

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

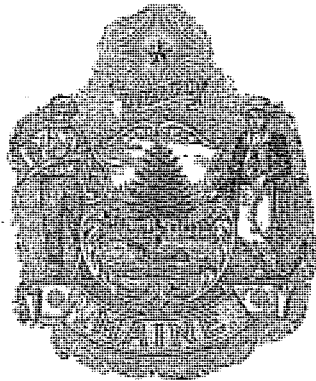
SIXTH REVISION

THE  
REVISED STATUTES

OF THE

STATE OF MAINE

PASSED SEPTEMBER 29, 1916, AND TAKING  
EFFECT JANUARY 1, 1917



By the Authority of the Legislature

---

AUGUSTA  
KENNEBEC JOURNAL PRINT  
1916

**CHAP. 26**

incident thereto as provided in this chapter, and for the maintenance of all state and state aid highways as herein provided, there shall be appropriated the sum of fifty thousand dollars annually. This fund shall be known as the maintenance and administration fund and to it shall be added from time to time the amounts provided for under sections nine, twelve, thirty-three and thirty-four, and any unexpended balance of this fund at the end of any year shall be added to this fund for the next year.

---

**CHAPTER 26.****Law of the Road. Registration of Motor Vehicles.****Law of the Road.**

**Sec. 1. Definitions.** R. S. c. 24, § 1. As used in this chapter, the word "way" includes all kinds of public ways. And the word "team" all kinds of conveyances on such ways for persons and for property.

See c. 1, § 6, ¶ 6; c. 24, § 99.

**Sec. 2. Travelers to turn to right; if unable to turn, must stop.** R. S. c. 24, § 2. When persons traveling with a team are approaching to meet on a way, they shall seasonably turn to the right of the middle of the traveled part of it, so far that they can pass each other without interference. When it is unsafe, or difficult on account of weight of load to do so, a person about to be met or overtaken, if requested, shall stop a reasonable time, at a convenient place, to enable the other to pass.

11 Me. 339; 25 Me. 46; 66 Me. 376; 71 Me. 347; 98 Me. 73.

**Sec. 3. If stationary, or moving slowly, must allow others to pass.** R. S. c. 24, § 3. When a person with a team is stationary, or traveling slowly on a way at a place unsafe or inconvenient for passing him with a team, he shall, if requested, drive to the right or left, or stop a reasonable time at a convenient place, to allow the other to pass.

25 Me. 46; 71 Me. 347.

**Sec. 4. Teams must not obstruct passage.** R. S. c. 24, § 4. No person shall leave his team stationary on a way so as to obstruct the free passage of other teams; or allow his team to be on a way without a driver.

**Sec. 5. Bells.** R. S. c. 24, § 5. Three or more bells must be fastened to one of the foremost horses drawing teams on snow without wheels.

**Sec. 6. Damage to party injured; penalty.** R. S. c. 24, § 6. Any person injured by violation of either of the previous sections, may recover damages in an action on the case, commenced within one year. Such violator forfeits not less than one, nor more than twenty dollars, to be recovered on complaint made within sixty days.

**Sec. 7. Travel on bridges regulated.** R. S. c. 24, § 13. No team shall travel faster than a walk on a bridge erected wholly or partly by the state, or on any bridge covered with plank and fifty feet long composing part of a way, or on any bridge owned by a corporation, if a board with the words "Three dollars fine for riding or driving on this bridge faster than

a walk," legibly painted in black letters on a white ground, is kept exposed in some conspicuous place at each end thereof.

**Sec. 8. Forfeiture for fast driving on bridge; exception.** R. S. c. 24, § 14. Whoever wilfully violates the preceding section, forfeits three dollars, to be recovered on complaint made by any owner of said bridge, or by any municipal officer of the town in which it is located, to the owners of the bridge, or to the town required to keep it in repair; but no person passing after sunset and before sunrise is so liable without proof that he previously had knowledge of such prohibition.

**Sec. 9. Driver not to leave team without fastening.** R. S. c. 24, § 15. If the driver of a team having passengers therein conveyed for hire, leaves it without any person in charge and without fastening it securely, he may be fined not exceeding thirty dollars or imprisoned not exceeding one month.

