the vehicle described in the application, giving to its owner a distinguishing number or other mark and shall thereupon issue a certificate of registration which shall contain the name, place of residence and address of the owner.

R.S.1954, c. 22, § 16.

### § 105. Permit for unladen, unregistered farm truck

Any officer of the State Police may upon request issue a written permit to operate an unladen, unregistered farm truck upon a public way when such truck is used upon the public ways occasionally or temporarily and solely for farm purposes. Such operation upon a public way shall be by an operator duly licensed under this Title, and shall be from or to the premises where such farm truck is kept, to or from a farm lot and between farm lots, used for farm purposes by the owner of the farm truck, and from or to a filling station or garage for gas, oil or repairs. Each farm truck so operated shall be inspected by an authorized inspection station. No such permit shall be issued for a period to exceed one month, and shall specify the route or routes of travel and time of day during which such permit shall be valid.

1963, c. 293.

**§ 106. Expiration date**

All registrations of vehicles, all certificates of registrations and number plates shall terminate and become void at midnight on the 31st day of December of each year, except as provided for in this section and section 193.

Number plates furnished shall be valid only for the calendar year for which they are issued, except that on and after December 25th of such calendar year, it shall be lawful to use and display on motor vehicles the number plates issued for the next succeeding year. Motor vehicle registrations and license tags issued thereon in any calendar year shall be valid for use and display until March 1st of the next calendar year.

R.S.1954, c. 22, §§ 13, 18.

**§ 107. Minors under 18; conditions**

The Secretary of State shall not grant the application of any minor under the age of 18 years for registration of a motor vehicle unless such application is signed by the father of the applicant, if the father is living and has custody of the applicant, otherwise by the mother or guardian having the custody of such minor, or in the event a minor under the age of 18 years has no father, mother or guardian, then registration of a motor vehicle shall not be granted to the minor unless his application therefor is signed by his employer.

R.S.1954, c. 22, § 14.

**§ 108. Tax payment before registration; poll**

No person required by law to pay a poll tax in this State shall be granted a registration for a motor vehicle until he shall present a receipt or certificate that he has paid his poll tax in the town where he resided for the year preceding that for which the license is applied for, or written evidence from the taxing authority of that town that he was legally exempted therefrom or that the tax has been abated.

R.S.1954, c. 22, § 15.

**§ 109. —Excise; personal property and real property**

No motor vehicle or house trailer shall be registered under this Title until the excise tax or personal property tax or real estate tax has been paid in accordance with Title 36, sections 551, 1482 and 1484.

1959, c. 308, § 3; 1963, c. 304, § 1.



**§ 110. Form of plates**

The Secretary of State shall furnish suitable number plates, seals and other distinguishing marks, without charge, to every person except dealers, manufacturers and holders of transporter registration plates whose vehicle is registered under this Title. Such plates shall be of a distinctly different color or shade each year and shall be in such form as the Secretary of State may determine; and shall bear the numerals of the year of issue or the last 2 numerals of said year, the word "Maine" or the abbreviation "Me." in letters not less than  $\frac{3}{4}$  inch in height, and on plates issued for passenger vehicles for private use, hire cars and trucks, there shall be placed at the bottom thereof in letters not less than  $\frac{3}{4}$  inch in height the word "Vacationland." The numerals of the register number thereon, except on motorcycle number plates, shall be substantially not less than 3 inches high. The Secretary of State may select and issue a special distinguishing letter, mark or design for number plates issued for any temporary or other special classes of registration and for use on motorcycles, trucks, trailers and tractors which are required to be registered under this Title.

Notwithstanding other provisions of law, the Secretary of State may provide and issue a suitable device in lieu of new registration number plates for any calendar year. Such device shall clearly indicate the year or period for which issued and shall be furnished only upon application and payment of registration fees required by statute, and when such device is so attached to the appropriate vehicle or to the plate thereon, such vehicle shall be deemed properly registered for the period specified, subject to suspension or revocation of registration as provided by statute.

The Secretary of State may issue permanent registration plates so designed and equipped as to provide for the reregistration thereof by changing the expiration date on such plates without the issuance of new plates.

R.S.1954, c. 22, § 18; 1955, c. 200, § 2; 1963, c. 296.

**§ 111. Carrying of registration certificate**

The certificate of registration shall always be carried on the person of the operator or occupant, or in some easily accessible place in or about the vehicle therein described, except that certificates of registration of dealers need not be so carried.

R.S.1954, c. 22, § 18.

**§ 112. Application for registration of vehicles reported stolen**

Whenever the Secretary of State shall receive an application for registration of a vehicle previously reported as stolen, he shall notify the owner of such vehicle as shown by the records of his office. Unless registration has already been issued, he may withhold registration until further investigation.

R.S.1954, c. 22, § 35.

**§ 113. Surrender of plates on demand of Secretary of State**

All registration number plates, issued by the Secretary of State, shall continue to be the property of the State, and the person to whom the same are issued shall surrender the same on demand of the Secretary of State whenever his registration certificate is suspended or revoked or has expired without renewal. Whoever steals, takes or carries away any registration number plate from any person entitled to its possession shall be punished by a fine of not more than \$100 or by imprisonment for not more than 90 days, or by both.

R.S.1954, c. 22, § 160.

**§ 114. Antique vehicles**

The registration of an antique motor vehicle as described in this Title shall be upon a form prescribed by the Secretary of State. Said registration shall be accompanied by an affidavit provided by the Secretary of State, which affidavit shall include a statement of the age and intended use of said motor vehicle, and that said applicant is a resident of the State of Maine.

The Secretary of State is authorized to design and to issue registration plates for antique motor vehicles. The fee for the registration of an antique motor vehicle shall be \$7.50.

R.S.1954, c. 22, § 13; 1955, c. 351, § 2; 1961, c. 261, § 1.

**§ 115. Stock race cars**

The registration of a stock race car shall be upon a form prescribed by the Secretary of State and the fee shall be \$5. The Secretary of State shall supply a registration plate to be determined by the secretary. No stock race car shall be operated on the highways under its own power.

R.S.1954, c. 22, § 13; 1959, c. 99, § 2.

**§ 116. Out-of-state vehicles of Maine residents; breakdowns**

Maine residents, who register vehicles in another state, may operate such vehicles in Maine in the event of a breakdown without procuring Maine registrations, provided such breakdowns are reported within 48 hours to the Chief of the State Police and provided such vehicles are registered in a state which has other reciprocal registration agreements with the State of Maine.

R.S.1954, c. 22, § 13; 1959, c. 128.

**ARTICLE 2. TRANSFER OF OWNERSHIP, PRORATIONS  
AND REFUNDS****§ 151. Certificate not transferable; notice of transfer**

Upon the transfer of ownership of any motor vehicle or trailer, its registration shall expire and the person in whose name such vehicle or trailer is registered shall forthwith return the certificate of registration to the Secretary of State with a written notice containing the date of the transfer of ownership and the name, place of residence and address of the vendee and a description of the vehicle, including its motor and serial number.

R.S.1954, c. 22, § 32.

**§ 152. Registration in same calendar year; fees and procedure**

Whoever transfers the ownership or discontinues the use of a registered motor vehicle or trailer and applies to the Secretary of State for registration of another motor vehicle or trailer in the same calendar year shall be entitled to a certificate of registration permitting the use of number plates of the proper class of registration thereon upon payment of a transfer fee of \$2, provided the fee is the same as that of the former vehicle. If the fee for the vehicle to be registered is greater, he shall pay in addition to the transfer fee of \$2 the difference between the fee paid by him for the vehicle first registered and the fee for the vehicle to which the transfer is to be made. Whoever transfers the ownership or discontinues the use of a motorcycle and applies for the registration of another motorcycle within the same calendar year shall pay for the registration certificate thereof a fee of \$1, which fee shall include the number plate. The certificate issued for the registration of the former vehicle shall be returned to the said Secretary of State, showing that the ownership of such vehicle has been

transferred or its use discontinued and that the registration has been canceled.

