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CHAPTER 7
OPERATORS' LICENSES

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§ 531. License required

No resident of the State shall operate a motor vehicle on any way, unless licensed by the State to operate such motor vehicle. No license shall be issued until the Secretary of State is satisfied that the applicant is a proper person to receive it. A person to whom a license to operate a motor vehicle has been issued, unless such license contains a special limitation or restriction, may operate any registered motor vehicle.

R.S.1954, c. 22, § 60; 1963, c. 221, § 9.

§ 532. Instruction permits

Any person who is at least 15 years of age and has completed a course in driver education as provided in section 583 may apply to the Secretary of State for an instruction permit. The Secretary of State may, in his discretion, after applicant has successfully passed all parts of an examination other than the driving test, issue to the applicant an instruction permit which shall entitle the applicant, while having such permit in his immediate possession, to drive a motor vehicle upon the public highways for a period of one year when accompanied by a licensed operator who has at least one year of driving experience and is at least 18 years of age and who is occupying a seat beside the driver, except in the event the permittee is operating a motorcycle, motor scooter or motor bike. The Secretary of State may, in his discretion, issue a restricted instruction permit effective for a school year or for a restricted period to an applicant who is enrolled in a driver education program which includes practice driving. Such instruction permit shall only be valid when applicant is accompanied by an instructor approved by the State Department of Education. Any person who has not held a Maine operator's license during one of the 3 preceding years may apply for an instruction permit.

R.S.1954, c. 22, § 60; 1955, c. 181, § 1; 1957, c. 214, § 2; 1963, c. 13, § 2; c. 221, § 10.

§ 533. Temporary permits

The Secretary of State may, in his discretion, issue a temporary driver's permit to an applicant who has successfully passed a complete examination, or to an applicant who holds a valid or recently expired operator's license from another state or country, permitting applicant to operate a motor vehicle during a period not to exceed 30 days while the Secretary of State is completing his investigation and determination of all facts relative to such applicant's right to receive an operator's license. The Secretary of State may, in his discretion, issue a temporary driver's permit to any resident permitting the operation of a motor vehicle during a period not to exceed 30 days. Such permit or temporary license shall be in applicant's immediate possession at all times while operating a motor vehicle.

R.S.1954, c. 22, § 60; 1955, c. 181, § 1; 1961, c. 71.

§ 534. Restricted licenses

The Secretary of State may, after a complete examination or investigation, restrict the license of any operator so as to permit

the operation of a specified vehicle or vehicles, operation during the daylight hours, within a designated area, or any other restriction or condition the Secretary of State may deem to be in the interest of highway safety. Any person operating a motor vehicle in any manner in violation of the restrictions imposed in a restricted license issued to him shall be punished by a fine of not more than \$100 or by imprisonment for not more than 90 days, or by both.

R.S.1954, c. 22, § 60; 1955, c. 181, § 1.

§ 535. Servicemen

On application to the Secretary of State, any person who is serving in the Armed Forces of the United States in time of war or national emergency and who is otherwise qualified to operate a motor vehicle in this State shall receive a license without the requirement of the payment of any fee. Such person shall, notwithstanding the expiration date of such license, be entitled to operate a motor vehicle without obtaining a new license therefor. Such person shall, while operating a motor vehicle, carry upon his person conclusive evidence that he is a member of said Armed Forces. The privileges of this section shall remain in effect for a period of 30 days after the discharge or release of such person from said Armed Forces. Nothing in this section shall be construed to permit a person against whom a revocation or suspension of a license is in force, or a person who has been refused a license by the Secretary of State, to operate a motor vehicle.

R.S.1954, c. 22, § 60; 1961, c. 68.

§ 536. Amputee veterans

On application to the Secretary of State of any amputee veteran who has been the recipient of an automobile from the United States Government under authority of P.L. 663, 79th Congress, as amended, or P.L. 187, 82nd Congress, as amended, or any amputee veteran receiving compensation from the Veterans Administration for service connected disability who shall have a specially designed motor vehicle, and who is otherwise qualified to operate a motor vehicle in this State, such veteran shall receive a license to operate such automobile without the requirement of the payment of any fee.