**Sec. 10. Wide-rimmed wheels on certain roads.** R. S. c. 24, § 16. 1905, c. 129. Teams with wheels, if drawn by more than two horses, oxen or mules, must have the rims of their wheels at least four inches wide, and if drawn by more than four horses, oxen or mules, at least five inches wide, when traveling on the road from Jackson brook, in Washington county, to Forest City, and when traveling on the highway from the spool mill of the Willimantic Linen Company, in Willimantic, in Piscataquis county, by the residences of Irvine Floyd or Jabez Hathaway, to Francis' siding on the Bangor and Aroostook Railroad in Abbot, and when traveling on the road leading from West Buxton in Buxton in York county to the Saco River railroad station, and on the road leading from said West Buxton to the Buxton railroad station, and on the road leading from Bar Mills in Buxton via Duck pond, so called, to the Gorham town line, and when traveling on the road leading from Newry Corner in the town of Newry, in Oxford county, to the Grand Trunk Railway station in Bethel village in the town of Bethel, and when traveling on the road leading from East Bethel in said town of Bethel to Locke's Mills, so called, in the town of Greenwood, and when traveling on the road leading from the town of Mason in said Oxford county to West Bethel village, and when traveling on any of the streets or roads in said Bethel village; and no team drawn by more than six horses, oxen or mules, shall travel thereon. This section is not applicable to stage or pleasure carriages, or to those owned by the state or the United States, or to any cart or wagon owned by the settlers in the vicinity and used for farming purposes. The owner or driver of a team violating this section, forfeits twenty dollars and one dollar more for each mile of road passed, to be recovered by complaint before a municipal or police court or trial justice in the county where the offense was committed, and on a libel or complaint, he may issue his warrant to seize and detain such team to respond to such fine and cost.

**Sec. 11. Weight of vehicle, etc., limited to nine tons, unless permit issued; wheels shall not have ribs, etc., which will injure surfaces; owners of vehicles liable for damages.** 1913, c. 188, § 1. No traction engine, trailer, motor or other vehicle shall be operated upon or over a highway or bridge in this state, nor shall any object be moved over or upon a highway or bridge, upon wheels, rollers or otherwise, in excess of a total weight of

**CHAP. 26**

nine tons, including vehicle, object or contrivance and load, without first obtaining a permit, mentioned in section thirteen, from the authority or authorities in charge of the maintenance or care of said highway or bridge; nor shall any vehicle be operated or contrivance moved upon or over said highways or bridges which has any flange, rib, clamp or other object attached to its wheels or made a part thereof, which will injure, cut into or destroy the surface of the highway or bridge, nor shall any such engine, vehicle, object or contrivance for moving heavy loads, the weight of which exceeds eight hundred pounds upon any inch in width of the tire, roller, wheel or other object, be operated or moved upon or over any highway or bridge without first obtaining said permit. The owner, driver, operator or mover of any such engine, vehicle, object or contrivance over said highway or bridge shall, unless relieved from liability in said permit, be responsible for all damage which said highway or bridge may sustain as a result of said action on his part, and the amount thereof may be recovered in an action on the case by the city, town or plantation, or in behalf of any unorganized township, by the county where the injury is done.

See c. 24, § 94.

**Sec. 12. Rate of speed for heavy vehicles regulated.** 1913, c. 188, § 2. No steam traction engine, with or without trailers, and no motor truck carrying a weight in excess of four tons, including the vehicle, shall be operated upon any highway or bridge at a rate of speed greater than fifteen miles an hour; and no such vehicle carrying a weight in excess of six tons, including the vehicle, shall be operated upon any highway or bridge at a rate of speed greater than six miles an hour when such vehicle is equipped with tires of hard rubber or other similar substance.