No portion of any fee once paid in any calendar year shall be repaid to any person, but from January 1st to September 1st in the same calendar year any amount paid for registration of a vehicle shall remain as full credit toward the registration of another vehicle in place of the one represented by the surrendered registration, and from September 1st to December 31st in the same calendar year such credit shall not exceed  $\frac{1}{2}$  of the amount of the original fee.

R.S.1954, c. 22, § 33.

### **§ 153. Proration after September 1st**

On any application for registration applied for by an owner of a motor vehicle or trailer, not including a log hauler or traction engine, during the period between the first day of September and the 31st day of December,  $\frac{1}{2}$  the registration fee shall be charged.

R.S.1954, c. 22, § 16.

### **§ 154. Unused plates**

The owner who returns number plates with an affidavit that they have never been used shall be refunded the registration fee paid.

R.S.1954, c. 22, § 18.

## **ARTICLE 3. SPECIAL PLATES AND NUMBERS**

### **§ 191. Reservation of same number**

The Secretary of State shall reserve until the November 1st preceding the year for which plates are issued the same registration number for the succeeding year for persons who shall, previous to said first day of November, pay for the registration of his vehicle for the succeeding year and otherwise comply with the motor vehicle law. If a person wishes to retain his registration number and does not have a car to register on said November 1st, he may hold his registration number by depositing with the Secretary of State the sum of \$10 to be applied as part payment of the registration fee when plates are issued.

All numbers other than those reserved shall be released and issued in rotation after said November 1st, except that a person

wishing to select a number out of rotation may do so by paying his registration fee and a reserved number fee of \$1.

The amount received from the fee charged for reserved numbers shall go into the General Highway Fund of the State.

R.S.1954, c. 22, § 34.

### § 192. Initial plates

The Secretary of State is authorized to design and to issue, under such regulations as he shall deem appropriate, initial type registration plates or combination of initials and numeric type registration plates to be used on passenger motor vehicles or motor vehicles of the station wagon type in lieu of other numeric type registration plates. Such plates shall be of such design and shall bear such letters or letters and numbers as the Secretary of State shall prescribe, but there shall be no duplication of identification.

The registration plates so provided shall be issued only upon application therefor, and upon payment of a service fee of \$10 for plates issued originally, to any applicant, during the period of the first 5 years of a semi-permanent plate program; and a service fee of \$5, annually, for any succeeding year of a semi-permanent plate program shall be paid for the renewal of such plates. The service fee of \$10 paid, for plates issued originally, shall apply to the year for which application is made and to the last year of such semi-permanent plate program. A service fee of \$5 shall be paid when application is made for the last year only of the semi-permanent plate program. The service fee is to be in addition to the regular motor vehicle registration fee as prescribed by law for the particular vehicle. The amount received from such service fee shall be credited to the General Highway Fund and there shall be allocated annually from the General Highway Fund a sum sufficient to defray the cost of this program.

Applications for registration plates as prescribed above, pertaining to owners of passenger vehicles or motor vehicles of the station wagon type who are residents of this State and who own an unrevoked and unexpired official amateur radio station license issued by the Federal Communications Commission, except those licensed as novices, by the Federal Communications Commission, shall be accompanied by a notarized proof of ownership of such amateur radio station license. Registration plates issued under this paragraph shall be inscribed with the official amateur radio call letters of such applicant as assigned by the Federal Communications Commission.

Application for new registration plates shall be received in the office of the Secretary of State previous to November 1st of each year preceding the issuance of such new plates. Application for renewal of such registration plates shall be received in the office of the Secretary of State previous to March 1st of the year of the renewal of such plates.

1961, c. 261, § 2; 1963, c. 8, §§ 1, 2.

### § 193. State officials

The Secretary of State shall, upon application therefor by Maine members of the United States Senate, Maine members of the United States House of Representatives, members of the Executive Council, members of the Legislature, Representatives of the Indian Tribes at the Legislature, President of the Senate, Speaker of the House, Secretary of the Senate and the Clerk of the House, issue one pair of specially designed number plates and a certificate of registration for one designated motor vehicle owned or controlled by each of the officials named. The color, shape, size, lettering and numbering of such special plates shall be determined by the Secretary of State, except that plates issued to members of the Legislature, other than the President of the Senate and Speaker of the House, shall bear the number of the seat assigned to such member. Plates issued to members of the Executive Council shall bear a numeral designating the councillor district they represent. Such plates shall be issued for and attached to only such motor vehicle as is currently registered in accordance with this Title. Such special plates may be displayed in lieu of the regular number plates issued for such vehicles. A fee of \$2 shall be paid to the Secretary of State upon application. Such special number plates shall be valid only during the term of office for which the registrant is elected. In case the office is for any cause vacated during said term, such special number plates and registration certificate shall be immediately surrendered to the Secretary of State.

R.S.1954, c. 22, § 18; 1955, c. 60; 1957, c. 119; 1961, c. 235.

### § 194. Manufacturers, dealers and transporters

The Secretary of State may select and issue a special distinguishing letter, mark or design for a number plate issued to manufacturers, dealers and holders of a transporter registration certificate. Such plate may be attached to the rear of the motor vehicle and shall be always plainly visible.

R.S.1954, c. 22, § 18; 1955, c. 200, § 3; 1963, c. 296.

## SUBCHAPTER II

## FEES AND EXEMPTIONS

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- 254. Combination tractor and semi-trailer.
- 255. Farm tractors and trailers.
- 256. Governmental vehicles.
- 257. Trucks, trailers or tractors on adjoining ways.
- 258. Disposal of fees; certain towns in Hancock and Knox Counties.

**§ 241. Fees for replacement number plates and inserts**

Replacement number plates shall be furnished to replace lost or mutilated plates for \$1 each.

Replacement inserts for number plates shall be furnished to replace lost or mutilated inserts for 50¢ each.

R.S.1954, c. 22, § 13; 1961, c. 76, §§ 1, 2.

**§ 242. Fees for registration; motor vehicles**

The annual fees for the registration and licensing of motor vehicles shall be in accordance with this section and shall accompany the application for registration:

**1. Motor vehicles.**

**A.** Used for the conveyance of passengers, \$15. Vehicles of the station wagon type which are used interchangeably for the conveyance of passengers or property shall pay the above fee. Such vehicles shall be designated as "convertibles".

**B.** Used for livery or hire, double the fee provided in paragraph A. Private automobiles occasionally employed for use at funerals by a duly registered or licensed undertaker and not otherwise used for hire shall not be subject to such double fee. Funeral coaches and funeral hearses used by a duly registered or licensed undertaker incident to the business of a mortician shall pay in accordance with the fee provided in paragraph A, but shall not be required to pay double. All funeral coaches or funeral hearses used for hire for any other purpose than that incident to the business of a mortician shall pay the same registration fee as required for motor vehicles used for livery or hire. Motor vehicles used for no other passenger service or hire than for the transportation of school children to and from school are not subject to the double registration fee.

**C.** Used for the carrying of passengers for hire and

(1) Operating under Title 35, chapters 91 to 97, or

(2) Operating, regularly or seasonally, in interstate commerce, over regular routes between any point or points in this State and any point or points in any other state or between any point or points in any adjacent foreign country and any point or points in this State more than 15 miles from the place of entry into this State, shall pay double the registration fee provided in paragraph A. Except that notwithstanding any other provisions in sections 242 to 245, an owner or operator of interstate motor buses used for the transportation of passengers for hire, operating a fleet of 2 or more motor buses under the authority of the Interstate Commerce Commission and the Public Utilities Commission, shall register and pay registration fees, as scheduled in sections 242 to 245, for that number of motor buses of the owner or operator as the proportion which the mileage of all such motor buses of the owner or operator, operated in this State bears to the total mileage of all such motor buses of the owner or operator operated both within and without the State in accordance with the owner or operator or his or its predecessor's operation of the preceding year, and the Secretary of State is authorized to promulgate such rules and regulations as may be necessary to effectuate such apportionment. Motor vehicles owned by residents of any state, province or foreign country, where residents of this State regis-



tering motor vehicles are required to pay double the fee charged against resident owners, shall pay double the fee provided in paragraph A, whether for private use or for livery or hire.