R.S.1954, c. 22, § 60.

§ 537. Learners

No person shall operate a motor vehicle upon any way in this State unless licensed according to this Title. This section shall

not prevent the operation of a motor vehicle by an unlicensed person, not less than 15 years of age who holds an instruction permit, 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 such unlicensed person has not theretofore had a license revoked, suspended or finally refused.

R.S.1954, c. 22, § 65; 1955, c. 181, § 3.

§ 538. Age limit

No license shall be issued to any person under 15 years of age.

R.S.1954, c. 22, § 60.

§ 539. Application; fee

Applications to operate motor vehicles shall be presented by mail or otherwise to the Secretary of State upon blanks prepared under his authority, and which shall call for specific answers to questions of a character designed to show the experience and competency of the applicant to operate a motor vehicle. A fee of \$5 shall accompany the application. The application shall contain a space for the applicant to list his blood type if he so desires.

R.S.1954, c. 22, § 60; 1955, c. 340; 1957, c. 330, § 6; 1959, c. 363, § 11; 1963, c. 57, § 1.

§ 540. Contents of license

Each license shall state the name, age, place of residence of the licensee and the distinguishing numbers or marks assigned to him and may contain a brief description of the licensee for the purpose of identification and such other information as the said Secretary of State shall deem necessary. Every licensee shall indorse his usual signature upon the margin of the license before using it and no license shall be valid until so indorsed.

R.S.1954, c. 22, § 60.

§ 541. Duplicate licenses

In the event that an operator's license or registration card issued under this Title shall be lost or destroyed, the person to whom the same was issued may obtain a duplicate or substitute

upon furnishing proof satisfactory to the Secretary of State that such license or card has been lost or destroyed and upon payment of a fee of 50¢.

If the Secretary of State is satisfied that public safety will not be endangered, he may issue, upon payment of a fee of 50¢, a duplicate license to a person who has an original license.

R.S.1954, c. 22, § 63; 1961, c. 69.

§ 542. Expiration

All new and renewal licenses to operate motor vehicles shall expire at midnight on the license holder's 2nd birthday next following the date of issuance of said license. The fee for such license shall be \$5.

A person born on February 29th shall, for the purposes of this section, be considered as born on March 1st.

R.S.1954, c. 22, § 60; 1957, c. 121, § 1; 1959, c. 10, §§ 1, 2; 1961, c. 186; 1963, c. 57, §§ 1, 2.

§ 543. Record to be kept by Secretary of State

A record of all applications for license and of all licenses and instruction permits issued shall be kept by the said Secretary of State.

R.S.1954, c. 22, § 60; 1955, c. 181, § 2.

§ 544. Special license for motorcycles

The Secretary of State shall prepare suitable blanks for applicants for a license to operate motorcycles and he shall issue licenses to competent persons to operate motorcycles, subject to the same general requirements 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 motorcycle, unless the license shall so specify. Licensees to operate a motor vehicle may on application be granted a license to operate a motorcycle without paying an additional fee.

R.S.1954, c. 22, § 64.

§ 545. Elderly persons; examination

Any person who has reached his 75th birthday and who has not taken an examination to qualify him to operate a motor vehi-

cle within the past year shall be required to pass a driver's examination before a license may be issued to him; except that any person who applies for and receives a license to operate a motor vehicle effective on his 74th birthday shall not be required to take such examination until and unless he applies for renewal thereof to be effective on his 76th birthday. Any person who secures a motor vehicle operator's license at either age 75 or 76, as detailed, must pass a driver's examination at such times thereafter as he shall apply for renewal thereof.

R.S.1954, c. 22, § 60; 1961, c. 348, § 1; 1963, c. 323, § 1.

§ 546. Change of location or status

Whenever any person, after applying for or receiving an operator's license, shall move from the address named in such application or in the license issued to him; or when the name of a license holder is changed by marriage or otherwise, such person shall within 10 days thereafter notify the Secretary of State, in writing, of his old and new addresses or of such former and new names and of the number of licenses then held by him.