**Sec. 13. Permits, from whom obtained; rate of speed.** 1913, c. 188, § 3. The state highway commission, county commissioners, superintendents of streets, selectmen or road authorities having charge of the repair and maintenance of any highway or bridge in any of the cities or towns in the state, may, upon proper application in writing, grant permits for the moving of heavy vehicles, loads, objects or structures over said highways and bridges, which permits, when duly granted, shall authorize such movement. Said permits may be general or may be limited as to the time and the particular roads and bridges which may be used, and may contain any special conditions or provisions which in the opinion of the authorities granting the same are necessary for the protection of said highways or bridges from injury. The authorities having charge of any such bridge may make regulations limiting the rate of speed of any of the vehicles mentioned in the two preceding sections passing over said bridge to a rate of speed not to exceed six miles an hour, provided notice is conspicuously posted at each end of the bridge affected by such regulation.

**Sec. 14. Penalty.** 1913, c. 188, § 4. Whoever violates any provision of the three preceding sections, or the regulations made, or permits granted under authority thereof, shall be liable to a fine of not less than ten dollars nor more than five hundred dollars for each and every offense; said fines shall be paid into the treasury of the city or town when any highway or bridge is injured which is under the care of said city or town, and into the

treasury of the county, in behalf of any unorganized township, and shall be used in the repair of highways and bridges within the respective jurisdictions.

### Registration of Motor Vehicles.

**Sec. 15. Term "motor vehicle" defined.** 1911, c. 162, § 1. 1915, c. 207, § 1. The term "motor vehicle," as used in the following sections shall include all vehicles self-propelled on highways, town ways, public streets, avenues, driveways, parks or parkways, by motive power of whatsoever kind, namely, automobiles, (used for the conveyance of persons for hire, pleasure or business), motor trucks or automobiles (used for commercial purposes), motor cycles, which shall mean all kinds of motor wheels (used for pleasure or business), log haulers or traction engines (used for commercial purposes), excepting such vehicles as run only upon rails or railroad tracks, automobile fire engines and apparatus, and other vehicles used by cities or towns, such as police patrol wagons and road rollers.

**Sec. 16. Rate of speed of automobiles regulated.** 1911, c. 162, § 2. 1915, c. 207, § 2. The rate of speed upon any highway, town way, public street, avenue, driveway, park or parkway by any person operating a motor vehicle in this state shall be not greater than twenty-five miles an hour in open country outside of cities and villages, and within the compact or built-up portions of any city, town or village not greater than fifteen miles an hour. The compact or built-up portion of any city, town or village shall mean the territory of a city, town or village contiguous to any way, which is built up with structures devoted to business, or where the dwelling-houses are situated less than one hundred fifty feet apart for a distance of at least one-quarter of a mile. No person shall be convicted of exceeding the rate of speed hereby established for any compact or built-up portions, unless said city, town or village shall cause the words "Speed Limit, Fifteen Miles" to be conspicuously displayed on sign-boards along each highway, town way, public street, driveway or parkway, and such other signs as will clearly designate such compact or built-up portion. No person shall be convicted of exceeding in the open country, outside of cities and villages, the rate of speed hereby established, unless the average speed for at least one-half mile exceeds the rate of twenty-five miles per hour. No municipal officer or other person shall erect or cause to be erected speed limit signs contrary to those contemplated by this section and if any such signs now exist the municipal officers of cities and towns shall cause their removal.

**Sec. 17. Person arrested for violation of speed regulation entitled to immediate trial or release on personal recognizance.** 1915, c. 207, § 2. Any person arrested for violation of any speed regulation of sections fifteen to forty-one, both inclusive, except those of section thirty-eight, shall be given an immediate trial, if he shall so demand of the officer making the arrest; but if for any reason it is impracticable so to do, the officer making the arrest shall accept the personal recognizance of the person arrested for his appearance in court on a specified day, not later than two days thereafter. If such person fails to appear in court on the day specified, either in person or by counsel, the court shall, in case said person be a resident, order

## CHAP. 26

the secretary of state to revoke his license and to annul the registration of the motor vehicle driven by such person when arrested; in case said person be a non-resident or said vehicle be licensed by some other state or country, all rights of said person to operate in this state, or of the owner of said vehicle to have the same operated in this state shall forthwith terminate. None of the foregoing provisions of this section shall be held in any way to modify or effect the operation of any provision of the following section.