**D.** The Secretary of State is authorized to issue a temporary registration permit for the purpose of facilitating the movement over the highway of certain vehicles otherwise required to be registered, when such vehicles are to be used for a specified trip within a limited period of time.

Such registration shall be for one trip only, between the points of origin and destination and such intermediate points as may be set forth in the application and registration certificate, and, except where the vehicle is a bus operating under charter which is not covered by a reciprocity agreement with the state or country in which it is registered, such registration shall be for the transit of the vehicle only, and the vehicle shall not at the time of the transit be used for the transportation of any passengers or property whatsoever, for compensation or otherwise, unless specifically authorized by the Secretary of State and so indicated on the registration permit. In no case shall such temporary registration be valid for a period longer than 15 days from the effective date of the registration.

Such registration may be obtained by submitting application therefor on a form prescribed and furnished by the Secretary of State. A fee of \$5 shall accompany each such application. If the Secretary of State is satisfied that such temporary registration is necessary for the purposes stated he shall issue a registration certificate which shall be carried in the vehicle at all times.

This paragraph applies to registration of vehicles only and nothing herein shall be construed to authorize the operation or movement of any vehicle in this State in violation of any other laws of this State. The Secretary of State may waive section 2122 with respect to vehicles operated in accordance with this paragraph. Any person who shall operate or move any vehicle under registration provided for herein outside the routes specified shall, upon conviction, be punished by a fine of not less than \$25, nor more than \$200.

**E.** The Secretary of State may issue, upon application and the payment of a fee of \$2, a special registration permit authorizing the limited operation on the highway of self-propelled golf carts, lawn mowers and other such vehicles of a

similar nature with such restrictions and limitations as to use as will, in the opinion of the Secretary of State, minimize the danger to the operator thereof. Such special registration permits shall be valid for use until March 1st of the next calendar year. No operator's license shall be required for such limited operation of said vehicles, and such vehicles shall be exempt from the laws regulating the inspection of motor vehicles.

F. Any deputy sheriff with a writ of attachment may move the attached motor vehicle to the place of storage without registration or without any permit from the Secretary of State, provided the sheriff of the county has a blanket insurance coverage for protection under the Financial Responsibility Law.

R.S.1954, c. 22, § 16; 1955, c. 200, § 1; c. 251; 1957, c. 285; c. 330, §§ 1, 3; c. 411, § 1; 1959, c. 100, §§ 1, 2; c. 363, § 9; 1961, c. 395, § 5; 1963, c. 268, §§ 1, 2; c. 300, § 3.

§ 243. —Tractors or road tractors

The annual fees for the registration of tractors or road tractors shall be in accordance with this section and shall accompany the application for registration.

1. Tractors or road tractors.

		Per 100
Equipped with	Per H. P.	lbs. weight
Pneumatic tires . . . . .	25 cents	25 cents
Solid rubber tires . . . . .	25 cents	50 cents
Iron, steel or other hard tires . . . . .	25 cents	80 cents

The minimum fee shall never be less than \$2.

Farm tractors used for agricultural purposes or not customarily used on public ways shall pay 1/10 of such rates; caterpillar tractors, so called, except as provided, shall pay a registration fee of \$15, except that, when so constructed as to carry a load, they shall be rated as trucks.

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 shall be registered for a fee of \$2. It shall be unlawful to operate such a vehicle on the highway at a distance of more than 10 miles from the place where the vehicle is customarily kept.

R.S.1954, c. 22, § 16; 1957, c. 45.

§ 244. —Trailers

The annual fees for the registration of trailers shall be in accordance with this section and shall accompany the application for registration.

1. Trailers.

Equipped with	Per 100 lbs. gross weight of vehicle and load	
Pneumatic tires . . . . .	15 cents	}
Solid rubber tires . . . . .	40 cents	
Iron, steel or hard tires . . . . .	75 cents	
		up to 2,000 lbs. gross weight

The minimum fee shall never be less than \$2. The maximum fee for all farm trailers, whether semi-trailers or 4-wheeled type, equipped with pneumatic tires, shall be \$2 for each trailer when the said trailers are used and to be used by farmers for the sole and exclusive purpose of transporting their own farm products, crops, fertilizers and farm tools and utensils and subject to the further conditions and limitations that

A. No such load so transported shall at any time exceed 4 tons; and

B. No such load shall be transported a distance greater than 20 miles from the point of origin to the point of destination.

A violation of any of the terms and conditions of this subsection shall automatically disqualify the violator from the benefits hereof.

Trailers having a gross weight of 2,000 pounds or more shall be classified and rated as trucks. All boat trailers registered for a gross weight in excess of 2,000 pounds but not more than 4,000 pounds shall pay a registration fee of \$5.

House trailers and camp trailers of the covered wagon type shall be registered and pay a fee of \$5 for such registration.

Only one trailer or semi-trailer shall be drawn by a motor vehicle; provided that driveaway, towaway operations, as defined by the Public Utilities Commission, may include a combination of saddlemount vehicles not to exceed 3 units in contact with surface of the highway.

No motor vehicle, or combination of motor vehicle and trailer or semi-trailer, except fire department vehicles, shall exceed in length 55 feet over all including all structural parts thereof, permanent or temporary, and any load carried thereon or therein.

Special mobile equipment, which is permanently mounted on a traction unit or motor chassis, shall be registered and a fee of \$10 shall be paid for such registration in lieu of all other registration fees. Registration under this paragraph shall not include any vehicle which may be used for the conveyance of property except hand tools or parts which are used in connection with the operation of such equipment, except that road construction or maintenance machinery coming under the definition of special mobile equipment may be used for the transportation of earth on that portion of the highway actually under construction. Such special mobile equipment may be operated unloaded over the highway between construction projects and to or from the place where such vehicles are customarily kept, if a permit for such movement is first obtained in accordance with section 1703.

The movement over the highways of any of such equipment, the weight of which is in excess of 10 tons, shall be subject to section 1703, and permits to move said equipment shall be obtained accordingly.

Circus and carnival trailers or semi-trailers unloaded from railroad cars and hauled to and from the midway on circus or carnival grounds shall be exempt as to fees for the registration and licensing of such trailers or semi-trailers. This paragraph shall apply only to circus and carnival trailers or semi-trailers moved to or from railroad stations or railroad sidings nearest the grounds where the circus or carnival show is held.

R.S.1954, c. 22, § 16; 1955, c. 191, § 2; c. 240, § 2; 1957, c. 308, § 2; c. 309, § 1; 1959, c. 308, § 5; 1961, cc. 52, 146, 352.

§ 245. —Semi-trailers

The annual fees for the registration of semi-trailers shall be in accordance with this section and shall accompany the application for registration.

Semi-trailer . . . . . \$5 each.

R.S.1954, c. 22, § 13; 1963, c. 248, § 2.

Director's note: This fee will be changed to \$15 as of Jan. 1, 1968 under certain circumstances. See P.L. 1963, c. 248.

§ 246. —Trucks

With each application for registration of a motor truck shall be paid an annual registration fee graduated as follows when equipped with pneumatic tires:

From 0 pounds gross weight to 6,000 pounds gross weight . . . . . \$ 15

From 6,001 pounds gross weight to 9,000 pounds gross weight .....	\$ 20
From 9,001 pounds gross weight to 11,000 pounds gross weight .....	\$ 35
From 11,001 pounds gross weight to 14,000 pounds gross weight .....	\$ 60
From 14,001 pounds gross weight to 16,000 pounds gross weight .....	\$ 80
From 16,001 pounds gross weight to 18,000 pounds gross weight .....	\$100
From 18,001 pounds gross weight to 20,000 pounds gross weight .....	\$125
From 20,001 pounds gross weight to 23,000 pounds gross weight .....	\$150
From 23,001 pounds gross weight to 26,000 pounds gross weight .....	\$175
From 26,001 pounds gross weight to 29,000 pounds gross weight .....	\$214
From 29,001 pounds gross weight to 32,000 pounds gross weight .....	\$241
From 32,001 pounds gross weight to 35,000 pounds gross weight .....	\$268
From 35,001 pounds gross weight to 38,000 pounds gross weight .....	\$294
From 38,001 pounds gross weight to 42,000 pounds gross weight .....	\$321
From 42,001 pounds gross weight to 46,000 pounds gross weight .....	\$348
From 46,001 pounds gross weight to 50,000 pounds gross weight .....	\$375
From 50,001 pounds gross weight to 55,000 pounds gross weight .....	\$415
From 55,001 pounds gross weight to 60,000 pounds gross weight .....	\$455
From 60,001 pounds gross weight to 65,000 pounds gross weight .....	\$495
From 65,001 pounds gross weight to 70,550 pounds gross weight .....	\$545
From 70,551 pounds gross weight to 73,280 pounds gross weight .....	\$600