R.S.1954, c. 22, § 60; 1957, c. 121, § 1.

SUBCHAPTER II

EXAMINATIONS AND CONDITIONS

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- 582. Fee; waiver.
- 583. Driver education required for minors.
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- 585. Minors under 18; authorization.

§ 581. Examination required; reexamination

Before the operator's license is granted, an applicant shall be required to pass such physical examination and such examination by actual demonstration or otherwise as to his qualifications to operate a motor vehicle as the said Secretary of State shall require. Failure to complete the driving test within one year of issue date of permit will require reexamination for the permit. No such application for reexamination shall be accepted until 6 months after the expiration of said permit.

R.S.1954, c. 22, § 60; 1957, c. 214, § 2; 1961, c. 143; 1963, c. 13, § 3; c. 221, § 9.

§ 582. Fee; waiver

The Secretary of State may waive examination in the case of applicants who have been duly licensed by this State to operate a motor vehicle during any one of the 3 preceding calendar years without a lapse of 3 years since date of expiration of last license or who have been duly licensed by this State and who have been, on or after December 7, 1941, members of the armed forces of the United States. Any person required to take an examination to qualify him to operate a motor vehicle shall pay a fee of \$3 to the Secretary of State, which fee shall be paid before the examination is given and shall be applied by him for defraying the expense of giving such examination, except that any person required to take such examination because of advanced age or physical disability shall not be required to pay said examination fee of \$3. The fee for all permits shall be \$3, which shall include cost of first examination. The fee for all subsequent examinations shall be \$2.

R.S.1954, c. 22, § 60; 1955, c. 181, § 1; c. 405, § 49; 1957, c. 214, §§ 1, 2; 1963, c. 13, §§ 1, 2; c. 221, § 9.

§ 583. Driver education required for minors

No operator's license shall be issued to any person under 17 years of age unless such person shall present a certificate of successful completion of a driver education course and examination given by the public secondary schools and academies receiving tuition students as described in Title 20, section 1291; or certificate of successful completion of a driver education course and examination given by some person or persons licensed by the Secretary of State. No license shall be required of certified teachers conducting a driver education course in public secondary schools or academies receiving tuition students as described in Title 20, section 1291. All licenses expire on December 31st of the year of issue.

Successful course completion certificates may be issued to any person permitted by law to have a license provided such course, given by the public secondary schools and academies receiving tuition students as described in Title 20, section 1291, shall meet teacher qualification, course content and standards approved by the State Board of Education. Successful course completion certificates shall not be issued to any person who was not at least 15 years of age at the commencement of the road instruction phase of the course.

Any person between the ages of 15 and 17, who satisfies the Secretary of State that no readily available means of transportation exists to and from a secondary school or academy which he is attending, may be issued, upon passing the regular driver's examination as provided in section 581, a special permit authorizing such person to drive to and from such school or academy.

1959, c. 221, § 1; 1963, c. 267, §§ 1, 2.

§ 584. Poll tax to be paid before license issued

No person required by law to pay a toll tax in this State shall be granted a license to operate a motor vehicle until he shall present a receipt or certificate that he has paid his poll tax in the town where he resided or written evidence from the taxing authority of that town that he was legally exempted therefrom or that the tax has been abated. Licenses issued from January 1st through August 31st shall require evidence of the payment of the previous year's poll tax, and licenses issued from September 1st through December 31st shall require evidence of the payment of the current year's poll tax.

R.S.1954, c. 22, § 61; 1957, c. 121, § 2; 1959, c. 84.

§ 585. Minors under 18; authorization

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

R.S.1954, c. 22, § 62.

SUBCHAPTER III

DRIVER LICENSE COMPACT

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ARTICLE 1. COMPACT

§ 631. Findings and declaration of policy—Article I

1. Findings. The party states find that:

A. The safety of their streets and highways is materially affected by the degree of compliance with state and local ordinances relating to the operation of motor vehicles;

B. Violation of such a law or ordinance is evidence that the violator engages in conduct which is likely to endanger the safety of persons and property;

C. The continuance in force of a license to drive is predicated upon compliance with laws and ordinances relating to the operation of motor vehicles, in whichever jurisdiction the vehicle is operated.