**Sec. 18. Rate of speed shall be reasonable and proper; racing forbidden; hill climbing contests.** 1911, c. 162, § 3. 1915, c. 207, § 3. No person operating a motor vehicle on any highway, town way, public street, avenue, driveway, park or parkway, shall drive at any speed greater than is reasonable, safe and proper, having regard to the traffic and use of the public way by others, or so as to endanger the life or limb of any person. Racing and reckless driving on any such ways, streets, avenues or parks is hereby forbidden. It shall be prima facie evidence of a rate of speed greater than is reasonably safe and proper, as aforesaid, if a motor vehicle is operated on any highway, town way, public way, street or avenue, driveway, park or parkway in the built-up or compact portion of any city or town at a rate of speed exceeding eight miles per hour where the operator's or chauffeur's view of the road traffic is obstructed either upon approaching an intersecting way, or in traversing a crossing or intersecting of ways, or in going around a corner or curve in a street or way. Permits may be granted by municipal officers of cities or towns after a public hearing thereon to drive automobiles or motor cycles in hill-climbing contests during a specified time upon a certain highway at any rate of speed.

**Sec. 19. Rule for passing; shall stop on request of drivers of horses.** 1911, c. 162, § 4. Whoever, driving or operating a motor vehicle upon any highway, town way, public street, avenue, driveway, park or parkway of this state, when approaching from the opposite direction a person riding, driving or leading a horse or other animal which appears to be frightened, is signaled by putting up of the hand or by other visible sign by such person, shall cause such motor vehicle to come to a stop as soon as possible and remain stationary as long as it may be necessary and reasonable to allow such horse or animal to pass. Whenever traveling in the same direction, the person operating a motor vehicle shall use reasonable caution in passing horses or other animals and vehicles.

103 Me. 254.

**Sec. 20. Equipped with means for signaling; lights.** 1911, c. 162, § 5. Every such motor vehicle when in use on the highways shall have attached thereto a suitable horn, bell or other means of signal, equally as good, that when blown, rung or otherwise operated may be heard a distance of at least two hundred feet, and shall also have lighted lamps between thirty minutes after sunset and thirty minutes before sunrise. Automobiles and motor trucks shall have at least two white lights forward and one red rear light with white light to plainly illuminate registered number. Motor cycles shall have at least one white light forward and one red rear light. Log haulers or traction engines shall have at least two white lights forward.

**Sec. 21. Municipal officers may designate dangerous places; sign-boards to be displayed; speed limit at designated place.** 1911, c. 162, § 6. Municipal officers of any city or town may designate places on any streets or ways therein, where in their judgment by reason of cliffs, embankments or other exceptional natural conditions, the meeting of motor vehicles and horses or other animals would be attended with unusual danger, by causing the words "Automobiles go slow" to be conspicuously displayed on sign-boards on the right hand side of each approach to such place not less than one hundred and fifty feet distant therefrom. No such motor vehicle shall pass any place so designated at a greater speed than five miles an hour, and if a horse or other animal ridden or driven is met coming from the opposite direction and signal from the person riding or driving such horse or other animal is made, the driver of such motor vehicle shall come to a stop as soon as possible, and allow a reasonable time for said horse or other animal to pass, and whenever traveling in same direction, shall use reasonable and proper care in passing said horse or other animal.

**Sec. 22. Penalty for violation of the preceding sections.** 1911, c. 162, § 7. Whoever violates any provision of the six preceding sections, except section seventeen, shall be punished by a fine of not less than ten, or more than twenty-five dollars for the first offense, and not less than twenty-five, or more than fifty dollars for the second offense committed during any period of twelve months, or by imprisonment for a term not exceeding ten days.

**Sec. 23. All motor vehicles shall be registered; application; fees. Horse power, how based. Duties of secretary of state. Registered motor cycle may be operated by owner without license.** 1911, c. 162, § 8. All motor vehicles shall be registered by the owner or person in control thereof in accordance with the provisions of this section and the following sections. 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, in addition to such other particulars as may be required by said secretary, contain a statement of the name, place of residence and address of the applicant, with a brief description of the motor vehicle, including the name of the maker, the number if any, affixed by the maker, the character of the motive power and the amount of such power, stated in figures of horse power, and with such application shall be deposited an annual registration fee of:

Five dollars for automobiles (used for conveyance of persons for hire, pleasure or business), of twenty horse power and under.