The annual fee for registration of farm motor trucks, having 2 axles only, when such trucks are used primarily for transportation of agricultural commodities, supplies or equipment to

be used in connection with the operation of a farm or farms owned, operated or occupied by the registrant, shall be as follows:

From 9,001 pounds gross weight to 11,000 pounds gross weight .....	\$21
From 11,001 pounds gross weight to 14,000 pounds gross weight .....	\$32
From 14,001 pounds gross weight to 16,000 pounds gross weight .....	\$43
From 16,001 pounds gross weight to 18,000 pounds gross weight .....	\$64

The term "agricultural commodities" shall include logs, lumber and pulpwood cut on a farm or farms owned, operated or occupied by the registrant. Farm motor trucks registered under this section may receive a short-term permit in accordance with this section by paying a percentage of the difference between the amount paid for farm motor truck registration and the annual fee for the desired tonnage in accordance with the permit table contained in this section.

For any additional gross weight above 18,000 pounds, farm motor trucks registered under this section may receive a short-term permit in accordance with this section by paying a percentage of the difference between the amount paid for the farm motor truck registration and the annual commercial truck fee for the desired tonnage in accordance with the permit table contained in this section. Farm trucks for which a short-term permit in excess of 18,000 pounds gross weight has been issued may be used for the transportation of logs, lumber and pulpwood cut on a farm or farms owned, operated or occupied by the registrant where the production thereof is incidental to other farm operations conducted by the registrant.

The Secretary of State shall issue a registration plate or plates so designed that a farm motor truck registered under this section may be distinguished from commercial vehicles otherwise registered under this section. Trucks which are used on a substantially daily delivery schedule on established routes are not included as "farm trucks." Any person fraudulently obtaining a farm truck license shall be fined upon conviction \$50. Any person using a truck with a license plate marked for any purposes other than those authorized by this section shall be fined not less than \$100 nor more than \$500.

Trucks, for the registration of which a fee of \$100 or more has been paid, may be operated on the highways during the

months of December, January and February with any overload, providing it is not in excess of the requirements of section 1652.

Every such vehicle equipped with 2 or more solid tires shall pay an additional fee of 33-1/3% more than any such vehicle would be required to pay if equipped with pneumatic tires. But no vehicle shall be operated on ways or bridges, either loaded or without load, that exceeds the limits prescribed in section 1652 or is contrary to any other section of this Title, or any other statute pertaining thereto.

When a truck is already registered, the owner, by paying an additional fee, may receive a short-term permit allowing him to haul loads of larger tonnage for a limited period of less than one year. No such permit shall be issued for less than one month and no permit shall extend beyond the expiration of the regular license. The fee shall be a percentage of the difference between the owner's present annual registration fee and the annual fee for the desired tonnage and shall be computed according to the following table:

1-month permit .....	20%
2-month permit .....	30%
3-month permit .....	40%
4-month permit .....	50%
5-month permit .....	60%
6-month permit .....	70%
7-month permit .....	75%
8-month permit .....	80%
9-month permit .....	85%
10-month permit .....	90%
11-month permit .....	95%

R.S.1954, c. 22, § 19; 1955, c. 383, § 1; 1957, c. 330, § 4; c. 363, § 1; c. 408; c. 411, § 4; c. 429, § 25; 1959, c. 162; c. 363, § 10; 1961, c. 182; c. 346, § 1; 1963, c. 356, § 1.

### § 247. —Antique motor vehicles

The annual fees for the registration of antique motor vehicles shall be in accordance with this section and shall accompany the application for registration.

Antique motor vehicles ..... \$7.50 each.  
1955, c. 351, § 3; 1961, c. 417, § 36.

§ 248. —Stock race cars

The annual fees for the registration of stock race cars shall be in accordance with this section and shall accompany the application for registration.

Stock race cars ..... \$5 each.  
1959, c. 99, § 3.

§ 249. Motorcycles

The annual fees for the registration of motorcycles shall be in accordance with this section and shall accompany the application for registration.

Motorcycles ..... \$5 each.  
R.S.1954, c. 22, § 16.

§ 250. Computation of fees

In computation of fees for a combination of truck tractor and semi-trailer, the vehicle to be registered for gross weight shall be the truck tractor which shall take the same rating as a truck of similar gross weight.

R.S.1954, c. 22, § 16.

§ 251. Amputee veterans

On application to the Secretary of State for registration of any motor vehicle of any amputee veteran who has been the recipient of an automobile from the United States Government under authority of P.L. 663, 79th Congress, as amended, or P.L. 187, 82nd Congress, as amended, or of any amputee veteran receiving compensation from the Veterans Administration for service connected disability who shall have a specially designed motor vehicle, such veteran shall be entitled to have said automobile duly registered and a registration certificate delivered to him without the requirement of the payment of any fee.

Any veteran who has lost both legs or the use of both legs and who has registered his motor vehicle without the payment of a fee as provided in this section upon certification by the Veterans Administration shall be issued special designating plates to be used in addition to the regular registration plates. Such designating plates shall be issued by the Secretary of State and shall bear the words "Disabled Veteran".

R.S.1954, c. 22, § 13; 1963, c. 88.



**§ 252. Handicapped persons**

The Secretary of State on application shall issue, with the payment of \$1, a set of special designating plates to be used in addition to the regular registration plates, to any handicapped person, when such application is accompanied by the certification of at least 2 physicians as to such person's physical disability.

R.S.1954, c. 22, § 13; 1961, c. 205.

**§ 253. Motorized invalid chairs**

The Secretary of State on application shall issue, without the payment of any fee, a registration certificate and registration plates for a motorized invalid chair owned and operated by any invalid person when such application is accompanied by the certification of at least 2 physicians as to such person's physical incapacity.

The Secretary of State shall restrict the operation of such motorized invalid chairs to those streets and highways and hours of the day as will, in his judgment, minimize the danger of injury to the operator. Section 2122 shall not apply to such invalid chairs but the Secretary of State shall not issue such registration unless he is satisfied that such chair is equipped with an adequate stopping and holding device and means of giving audible signal.

R.S.1954, c. 22, § 13; 1961, c. 209, § 1; 1963, c. 300, § 1.

**§ 254. Combination tractor and semi-trailer**

Every operator of combinations of truck tractor and semi-trailer may make application upon a blank supplied by the Secretary of State. The Secretary of State shall furnish said operator with one number plate to be displayed on the rear of each semi-trailer so operated.

R.S.1954, c. 22, § 13.

**§ 255. Farm tractors and trailers**

No registration or license shall be required for a farm tractor when the same is used solely for farming purposes, and such farm tractors may be operated, without registration or license, from or to the premises where the same are kept, to or from a farm lot and between farm lots, used for farm purposes by the owner of the farm tractor. Such farm tractors may be operated,

without registration or license, from or to a filling station or garage for gas, oil or repairs.

No registration shall be required of a farm trailer when the same is used solely for farming purposes, and such farm trailers may be operated, without registration, from or to the premises where the same are kept, to or from a farm lot and between farm lots, used for farm purposes by the owner of the farm trailer. Such farm trailers may be operated without registration to a filling station or garage for gas, oil or repairs.

R.S.1954, c. 22, § 13; 1963, c. 259.

### **§ 256. Governmental vehicles**

Vehicles legally owned by the Federal Government which are used by persons in this State under lease with right of purchase agreement or otherwise shall be registered.

