

MAINE STATE LEGISLATURE

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EIGHTIETH LEGISLATURE

HOUSE

NO. 107

House of Representatives, February 11, 1921.

Referred to Committee on Judiciary and Ways and Bridges
and 3000 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Granville of Parsonsfield.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND
NINE HUNDRED AND TWENTY-ONE

AN ACT Relative to Motor Vehicles and the Law of the
Road, and to Revise and Amend Chapter Twenty-six of the
Revised Statutes and Acts Amendatory Thereof and Addi-
tional Thereto.

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

Section. 1. As used in this chapter, unless the context
2 otherwise indicates, the word "way" includes all kinds of
3 public ways; the word "team" and the word "vehicle" shall
4 each include all kinds of conveyances on such ways for
5 persons and for property, except those propelled or drawn
6 by human power, or used exclusively on tracks; the word

7 “trailer” any vehicle without motive power, not operated
8 on tracks, drawn or propelled by a motor vehicle; the term
9 “solid tires” shall include tires of rubber or other material
10 that do not depend on confined air for the support of the
11 load; the term “motor vehicle”, any self-propelled vehicle
12 not operated exclusively on tracks, except tractors; the word
13 “tractor”, any self-propelled vehicle not used on fixed rails,
14 designed or used as a traveling power for carrying loads
15 independently; the word “owner”, any person, firm, corpo-
16 ration or association owning a vehicle or having exclusive
17 right to the use thereof under contract, lease, hiring, or
18 otherwise; the word “curb”, the outer edge of a defined
19 sidewalk, or either edge of the wrought and usually traveled
20 part of a way; the word “section”, shall refer to this chapter
21 unless otherwise indicated.

Sect. 2. When persons traveling with a team are approach-
2 ing to meet on a way, they shall seasonably turn to the
3 right of the middle of the traveled part of it, so that they
4 can pass each other without interference. When it is un-
5 safe, or difficult on account of weight of load to do so, a
6 person about to be met or overtaken, if requested, shall stop
7 a reasonable time, at a convenient place, to enable the other
8 to pass.

Sect. 3. All vehicles shall have the right of way over other
2 vehicles approaching at intersecting public ways from the
3 left and shall give the right of way to those approaching

4 from the right; except that traffic officers may otherwise
5 regulate traffic at such intersections.

Sect. 4. When a person with a team is stationary, or
2 traveling slowly, on a way at a place unsafe or inconvenient
3 for passing him with a team, he shall, if requested, drive to
4 the right, or stop a reasonable time at a convenient place, to
5 allow the other to pass.

Sect. 5. No person shall leave his team stationary on
2 a way so as to obstruct the free passage of other teams; or
3 allow his team to be in a way without a driver.

Sect. 6. A person in control of any vehicle moving slowly
2 along a way shall keep said vehicle as closely as practicable
3 to the right-hand boundary of the way, allowing more
4 swiftly moving vehicles reasonably free passage to the left.

Sect. 7. Three or more bells must be fastened to one of the
2 foremost horses drawing teams on snow without wheels.

Sect. 8. Whoever operates a motor vehicle shall at the
2 intersection of ways keep to the right of the intersection of
3 the center lines of such ways when turning to the right, and
4 pass to the right of such intersection when turning to the
5 left, except when traffic officers otherwise direct traffic. No
6 operator shall pass a vehicle from the rear at the top of a
7 hill or on a curve when the view ahead is in any way ob-
8 scured or while the vehicle is crossing an intersecting way.

Sect. 9. Cities and towns may enact ordinances providing
2 for the establishment of street crossings and safety zones
3 for pedestrians, and restrict or prohibit the crossing of

4 streets by pedestrians except within the limits of crossings
5 or zones so established.

Sect. 10. Whenever pedestrians use ways for travel, they
2 shall keep reasonably near to the left-hand side of the way.

Sect. 11. An operator of a vehicle shall bring it to a full
2 stop not less than five feet from the rear of any street car
3 headed in the same direction which has stopped for the pur-
4 pose of taking on or discharging passengers, and shall
5 remain stationary until such car has taken on or discharged
6 its passengers; provided, however, that such operator may
7 pass such car where a safety zone is established or where he
8 may pass such car at a distance of at least eight feet from
9 the running board or lowest step thereof; and provided,
10 further, that he shall slow down and proceed cautiously.

Sect. 12. Any person injured by violation of any of the
2 preceding sections may recover damages in an action on the
3 case, commenced within one year. Such violator forfeits
4 not less than one, nor more than twenty dollars, to be
5 recovered on complaint made within sixty days; and he may
6 be also prosecuted for the violation of any other section.

Sect. 13. No driver of a team having passengers therein
2 conveyed for hire, shall leave it without any person in charge
3 and without fastening it securely; and no person having
4 control or charge of a motor vehicle shall allow such vehicle
5 to stand upon any way and remain unattended without
6 effectively setting its brakes and stopping its motor.

Sect. 14. No motor vehicle, which, with or without load,

2 is wider than eight feet over all, or is over twelve feet, six
3 inches high, shall be operated upon any way or bridge
4 without a written permit from the commissioner specifying
5 the conditions under which such vehicle shall be permitted
6 to be so operated. No portion of any such vehicle or load,
7 except the reflecting mirror required by this act, shall project
8 beyond the side of said vehicle to make a total width greater
9 than herein specified.

Sect. 15. No person shall throw or place, or cause to be
2 thrown or placed upon any way, bridge or bathing beach, any
3 tacks, nails, wire, scrap metal, glass, crockery or other sub-
4 stance injurious to the feet of persons or animals or to tires
5 or wheels of vehicles. Whoever accidentally, or by reason
6 of an accident, drops from his hand or a vehicle any such
7 substance upon any way, bridge or bathing beach, shall forth-
8 with make all reasonable efforts to clear such way, bridge or
9 beach of the same.

Sect. 16. No animal-drawn team shall travel faster than
2 a walk on a bridge erected wholly or partly by the State,
3 or on any bridge covered with plank and fifty feet long
4 composing part of a way, or on any bridge owned by a cor-
5 poration, if a sign with the words "Three dollars fine for
6 riding or driving on this bridge faster than a walk," legibly
7 painted in black letters on a white ground, is kept exposed in
8 some conspicuous place at each end thereof; and no motor
9 vehicle shall travel over any such bridge faster than twelve
10 miles an hour, provided said sign or a similar sign bearing
11 the words "Three dollars fine for driving motor vehicles on

12 this bridge faster than twelve miles an hour" is similarly
13 placed, and provided, further, that heavy vehicles may be
14 further restricted, as hereinafter provided.

Sect. 17. Whoever wilfully violates the preceding section
2 forfeits three dollars, to be recovered on complaint made by
3 any owner of said bridge, or by any municipal officer of the
4 town in which it is located, to the owners of the bridge or
5 to the state or municipal corporation required to keep it in
6 repair; but no persons passing after sunset and before sun-
7 rise is so liable without proof that he previously had
8 knowledge of such prohibition.

Sect. 18. Teams with wheels, if drawn by more than
2 two horses, oxen or mules, must have the rims of their
3 wheels at least four inches wide, and if drawn by more than
4 four horses, oxen or mules, at least five inches wide, when
5 traveling on the road from Jackson Brook, Washington
6 County, to Forest City, and when traveling on the highway
7 from the spool mill of the Willimantic Linen Company, in
8 Willimantic, in Piscataquis County, by the residences of
9 Irvine Floyd or Jabez Hathaway, to Francis siding on the
10 Bangor and Aroostook Railroad in Abbot, and when travel-
11 ing on the road leading from West Buxton in Buxton in
12 York county to the Saco River railroad station, and on the
13 road leading from said West Buxton to the Buxton railroad
14 station, and on the road leading from Bar Mills in Buxton
15 via Duck pond, so-called, to the Gorham town line, and when
16 traveling on the road leading from Newry Corner in the

17 town of Newry, in Oxford county, to the Grand Trunk
18 railway station in Bethel Village in the town of Bethel, and
19 when traveling on the road leading from East Bethel in said
20 town of Bethel to Locke's Mills, so-called, in the town of
21 Greenwood, and when traveling on the road leading from the
22 town of Mason in said Oxford county to West Bethel
23 village, and when traveling on any of the streets or roads in
24 said Bethel village; and no team drawn by more than six
25 horses, oxen or mules, shall travel thereon. This section is
26 not applicable to stage or pleasure carriages, or to those
27 owned by the state or the United States, or to any cart or
28 wagon owned by the settlers in the vicinity and used for
29 farming purposes. The owner or driver of a team violating
30 this section, forfeits twenty dollars and one dollar more for
31 each mile of road passed, to be recovered by complaint before
32 a municipal or police court or trial justice in the county
33 where the offense was committed, and on a libel or com-
34 plaint, he may issue his warrant to seize and detain such team
35 to respond to such fine and cost.