Ten dollars for automobiles (used for conveyance of persons, for hire, pleasure or business), between twenty horse power and including thirty-five horse power.

Fifteen dollars for automobiles (used for conveyance of persons, for hire, pleasure or business), over thirty-five horse power.

Ten dollars for motor trucks or automobiles (used for commercial purposes).

Three dollars for motor cycles (used for pleasure or business).

Ten dollars for traction engines or log haulers (used for commercial purposes).



## CHAP. 26

The above horse power shall be based on the "A-L-A-M" standard, so called. On any application for registration, applied for by an owner, a resident of this state, of an automobile, not including motor cycle, log hauler or traction engine, during the period between the first day of October and the thirty-first day of December in any year, one-half of the registration fee shall be charged. 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 motor vehicle described in the application, giving to the owner of such motor vehicle a distinguishing number or other mark, and shall thereupon issue to the applicant a certificate of registration, which shall contain the name, place of residence and address of the applicant and the registered number or mark, shall prescribe the manner in which said registered number or mark shall be inscribed or displayed on the motor vehicle; and shall be in such form as the secretary may determine. The secretary of state shall also furnish the applicant two enameled iron plates, containing the word "Maine", in letters not less than one inch in height, and the number of the registration in Arabic numerals not less than four inches in height. The number plates must be attached to the front and rear of automobiles, auto trucks and traction engines. Motor cycles will be provided with a registration seal or other distinguishing mark as may be determined by the secretary of state. The number for motor cycles must be so placed as to be always plainly visible. A proper record of all applications for registration and of all certificates issued shall be kept by the secretary of state in his office and shall be open to the inspection of any person during reasonable hours. The certificate of registration shall always be carried on the person or in some easily accessible place in or about the motor vehicle. Upon the sale of any motor vehicle, registration shall expire and the vendor shall immediately return the certificate of registration to the secretary of state, with notice of sale and the name, place of residence and address of the vendee. Registration plates, seal, or other distinguishing mark for automobiles, motor cycles and traction engines shall be furnished free, from the office of the secretary of state. The express charge for delivery of registration plates shall be paid by the receiver. Plates lost or mutilated may be replaced for seventy-five cents each.

A motor cycle that has been registered in accordance with this section, may be operated by the owner of such motor cycle without a license and the certificate of registration shall be evidence of the right to operate.

**Sec. 24. Registration of manufacturers and dealers.** 1911, c. 162, § 9. Every manufacturer of or dealer in motor vehicles (automobiles or auto trucks) 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 or mark and said secretary may, if satisfied with the facts stated in the application, grant the application and issue to the applicant a certificate of registration, containing the name, place of residence and address of the applicant and the general distinguishing number or mark assigned to him or them and made in such form as the secretary of state may determine; and all motor vehicles (automobiles

and motor trucks) owned and controlled by such manufacturer or dealer shall until sold, or exchanged be regarded as registered under such general distinguishing number or mark. The annual fee for every certificate of registration to purchase, demonstrate, sell and exchange automobiles and auto trucks, shall be twenty-five dollars. The secretary of state shall furnish the manufacturer or dealer with five pairs of registration number plates free of cost. Extra registration plates shall be furnished to the manufacturers and dealers in automobiles and auto trucks, in addition to the five pairs of plates originally furnished, to replace lost or mutilated plates, for seventy-five cents each. Transportation charges on registration number plates shall be paid by the receiver. On applications for registration applied for by manufacturers or dealers in automobiles or motor trucks, during the period between the first day of October and the thirty-first day of December in any year, one-half of the registration fee shall be charged.

**Sec. 25. Registration for the sale and exchange of motor cycles. 1911, c. 162, § 9.** Every manufacturer or dealer in motor cycles shall annually pay a fee of six dollars for a registration certificate to handle, demonstrate, sell and exchange motor cycles. The secretary of state shall furnish the manufacturer of, or dealer in motor cycles with three sets of seals or other distinguishing marks free of cost. For every seal for a motor cycle in addition to the three seals originally furnished to the manufacturer or dealer in motor cycles, to replace lost or mutilated plates, fifty cents will be charged. Transportation charges on seals shall be paid by the receiver.