All motor vehicles owned and used by the State, 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 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 under the supervision of the State Highway Commission or the State Police and all vehicles owned by a municipal fire department or an organized volunteer fire department shall be exempt from the provisions of this Title as to registration and payment of registration fees. Such motor vehicles and trailers shall display a marker or insignia approved by the Secretary of State.

The Secretary of State is authorized to issue registration certificates and registration plates without fee to federal and state governmental agencies, not otherwise required to be registered under this Title.

R.S.1954, c. 22, § 13; 1957, c. 429, § 24; 1961, c. 46.

### **§ 257. Trucks, trailers or tractors on adjoining ways**

No registration or license shall be required to permit the use of a truck, trailer or tractor on that part of a way adjoining the premises of the owner of such truck, trailer or tractor.

R.S.1954, c. 22, § 13.

**§ 258. Disposal of fees; certain towns in Hancock and Knox Counties**

Seventy-five per cent of all fees received by the State from the inhabitants of the Towns of Cranberry Isles and Swan's Island in Hancock County, of the Towns of Isle au Haut, North Haven and Vinalhaven in Knox County for the registration of motor vehicles shall be spent in said towns under the supervision of the State Highway Commission on the roads in said towns, in each town according to the proportion the amount paid by its inhabitants bears to the amount paid by the inhabitants of all the towns mentioned in this section.

1957, c. 397, § 18.

SUBCHAPTER III

**REGISTRATION OF DEALERS AND TRANSPORTERS**

**ARTICLE 1. DEALER REGISTRATION BOARD**

Sec.

- 291. Membership; removals; vacancies.
- 292. Organization.
- 293. Compensation and expenses.
- 294. Reports.
- 295. Powers and duties.

**ARTICLE 2. MISCELLANEOUS PROVISIONS**

- 331. Dealer registration plates; application; fees.
- 332. Transporter registration plates; application; fees.
- 333. No certificates for minors.
- 334. Denial, suspension or revocation of plates.
- 335. Appeals.
- 336. Motor vehicle dealer registration plates; use limitations.
- 337. Motorcycle dealer's registration; fee.
- 338. Boat trailer dealer's registration; fee.
- 339. Registration fee for manufacturer, dealer or holder of transporter registration certificate payable before January 1st.
- 340. Temporary number plates; notification; cost.

**ARTICLE 1. DEALER REGISTRATION BOARD**

**§ 291. Membership; removals; vacancies**

The Maine Motor Vehicle Dealer Registration Board, as heretofore established and in this subchapter called the "board",

shall consist of 5 members, 2 of whom shall be new motor vehicle dealers, 2 of whom shall be used motor vehicle dealers and one of whom shall be a person other than a motor vehicle dealer. The members of the board shall be appointed by the Governor with the advice and consent of the Council for terms of 3 years. The members of the board may be removed for cause, by the Governor, with the advice and consent of the Council. Any vacancy shall be filled by appointment for the unexpired term. The members shall serve until their successors are appointed and qualified. The Secretary of State shall be a member *ex officio*.

R.S.1954, c. 22, § 21; 1963, c. 296, § 1.

### **§ 292. Organization**

The Governor, with the advice and consent of the Council, shall appoint one of the members to be chairman of the board and the members shall elect one of the board to serve as secretary. Three of the members shall constitute a quorum to do business. It shall be the duty of the secretary to keep a record of all proceedings of the board and to preserve all books, documents, papers and records entrusted to its care. The board will hold meetings in Augusta at the call of the chairman or whenever 3 members of the board request the chairman to call a meeting.

R.S.1954, c. 22, § 22.

### **§ 293. Compensation and expenses**

Each member of the board shall receive \$15 per day for each day on which the board meets and his necessary expenses incurred in the discharge of his duties. All requisitions for the payment of money shall be signed by the chairman and secretary of the board. Said expenses shall be paid out of the General Highway Fund.

R.S.1954, c. 22, § 23; 1957, c. 118.

### **§ 294. Reports**

The board shall make an annual report to the Secretary of State on or before the 15th day of January in each year, including therein an account of its actions and any recommendations which the board deems advisable.

R.S.1954, c. 22, § 24.

**§ 295. Powers and duties**

It shall be the duty of the board to examine all applications for motor vehicle dealer or transporter registration plates presented to the Secretary of State and, in accordance with this Title, order the Secretary of State to issue or to refuse to issue such motor vehicle dealer or transporter registration plates.

R.S.1954, c. 22, § 25; 1957, c. 76, § 1; 1963, c. 240, § 2; c. 414, § 3-A.

**ARTICLE 2. MISCELLANEOUS PROVISIONS****§ 331. Dealer registration plates; application; fees**

Every manufacturer or dealer in new or used motor vehicles may, instead of registering each motor vehicle owned or controlled by him, make application upon a blank provided by the Secretary of State for a general distinguishing number, color or mark. The Secretary of State shall forthwith present said application to the board. The board, if satisfied that the applicant maintains a permanent place of business in the State where said applicant will be engaged in the business of buying and selling of motor vehicles, and is satisfied with the other facts stated in the application, and if satisfied that the applicant meets the minimum standards herein set forth, shall order the Secretary of State to issue a certificate of registration. Such certificate of registration shall contain the name, place of residence and business of the applicant and the general distinguishing number, color or mark assigned to him and made in such form as the Secretary of State may determine, and all vehicles owned or controlled by such applicant shall be regarded as registered under such general distinguishing number, color or mark until sold, exchanged or operated for hire. To be eligible for the renewal of such motor vehicle dealer registration plates, the applicant must maintain in said State a permanent place of business where said applicant is engaged in the business of buying and selling motor vehicles, and must continue to meet the minimum standards herein set forth. To qualify as a dealer in new motor vehicles for the purposes of this Title, an applicant must possess a franchise contract from a manufacturer of motor vehicles and furnish the board with a certificate from said manufacturer or its distributor that said contract is in force; must have proper facilities for the display and storage of new and used motor vehicles, a repair department capable of taking care of at least 2 motor vehicles simultaneously, exclusive of grease pit or rack; must main-

tain an office and parts department suitable to conduct business; must possess sufficient tools and equipment for proper servicing and keep employed at least one mechanic having a thorough knowledge of the product handled, all in accordance with the rules, regulations and standards promulgated and established by the board. To qualify as a dealer in used motor vehicles for the purposes of this Title, an applicant must have proper facilities for the display of used motor vehicles, a suitable office in which to conduct business, and a suitable sign identifying the place of business; must maintain a repair department capable of taking care of at least 2 motor vehicles simultaneously exclusive of grease pit or rack, and sufficient tools and equipment for proper servicing; and must keep employed at least one mechanic having a thorough knowledge of the product handled; all in accordance with the rules, regulations and standards promulgated and established by the board; provided, however, that the requirements as to dealers in used motor vehicles pertaining to repair and servicing facilities and mechanics shall not apply to present holders of motor vehicle dealer registration plates, or to holders of transporter registration plates who have filed evidence as required by law of at least 12 bona fide sales of motor vehicles during the 12 months preceding September 21, 1963. The board is authorized and empowered to promulgate and establish rules, regulations and standards, not contrary to the laws of the State, to effectuate the purposes of the law relating to dealer and transporter vehicle registration in the manner prescribed by Title 5, chapters 301 to 307. The annual fee for every such certificate of registration shall be \$65. The Secretary of State shall furnish the applicant with 4 registration number plates free of cost, and there may be issued to any such applicant 2 similar plates, in addition to the 4 plates so issued, upon payment of \$10 for each such additional plate. Upon payment of \$5 per plate, additional plates shall be furnished; the number of any additional plates to be issued shall be determined by the board. Extra registration plates shall be furnished to replace lost or mutilated plates for \$1 each. On applications for registration, or for additional plates applied for during the period between the first day of September and 31st day of December in any year,  $\frac{1}{2}$  of the registration fee shall be charged.

R.S.1954, c. 22, § 26; 1955, c. 200, § 4; 1957, c. 76, §§ 2, 3; 1963, c. 221, § 2; c. 296, § 2.