Sect. 19. No vehicle, engine, contrivance or object shall
2 be moved upon or over any way or bridge upon wheels,
3 rollers or otherwise in excess of the weights prescribed in
4 this act or contrary to permits therein authorized, nor shall
5 any vehicle, engine, team or contrivance of whatever weight
6 be moved upon or over any way or bridge which has any
7 flange, rib, clamp or other object attached to its wheels, or
8 made a part thereof, likely to braise or injure the surface of

9 such way or bridge, without permit obtained as provided in
10 this act. Mowing machines, light farm tractors, not cus-
11 tomarily operated over public ways, and other lightweight
12 farming vehicles, disc harrows excepted, are exempted from
13 the provisions of this section. This section shall not be con-
14 strued to prohibit the use of tire chains of reasonable pro-
15 portions on vehicles when required for safety because of
16 snow, ice or other conditions tending to cause such vehicle
17 to slide or skid.

Sect. 20. No tractor, with or without trailers, and no
2 motor vehicle having a gross weight in excess of four tons
3 shall be operated upon any bridge at a rate of speed greater
4 than fifteen miles per hour; and no such vehicle having a
5 gross weight in excess of six tons shall be operated upon any
6 bridge at a rate of speed greater than six miles per hour,
7 except that when such vehicle is equipped with pneumatic
8 tires it may be operated at not exceeding fifteen miles per
9 hour; provided, however, that officials charged with the
10 repair and maintenance of such bridge may allow greater
11 rates of speed, but in no case exceeding the speed elsewhere
12 prescribed in this act for such vehicles traveling on ways
13 and bridges.

Sect. 21. Exclusive jurisdiction is hereby vested in the
2 state highway commission to grant permits upon proper ap-
3 plication in writing, to move or operate teams, vehicles,
4 contrivances and objects specified in the two preceding
5 sections over any way or bridge upon which money of the

6 state has been expended, or over which said commission has
7 assumed control; and like permits may be granted by county
8 commissioners, municipal officers, superintendents of streets,
9 or other road officials having charge of the repair and main-
10 tenance of any other way or bridge. Said permits may be
11 limited as to time and the particular ways and bridges which
12 may be used and may contain any special conditions or pro-
13 visions which in the opinion of the licensors are necessary
14 for the protection thereof.

Sect. 22. Notwithstanding any loads authorized in this
2 act upon any bridge, officials charged with the repair and
3 maintenance thereof may limit the load permitted on any
4 bridge to such weight as they deem necessary for the safety
5 of life or property, or the maintenance of such bridge.
6 Upon the failure or neglect of local officials to prescribe such
7 weights for any bridge, or if in the opinion of the state
8 highway commission an improper weight is prescribed, said
9 commission may fix such limit of weight as they deem
10 proper. Notice of such regulations shall be conspicuously
11 posted at each end of the bridge affected.

Sect. 23. The state highway commission shall designate
2 certain state and state aid highways and improved third
3 class highways and bridges, or sections thereof, over which,
4 during certain periods of each year to be determined by the
5 commission, it shall be unlawful for any motor truck or
6 other vehicle or team to pass having a weight, with or with-
7 load, exceeding that prescribed by said highway commission;

8 or to pass except according to restrictions as to weight, speed,
9 operation and equipment prescribed by the commission and
10 pursuant to its written license. County commissioners and
11 municipal officers may make similar designations of any
12 other ways and bridges within their respective jurisdictions,
13 and impose similar restrictions upon vehicles passing over
14 the same. Notice specifying the designated sections of a
15 way or bridge, the periods of closing, and prescribed restric-
16 tions, or exclusion, shall be conspicuously posted at each
17 end thereof.

This section shall not be construed to repeal or modify
2 the provisions of the four preceding sections, except that
3 whenever the state highway commission shall exercise the
4 powers conferred on them by this section, their action here-
5 under shall supersede any conflicting orders, permits,
6 restrictions or regulations issued by local authorities by
7 virtue of said preceding sections.

Sect. 24. Whoever as owner, driver, operator or mover of
2 any engine, team, vehicle or contrivance mentioned in the five
3 preceding sections violates any provision of said sections or
4 the regulations made or permits granted under authority
5 thereof, shall be liable to a fine of not less than ten dollars
6 nor more than five hundred dollars for each offence; and he
7 shall also be responsible for all damage which said way or
8 bridge may sustain as a result of violating the provisions of
9 this act, and the amount thereof may be recovered in an ac-
10 tion on the case brought by the municipality, when any way

11 or bridge is injured which is under the care of said municipi-
12 pality; by the county commissioners in behalf of any unincor-
13 porated township injured, and by the state when any state
14 or state aid way or bridge is injured; and shall be used for
15 the repair of ways and bridges within the respective jurisdic-
16 tions. Licensors under the preceding sections may require
17 from owners or operators a bond satisfactory to them
18 running to the state or the municipal corporation affected,
19 conditioned to reimburse it for any expenses necessarily
20 incurred in repairing all damage caused to the way or bridge
21 by the use thereon of such vehicle, load, contrivance or other
22 object.

Sect. 25. Log-haulers, traction engines, or other motive
2 power to be used in drawing heavily loaded sledges, carts,
3 drays or vans, may be operated upon ways; provided the
4 owners or operators thereof shall apply for and obtain a
5 permit as provided in section 24 and shall deposit a bond
6 as provided in said section. Tractors, the propulsive power
7 of which is exerted not through wheels resting upon the
8 ground, but by means of a flexible band or chain known as a
9 movable track, shall not be subject to the limitation upon
10 permissible weights per inch width of tire as provided in
11 section 50 if the portions of the movable track in contact
12 with the surface of the way presents plane surfaces.

Sect. 26. No person shall remove, injure, or tamper with
2 any sign placed by authority of the state highway commis-
3 sion, or by any local official having charge of the repair

4 and maintenance of ways and bridges; nor shall any person
5 operate any vehicle over a way or bridge which is lawfully
6 closed for construction or repairs, and contrary to posted
7 notice whether the work thereon is being done by the state
8 county or municipality, or by a contractor, unless permit to
9 pass is expressly granted by some person in charge of the
10 work.

MOTOR VEHICLE COMMISSIONER—DUTIES—
MOTOR VEHICLES, LICENSES—REGISTRATION

Sect. 27. The state highway commission shall select, and
2 with the approval of the governor and council appoint, a
3 commissioner of motor vehicles who shall be the chief
4 enforcement officer of all statutes, rules and regulations per-
5 taining to vehicles and the law of the road. His compensa-
6 tion shall be fixed by the state highway commission with the
7 approval of the governor and council, and he shall hold office
8 during the pleasure of said commission. To such commis-
9 sioner of motor vehicles, hereinafter referred to in this act
10 as the commissioner, is hereby delegated all rights, duties and
11 powers and by him may be performed all official acts now or
12 heretofore imposed by statute upon the secretary of state
13 respecting the licensing, regulation and registration of motor
14 vehicles and the owners or operators thereof.

The commissioner shall be provided with a suitable office
2 at the seat of government and with such clerical assistance,
3 supplies and equipment as may be necessary for him to
4 efficiently administer his duties.

The commissioner may employ, with the approval of the
2 state highway commission and with the consent of the
3 governor and council, such inspectors as may be necessary
4 to enforce the provisions of this act. Inspectors may be
5 equipped with motor-cycles and assigned to the patrol of
6 state highways outside of settled portions of cities and towns.
7 The commissioner, with the approval of the state highway
8 commission and with the consent of the governor and coun-
9 cil, may also commission inspectors as state highway police,
10 who shall throughout the state enforce the provisions of this
11 act and all laws relating to motor driven and horse drawn
12 vehicles, and all rules and regulations in relation thereto,
13 arrest all violators thereof and prosecute all offenses against
14 the same. Said state highway police shall have the same
15 power to serve criminal processes against such offenders
16 as sheriffs and shall have the same right as sheriffs to require
17 aid in executing the duties of their office; and before being
18 qualified to discharge the duties required by this act, shall
19 give bond to the treasurer of state in the sum of five
20 hundred dollars with surety approved by the commissioner
21 and conditioned upon the faithful performance of the duties
22 of their office. All inspectors and members of the state
23 highway police shall hold office at the pleasure of the com-
24 missioner. No inspector or member of the state highway
25 police shall receive any fee for making an arrest or for
26 court attendance; but shall be paid actual costs of arrest
27 and actual expenses of travel.

Sect. 28. The commissioner of motor vehicles shall
2 receive and collect all fees required for licensing and regis-
3 tering all motor vehicles and operators, and shall forthwith
4 transmit the same to the treasurer of state. He shall give
5 such bond as the governor and council shall require. He
6 shall from time to time as required by the state highway
7 commission, or by the governor and council, make report of
8 his doings and of the fees received from motor vehicle regis-
9 trations, licenses issued, and from other sources, with such
10 recommendations as he may consider appropriate. The state
11 highway commission shall annually transmit to the governor
12 and council the report or reports of the commissioner,
13 together with their annual report.

In the absence of the commissioner or his inability, for any
2 cause, to perform the duties of his office, the chairman of the
3 state highway commission, or some deputy nominated by said
4 commission and approved by the governor and council, shall
5 have all powers and perform all the duties of the commis-
6 sioner during his absence or inability.