**Sec. 26. Payment of registration fee of manufacturer or dealer. 1911, c. 162, § 9.** Every manufacturer or dealer in automobiles, auto trucks and motor cycles in this state shall pay to the secretary of state the required registration fee on or before the thirty-first day of December annually; provided, that any manufacturer or dealer as aforesaid, commencing business in this state after the first day of January of any year, shall pay to the secretary of state at the time of commencing said business the registration fee herein provided.

**Sec. 27. Secretary of state to be notified of sale. 1911, c. 162, § 10.** Whenever a manufacturer or dealer sells or exchanges an automobile, he shall immediately notify the secretary of state that the motor vehicle has been sold or exchanged, giving description of the motor vehicle, name of maker, name of make, if possible, horse power, and name and address of the party to whom sold or with whom exchanged. The secretary of state shall furnish necessary blanks for making said reports.

**Sec. 28. Motor vehicle owned by resident not to be operated unless registered and operator licensed; expiration of registration and licenses. 1911, c. 162, §§ 11, 19.** No motor vehicle of any kind shall be operated by a resident of this state, upon any highway, town way, public street, avenue, driveway, park or parkway, unless registered as provided in this chapter, and no person, a resident of the state, shall operate a motor vehicle upon any highway, town way, public street, avenue, driveway, park or parkway unless licensed to do so, under the provisions of section thirty-one. Every registration of motor vehicles shall expire on the thirty-first day of De-

## CHAP. 26

member of each year and the certificate of registration thereupon becomes void. All licenses to operate motor vehicles expire on the thirty-first day of December of each year, and an application for a new license to drive or operate a motor vehicle must be made to the secretary of state and a license received, to enable any person to drive or operate a motor vehicle of any kind, excepting motor cycles, on and after the first day of January of each year.

**Sec. 29. Transfer ownership of automobile, motor truck or motor cycle in same year; fees. 1911, c. 162, § 12.** A person transferring the ownership of a registered automobile or motor truck and applying to the secretary of state for registration of another automobile or motor truck in the same calendar year, shall receive a certificate of registration and number plates therefor upon payment of a fee of two dollars, and shall pay the expressage, provided the horse power is the same as that of the former automobile or auto truck; but if the horse power of the other vehicle is greater he shall pay the difference between the fee paid by him for the vehicle first registered and the fee for the vehicle of greater horse power. A person who may exchange an automobile or motor truck before the first day of August in any year and procure a certificate of registration paying therefor a fee of two dollars, shall if the automobile or motor truck received in exchange is of less horse power than the former vehicle, be entitled to a rebate of one-half the difference between the fee of said former vehicle and the fee for the vehicle of lower horse power received in exchange as aforesaid. A person transferring the ownership of a motor cycle and applying for registration of another motor cycle within the same calendar year, shall pay for the registration certificate thereof a fee of one dollar, which fee shall include seal or number plate; express charges shall be paid by the receiver.

**Sec. 30. Municipal officers may grant permits to operate log hauler, traction engine, etc., on ways of town. 1911, c. 162, § 13.** A log hauler, traction engine or other motors to be used in drawing heavily loaded sledges, carts, drays or vans, may be operated upon the ways of any town, provided the owner or operator thereof shall first secure written permit from the municipal officers of such town, so to operate, and shall deposit with said municipal officers a good and sufficient bond running to said municipal officers and their successors in office, in an amount satisfactory to said municipal officers, conditioned to reimburse said town for any expenses necessarily incurred in repairing all damages to their town ways caused by the use of such log hauler, traction engine or other motor thereon.

See §§ 11, 13.