2. Policy. It is the policy of each of the party states to:

A. Promote compliance with the laws, ordinances and administrative rules and regulations relating to the operation of motor vehicles by their operators in each of the jurisdictions where such operators drive motor vehicles;

B. Make the reciprocal recognition of licenses to drive and eligibility therefor more just and equitable by considering the overall compliance with motor vehicle laws, ordinances and administrative rules and regulations as a condition precedent to the continuance or issuance of any license by reason of which the licensee is authorized or permitted to operate a motor vehicle in any of the party states.

1963, c. 247.

§ 632. Definitions—Article II

As used in this compact:

1. Conviction. "Conviction" means a conviction of any offense related to the use or operation of a motor vehicle which is prohibited by state law, municipal ordinance or administrative rule or regulation, or a forfeiture of bail, bond or other security deposited to secure appearance by a person charged with having committed any such offense, and which conviction or forfeiture is required to be reported to the licensing authority.

2. Home state. "Home state" means the state which has issued and has the power to suspend or revoke the use of the license or permit to operate a motor vehicle.

3. State. "State" means a state, territory or possession of the United States, the District of Columbia or the Commonwealth of Puerto Rico.

1963, c. 247.

§ 633. Reports of conviction—Article III

The licensing authority of a party state shall report each conviction of a person from another party state occurring within its jurisdiction to the licensing authority of the home state of the licensee. Such report shall clearly identify the person convicted; describe the violation specifying the section of the statute, code or ordinance violated; identify the court in which action was taken; indicate whether a plea of guilty or not guilty was entered, or the conviction was a result of the forfeiture of bail, bond or other security; and shall include any special findings made in connection therewith.

1963, c. 247.

§ 634. Effect of conviction—Article IV

1. Convictions. The licensing authority in the home state, for the purposes of suspension, revocation or limitation of the license to operate a motor vehicle, shall give the same effect to the conduct reported, pursuant to Article III of this compact, as it would if such conduct had occurred in the home state, in the case of convictions for:

A. Manslaughter or negligent homicide resulting from the operation of a motor vehicle;

B. Driving a motor vehicle while under the influence of intoxicating liquor or a narcotic drug, or under the influence of

any other drug to a degree which renders the driver incapable of safely driving a motor vehicle;

C. Any felony in the commission of which a motor vehicle is used;

D. Failure to stop and render aid in the event of a motor vehicle accident resulting in the death or personal injury of another.

2. Other convictions. As to other convictions, reported pursuant to Article III, the licensing authority in the home state shall give such effect to the conduct as is provided by the laws of the home state.

3. Similar offenses. If the laws of a party state do not provide for offenses or violations denominated or described in precisely the words employed in subsection 1 of this Article, such party state shall construe the denominations and descriptions appearing in subsection 1 as being applicable to and identifying those offenses or violations of a substantially similar nature and the laws of such party state shall contain such provisions as may be necessary to ensure that full force and effect is given to this Article.

1963, c. 247.

§ 635. Applications for new licenses—Article V

Upon application for a license to drive, the licensing authority in a party state shall ascertain whether the applicant has ever held, or is the holder of a license to drive issued by any other party state. The licensing authority in the state where application is made shall not issue a license to drive to the applicant if:

1. License suspended. The applicant has held such a license, but the same has been suspended by reason, in whole or in part, of a violation and if such suspension period has not terminated;

2. License revoked. The applicant has held such a license, but the same has been revoked by reason, in whole or in part, of a violation and if such revocation has not terminated, except that after the expiration of one year from the date the license was revoked, such person may make application for a new license if permitted by law. The licensing authority may refuse to issue a license to any such applicant if, after investigation, the licens-

ing authority determines that it will not be safe to grant to such person the privilege of driving a motor vehicle on the public highways;

3. Surrender of license. The applicant is the holder of a license to drive issued by another party state and currently in force unless the applicant surrenders such license.

1963, c. 247.