Sect. 29. The commissioner may appoint, with the
2 approval of the state highway commission, deputies or agents
3 stationed at convenient places in the state to receive appli-
4 cations for registration and licenses, and to conduct exami-
5 nations when ordered by the commissioner. Inspectors may
6 be delegated to act as such deputies or agents.

Sect. 30. In the administration of the laws relative to
2 motor vehicles and to the operators and the operation
3 thereof, the commissioner may conduct hearings, subpoena

4 witnesses, administer oaths and take testimony. He may
5 also cause depositions to be taken and order the production
6 of books, papers and records. The fees for travel and
7 attendance of witnesses shall be the same as for witnesses
8 before the supreme judicial court and shall be paid by the
9 state out of motor vehicle registration fees upon certificates
10 of the commissioner filed with the auditor. Any justice of
11 of the supreme judicial court, on the petition of the com-
12 missioner, may issue summary process to enforce the lawful
13 orders of the commissioner in any matter.

To facilitate hearings the commissioner may appoint, from
2 time to time, commissioners to take testimony, who shall
3 have the same power in conducting hearings as the com-
4 missioner would have, and on their report or findings the
5 commissioner may act in any matter as fully as if he had
6 conducted such hearing in person.

Sect. 31. All records of the motor vehicle commissioner
2 pertaining to the application and registration of motor
3 vehicles and to operator's licenses shall be open to public
4 inspection during office hours. Complaints in writing may
5 be regarded as confidential by the commissioner.

Sect. 32. Application to operate motor vehicles shall be
2 made under oath and may be presented by mail or otherwise
3 to the commissioner, or his duly authorized agent, upon
4 blanks prepared under his authority, and which shall therein
5 call for specific answers to questions of a character designed
6 to show the experience and competency of the applicant to

7 operate a motor vehicle; a fee of two dollars shall accom-
8 pany the application. Before the license is granted an
9 applicant may be required to pass such examination by actual
10 demonstration or otherwise as to his qualifications to operate
11 a motor vehicle as the commissioner shall require; and no
12 license shall be issued until the commissioner is satisfied that
13 the applicant is a proper person to receive it; no license shall
14 be issued to any person under sixteen years of age. A
15 record of all applications for license and of all licenses
16 issued shall be kept by the commissioner. Each license
17 shall state the name, age, place of residence of the licensee
18 and the distinguishing numbers or marks assigned to him
19 and may contain a brief description of the licensee for the
20 purpose of identification and such other information as the
21 commissioner shall deem necessary. A person to whom a
22 license to operate a motor vehicle has been issued, unless
23 such license contains a special limitation or restriction, may
24 operate any registered motor vehicle. Every licensee shall
25 endorse his usual signature upon the margin of the license
26 before using it, and no license shall be valid until so
27 endorsed.

Sect. 33. Special licenses to operate motor vehicles shall
2 be issued to chauffeurs subject to the same general require-
3 ments governing the issuance of an operator's license as is
4 provided in the preceding section; but no such license shall
5 be issued to any person less than eighteen years of age. An
6 operator's license shall not entitle a person to drive a motor
7 vehicle as a chauffeur as defined in this section.

The commissioner shall furnish every licensed chauffeur
2 with a suitable metal badge with distinguishing number or
3 mark assigned to him thereon without extra charge therefor.
4 This badge shall thereafter be worn by such chauffeur
5 affixed to his clothing at all times while he is operating or
6 driving a motor vehicle, and shall be valid only during the
7 term of the license of the chauffeur to whom it is issued.

Every application for a chauffeur's license shall be
2 accompanied by a fee of five dollars; provided, however, that
3 if such applicant already holds an operator's license the
4 accompanying fee shall be three dollars.

Failure of an operator or chauffeur to exhibit his license
2 to any magistrate, motor vehicle inspector, police officer,
3 sheriff or other authorized official, shall be prima facie
4 evidence that such person is not duly licensed.

A chauffeur who is registered under the provisions of law
2 of a foreign country, state, territory, or federal district of
3 his residence, shall be exempt from license under this section,
4 provided he shall wear a badge or carry a license certificate
5 assigned to him by the jurisdiction of his residence.

The word "chauffeur" as herein used shall mean any
2 person operating or driving a motor vehicle as an employee
3 or for hire; but as used elsewhere generally in this act with
4 respect to the use and operation of motor vehicles, the
5 words "operator" and "driver" shall include the word
6 "chauffeur."

Temporary licenses without fee may be issued to chauffeurs in the employ of the state, to terminate when their employment ends.

Sect. 34. The Commissioner shall also prepare suitable blanks for applicants for a license to operate motor cycles and he shall issue licenses to competent persons to operate motor cycles, subject to the same general requirements obtaining with respect to a license to operate a motor vehicle

A license to operate a motor vehicle shall not authorize the licensee to operate a motor cycle unless the license shall so specify; but licensees to operate a motor vehicle may on application be granted a license to operate a motor cycle without paying an additional fee.

Sect. 35. No person shall operate a motor vehicle upon any way in this state unless licensed according to the provisions of this act; but the provisions of this section shall not prevent the operation of a motor vehicle by an unlicensed person, not less than sixteen years of age, if riding beside a licensed operator in said vehicle for the purpose of becoming familiar with the use and handling of a motor vehicle preparatory to taking out license for driving; and provided, further, that such unlicensed person has not theretofore had a license revoked, suspended or finally refused.

Sect. 36. Non-residents may operate motor vehicles and trailers on the ways of this state for not exceeding in the aggregate thirty days in any one year without registration,

4 provided such vehicle is registered in some other state or
5 country and has attached thereto registration plates, and is
6 driven by a person licensed to operate in this or some other
7 state or country. Previous to the expiration of said thirty
8 days, if the owner is to continue operation within this
9 state, he shall make application for registration in accord-
10 ance with sections eighty-five and pay the fee therein pre-
11 scribed.

On receipt of the fee, the Commissioner shall furnish said
2 non-resident applicant a certificate of registration and two
3 number plates free of expense, transportation charges to
4 be paid by the recipient, which plates shall be placed on
5 the vehicle, forward and rear, and remain there as long
6 as such vehicle is operated in this state in the year during
7 which said certificate is issued; provided, however, that on
8 applications for registration by non-resident owners of
9 motor vehicles or trailers during the period between the
10 first day of October and the thirty-first day of December
11 in any year, one-half of said registration fee shall be
12 charged. Any motor cycle owned by a non-resident, driven
13 by a person registered and authorized to operate a motor
14 cycle in this or some other state or country, having a regis-
15 tration seal, plate or other distinguishing mark attached
16 to the motor cycle, may be operated on the ways of this
17 state for not more than thirty days in the aggregate be-
18 fore registration.

Sect. 37. The Commissioner may suspend or revoke any
2 certificate of registration or any license issued to any per-
3 son to operate a motor vehicle after hearing for any cause
4 which he deems sufficient. Pending a speedy hearing he
5 may also summarily suspend a license of any motor vehicle
6 operator in his discretion and may order the license or
7 registration certificate to be surrendered to him whenever
8 he has reason to believe that the holder thereof is an im-
9 proper person or incompetent to operate a motor vehicle,
10 or is operating so as to endanger the public; and neither
11 the certificate nor the license shall be reissued unless upon
12 examination or investigation the Commissioner or the ap-
13 pellate court determines that the operator shall again be
14 permitted to operate.

Sect. 38. Notice of the revocation or suspension of the
2 right of a non-resident owner or operator of a vehicle to
3 operate or to have operated said vehicle in this state, shall
4 forthwith be sent by the Commissioner to the motor ve-
5 hicle department of the state, district or country which is-
6 sued his license or registration.

Sect. 39. Notice of any hearing held by the Commis-
2 sioner, or by his authority, under this act, shall state the
3 place, day and hour thereof, and warn the licensee or reg-
4 istrant that he may then and there appear, through him-
5 self or counsel, to show cause why his license should not
6 be suspended or revoked, or why the registration of the
7 vehicle should not be annulled; and service of such notice

8 shall be sufficient if given in hand by an officer qualified
9 to serve subpoena, or sent by registered mail to the ad-
10 dress given by the licensee or registrant, five days at least
11 before the day set for the hearing.

Sect. 40. The Commissioner may suspend or revoke the
2 right of any non-resident operator to operate in this state
3 and may suspend or revoke the license or right of any
4 non-resident owner to operate or have operated in this
5 state any vehicle for the same causes and under the same
6 conditions and in the same manner that he could take such
7 action regarding any resident owner or operator, or
8 vehicle owned in this state ; and thereupon the right of such
9 non-resident owner or operator to operate or have oper-
10 ated any such vehicle in this state shall terminate and he
11 shall be subject to the same penalties as any resident own-
12 er or operator who operates without license or registra-
13 tion.

Whenever the Commissioner is notified by the licensing
2 or registration department of another state, district or
3 country that any licensee or registrant resident therein, has
4 had his license or registration suspended, revoked or an-
5 nulled, the Commissioner may forthwith suspend, revoke or
6 terminate any right, license or registration granted to such
7 person in this state.