**Sec. 31. License shall be issued to persons over sixteen years of age; contents; fee; secretary of state may suspend or revoke license. 1911, c. 162, § 14.** Licenses for operating motor vehicles except motor cycles, shall be issued by the secretary of state to persons not less than sixteen years of age. Applications shall be made upon blanks prepared by the secretary of state for this purpose and the licenses issued shall be in such form and shall contain such provisions as the secretary of state may determine. To such licenses shall be assigned some distinguishing number or mark

and a proper record of all applications for license and of all licenses issued shall be kept by the secretary of state at his office and shall be open to the inspection of any person during reasonable business hours. Each license shall state the name, age, place of residence of licensee and the distinguishing number or mark assigned to him. The fee for such license to operate an automobile, motor truck or traction engine shall be two dollars, which shall be deposited at the time of making the application. The secretary of state may at any time suspend or revoke any license for any violation of sections fifteen to forty-one, both inclusive, or regulation made thereunder. Before a license to operate is granted, the applicant shall present such evidence as to his qualification to operate a motor vehicle, as may be required by the secretary of state. Every person licensed to operate motor vehicles shall indorse his name in the margin of the license and such license shall not be valid until so indorsed.

**Sec. 32. Operation of motor vehicles by non-residents, regulated; duty of secretary of state.** 1911, c. 162, § 15. Non-residents may operate motor vehicles on the roads and highways of this state for not exceeding thirty days without registration, provided that such motor vehicle is registered in some other state or country and has attached thereto registered plates, and is driven by a person licensed to operate in this or some other state or country. Previous to the expiration of said thirty days, if the owner is to continue operation within this state, he must make application to the secretary of state for registration in accordance with section twenty-three and pay the fee therein prescribed.

On receipt of the fee, the secretary of state shall furnish said applicant a certificate of registration and two number plates free of expense, transportation charges to be paid by the receiver, which plates must be placed on the motor vehicle, forward and rear, and remain there as long as such motor vehicle is operated in this state in the year during which said certificate is issued; provided, however, that on applications for registration by non-resident owners of motor vehicles during the period between the first day of October and the thirty-first day of December in any year one-half of said registration fee shall be charged. Any motor cycle owned by a non-resident, driven by a person registered in this or some other state or country, having a registration seal, plate or other distinguishing mark attached to the motor cycle, may be operated on the roads and highways of this state for thirty days before registration.

**Sec. 33. Penalty; operation of motor vehicles by unlicensed persons while learning.** 1911, c. 162, §§ 16, 17. Whoever violates any provision of the nine preceding sections shall be punished by fine not exceeding fifty dollars or by imprisonment not exceeding ten days. The preceding sections shall not be construed to prevent the operation of motor vehicles by unlicensed persons, if riding with or accompanied by a licensed operator, for the purpose of becoming familiar with the use and handling of a motor vehicle, preparatory to taking out license for driving.

**Sec. 34. Temporary licenses for automobiles and motor vehicles.** 1915, c. 349. The secretary of state may keep on sale in such cities and towns as he may select, with the chief of police or such persons as he may desig-

## CHAP. 26

uate, tags that can be attached to motor vehicles in a conspicuous place; and when said tags are properly filled out, signed and attached said motor vehicles may be operated seven days from the date on said tag, in the same manner as those bearing the regular plates furnished by the state. The fee to be collected for such tags shall be one dollar. The penalty for using a tag after the time limit has expired shall be the same as for operating unregistered motor vehicles. The person receiving such tag shall return the same to the officer or person from whom it was obtained within ten days of its issuance, under the penalty above imposed. The officer or person issuing the tag shall report to the secretary of state each week the names of all persons, with their addresses, who have not returned their tags within the specified time.

**Sec. 35. Fees, how disposed of.** 1911, c. 162, § 21. All fees received by the secretary of state under the preceding sections shall be turned over to the treasurer of state every calendar month during the year, and shall be appropriated and used for the repair, maintenance and construction of state highways, under the direction of the state highway commission.

See c. 25, § 33.