### **§ 332. Transporter registration plates; application; fees**

**1. Application.** Heavy equipment dealers, farm machinery dealers, trailer dealers, semi-trailer dealers, dealers in mobile

homes, finance companies, banks and junk dealers may make application to the board, upon a blank provided for that purpose, for a transporter registration certificate and plate, instead of registering each vehicle owned by them or temporarily in their custody, to be used for the transportation and delivery of such vehicles. Such enumeration shall be deemed a partial enumeration and shall not operate to exclude other persons, firms or corporations from making such application, provided the transportation and delivery of such vehicles is an ordinary and usual incident to the operation of their businesses.

**2. Fees.** Transporter plates shall be issued for the uses provided for a fee of \$25 each for the first 3 plates and \$10 for each additional plate. In no event shall any such plates be used in lieu of registration plates issued under this Title; or be loaned to any person; or be used by the holder for personal purposes. The number of such plates to be issued shall be determined by the board, which is empowered to determine such uses and authorized to prescribe reasonable limitations of use of such plates. Replacement registration plates shall be furnished to replace lost or mutilated plates for \$1 each.

1955, c. 200, § 5; 1957, c. 76, § 4; 1959, c. 104, § 1; 1963, c. 221, § 3; c. 296, § 3.

### § 333. No certificates for minors

No person under the age of 21 years shall be issued a dealer or transporter registration certificate.

1957, c. 76, § 5; 1963, c. 296, § 4.

### § 334. Denial, suspension or revocation of plates

The board, after examining an application for dealer or transporter registration plates, may order the Secretary of State not to issue same stating the reason therefor. The Secretary of State shall notify the applicant stating the reasons given by the board. An applicant denied dealer or transporter plates may appeal to the Administrative Hearing Commissioner designated by Title 5, chapters 301 to 307, by filing a complaint within 15 days after receiving notice of denial from the Secretary of State. The board may review any dealer or transporter registration granted and file a complaint with the aforementioned Administrative Hearing Commissioner requesting the suspension or revocation of such registrations for any of the following reasons:

**1. No permanent place of business.** On proof that dealer no longer maintains a permanent place of business for buying

and selling motor vehicles or ceases to meet the minimum standards established by section 331.

1957, c. 76, § 6.

**2. Not engaged.** On proof that dealer is no longer engaged in the business of buying and selling motor vehicles.

**3. No records.** On proof that dealer or holder of a transporter registration certificate has failed to keep and submit any records provided for by law.

1955, c. 200, § 6.

**4. Convictions.** On proof that dealer or holder of a transporter registration certificate has been convicted of a violation of any of the provisions of this Title or of Title 17, section 3203, or has violated any rules or regulations promulgated under Title 5, chapters 301 to 307.

1955, c. 200, § 6; 1957, c. 76, § 7; 1959, c. 302, § 1; 1961, c. 417, § 37.

**5. Use of registration plate.** On proof that dealer or manufacturer or holder of a transporter registration plate has used or permitted the use of his registration plate on a motor vehicle not owned by or temporarily in the custody of the dealer or the holder of a transporter registration plate or has issued or permitted the issuance of his temporary plate for use on motor vehicles not sold by the dealer, manufacturer or holder of a transporter registration plate. The use of any such plate on any vehicle shall be prima facie evidence that such use was permitted by the plate holder.

1955, c. 205, § 1; 1961, c. 395, § 8; 1963, c. 414, § 3-C.

**6. Violated limitations of use.** On proof that the holder of a transporter registration certificate has violated any limitations of use imposed on such certificate by the board under section 332. (1959, c. 104, § 2.)

R.S.1954, c. 22, § 27; 1955, c. 200, § 6; c. 205, §§ 1, 2; 1957, c. 76, §§ 6, 7; 1959, c. 104, § 2; c. 302, § 1; 1961, c. 395, § 8; c. 417, § 37; 1963, c. 296, § 6; c. 412, § 23; c. 414, §§ 3-B, 3-C.

## § 335. Appeals

Any applicant for dealer or transporter registration plates whose appeal has been denied by the Administrative Hearing Commissioner or any dealer or holder of transporter registration plates whose registration plates have been suspended or



revoked by the Administrative Hearing Commissioner may within 30 days after notice of the decision appeal to the Superior Court. Pending the decision of the court the dealer or transporter registration plates shall remain in effect.

R.S.1954, c. 22, § 28; 1955, c. 200, § 7; 1961, c. 317, § 24; 1963, c. 296, § 7; c. 412, § 23; c. 414, § 3-D.

### § 336. Motor vehicle dealer registration plates; use limitations

**1. Demonstration, service or emergency purposes.** No motor truck, tractor or trailer registered under section 331 shall be used for other than demonstration, service or emergency purposes. When trucks, tractors or trailers bearing dealer plates are used for service purposes, such use shall be limited to the transportation of articles and materials directly connected with the service or maintenance of motor vehicles and the maintenance of the properties connected and used with such business, and not with the transportation of commodities not so connected or commodities taken in trade in the purchase or sale of motor vehicles.

1955, c. 200, § 8; 1959, c. 104, § 3.

**2. Vehicle loaned for demonstration or emergency purposes.** A vehicle loaned by a dealer to a customer for demonstration or emergency purposes may be operated on the registration plates of the dealer for not more than 7 consecutive days. The Secretary of State may in his discretion extend said period of 7 consecutive days to no more than 30 consecutive days whenever he feels the need for such extension is justified.

1955, c. 200, § 8; 1961, c. 105.

**3. Permit to demonstrate loaded truck.** A dealer, to demonstrate a loaded truck bearing dealer registration plates, must first obtain a written permit from the Secretary of State and either the dealer or one of his employees must accompany the vehicle.

1955, c. 200, § 8.

**4. Sale or exchange of motor vehicles or trailers.** Whenever a manufacturer or dealer or the holder of a transporter registration certificate sells or exchanges a motor vehicle or trailer, he shall immediately notify the Secretary of State that the vehicle has been sold or exchanged, giving the name of the previous

owner if a secondhand car, a description of the vehicle, name of maker, motor and serial number and the name and address of the vendee.

1955, c. 200, § 8; 1957, c. 76, § 7-A.

**5. Certificate for house trailers.** No house trailer, as defined in Title 36, section 1481, shall be moved over highways of this State through use of dealer plates or transporter plates issued by this State unless the operator of the vehicle hauling such trailer has in his possession a written certificate from the tax collector of the municipality from which the trailer is being moved, identifying the trailer and stating that all property taxes applicable to the trailer, including those for the current tax year, have been paid, or that the trailer is exempt from such taxes. The tax year shall be the period from April 1st through March 31st. (1963, c. 349, § 1.)

R.S.1954, c. 22, § 29; 1955, c. 200, § 8; 1957, c. 76, §§ 7-A, 7-B; 1959, c. 104, § 3; 1961, c. 105; 1963, c. 296, § 8; c. 349, § 1.

### § 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 for \$5 per set. 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.

R.S.1954, c. 22, § 30; 1963, c. 221, § 4.

### § 338. Boat trailer dealer's registration; fee

Every manufacturer or dealer in boat trailers shall annually pay a fee of \$10 for a registration certificate to handle, demonstrate, sell and exchange boat trailers. The Secretary of State shall furnish the manufacturer of, or dealer in, boat trailers with 2 distinguishing plates free of cost and additional plates for \$5 each. For every plate in addition to the 2 originally furnished to the manufacturer of or dealer in boat trailers, to replace lost or mutilated plates, \$1 shall be charged.

1957, c. 337, § 1; 1959, c. 156, § 2; 1963, c. 221, § 5.

**§ 339. Registration fee for manufacturer, dealer or holder of transporter registration certificate payable before January 1st**

Every manufacturer or dealer in new or used motor vehicles or trailers or holder of a transporter registration certificate shall pay to the Secretary of State the required registration fee for the succeeding year on or before the 31st day of December annually. Any manufacturer or dealer in new or used motor vehicles or trailers or holder of a transporter registration certificate commencing business after the first day of January of any year shall pay the fee at the time of commencing business. The word "dealer" as used in this Title shall mean any person, firm or corporation which is a recognized agent of a motor vehicle manufacturer, or a seller of motor vehicles made by such manufacturer whose authority to sell the same is created by a written contract with such manufacturer or with some person authorized in writing by such manufacturer to enter into such contract, and whose principal business is the sale of new motor vehicles, the sale of secondhand motor vehicles being incidental thereto. The words "used car dealer" as used in this Title shall mean any person, firm or corporation whose principal business is the buying and selling of secondhand motor vehicles.