Sect. 41. Any person aggrieved by the decision of the
2 Commissioner in refusing to issue, revoking, or suspend-
3 ing a license or certificate of registration, may appeal to

4 any justice of the supreme judicial or a superior court, by
5 presenting to him a petition therefor, in term time or vaca-
6 tion. Such justice shall fix a time and place for hearing;
7 which may be in vacation, and cause notice thereof to be
8 given to the Commissioner; and after hearing he may af-
9 firm or reverse the decision of the Commissioner, and the
10 decision of such justice shall be final. Pending judgment
11 of the court, the decision of the Commissioner in revoking
12 or suspending any license or certificate or registration shall
13 remain in full force and effect.

Sect. 42. Subject to the same conditions as to appeal, the
2 Commissioner may refuse, revoke or suspend the certifi-
3 cate of registration of any vehicle which is so constructed
4 as to be, when in operation or use, a menace to the safety
5 of its occupants or to the public, or is so constructed or
6 operated as to cause unreasonable damage to ways or
7 bridges.

Sect. 43. Every court and trial justice in every case
2 wherein a person is convicted of the violation of any stat-
3 ute relative to motor vehicles or to the operation of any
4 vehicle shall forthwith transmit to the Commissioner an
5 abstract, duly certified, setting forth therein the names of
6 the parties, the nature of the offense, the date of hearing,
7 the plea, the judgment and the result. The Commissioner
8 may keep said abstracts and they shall be open to public
9 inspection during reasonable hours. Said magistrates may
10 make such recommendations to the Commissioner as to

11 suspension or revocation of licenses and certificates of
12 registration of respondents as they may deem to be in fur-
13 therance of justice.

Sect. 44. In addition to any other penalty provided in
2 this act and imposed by the court upon any person for
3 violation of any provision of this act, the court may sus-
4 pend an operator's license for a period not exceeding ten
5 days, in which case the court shall take up the license cer-
6 tificate of such person, who shall forthwith surrender the
7 the same, and forward it by registered mail to the Com-
8 missioner of Motor Vehicles. The Commissioner may
9 thereupon grant a hearing and take such further action
10 relative to suspending, revoking or restoring such license
11 or the registration of the vehicle operated thereunder as he
12 deems necessary.

Sect. 45. No person shall operate any motor vehicle or
2 trailer, nor shall the owner or custodian of such vehicle
3 permit the same to be operated upon, or remain upon, any
4 way in this state unless the same is registered and
5 equipped in accordance with the provisions of this act.
6 Application for such registration may be made by mail
7 or otherwise to the Commissioner upon blanks prepared
8 under his authority. The application shall be under oath
9 and, in addition to such other particulars as may be re-
10 quired by the Commissioner, contain a statement of the
11 name, place of residence and address of the applicant, with
12 a brief description of the vehicle, including the name of

13 the maker, the number, if any, affixed by the maker, the
 14 character of the motive power and the amount of such
 15 power, stated in figures of horse power, and the actual
 16 weight of the vehicle, its seating capacity; and loading
 17 capacity, if intended for commercial use. The applicant
 18 shall state in his application the kind of lens used in the
 19 headlights upon his motor vehicle, and shall specify
 20 whether he has complied with the rules and regulations of
 21 the State Highway Commission, framed, published and in
 22 effect; and in case said applicant has not so complied the
 23 Commissioner shall refuse to register such vehicle and is-
 24 sue a license for its operation.

Sect. 46. No vehicle of the kinds and weights enumer-
 2 ated shall be operated on the open country ways or the com-
 3 pact built-up portions of any city, town or village as defined
 4 in Section 59 at a greater rate of speed than herein pre-
 5 scribed.

Maximum weight, in-
 cluding gross weight
 of vehicles and load.

Open country
 ways.

Built-up or com-
 pact portions.

Commercial vehicles equipped with pneumatic tires.

Not over 6,000 lbs.	25 miles per hr.	20 miles per hr.
Not over 8,000 lbs.	25 " " "	20 " " "
Not over 12,000 lbs.	20 " " "	15 " " "
Not over 16,000 lbs.	20 " " "	15 " " "
Not over 20,000 lbs.	15 " " "	12 " " "
Not over 24,000 lbs.	15 " " "	12 " " "

All vehicles equipped with two or more solid tires.

Not over 4,000 lbs.	20 miles per hr.	18 miles per hr.
Not over 8,000 lbs.	18 " " "	15 " " "
Not over 12,000 lbs.	15 " " "	12 " " "
Not over 16,000 lbs.	15 " " "	12 " " "
Not over 20,000 lbs.	12 " " "	10 " " "
Not over 24,000 lbs.	10 " " "	10 " " "

Sect. 47. The provisions of the preceding section shall
 2 not, however, be construed to abridge any rights and pow-
 3 ers granted to the State Highway Commission or other
 4 highway officers under this act, to exclude or restrict the
 5 weight or equipment, or regulate the speed of vehicles
 6 therein enumerated, or of vehicles of less gross weight,
 7 when in their judgment the passage of any such vehicle
 8 over any way or bridge would be unsafe or likely to cause
 9 excessive damage to the same, nor shall said preceding sec-
 10 tion be construed to authorize any such vehicle to exceed
 11 the speed limits or restrictions prescribed for motor ve-
 12 hicles in any other section of this act.

Sect. 48. The provisions of Section 47 and of Sections
 2 21, 22 and 23 shall be construed to confer upon the State
 3 Highway Commission, and upon the appropriate sub-
 4 sidiary highway officials, broad regulative authority to en-
 5 courage reasonable use of the ways and bridges and to cor-
 6 rect abuse thereof; such delegated authority being neces-
 7 sary in the opinion of the Legislature for the reasonable
 8 use and proper protection and continued maintenance of
 9 the ways and bridges of this state.

Sect. 49. The annual fees for the registration and licensing of vehicles shall be in accordance with the following schedule, and shall accompany the application for registration:

a.—Motor Vehicles used for the conveyance of passengers.

Equipped with	per h. p.	per 100 lbs. weight.
Pneumatic tires	25 cents	25 cents
Solid tires (two or more)	25 cents	50 cents
Iron, steel or other hard tires	25 cents	80 cents

Motor vehicles regularly used for livery or hire shall pay double the above fees.

b.—Tractors.

Equipped with	per h. p.	per 100 lbs. weight
Pneumatic tires	25 cents	25 cents
Solid tires	25 cents	50 cents
Iron, steel or other hard tires	25 cents	80 cents

Tractors used for agricultural purposes and not customarily used on public ways shall pay one-tenth of the above rates: Caterpillar tractors, so called, shall pay a registration fee of fifteen dollars.

c.—Trailers.

Equipped with	per 100 lbs. gross weight of vehicle and load.
Pneumatic tires	15 cents
Solid tires	40 cents
Iron, steel or other hard tires	75 cents
d. Motorcycles	\$5.00 each.
e. Motorcycle sidecars	\$5.00 each.

Horse power specified in this act shall be based on the "A. L. A. M." standard, so called.

“Steam Vehicles.”—In the computation of fees for all vehicles propelled by steam, the horsepower rating shall be based on the system of rating adopted by the United States Government.

“Electric Vehicles.”—For vehicles propelled by electricity the rating shall be the normal horsepower designated by the manufacturers of the electric motor or motors.

In the computation of fees based on gross weight, said gross weight shall, in the case of freight or merchandise vehicles, be the actual weight of the vehicle in pounds plus the manufacturer’s rated load capacity, and in the case of passenger vehicles shall be the actual weight of vehicles plus the sum of the adult seating capacity multiplied by 150 pounds. In no case shall the registration fee be less than ten dollars.

On any application for registration applied for by an owner resident of this state, of a motor vehicle or trailer, not including a log hauler, or traction engine, during the period between the first day of October and the thirty-first day of December, one-half the registration fee shall be charged. The Commissioner 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. Registration plates, seal or other

13 distinguishing mark for all vehicles shall be furnished
14 free from the office of the Commissioner; but delivery
15 charges shall be paid by the receiver. Plates lost or muti-
16 lated may be replaced for seventy-five cents each on affi-
17 davit of the applicant stating the facts. In case plates are
18 lost in transportation, and the applicant shall certify in the
19 affidavit that the plates have not been received by him and
20 agrees that if they shall be received at some later date to
21 return them forthwith, the Commissioner, after thorough
22 investigation, may furnish the applicant with a second set
23 of plates without additional charge.

Sect. 50. No truck, tractor on wheels, trailer or other
2 commercial vehicle having a gross weight of more than
3 24,000 pounds distributed by four wheels on a road surface
4 or having a gross weight on any one axle exceeding 17,000
5 pounds imparted to a road surface, shall be operated over
6 any way or bridge; except that when the gross weight is
7 distributed on the road surface upon six or more wheels by
8 the combined use of a trailer, or otherwise, so that the im-
9 parted weight from any one axle shall not exceed 17,000
10 pounds, the permissible gross weight of a vehicle or ve-
11 hicles thus combined may be increased not exceeding 50%.
12 But no vehicle having a load of over 800 lbs. per inch
13 width of tire upon any wheel concentrated upon the road
14 surface, said width to be measured between the flanges of
15 the rim, shall be operated upon any way or bridge; except
16 in special cases under special permit to be granted by the

17 State Highway Commission for greater weights as else-
 18 where provided in this act. The term "gross weight" as
 19 above applied shall mean the actual weight of the vehicle
 20 in pounds plus the manufacturer's rated load capacity, or
 21 the capacity prescribed for such vehicle by the Commis-
 22 sioner, but if no such rating is given, then the actual
 23 weight of the load carried.