**Sec. 36. Neutral automobile zone established; duty of secretary of state.** 1913, c. 205. A motor vehicle owned by a non-resident of this state who has complied with the laws of the state of his residence relating to registration and licensing of motor vehicles, and who has a bona fide actual residence in a state granting like privileges to residents of this state, which residence is located within fifteen miles by highway of the border line of this state, may be operated upon any ways of this state distant not more than fifteen miles from said border line, if such motor vehicle is duly registered in the state of its owner's residence and the fee required therefor is paid and such motor vehicle is duly registered by the secretary of this state. The secretary of state shall furnish at his office, without charge, to every person whose motor vehicle is registered as aforesaid, a metal tag of suitable design, and oval in shape, having displayed upon it the number assigned to such motor vehicle, the letters "Me." and figures showing the year of issue; but no such tag shall be furnished for motor cycles. Such tag shall at all times be conspicuously displayed on the front of such motor vehicle. Every application filed under the provisions of this section shall be verified by the oath of the applicant. Every registration under the provisions of this section shall expire with each calendar year.

**Sec. 37. Unless prohibited by special laws, motor vehicles may be operated on highways of this state.** 1911, c. 162, §§ 18, 23. Motor vehicles of every kind or description may be operated on the roads and highways of this state, unless prohibited by special law or town ordinance duly authorized by the legislature, prohibiting the use of automobiles or motor vehicles in certain towns, subject, however, to the provisions of sections sixteen to twenty-two, both inclusive; provided, however, that nothing herein contained shall in any way affect any laws enacted to prohibit the use of automobiles or motor vehicles in certain towns therein specified.

**Sec. 38. Penalty for operating a motor vehicle contrary to law.** 1911, c. 162, § 20. Whoever operates a motor vehicle upon any way, recklessly

or while under the influence of intoxicating liquor, so that the lives or safety of the public are in danger, or upon a bet, wager or race, or for the purpose of making a record, thereby violating the speed regulations, or whoever knowingly goes away without stopping and making himself known after causing injury to any person or property, or whoever uses a motor vehicle without authority from its owner, shall be punished by a fine of not exceeding fifty dollars, or by imprisonment for a term of three months, or by both such fine and imprisonment; and if any person is convicted the second time for violation of this section, he shall be punished by a fine of one hundred dollars or by imprisonment for a term of not less than six months and not more than one year. On conviction of violation of this section, the license of the person so convicted shall be revoked immediately. And if the person so convicted is the owner of a motor vehicle, or has control of any motor vehicle as a manufacturer or dealer, the certificate of registration of all motor vehicles owned or controlled by him shall be revoked.

**Sec. 39. Violation of preceding section shall be reported to secretary of state; license and registration suspended.** 1915, c. 207, § 4. If any motor vehicle is so driven in a reckless manner or by a person apparently under the influence of intoxicating liquor, every officer who is charged with enforcing the laws of the state, and every citizen having knowledge of such act, shall report the same to the secretary of state at once, giving the number on the number plates of the vehicle, the name of the state where such vehicle is registered, and, if known, the name, and permanent or temporary residence of the driver or owner. Upon receiving such complaint the secretary of state shall forthwith investigate the case and may suspend the license to operate of the persons against whom the complaint is made and may suspend the registration of the vehicle operated, for such time as he shall deem advisable. This section shall apply to residents and non-residents operating motor vehicles. No fees shall be allowed to the complainant or to the officer making an arrest under this section.

**Sec. 40. Assessors shall make return of motor vehicles; copy of law printed on license.** 1915, c. 207, § 4. Assessors of cities, towns and plantations shall annually, on or before the fifteenth day of April, make returns to the secretary of state of all persons within their respective cities, towns or plantations owning motor vehicles, as appears by their assessment books. A copy of this section and of the two preceding sections shall be printed on every operator's license.

**Sec. 41. All machines shall be provided with brakes.** 1911, c. 162, § 22. All automobiles and auto trucks of ten horse power or more, shall be provided with two efficient brakes, foot brake and emergency lever brake. Motor cycles shall be provided with at least one brake to be operated by hand. All motor vehicles (automobiles, motor cycles and auto trucks) must be supplied with a muffler, when operated on the roads of this state, of such construction and device as to prevent excessive noise. When motor vehicles are left in the public streets or ways unattended, the drivers or operators shall effectively set the brakes.

*Note.* Penalty for defrauding keepers of public garages, c. 128, § 6.