R.S.1954, c. 22, § 31; 1955, c. 200, § 9; 1963, c. 296.

**§ 340. Temporary number plates; notification; cost**

A manufacturer or dealer or holder of a transporter registration certificate or boat trailer registration certificate may, upon the sale or exchange of a motor vehicle or boat trailer, attach to rear plate holder of such motor vehicle or boat trailer a temporary registration plate, and the purchaser of such motor vehicle or boat 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 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.

A manufacturer or dealer or holder of a transporter registration certificate or boat trailer registration certificate shall, upon attaching a temporary registration plate to a motor vehicle or boat 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 registration certificates who request them under such rules and regulations as he shall deem necessary, and shall receive for them 50¢ per plate.

1957, c. 76, § 8; c. 429, § 26; 1961, c. 106; 1963, c. 221, § 6; c. 296.

#### SUBCHAPTER IV

#### DISPLAY OF NUMBER PLATES

Sec.

381. Manner of display.

382. Loss of number plates.

#### § 381. Manner of display

Each number plate displayed shall be horizontal. Not more than one set of number plates shall be displayed upon any vehicle, except as may be otherwise permitted by law.

Farm trucks, or any vehicle used for hauling forest products and required by law to be registered, may attach the number plate by means of a rigid or semi-rigid bracket designed so as to allow the plate to swing freely.

In the case of all motor vehicles and tractors, one number plate shall be attached to the front and the other to the rear of said vehicle, so that the plates and the registered number thereon shall always be plainly visible. In the case of trailers and semi-trailers, one such plate shall be attached to the rear thereof and shall be always plainly visible. All plates shall be kept reasonably clean and the numbers legible.

R.S.1954, c. 22, § 18; 1963, c. 161, §§ 1, 2.

#### § 382. Loss of number plates

If any number plate is lost or the register number thereon becomes mutilated or illegible, the owner or person in control of

the vehicle for which said number plate was furnished shall immediately place a temporary number plate bearing his register number upon said vehicle. Such temporary number plate shall conform to the register number plate and shall be displayed as nearly as possible as provided in this Title for said regular number plate, and such person shall within 24 hours after such loss or mutilation give notice thereof to the Secretary of State and apply for new number plates. Thereupon the Secretary of State, if satisfied of the truth of the facts stated in the application, shall supply a new set of number plates upon payment of a fee of \$1 for each plate.

If the Secretary of State is unable to furnish immediately to any person entitled thereto any plate or marker provided in this Title, he may issue a temporary certificate with temporary number plates, which certificate shall be carried and said plates shall be displayed upon said vehicle in the same manner as required for regular certificates and number plates. Whenever one of a set of number plates is lost and a new set is issued, the remaining plate shall forthwith be returned to the Secretary of State. In case plates are lost in transportation, and the applicant shall certify in the affidavit that the plates have not been received by him and agrees that if they shall be received at some later date to return them forthwith, the Secretary of State, after a thorough investigation, may furnish the applicant with a second set of plates without additional charge.

R.S.1954, c. 22, § 18; 1961, c. 76, § 3.

## SUBCHAPTER V

### BUS TAXATION PRORATION AGREEMENT

#### ARTICLE 1. AGREEMENT

Sec.

- 431. Purposes and principles—Article I.
- 432. Definitions—Article II.
- 433. General provisions—Article III.
- 434. Proration of registration—Article IV.
- 435. Reciprocity—Article V.
- 436. Withdrawal or revocation—Article VI.
- 437. Construction and severability—Article VII.

## ARTICLE 2. PROVISIONS RELATING TO AGREEMENT

Sec.

- 471. Ratification.
- 472. Administrator, defined.
- 473. Exemptions.
- 474. Withdrawal from agreement.

## ARTICLE 1. AGREEMENT

## § 431. Purposes and principles—Article I

**1. Purposes of agreement.** It is the purpose of this agreement to set up a system whereby any contracting state may permit owners of fleets of buses operating in 2 or more states to prorate the registration of the buses in such fleets in each state in which the fleets operate on the basis of the proportion of miles operated within such state to total fleet miles, as defined herein.

**2. Principle of proration of registration.** It is hereby declared that in making this agreement the contracting states adhere to the principle that each state should have the freedom to develop the kind of highway user tax structure that it determines to be most appropriate to itself, that the method of taxation of interstate buses should not be a determining factor in developing its user tax structure, and that annual taxes or other taxes of the fixed fee type upon buses which are not imposed on a basis that reflects the amount of highway use should be apportioned among the states, within the limits of practicality, on the basis of vehicle miles traveled within each of the states.

1963, c. 275; c. 414, § 3-G.

## § 432. Definitions—Article II

**1. Administrator.** Administrator shall mean the official or agency of a state administering the fee involved, or, in the case of proration of registration, the official or agency of a state administering the proration of registration in that state.

**2. Base state.** Base state shall mean the state from or in which the bus is most frequently dispatched, garaged, serviced, maintained, operated or otherwise controlled, or in the case of a fleet bus the state to which it is allocated for registration under statutory requirements. In order that this section may not be used for the purpose of evasion of registration fees, the administrators of the contracting states may make the final decision as

to the proper base state, in accordance with Article III, subsection 8, to prevent or avoid such evasion.

**3. Bus.** Bus shall mean any motor vehicle of a bus type engaged in the interstate transportation of passengers and subject to the jurisdiction of the Interstate Commerce Commission, or any agency successor thereto, or one or more state regulatory agencies concerned with the regulation of passenger transport.

**4. Contracting state.** Contracting state shall mean a state which is a party to this agreement.

**5. Fleet.** As to each contracting state, fleet shall include only those buses which actually travel a portion of their total miles in such state. A fleet must include 3 or more buses.

**6. Person.** Person shall include any individual, firm, co-partnership, joint venture, association, corporation, estate, trust, business trust, receiver, syndicate or any other group or combination acting as a unit.

**7. Proration of registration.** Proration of registration shall mean registration of fleets of buses in accordance with Article IV of this agreement.

**8. Reciprocity.** Reciprocity shall mean that each contracting state, to the extent provided in this agreement, exempts a bus from registration and registration fees.

**9. Registration.** Registration shall mean the registration of a bus and the payment of annual fees and taxes as set forth in or pursuant to the laws of the respective contracting states.

**10. State.** State shall include the States of the United States, the District of Columbia, the territories of the United States, the Provinces of Canada, and the States, Territories and Federal District of Mexico.

1963, c. 275; c. 414, § 3-G.

### § 433. General provisions—Article III

**1. Effect on other agreements, arrangements and understandings.** On and after its effective date, this agreement shall supersede any reciprocal or other agreement, arrangement or understanding between any 2 or more of the contracting states covering, in whole or in part, any of the matters covered by this agreement; but this agreement shall not affect any reciprocal or other agreement, arrangement or understanding between a contracting state and a state or states not a party to this agreement.

**2. Applicability to exempt vehicles.** This agreement shall not require registration in a contracting state of any vehicles which are in whole or part exempt from registration under the laws or regulations of such state without respect to this agreement.

**3. Inapplicability to caravanned vehicle.** The benefits and privileges of this agreement shall not be extended to a vehicle operated on its own wheels, or in tow of a motor vehicle, transported for the purpose of selling or offering the same for sale to or by any agent, dealer, purchaser or prospective purchaser.

**4. Other fees and taxes.** This agreement does not waive any fees or taxes charged or levied by any state in connection with the ownership or operation of vehicles other than registration fees as defined herein. All other fees and taxes shall be paid to each state in accordance with the laws thereof.

**5. Statutory vehicle regulations.** This agreement shall not authorize the operation of a vehicle in any contracting state contrary to the laws or regulations thereof, except those pertaining to registration and payment of fees; and with respect to such laws or regulations, only to the extent provided in this agreement.