Sect. 51. With each application for registration of a
 2 motor truck shall be deposited an annual registration fee
 3 graduated as follows when equipped with pneumatic tires:

For trucks with a rated carrying capacity of one thousand pounds or less	\$10.00
For trucks having a rated carrying capacity of over 1000 pounds and not over one ton	15.00
For trucks having a rated carrying capacity of over 1 ton and not over 2 tons	30.00
For trucks having a rated carrying capacity of over 2 tons and not over 3 tons	45.00
For trucks having a rated carrying capacity of over 3 tons and not over 4 tons	60.00
For trucks having a rated carrying capacity of over 4 tons and not over 5 tons	75.00

Provided, however, that every such vehicle equipped with
 2 two or more solid tires shall pay an additional fee of
 3 thirty-three and one-third per cent. more than any such
 4 vehicle would be hereby required to pay if equipped with
 5 pneumatic tires; and provided, further, that no motor ve-

6 hicle with a rated carrying capacity of over five tons shall
7 be registered except such as may be so owned and regis-
8 tered on the date of the approval of this act. But no ve-
9 hicle shall be operated on ways or bridges which, either
10 loaded or without load, exceeds the gross weight limits pre-
11 scribed in Section 50, or is contrary to the provisions of any
12 other section of this act, or any other statute pertaining
13 thereto.

All motor vehicles owned and used by the state or any
2 municipal corporation therein, shall be exempt from the
3 provisions of this section as to registration and payment
4 of registration fees; but all such vehicles shall display
5 identification plates or marks approved by the Commis-
6 sioner.

Sect. 52. The fee to be paid for any vehicle, either resi-
2 dent or non-resident, or for any object which exceeds the
3 maximum weights fixed by Section 51, and which may be
4 allowed by special permit of state or local highway offi-
5 cials, to be operated or moved over any way or bridge,
6 shall be as follows: If the excess weight thereof, with load,
7 is one ton or fraction thereof, \$15.00; if the excess weight
8 is two tons or fraction thereof, \$25.00; if the excess weight
9 is three tons or fraction thereof, \$40.00; and \$15.00 for
10 each additional to above three tons excess weight. All
11 such fees for excess weight shall be paid to the licensing
12 officials at the time the permit is granted and shall be by
13 them transmitted to the Commissioner.

Sect. 53. The owner or operator of any vehicle which
2 shall transport a load over a way or bridge in excess of
3 the weight for which such vehicle is rated or registered,
4 may be required by the Commissioner to pay for each such
5 load, under penalty of suspended registration, if a resident,
6 or revocation of the right to operate in this state if a non-
7 resident, a sum necessary to place such vehicle in the rat-
8 ing appropriate to the actual load carried; such owner or
9 operator shall also be liable to prosecution for overload-
10 ing such vehicle as provided in Section 91.

Sect. 54. In disputed cases the Commissioner may de-
2 termine the classification in which any vehicle belongs and
3 the amount of the fee which shall be charged. S

Sect. 55. Every vehicle intended for commercial use
2 shall have attached in some visible place a plate giving its
3 actual unloaded weight with the weight of its seating or
4 loading capacity, as specified by the manufacturer, or
5 fixed by the Commissioner.

Sect. 56. Every manufacturer or dealer in motor vehi-
2 cles or trailers, may, instead of registering each vehicle
3 owned or controlled by him, make application under oath
4 upon a blank provided by the Commissioner, for a general
5 distinguishing number, color or mark. The Commission-
6 er may, if satisfied with the facts stated in the applica-
7 tion, grant the application and issue to the applicant a

8 certificate of registration, containing the name, place of
9 residence and address of the applicant and the general
10 distinguishing number, color or mark assigned to him or
11 them and made in such form as the Commissioner may
12 determine; and all vehicles owned or controlled by such
13 manufacturer or dealer shall be regarded as registered un-
14 der such general distinguishing number, color or mark until
15 sold, exchanged, or let for hire. The annual fee for every
16 such certificate of registration shall be fifty dollars. The
17 Commissioner shall furnish the manufacturer or dealer with
18 five pairs of registration number plates free of cost; and
19 there may be issued to any such applicant similar pairs of
20 plates, in addition to the five pairs so issued, upon payment
21 of ten dollars for each such additional pair. Extra regis-
22 tration plates shall be furnished in addition to the five pairs
23 of plates originally furnished to replace lost or mutilated
24 plates, for seventy-five cents each, delivery charges to be
25 paid by the receiver. On applications for registration, or
26 for additional plates applied for by said manufacturers or
27 dealers during the period between the first day of October
28 and the thirty-first day of December in any year, one-half
29 of the registration fee shall be charged.

Sect. 57. Every manufacturer or dealer in motor cycles
2 shall annually pay a fee of fifteen dollars for a registration
3 certificate to handle, demonstrate, sell and exchange motor

4 cycles. The Commissioner shall furnish the manufacturer
5 of, or dealer in, motor cycles with three sets of seals or
6 other distinguishing marks free of cost, and additional sets
7 for five dollars per set. For every seal for a motor cycle
8 in addition to the three seals originally furnished to the
9 manufacturer or dealer in motor cycles, to replace lost or
10 mutilated plates, fifty cents will be charged. Transporta-
11 tion charges on seals shall be paid by the receiver.

Sect. 58. Every manufacturer or dealer in motor vehicles
2 shall pay to the Commissioner the required registration fee
3 for the succeeding year on or before the thirty-first day of
4 December annually; provided, that any manufacturer or
5 dealer commencing business after the first day of January
6 of any year shall pay the fee at the time of commencing
7 business.

Sect. 59. Whenever a manufacturer or dealer sells or
2 exchanges a motor vehicle or trailer, he shall immediately
3 notify the Commissioner that the vehicle has been sold or
4 exchanged, giving a description of the vehicle, name of
5 maker, name of make, if possible, horse power and name
6 and address of the vendee.

Sect. 60. Every registration of motor vehicles shall ex-
2 pire on the thirty-first day of December of each year and
3 the certificate of registration thereupon becomes void. All
4 licenses to operate motor vehicles expire on the thirty-first
5 day of December of each year, and an application for a
6 new license to drive or operate a motor vehicle shall be

7 made to the Commissioner and a license received before
8 any person is authorized to drive or operate a motor vehicle
9 of any kind, on and after the first day of January of each
10 year.

Sect. 61. Upon the transfer of ownership of any motor
2 vehicle or trailer, the person in whose name such vehicle
3 or trailer is registered shall forthwith return the certificate
4 of registration to the Commissioner with a written notice
5 containing the date of the transfer of ownership and the
6 name, place of residence and address of the new owner,
7 and a description of the vehicle.

Sect. 62. Whoever transfers the ownership of a regis-
2 tered motor vehicle or trailer and applies to the Commis-
3 sioner for registration of another motor vehicle or trailer
4 in the same calendar year, shall receive a certificate of
5 registration and number plates therefor upon payment of
6 a fee of two dollars, and shall pay the delivery charge, pro-
7 vided the horse power is the same as that of the former
8 vehicle; but if the horse power or rating of the vehicle to
9 be registered is greater he shall pay the difference between
10 the fee paid by him for the vehicle first registered and the
11 fee for the vehicle of greater horse power or rating. Who-
12 ever exchanges a motor vehicle or trailer before the first
13 day of August in any year and procures a certificate of
14 registration paying therefor a fee of two dollars, shall if
15 the vehicle received in exchange is of less horse power or
16 rating than the former vehicle, be entitled to a rebate of

17 one-half the difference between the registration fee of said
18 former vehicle and the registration fee for the vehicle of
19 lower horse power or rating received in exchange as afore-
20 said. Whoever transfers the ownership of a motor cycle
21 and applies for the registration of another motor cycle with-
22 in the same calendar year, shall pay for the registration
23 certificate thereof a fee of one dollar, which fee shall in-
24 clude seal or number plate; delivery charges shall be paid
25 by the receiver.

Sect. 63. The State Highway Commission shall prepare
2 rules and regulations from time to time governing the ad-
3 justment, use and operation of lights on vehicles and gov-
4 erning the sufficiency and adjustment of brakes, and may
5 from time to time alter, rescind or add to any rules and
6 regulations previously made.

No person shall equip his vehicle with, use, or sell any
2 lens, reflector or lighting device designed for use on vehicles
3 on public ways contrary to this act or contrary to such
4 rules and regulations of the Commission. The rules and
5 regulations of the Commission and any changes therein shall
6 take effect when approved by the Governor and Council
7 and published at least once in each daily newspaper in the
8 state. The certificate of either the Commissioner or the
9 Secretary of State shall be received as prima facie evidence
10 in any court of law to prove that such rules and regulations
11 have been enacted as herein provided.