§ 636. Applicability of other laws—Article VI

Except as expressly required by provisions of this compact, nothing contained herein shall be construed to affect the right of any party state to apply any of its other laws relating to licenses to drive to any person or circumstance, nor to invalidate or prevent any driver license agreement or other cooperative arrangement between a party state and a non-party state.

1963, c. 247.

§ 637. Compact administrator and interchange of information—Article VII

The head of the licensing authority of each party state shall be the administrator of this compact for his state. The administrators, acting jointly, shall have the power to formulate all necessary and proper procedures for the exchange of information under this compact.

The administrator of each party state shall furnish to the administrator of each other party state any information or documents reasonably necessary to facilitate the administration of this compact.

1963, c. 247.

§ 638. Entry into force and withdrawal—Article VIII

This compact shall enter into force and become effective as to any state when it has enacted the same into law.

Any party state may withdraw from this compact by enacting a statute repealing the same, but no such withdrawal shall take effect until 6 months after the executive head of the withdrawing state has given notice of the withdrawal to the executive heads of all other party states. No withdrawal shall affect the validity or applicability by the licensing authorities of the states

remaining party to the compact of any report of conviction occurring prior to the withdrawal.

1963, c. 247.

§ 639. Construction and severability—Article IX

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

1963, c. 247.

ARTICLE 2. PROVISIONS RELATING TO COMPACT

§ 671. Ratification

The driver license compact is hereby enacted into law and entered into with all other jurisdictions legally joining therein in the form substantially as provided in this subchapter.

1963, c. 247.

§ 672. Licensing authority

As used in the compact, the term "licensing authority" with reference to this State, shall mean the Secretary of State. Said Secretary of State shall furnish to the appropriate authorities of any other party state any information or documents reasonably necessary to facilitate the administration of Articles III, IV and V of the compact.

1963, c. 247.

§ 673. Expenses

The compact administrator provided for in Article VII of the compact shall not be entitled to any additional compensation

on account of his service as such administrator, but shall be entitled to expenses incurred in connection with his duties and responsibilities as such administrator, in the same manner as for expenses incurred in connection with any other duties or responsibilities of his office or employment.

1963, c. 247.

§ 674. Executive head, defined

As used in the compact, with reference to this State, the term "executive head" shall mean the Governor.

1963, c. 247.

§ 675. Duty of court to report action on licenses

Any court of this State, which has jurisdiction to take any action suspending, revoking or otherwise limiting a license to drive, shall report any such action and the adjudication upon which it is based to the Secretary of State within 5 days on forms furnished by the Secretary of State.

1963, c. 247.

SUBCHAPTER IV

COMMERCIAL DRIVER EDUCATION SCHOOLS

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§ 721. Definitions

The following terms when used in this subchapter shall have the meanings ascribed to them in this section unless context clearly indicates different meaning:

1. Commercial driver education. Commercial driver education means planned instruction given to an applicant preparing to secure his initial operator's license.

2. Commercial driver education school. Commercial driver education school means any person or persons engaged in teaching driver education for remuneration, except a public or private school approved by the State Board of Education.

3. Established place of business. Established place of business means a location approved by the Secretary of State at which the business of a commercial driver education school is transacted and at which its records are kept.

4. Instructor. Instructor means any person engaged in teaching driver education.

5. Licensee and applicant. Licensee and applicant as applied to a firm, partnership or association include the members thereof and as applied to a corporation include the officers and directors thereof.

6. Person. Person means any individual, combination of individuals, firm, partnership, association or corporation. Whenever used in any provision of this subchapter which prescribes or imposes a fine or imprisonment, or both, the term "person," as applied to a firm, partnership or association, shall include the members thereof and, as applied to a corporation, the officers thereof; a firm, partnership, association or corporation may be subjected as an entity to the payment of a fine.

1963, c. 267, § 3.

§ 722. Licenses required; application; fees

No person shall operate a commercial driver education school or act as an instructor unless a license therefor has been secured from the Secretary of State. Applications for such license may be filed with the Secretary of State and shall contain such information and shall be on such form as the Secretary of State may prescribe. Each application for a commercial driver education school license shall be accompanied by an application fee of \$10 which shall not be refunded. If such application is approved by the Secretary of State, the applicant upon payment of an additional fee of \$15 shall be granted a license which shall be valid during the calendar year of its issue unless sooner revoked as provided. The renewal fee shall be \$25.

