

§1754. Inspection by dealers and transporters

1. Inspection standards. A holder of a dealer license or a transporter registration certificate may permit a vehicle to be operated on a public way only if the vehicle:

- A. Meets inspection standards; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]
- B. Is owned by the dealer or holder of the transporter registration certificate and is operated by the owner or the owner's employee for the sole purpose of travelling to a body repair establishment and is mechanically safe but requires body repairs; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]
- C. Is sold or transferred to another person, meets inspection standards and displays a valid certificate of inspection issued within 60 days of the sale or transfer; [PL 2001, c. 180, §1 (AMD).]
- D. If operated by a dealer or holder of a transporter registration certificate, is operated only from a point of purchase to the licensee's place of business. For the purposes of this paragraph, "point of purchase" includes, but is not limited to, an automobile auction, distribution center or another licensed vehicle dealer; [PL 2023, c. 634, §28 (AMD).]
- E. Is owned by the dealer or holder of the transporter registration certificate and is operated by the owner or the owner's employee for the sole purpose of traveling to an inspection facility; or [PL 2023, c. 634, §29 (AMD).]
- F. Is owned by the dealer or holder of the transporter registration certificate and is operated by the owner or the owner's employee for the sole purpose of moving an uninspected motor vehicle to an automobile auction or another licensed vehicle dealer. [PL 2023, c. 634, §30 (NEW).]

This subsection does not allow the operation of an unsafe motor vehicle on a public way. [PL 2023, c. 634, §§28-30 (AMD).]

1-A. New motor vehicles exempt from inspection. A new motor vehicle owned by a new vehicle dealer, as defined in section 851, subsection 9, with a dealer plate is exempt from motor vehicle inspection requirements under section 1751 only if the motor vehicle is operated in a manner consistent with section 1002, subsection 1, paragraphs A and E. For purposes of this subsection, "new motor vehicle" means a motor vehicle of the current model year or model year immediately preceding the current model year that has not been previously registered or titled.

This subsection does not allow the operation of unsafe motor vehicles on a public way. [PL 2011, c. 191, §1 (NEW).]

2. Remove prior certificate. If the vehicle bears a prior inspection certificate, that certificate must be removed.

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

3. Violations. The provisions of this subsection apply to violations of this section.

A. A violation of this section is a traffic infraction for which a penalty of not more than \$1,000 for each violation may be assessed. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. A violation of this section is also a violation of the provisions governing unfair trade practice under Title 5, chapter 10. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

C. It is not a defense to this section that the dealer or holder did not know that the vehicle did not meet inspection standards or required a certificate. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 2001, c. 180, §§1,2 (AMD). PL 2011, c. 191, §1 (AMD). PL 2023, c. 634, §§28-30 (AMD).

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