Sect. 64. No motor vehicle shall be operated upon any

2 way of this state at a rate of speed exceeding fifteen miles
3 an hour within the compact or built-up portions of any city,
4 town or village. If the rate of speed of a motor vehicle
5 operated upon any way of this state exceeds twenty-five
6 miles per hour in the open country outside of the compact
7 or built-up portions of any city, town or village, such rate
8 of speed shall be prima facie evidence that the person oper-
9 ating such vehicle is operating the same at a rate of speed
10 greater than is reasonable and proper, and in violation of
11 the provisions of this section, and the burden of proof shall
12 be upon the person operating said motor vehicle to show
13 that such rate of speed was not greater than was reasonable
14 and proper as above set forth. Provided, however, that no
15 motor vehicle shall be operated upon any way of this state
16 at a rate of speed greater than thirty-five miles per hour
17 under any circumstances or conditions, except under permit
18 granted by municipal officers in accordance with the pro-
19 visions of section sixty-six of this chapter. The compact
20 or built-up portion of any city, town or village shall mean
21 the territory of a city, town or village contiguous to any
22 way, which is built up with structures devoted to business,
23 or where the dwelling houses are situated less than one
24 hundred and fifty feet apart for a distance of at least one-
25 quarter of a mile. No person shall be convicted of exceed-
26 ing the rate of speed hereby established for any compact
27 or built-up portions unless said city, town or village shall
28 cause the words "speed limit, fifteen miles" to be conspicu-

29 ously displayed on sign boards along ways, and such other
30 signs as will clearly designate such compact or built-up
31 portion. No municipal officer or other person shall erect
32 or cause to be erected speed limit signs contrary to this
33 section, and if any such signs now exist, municipal officers
34 of cities and towns shall cause their removal.

Sect. 65. Whoever is arrested for violation of any speed
2 regulations of this act, except those of sections seventy-
3 four, seventy-five and seventy-six, shall be given an imme-
4 diate trial if he shall so demand of the officer making the
5 arrest but if for any reason it is impracticable to do so, the
6 officer making the arrest shall immediately take the pris-
7 oner before some bail commissioner, who before admitting
8 him to bail, shall require him to give his name, his place
9 of residence, the number of his license to operate a motor
10 vehicle, and the registration number of the motor vehicle
11 operated at the time of his arrest, and shall make a record
12 thereof on the bail bond, and may take his personal recog-
13 nizance for his appearance in court on a specified day. If
14 such person fails to appear in court on the day specified,
15 either in person or by counsel, the court shall notify the
16 Commissioner of Motor Vehicles, who, in case the person
17 is a resident of the state, shall immediately suspend or
18 revoke his license, and also suspend or annul the registration
19 of the motor vehicle driven by such person when arrested.

Sect. 66. No person operating a motor vehicle on any
2 way shall drive at any speed greater than is reasonable, safe

3 and proper, having regard to the traffic and use of the way
4 by others, or so as to endanger life or limb. Racing and
5 reckless driving on any way is hereby forbidden. It shall
6 be prima facie evidence of a rate of speed greater than is
7 reasonably safe and proper, as aforesaid, if a motor vehicle
8 is operated on any way in the built-up or compact portion
9 of any city or town at a rate of speed exceeding twelve miles
10 per hour where the operator's view of the road traffic is
11 obstructed either upon approaching an intersecting way or
12 in traversing a crossing or intersecting of ways, or in going
13 around a corner or curve. Permits may be granted by mu-
14 nicipal officers after a public hearing thereon to drive auto-
15 mobiles or motor cycles in hill climbing contests during a
16 specified time upon a certain way at any rate of speed.

Sect. 67. Whoever, driving or operating a motor vehicle
2 upon any way, when approaching from the opposite direc-
3 tion a person riding, driving or leading a horse or other
4 animal which appears to be frightened, is signalled by put-
5 ting up of the hand or by other visible sign by such person,
6 shall cause such motor vehicle to come to a stop as soon
7 as possible and remain stationary as long as it may be
8 necessary and reasonable to allow such horse or animal to
9 pass. Whenever traveling in the same direction, the person
10 operating a motor vehicle shall use reasonable caution in
11 passing horses or other animals and vehicles.

Sect. 68. Every motor vehicle shall be provided with ade-
2 quate brakes in good working order and sufficient to control

3 such vehicle at all times when the same is in use, and a suit-
4 able and adequate horn or other device for signalling. No
5 signalling device shall be unnecessarily sounded in the thickly
6 settled part of a city or town so as to make a harsh, objec-
7 tionable or unreasonable noise; except in the case of fire
8 and police department vehicles and ambulances. All motor
9 vehicles shall be equipped with a muffler of such construc-
10 tion and device as to prevent excessive noise. No person
11 operating a motor vehicle in the settled parts of a city or
12 town shall at any time open the muffler cut-out, nor permit
13 the exhaust to make any unnecessary noise.

Sect. 69. No equipment in the nature of a speed controller
2 or governor attached to a motor vehicle shall be removed
3 therefrom or tampered with so that such vehicle may be
4 operated at a greater rate of speed than is allowed by such
5 equipment; nor shall any vehicle whose equipment is so
6 tampered with or removed, be operated on any way or
7 bridge.

Sect. 70. Every motor vehicle and tractor shall be equipped
2 with lights as provided in this act, of sufficient power and
3 so adjusted and operated as to enable its operator to pro-
4 ceed with safety to himself and to other users of the ways
5 under all ordinary conditions of highway and weather. Said
6 lights shall conform to and operate in accordance with the
7 rules and regulations promulgated from time to time by
8 the State Highway Commission, as provided in this act, and
9 shall be lighted during the period from one-half hour after

10 sunset to one-half hour before sunrise; except as provided
11 in section seventy-one.

Every motor vehicle and tractor shall have mounted on
2 the right and left sides of the front thereof two lights each
3 of approximately equal candle-power, and every motor cycle
4 shall have mounted on the front thereof one light. If any
5 such vehicle is so mechanically constructed, governed or
6 controlled that it cannot exceed a speed of fifteen miles
7 per hour, it shall have front lights of sufficient candle-power
8 to render any substantial object clearly discernible on a
9 level way at least fifty feet directly ahead and at the same
10 time at least seven feet to the right of the axis of such
11 vehicle for a distance of at least twenty-five feet. If any
12 vehicles can exceed a speed of fifteen miles per hour, then
13 they shall have front lights of sufficient candle-power to
14 render any substantial object clearly discernible on a level
15 way at least two hundred feet directly ahead and at the
16 same time at least seven feet to the right of the axis of
17 such vehicle for a distance of at least one hundred feet;
18 provided that no front light of more than four candle-power
19 shall be used if equipped with a reflector, unless so de-
20 signed, equipped or mounted that no portion of the beam
21 of light when projected seventy-five feet or more ahead of
22 the lights shall rise above a plane forty-two inches higher
23 than and parallel with the level surface on which the vehicle
24 stands; and provided, further, that no electric bulb or other
25 lighting device of a greater capacity than thirty-two candle-

26 power shall be used, no matter how the same may be shaded,
27 covered or obscured.

Every trailer, except small two-wheel trailers of one thou-
2 sand pounds capacity or less, towed closely behind a motor
3 vehicle, whose overall length, including towing vehicle and
4 load, does not exceed thirty feet, when operated on any
5 way at night shall carry at the front of its left side one
6 light capable of throwing a white light visible from both
7 sides of such vehicle.

Every motor vehicle, tractor or trailer shall have on the
2 rear thereof, and to the left of the axis thereof, one light
3 capable of displaying a red light visible for a distance of
4 at least one hundred feet behind such vehicle, provided that
5 when a vehicle is used in conjunction with another vehicle
6 or vehicles, only the last of such vehicles shall be required
7 to carry such light. Every motor vehicle, registered tractor
8 and trailer shall carry a light illuminating with white light
9 the rear registration plate of such vehicle so that the char-
10 acters thereon shall be visible for a distance of at least fifty
11 feet.

Sect. 71. Every vehicle on wheels, whether stationary or
2 in motion, on any way or bridge shall have attached to it
3 a light or lights so displayed as to be visible from the front
4 and rear thereof during the period from one-half hour after
5 sunset to one-half hour before sunrise; provided, however,
6 that this section shall not apply to any vehicle which is de-
7 signed to be propelled by hand, nor to any vehicle not in

8 motion and parked or beside a curb in a place and under
9 conditions where there is sufficient artificial light to make
10 such vehicle clearly visible from a distance not less than
11 one hundred feet in each direction.

Sect. 72. Every vehicle carrying objects which project
2 more than five feet from the rear shall, during the period
3 of one-half hour after sunset to one-half hour before sun-
4 rise, carry a red light at or near the rear end of the objects
5 so projecting, and at all other times such vehicle shall carry
6 a danger signal at or near the end of the object so project-
7 ing. Trailers having more than two wheels shall be con-
8 nected to the towing vehicle or preceding trailer by at least
9 one chain, in addition to the hitch bar, of sufficient strength
10 to hold the trailer on a hill if the hitch bar becomes dis-
11 connected, or shall be provided with some other adequate
12 holding device.