Each application for a commercial instructor's license shall be accompanied by an application fee of \$10, which shall not be refunded. If such application is approved by the Secretary of State, the applicant, upon payment of an additional fee of \$5,

shall be granted a license which shall be valid during the calendar year of its issue unless sooner revoked. The renewal fee shall be \$15.

1963, c. 267, § 3.

§ 723. Issuance of license for school

The Secretary of State shall not issue a license for a commercial driver education school until the applicant therefor shall have procured and filed with the Secretary of State a certificate showing that the applicant is covered by an automobile bodily injury and property damage liability insurance policy providing coverage as set forth in this Title, approved by the Insurance Commissioner, insuring against any legal liability in accordance with the terms of said policy for personal injury or death of any one person in the sum of \$25,000 and for any number of persons in the sum of \$50,000 and against property damage in the sum of \$10,000, which injury, death or damage may result from or have been caused by the operation of any vehicle being used in carrying out this subchapter. In lieu of such insurance, the applicant may file with said Secretary of State a bond or bonds issued by a surety company authorized to do business in the State in the amount of at least \$25,000 on account of injury to or death of any one person, and subject to such limits as respects injury to or death of one person, of at least \$50,000 on account of any one accident resulting in injury to or death of more than one person, and of at least \$10,000 for damage to property of others.

The Secretary of State shall suspend, without hearing, such license within 10 days of receipt of written notice from the company that the insurance policy or bond herein required has been canceled. He shall likewise suspend said license upon the expiration of the policy and shall not restore same until new certification of coverage is filed by the company.

1963, c. 267, § 3.

§ 724. Possession of license

Each person granted a commercial driver education school license shall display the same conspicuously on the school premises. Each person granted a commercial instructor's license shall carry the same in his possession while engaged in giving commercial driver education instruction. In case of loss, mutilation

or destruction of a license certificate, the Secretary of State shall issue a duplicate certificate upon payment of a fee of \$1.50.

1963, c. 267, § 3.

§ 725. Powers of Secretary of State

The Secretary of State may prescribe reasonable requirements, standards and qualifications for obtaining a commercial driver education school license and conduct of instructors. The fees charged for such commercial driver education shall be subject to the approval of the Secretary of State.

1963, c. 267, § 3.

§ 726. Records required

Every commercial driver education school licensee shall keep a record on such forms as the Secretary of State may prescribe showing the name and address of each instructor, the instruction license number of such instructor, the particular type of instruction given and how much time was given to each type of instruction and such other information as the Secretary of State may require. Such records shall be open to the inspection of the Secretary of State at all reasonable times but shall be for the confidential use of the Secretary of State. Every commercial driver education school licensee shall maintain all vehicles used in commercial driver education in safe mechanical condition at all times.

1963, c. 267, § 3.

§ 727. Refusal to issue license

The Secretary of State may refuse to issue a license to any applicant for a commercial driver education school license or commercial instructor's license when he is satisfied that the requirements of section 725 have not been met.

1963, c. 267, § 3.

§ 728. Suspension or revocation of license

The Secretary of State may at any time cancel, suspend, revoke or refuse to renew any commercial driver education school license or commercial instructor's license when he is satisfied that the requirements of section 725 have not been maintained.

1963, c. 267, § 3.

§ 729. Hearings and appeals

Each holder of a commercial driver education school license or commercial instructor's license, under this section, shall be entitled to notice and hearing prior to cancellation, suspension, revocation or failure by the Secretary of State to renew the license of such licensee. Hearings under this section shall be held in accordance with Title 5, chapters 301 to 307.

1963, c. 267, § 3.

§ 730. Penalties

Any person who operates a commercial driver education school or acts as a commercial instructor without a license therefor shall be punished by a fine of not less than \$50 nor more than \$500, or by imprisonment for not more than 90 days, or by both.

1963, c. 267, § 3.