**6. Violations.** Each contracting state reserves the right to withdraw, by order of the administrator thereof, all or any part of the benefits or privileges granted pursuant to this agreement from the owner of any vehicle or fleet of vehicles operated in violation of any provision of this agreement. The administrator shall immediately give notice of any such violation and withdrawal of any such benefits or privileges to the administrator of each other contracting state in which vehicles of such owner are operated.

**7. Cooperation.** The administrator of each of the contracting states shall cooperate with the administrators of the others and each contracting state hereby agrees to furnish such aid and assistance to each other within its statutory authority as will aid in the proper enforcement of this agreement.

**8. Interpretation.** In any dispute between or among contracting states arising under this agreement, the final decision regarding interpretation of questions at issue relating to this agreement shall be reached by joint action of the contracting states, acting through the administrator thereof, and shall upon determination be placed in writing.



**9. Effect of headings.** Article and section heading contained herein shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of the provisions of any Article or part hereof.

**10. Entry into force.** This agreement shall enter into force and become binding between and among the contracting states when enacted or otherwise entered into by any 2 states. Thereafter, it shall enter into force and become binding with respect to any state when enacted into law by such state. If the statutes of any state so authorize or provide, such state may become party to this agreement upon the execution thereof by an executive or administrative official thereof acting on behalf of and for such state.

1963, c. 275; c. 414, § 3-G.

### § 434. Proration of registration—Article IV

**1. Applicability.** Any owner of a fleet may register the buses of said fleet in any contracting state by paying to said state total registration fees in an amount equal to that obtained by applying the proportion of in-state fleet miles divided by the total fleet miles, to the total fees which would otherwise be required for regular registration of each and all of such vehicles in such contracting state.

All fleet pro-rata registration fees shall be based upon the mileage proportions of the fleet during the period of 12 months ending on August 31st next preceding the commencement of the registration year for which registration is sought. Except, that mileage proportions for a fleet not operated during such period in the state where application for registration is made will be determined by the administrator upon the sworn application of the applicant showing the operations during such period in other states and the estimated operations during the registration year for which registration is sought, in the state in which application is being made; or if no operations were conducted during such period a full statement of the proposed method of operation.

If any buses operate in 2 or more states which permit the proration of registration on the basis of a fleet of buses consisting of a lesser number of vehicles than provided in Article II, subsection 5, such fleet may be prorated as to registration in such states, in which event the buses in such fleet shall not be required to register in any other contracting states if each such vehicle is registered in some contracting state, except to the extent it is exempt from registration as provided in Article III, subsection 2.

If the administrator of any state determines, based on his method of the operation thereof, that the inclusion of a bus or buses as a part of a fleet would adversely affect the proper fleet fee which should be paid to his state, having due regard for fairness and equity, he may refuse to permit any or all of such buses to be included in his state as a part of such fleet.

**2. Total fleet miles.** Total fleet miles, with respect to each contracting state, shall mean the total miles operated by the fleet in such state, in all other contracting states, in other states having proportional registration provisions, in states with which such contracting state has reciprocity, and in such other states as the administrator determines should be included under the circumstances in order to protect or promote the interest of his state; except that in states having laws requiring proration on the basis of a different determination of total fleet miles, total fleet miles shall be determined on such basis.

**3. Leased vehicles.** If a bus is operated by a person other than the owner as a part of a fleet which is subject to this Article, then the operator of such fleet shall be deemed to be the owner of said bus for the purposes of this Article.

**4. Extent of privileges.** Upon the registration of a fleet in a contracting state pursuant to this Article, each bus in the fleet may be operated in both interstate and intrastate operations in such state, except as provided in Article III, subsection 5.

**5. Application for proration.** The application for proration of registration shall be made in each contracting state upon substantially the application forms and supplements authorized by joint action of the administrators of the contracting states.

**6. Issuance of identification.** Upon registration of a fleet, the state which is the base state of a particular bus of the fleet shall issue the required license plates and registration card for such bus and each contracting state in which the fleet of which such bus is a part, operates shall issue a special identification identifying such bus as a part of a fleet which has fully complied with the registration requirements of such state. The required license plates, registration cards and identification shall be appropriately displayed in the manner required by or pursuant to the laws of each respective state.

**7. Additions to fleet.** If any bus is added to a prorated fleet after the filing of the original application, the owner shall file a supplemental application. The owner shall register such

bus in each contracting state in like manner as provided for buses listed in an original application and the registration fee payable shall be determined on the mileage proportion used to determine the registration fees payable for buses registered under the original application.

**8. Withdrawals from fleet.** If any bus is withdrawn from a prorated fleet during the period for which it is registered or identified, the owner shall notify the administrator of each state in which it is registered or identified of such withdrawal and shall return the plates, and registration card or identification as may be required by or pursuant to the laws of the respective states.

**9. Audits.** The administrator of each contracting state shall, within the statutory authority of such administrator, make any information obtained upon an audit of records of any applicant for proration of registration available to the administrators of the other contracting states.

**10. Errors in registration.** If it is determined by the administrator of a contracting state, as a result of such audits or otherwise, that an improper fee has been paid his state, or errors in registration found, the administrator may require the fleet owner to make the necessary corrections in the registration of his fleet and payment of fees.

1963, c. 275; c. 414, § 3-G.

### § 435. Reciprocity—Article V

**1. Grant of reciprocity.** Each of the contracting states grants reciprocity as provided in this Article.

**2. Applicability.** The provisions of this agreement with respect to reciprocity shall apply only to a bus properly registered in the base state of the bus, which state must be a contracting state.

**3. Non-applicability to fleet buses.** The reciprocity granted pursuant to this Article shall not apply to a bus which is entitled to be registered or identified as part of a prorated fleet.

**4. Extent of reciprocity.** The reciprocity granted pursuant to this Article shall permit the interstate operation of a bus and intrastate operation which is incidental to a trip of such bus involving interstate operation.

**5. Other agreements.** Nothing in this agreement shall be construed to prohibit any of the contracting states from entering

into separate agreements with each other for the granting of temporary permits for the intrastate operation of vehicles registered in the other state; nor to prevent any of the contracting states from entering into agreements to grant reciprocity for intrastate operation within any zone or zones agreed upon by the states.

1963, c. 275; c. 414, § 3-G.

### § 436. Withdrawal or revocation—Article VI

Any contracting state may withdraw from this agreement upon 30 days written notice to each other contracting state, which notice shall be given only after the repeal of this agreement by the legislature of such state, if adoption was by legislative act, or after renunciation by the appropriate administrative official of such contracting state if the laws thereof empower him so to renounce.

1963, c. 275; c. 414, § 3-G.

### § 437. Construction and severability—Article VII

This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the Constitution of any state or of the United States or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the Constitution of any state participating herein, the compact shall remain in full force and effect as to the remaining party states and in full force and effect as to the state affected as to all severable matters.

1963, c. 275; c. 414, § 3-G.

## ARTICLE 2. PROVISIONS RELATING TO AGREEMENT

### § 471. Ratification

The Bus Taxation Proration Agreement is enacted into law and entered into with all jurisdictions legally joining therein in the form substantially as provided in this subchapter.

1963, c. 275; c. 414, § 3-G.

**§ 472. Administrator, defined**

As used in the agreement, with reference to this State, the term "administrator" shall mean Secretary of State.

1963, c. 275; c. 414, § 3-G.

**§ 473. Exemptions**

The Secretary of State shall have the power to make such exemptions from the coverage of the agreement as may be appropriate and to make such changes in methods for the reporting of any information required to be furnished to this State pursuant to the agreement as, in his judgment, shall be suitable, provided that any such exemptions or changes shall not be contrary to the purposes set forth in Article I of the agreement and shall be made in order to permit the continuance of uniformity of practice among the contracting states with respect to buses. Any such exemption or change shall be made by rule or regulation and shall not be effective unless made by the same procedure required for other rules and regulations of his department.

1963, c. 275; c. 414, § 3-G.

**§ 474. Withdrawal from agreement**

Unless otherwise provided in any statute withdrawing this State from participation in the agreement, the Governor shall be the officer to give notice of withdrawal therefrom.

1963, c. 275; c. 414, § 3-G.