Sect. 73. Municipal officers may designate places on any
2 way where in their judgment by reason of cliffs, embank-
3 ments or other exceptional natural conditions, the meeting
4 of motor vehicles and horses or other animals would be
5 attended with unusual danger, by causing the words "Auto-
6 mobiles go slow" to be conspicuously displayed on signs on
7 each approach to such place not less than one hundred and
8 fifty feet distant therefrom. No motor vehicle shall pass
9 any place so designated at a greater speed than ten miles
10 an hour.

Sect. 74. Whoever operates a motor vehicle upon any

2 way recklessly, so that the lives or safety of the public are
3 in danger, or upon a bet, wager or race, or for the purpose
4 of making a record, thereby violating the speed regulations,
5 or whoever goes away without stopping and making himself
6 known after causing injury to any person or property, or
7 uses a motor vehicle without authority from its owner, shall
8 be punished by a fine of not more than fifty dollars, or by
9 imprisonment for a term not exceeding three months, or
10 by both fine and imprisonment, and if any person be con-
11 victed the second time for a violation of this section, he
12 shall be punished by a fine of one hundred dollars, or by
13 imprisonment for not more than one year.

Sect. 75. If any motor vehicle is so driven in a reckless
2 manner or by a person apparently under the influence of
3 intoxicating liquor or drugs, it shall be the duty of every
4 officer who is charged with the enforcing of law and of
5 every citizen, to forthwith report the same to the Commis-
6 sioner, giving the number on the number plates of the ve-
7 hicle, the state registering the same, and if known the name
8 and residence of the operator or owner. Upon receipt of
9 such complaint the Commissioner shall forthwith investigate
10 the case and may suspend or revoke the license of such
11 operator, and annul the registration of the vehicle so oper-
12 ated, for such time as he shall deem advisable. No person
13 whose license to operate a motor vehicle has been revoked
14 upon conviction of violating sections seventy-four, seventy-
15 five or seventy-six of this chapter, shall again be licensed

16 or permitted to operate a motor vehicle in this state for
17 three years; provided, however, that after one year if the
18 Commissioner on petition and after hearing shall determine
19 that public safety will not be endangered by issuing a new
20 license or permit, with or without conditions attached there-
21 to, a new license or permit may then be so issued. If any
22 person convicted of any violation of the provisions of this
23 act shall appeal from the judgment and sentence of the
24 trial court, his license and right to operate a motor vehicle
25 in this state shall be suspended during the time his appeal
26 is pending in the appellate court, unless the trial court shall
27 otherwise order, or unless the Commissioner, after a hear-
28 ing, shall restore the license or permit pending decision on
29 the appeal. Whoever operates any motor vehicle in this
30 state during the time his license, right, or permit is so sus-
31 pended, shall be liable to all the penalties for operating a
32 motor vehicle without a license.

Sect. 76. No person shall operate or drive or attempt to
2 drive a motor vehicle on any way of this state when intoxi-
3 cated or at all under the influence of intoxicating liquor or
4 drugs. Whoever violates the foregoing provision shall be
5 punished upon conviction by a fine of not less than one
6 hundred dollars nor more than one thousand dollars or to
7 imprisonment for not less than thirty days nor more than
8 one year, or to both fine and imprisonment. The license
9 of any person convicted of violating the provisions of this
10 section shall be immediately revoked by the Commissioner

11 upon receipt of an attested copy of the court records, with-
12 out further hearing. Any person convicted of a second or
13 subsequent offense shall be punished by imprisonment for
14 not less than three months nor more than one year and his
15 license to operate shall be revoked by the Commissioner.
16 A copy of sections seventy-four, seventy-five and seventy-
17 six shall be printed on every operator's license.

Sect. 77. A motor vehicle owned by a non-resident of
2 this state who has complied with the laws of the state of
3 his residence relating to registration and licensing of motor
4 vehicles, and who has a bona fide actual residence in a state
5 granting like privileges to residents of this state, which resi-
6 dence is located within fifteen miles by highway of the bor-
7 der line of this state, may be operated upon any highways
8 of this state distant not more than fifteen miles from said
9 border line, if such motor vehicle is duly registered in the
10 state of its owner's residence and the fee required therefor
11 is paid and such motor vehicle is duly registered by the
12 Commissioner. The Commissioner shall furnish at his
13 office, upon payment of two dollars, to every person whose
14 motor vehicle is registered as aforesaid, a metal tag of such
15 design and shape as the Commissioner may prescribe, hav-
16 ing displayed upon it the number assigned to such motor
17 vehicle, the letters "Me." and figures showing the year of
18 issue; but no such tag shall be furnished for motor
19 cycles. Such tag shall at all times be conspicuously dis-
20 played on the front of such motor vehicle. Application for

21 registration under the provision of this section shall be veri-
22 fied by the oath of the applicant and shall be made upon
23 blanks furnished by the Commissioner. The application
24 shall, in addition to such other particulars as may be re-
25 quired by said Commissioner, contain a statement of the
26 name, place of residence and address, together with a brief
27 description of the motor vehicle, which shall include the
28 maker's number and the registration number which has been
29 assigned to it in the state of the owner's residence. The
30 Commissioner, upon granting the application, shall register
31 in a book or upon suitable index cards to be kept for that
32 purpose, the motor vehicle described in the application and
33 thereupon shall issue to the applicant a certificate of regis-
34 tration, which shall contain such facts and which shall be
35 in such form as the Commissioner may determine. Every
36 registration under the provisions of this section shall expire
37 with each calendar year.

Sect. 78. The Commissioner shall publish or cause to be
2 published in pamphlet form each calendar month, and
3 oftener when he deems it necessary, a list of all certificates
4 of registration issued during the previous month, together
5 with the registration numbers assigned and, if motor ve-
6 hicles, the horse power of such vehicle, and any other in-
7 formation he deems to be of public interest. He shall fur-
8 nish such lists, free of charge, to such public officials of the
9 state as make written application therefor; and to all other
10 persons applying, at a price per copy calculated by him to

11 approximately cover the cost of publication. He shall also
 12 publish an abstract of statutes pertaining to motor vehicles
 13 and the law of the road and rules and regulations made by
 14 him pertaining to the administration of his duties under this
 15 act, together with such other information as he deems help-
 16 ful to public safety and the better regulation of traffic.

Sect. 79. Every manufacturer of and dealer in motor
 2 vehicles, and every owner, proprietor, person in control, or
 3 keeper of a public garage, shall keep or cause to be kept in
 4 a book a proper record of every motor vehicle which enters
 5 and which leaves his garage, stable, shop or place of busi-
 6 ness. Said book shall have columns and headings substan-
 7 tially as follows:

Date	Register Number and Letter, if any		Time of entering Garage		Time of leaving Garage		Operator's or Chauffeur's Name
	A. M.	P. M.	A. M.	P. M.	A. M.	P. M.	

Whenever any person shall run a motor vehicle into or
 2 out of a public garage, or into or out of a stable, shop or
 3 place of business of a manufacturer or dealer, and leave
 4 such vehicle for storage or repairs, he shall enter or cause
 5 to be entered in said book, under the proper headings, the
 6 date and time of entering, and leaving, the register number

7 and letter, if any, of the motor vehicle, and the full name
8 of the operator or chauffeur.

In the case of motor vehicles so operated or run into or
2 out of such garage or place by others than chauffeurs, the
3 record shall be kept by the owner, proprietor or person in
4 control of the garage or place, or by some employee or em-
5 ployees specially designated for this duty, and said owner,
6 proprietor or person in control thereof shall be responsible
7 for the proper keeping of said record. All entries in said
8 book shall be made legibly, in ink or with an indelible pen-
9 cil. Said book shall be kept in some convenient place, and
10 shall be open at all times to the inspection of the Com-
11 missioner and his inspectors and of any sheriff or his deputy
12 police officer or constable.

Sect. 80. No record, as required in section seventy-nine,
2 need be kept of regular and customary occupants or users
3 of said premises whose names are entered on the books of
4 the concern conducting the business; provided, however,
5 that in every case a record shall be kept as provided in said
6 section, of each such transient vehicle and of the first arrival
7 and final departure of each vehicle. The proprietor of
8 every service station, public garage or repair shop, shall
9 immediately notify the local police officials and the Com-
10 missioner, or one of his agents, of any such vehicle whereon
11 the manufacturer's number or mark has apparently been
12 altered, obliterated or removed.

Sect. 81. In all cases of accidents resulting in injury to

2 any person or serious damage to any vehicle, the operator
3 or operators of a motor vehicle or vehicles involved therein
4 shall within twenty-four hours report the details of the
5 same to the Commissioner of Motor Vehicles.

Sect. 82. Whenever the owner has once registered a mo-
2 tor vehicle, under the provisions of this chapter, the Com-
3 missioner shall, at the request of such owner, allow him
4 to keep and use the same number plates for the entire calen-
5 dar year for which the plates were issued, provided he
6 complies with the other provisions of the motor vehicle
7 law. The Commissioner shall reserve until December first
8 of each year the same registration number for the succeed-
9 ing year for persons having registration numbers two to
10 three thousand for pleasure vehicles, and numbers one to
11 five hundred for commercial vehicles, if such person shall,
12 previous to the first day of December of the current year,
13 pay for the registration of his vehicle for the succeeding
14 year and otherwise comply with the provisions of the motor
15 vehicle law.

