

MAINE STATE LEGISLATURE

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NEW DRAFT.

Sixty-Eighth Legislature.

HOUSE.

No. 354.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED
AND NINETY-SEVEN

AN ACT to regulate the use of Bicycles.

*Be it enacted by the Senate and House of Representatives in
Legislature assembled, as follows:*

Section 1. Bicycles and all similar vehicles propelled by
2 hand or foot and all persons by whom such bicycles, and
3 such other vehicles are used, ridden or propelled shall have
4 the right to be in and upon the public highways, town ways,
5 streets, squares and parks in this State and to their occupa-
6 tion and use in the same manner that carriages and other
7 vehicles are now entitled to be in and upon and in occupa-
8 tion thereof, and subject to the same restrictions, provided
9 the person by whom the said bicycle or other similar

10 vehicle is so used, ridden and propelled complies with the
11 provisions hereinafter set forth and not otherwise.

Sect. 2. Every person before entering upon said public
2 highway, town way, street, square or park with such bicyclic
3 or other similar vehicle shall annually on or before the 15th
4 day of April apply to the city or town clerk of the city
5 or town in which he resides, or other person or persons
6 specially appointed therefor by the municipal officers of
7 said city or town and register his bicycle or other similar
8 vehicle in such manner as the board of agriculture may
9 determine, for which registration he shall pay to said clerk
10 the sum of one dollar, and any bicycle or other vehicle pur-
11 chased between said 15th of April and the 1st day of the
12 following October shall be so registered before it shall be
13 so used.

Sect. 3. The town clerk or other person or persons
2 authorized shall register such bicycles or other similar vehi-
3 cles and shall pay the sum of forty cents thereof to the
4 State treasurer for the use of the board of agriculture, fifty
5 cents to the town or city treasurer, retaining the balance
6 for his own use.

Sect. 4. The amount so received by the State treasurer
2 shall be expended for the investigation of highway improve-
3 ment as specified in sections 4 and 5 of chapter 58 of the
4 Revised Statutes.

Sect. 5. Every person riding or propelling a bicycle or
2 other similar vehicle in accordance with the provisions of
3 this act shall carry a suitable alarm bell attached to the
4 handle bar of such vehicle.

Sect. 6. No person shall ride or propel any bicycle or
2 similar vehicle upon the sidewalks within the limits of any
3 city, town or village corporation.

Sect. 7. The term "sidewalk," as used in this act, shall
2 mean any sidewalk laid out as such by a city or town, and
3 any walk which is reserved by custom for the use of pedes-
4 trians, or which has been specially prepared for their use.
5 It shall not include crosswalks, nor shall it include foot
6 paths on portions of public highways outside of the thickly
7 settled parts of cities or towns which are worn only by
8 travel and are not improved by such cities, or towns, or by
9 abbutters, but pedestrians shall have the right of way upon
10 and over said foot paths.

Sect. 8. No person shall ride in said streets or public
2 highways when any person is thereon and within a distance
3 of ten rods from them at a rate of speed exceeding ten
4 miles an hour, except as is provided in section nine of this
5 act.

Sect. 9. The mayor of a city or the selectmen of a town
2 may, in their discretion, upon any special occasion, grant
3 permits to any person or persons to ride such machines,
4 during a specified time, upon specified portions of the pub-
5 lic ways of such city or town at any rate of speed; and may
6 annex such other reasonable conditions to such permits as
7 they shall deem proper.

Sect. 10. Whoever rides a bicycle or other similar vehicle
2 in, upon or along any public highways, town ways, streets,
3 squares or parks contrary to the provisions hereof, shall be
4 punished by a fine not exceeding five dollars and costs of
5 prosecution, one-half to be paid to the complainant and
6 the other half to the town in which the offense is committed,
7 to be used as provided in section four of this act.

Sect. 11. The foregoing provisions shall not be held to
2 apply to bicycles or other similar vehicles in process of sale

3 by dealers, or to toy velocipedes or tricycles, or like vehicles
4 used by small children.

Sect. 12. It is hereby made the duty of police officers
2 and constables to enforce the provisions hereof and to make
3 complaint under this act and they may arrest any person
4 found violating the same and detain him until a complaint
5 can be made and a warrant issued.

Sect. 13. Trial justices and police and municipal courts
2 shall have jurisdiction of offenses arising under this act,
3 and proceedings for the enforcement of the penalties im-
4 posed by this act shall be instituted within thirty days from
5 the time the offense is committed.

Sect. 14. The municipal officers shall annually, on or
2 before the fifteenth day of March, post public notices in
3 their respective towns or cause the same to be printed in
4 some newspaper published therein, setting forth the provi-
5 sions of this act and all the requirements thereof and giv-
6 ing the name of the person or persons to whom application
7 for such registration shall be made.

Sect. 15. All bicycles or other similar vehicles found in
2 use in, upon or along the highways, town ways, streets,
3 squares or parks of this State by any person in violation
4 of the provisions of this act shall be regarded and are here-
5 by declared to be public nuisances, and the same may be
6 seized, taken and detained by the officers mentioned in sec-
7 tion twelve and there shall be a lien upon them for the
8 amount of the fine and costs imposed upon the complaint
9 against the person using the same, and the same may be
10 be enforced as penalties are enforced against vessels and
11 boats engaged in illegal fishing under the provisions of
12 section seventy-three of chapter forty of the Revised
13 Statutes.

Sect. 16. No further fee, charge or tax shall be imposed
2 upon any person owning such bicycle or similar vehicle
3 and no city or town shall have any power to make any
4 ordinances, by law or regulation respecting the use of bicy-
5 cles or similar vehicles, except as provided in section nine
6 of this act; and, except as provided in section nine no
7 ordinance, by-law or regulation heretofore or hereafter
8 made by a city or town in respect to bicycles or similar
9 vehicles shall have any force or effect.

Sect. 17. Any dealer in second hand wheels who shall
2 have in his possession a wheel which is improperly regis-
3 tered shall be fined not less than fifty dollars. Such dealers
4 must show the registration paper on demand of proper
5 officials.

Sect. 18. This act shall not apply to bicycle riders resid-
2 ing outside of the State, who may be within the State on
3 business or pleasure.

Sect. 19. This act shall take effect January one, eighteen
2 hundred and ninety-eight.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES,

March 20, 1897.

Reported by Mr. WALTON of Skowhegan, from Committee on Legal
Affairs, and ordered printed under joint rules.

W. S. COTTON, *Clerk.*