Sect. 83. The Commissioner of Motor Vehicles, his dep-
2 uties and inspectors when in uniform, and all police officers
3 in uniform may at all times, with or without process, stop
4 any motor vehicle to examine identification numbers and
5 marks thereon, raising the hood or engine cover if neces-
6 sary to accomplish this purpose, and may demand and in-
7 spect the driver's license, registration certificate and permits.
8 Whenever a motor vehicle is being operated by a person

9 not having upon his person or in such vehicle the regis-
10 tration certificate covering such vehicle, or if it be operated
11 by a person other than the person in whose name it is reg-
12 istered, and such operator is unable to present evidence of
13 his authority to operate such motor vehicle, such commis-
14 sioner, deputy, inspector or police officer, or any sheriff
15 or his deputy, may impound such vehicle and hold it until
16 the same is claimed and taken by the registered owner there-
17 of, who shall be forthwith notified of the impounding. Said
18 officers if wearing a badge may also at all times, with or
19 without process, and with or without uniform, enter public
20 garages, parking places and buildings where motor vehicles
21 are stored or kept, for the purpose of examining identifi-
22 cation numbers and marks thereon and may also examine
23 any vehicle standing in any public way or place.

Any such officer may in like manner examine any vehicle
2 to ascertain whether its equipment complies with the re-
3 quirements of this act.

Sect. 84. Whenever the Commissioner shall receive report
2 of the theft of a motor vehicle, whether the same be regis-
3 tered or not, and whether owned in this or any other state,
4 together with a description of the same, he shall make a
5 distinctive record thereof and cause the same to be properly
6 filed, and shall immediately report by mail or otherwise the
7 theft of said vehicle to the motor vehicle commissioner or
8 departments of such states of the United States and prov-
9 inces of the Dominion of Canada as he deems needful, giv-

10 ing a complete description of the vehicle, including the name
11 and post office address of the person reporting the theft.

Sect. 85. Whenever the owner of a vehicle previously
2 reported as stolen shall recover it, he shall notify the Com-
3 missioner that the vehicle has been recovered, and the Com-
4 missioner shall remove or cancel his record of theft and
5 shall notify each of said foreign motor vehicle departments
6 of such recovery.

Sect. 86. Whenever the Commissioner shall receive an
2 application for registration of a vehicle previously reported
3 as stolen, he shall immediately notify the owner of such
4 vehicle as shown by the records of his office; and unless
5 registration has already been issued, he shall withhold reg-
6 istration until further investigation.

Sect. 87. No person shall operate a motor vehicle after
2 his license to operate has been suspended or revoked, or
3 operate or cause or permit any other person to operate a
4 vehicle when sold, etc., after the certificate of registration
5 of such vehicle has been suspended or revoked, or attach
6 or permit to be attached to a vehicle a number plate assigned
7 by the Commissioner to another vehicle, or obscure or per-
8 mit to be obscured the figures of any number plate attached
9 to any vehicle, or fail to display on a vehicle the number
10 plates and registration number duly issued therefor.

Sect. 88. All registration number plates, issued by the
2 commissioner or by his authority, shall continue to be the
3 property of the state, and the person to whom the same

4 are issued shall surrender the same, on demand of the com-
5 missioner, whenever his registration certificate is suspended
6 or revoked. Whoever steals, takes or carries away any
7 registration plate from any person entitled to its possession
8 shall be liable to the penalty provided in section one hun-
9 dred.

Sect. 89. Whoever shall deceive or substitute, or cause
2 another to deceive or substitute in connection with any ex-
3 amination required hereunder, or shall make use of any reg-
4 istration certificate, number plate or operator's license or
5 badge issued upon an application containing any material
6 false statement of fact, shall be liable to the penalty pro-
7 vided in section one hundred of this act; and every such
8 certificate, license or plate shall be void from the date of
9 its issue, and shall be surrendered to the commissioner
10 upon demand, and any moneys paid for the same shall be
11 forfeited to the state.

Sect. 90. Any person in the event of an accident in which
2 a motor vehicle is concerned and where no officer is pres-
3 ent, may demand to see the registration certificate of such
4 motor vehicle and the operator's license of the driver.

Sect. 91. No vehicle shall be operated with a greater load
2 than that for which a registration certificate has been is-
3 sued and fee paid.

Sect. 92. Whoever while driving a vehicle not lighted or
2 equipped as required by any of the provisions of this act,
3 shall fail or refuse when requested by an officer authorized

4 to make arrests to give his correct name and address, shall
5 be liable to the penalty provided in section one hundred of
6 this act.

Sect. 93. Whoever knowingly buys, sells, receives, dis-
2 poses of, conceals or has in his possession any motor vehi-
3 cle from which the manufacturer's serial number or any
4 other distinguishing number or identification mark has been
5 removed, defaced, covered, altered or destroyed for the
6 purpose of concealment or misrepresenting the identity of
7 said vehicle, shall be fined not more than one thousand dol-
8 lars or imprisoned not more than one year, or both.

Sect. 94. No person shall operate upon any public way
2 any taxicab, commercial motor vehicle, motor truck or
3 trailer so constructed, equipped, loaded or used that the
4 driver or operator is prevented from having a constantly
5 free and unobstructed view of the highway immediately
6 in the rear, unless there is attached to the vehicle a mirror
7 or reflector so placed and adjusted as to afford the operator
8 a clear, reflected view of the highway in the rear of the
9 vehicle.

Sect. 95. There shall not be used on or in connection
2 with any motor vehicle a spot light, so-called, the rays from
3 which shine more than two feet above the road at a distance
4 of thirty feet from the vehicle, except that such a spot light
5 may be used for the purpose of reading signs, and as an
6 auxiliary light in cases of necessity when the other lights
7 required by law fail to operate.

Sect. 96. Subject to the provisions of the several sections 2 of this act, vehicles of every kind or description may be 3 operated on the ways of this state unless prohibited or re- 4 stricted by special law or town ordinance duly authorized 5 by legislative act prohibiting or restricting the use of motor 6 vehicles in certain towns, or by the rules, orders and reg- 7 ulations promulgated by the State Highway Commission 8 under authority of this act.

Sect. 97. Assessors of cities, towns and plantations shall 2 annually, on or before the first day of May, make return 3 to the commissioner of all persons owning motor vehicles 4 as appears on their assessment books.

Sect. 98. All fees and moneys received by the commis- 2 sioner under the preceding sections shall be turned over to 3 the treasurer of state as provided in section twenty-eight 4 of this act and shall be appropriated and used for the ad- 5 ministration of the office and duties of the State Highway 6 Commission as provided by general law, including the ex- 7 penses of administering the motor vehicle department, and 8 for the repair and maintenance of state and state aid high- 9 ways under the direction of the State Highway Commis- 10 sion and to meet all provisions of the bond issues for high- 11 way construction as heretofore provided by statute.

Sect. 99. Municipal and police courts and trial justices 2 in their respective counties shall have concurrent jurisdic- 3 tions with the supreme judicial and superior courts over 4 all prosecutions for all violations of the provisions of this

5 act. All fines imposed and collected under this act shall
6 be transmitted to the commissioner and applied as provided
7 in section 99.

Sect. 100. Whoever violates or fails to comply with the
2 provisions of any section of this act, except when such
3 section therein specifies the penalty, shall be subject to a
4 fine not exceeding one hundred dollars, or by imprisonment
5 not exceeding ninety days.

Sect. 101. The secretary of state shall deliver to the com-
2 missioner all records, registration plates and papers now
3 in his custody and pertaining to the registration of motor
4 vehicles and the licensing of operators.

Sect. 102. All lawful registrations, licenses, orders and
2 acts of the secretary of state and of the Public Utilities
3 Commission existing when this act takes effect, shall be
4 and remain effective for the full term for which they were
5 granted or made, and shall be considered of the same legal
6 force and effect and duration as if granted or made under
7 the provisions of this act; subject, however, to suspension,
8 revocation, change or repeal by the appropriate officials
9 created or existing under authority of this act, for any vio-
10 lation of law.

Sect. 103. The secretary of state is hereby authorized to
2 remove and destroy all records and papers in his office
3 pertaining to the registration of motor vehicles and the is-
4 suance of operators' licenses which are more than five years
5 old and are not now in use, and which in his judgment are
6 no longer of value.

Sect. 104. Chapters fifty-three, fifty-four, one hundred and
2 seventy-one, two hundred and thirteen, two hundred and
3 thirty-four, two hundred and fifty-six, two hundred and
4 seventy-two and two hundred and eighty-four of the pub-
5 lic laws of nineteen hundred and seventeen, chapter two
6 hundred and eleven of the public laws of nineteen hundred
7 and nineteen, chapter two hundred and forty-two of the pub-
8 lic laws of the special session of the Seventy-ninth legis-
9 lature for the year nineteen hundred and nineteen, and
10 chapter twenty-six of the revised statutes and all acts and
11 parts of acts inconsistent therewith, are all hereby repealed.