

MAINE STATE LEGISLATURE

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SEVENTY-FOURTH LEGISLATURE

HOUSE.

No. 422

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND NINE.

AN ACT relative to motor vehicles and to the operation
thereof.

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

Section 1. Terms used in this chapter shall be con-
2 strued as follows, unless other meaning is clearly appar-
3 ent from language or context, or unless such construc-
4 tion is inconsistent with the manifest intention of the legis-
5 lature:

Automobile shall include all motor vehicles except motor
7 cycles.

Chauffeur shall mean any person who operates a motor
9 vehicle and who directly or indirectly receives pay or any
10 compensation whatsoever for any work or services in con-
11 nection with motor vehicles.

Secretary shall mean the secretary of State for the State
13 of Maine.

Dealer shall include every person who is engaged in the
15 business of buying, selling or exchanging motor vehicles,
16 on commission or otherwise, and every person who lets for
17 hire two or more motor vehicles.

Garage shall mean every place where five or more motor
19 vehicles are stored or housed at any one time, except only
20 such places in which motor vehicles are kept by the own-
21 ers thereof without payment for storage.

Intersecting way shall mean any way which joins another
23 at an angle, whether or not it crosses the other.

Motor cycle shall apply only to motor vehicles having
25 but two whels in contact with the ground and with pedals
26 and a saddle on which the driver sits astride.

Motor vehicles shall include automobiles, motor cycles,
28 and all other vehicles propelled by power other than mus-
29 cular power, except railroad and railway cars and motor
30 vehicles running only upon rails or tracks, ambulances,
31 fire engines and apparatus, police patrol wagons, road
32 rollers and street sprinklers.

Non-resident shall apply to residents of states or coun-
34 tries who have no regular place of abode or business in
35 this State for a period of more than three months in the
36 calendar year.

Number plate shall mean the sign or marker furnished
38 by the secretary on which is displayed the register num-

ber or mark of a motor vehicle assigned to such motor
vehicle by the secretary.

Operator shall mean any person who operates a motor
vehicle, other than a chauffeur.

Person, wherever used in connection with the registra-
tion of a motor vehicle, shall include all corporations, as-
sociations, copartnerships, companies, firms or other ag-
gregations of individuals who own or control such vehicles
as owners, or for the purpose of sale, or for renting, as
agents, salesmen or otherwise.

Police officer or officer shall include any constable or
other officer authorized to make arrest or serve process,
provided he is in uniform or displays his badge of office.

Register number shall apply to the number or mark
assigned by the secretary to a motor vehicle whether or
not said number or mark includes a letter or letters, and
said number or mark, except on motor cycles, shall be
always in separate Arabic numerals at least four inches in
height, with strokes not less than one-half of an inch in
width.

Thickly settled or business part of a city or town shall
mean the territory of a city or town contiguous to any
way which is built up with structures devoted to business,
or the territory of a city or town contiguous to any way
where the dwelling houses are situated at such distances
as will average less than two hundred feet between such
dwelling houses for a distance of a quarter of a mile or
over.

Way shall mean any public highway, street, avenue,
68 road, alley, park or parkway, or any private way laid out
69 under authority of statute.

Sect. 2. Application for the registration of motor ve-
2 hicles may be made by the owner thereof, by mail or
3 otherwise, to the secretary of State or any agent thereof
4 designated for that purpose, upon blanks prepared under
5 his authority. The application shall contain, in addition
6 to such other particulars as may be required by said sec-
7 retary, a statement of the name, place of residence and
8 address of the applicant, with a brief description of the
9 motor vehicle including the name of the maker, the num-
10 ber, if any, affixed by the maker, the character of the
11 motor power and the amount of such motor power stated
12 in figures of horse power; and with such application shall
13 be deposited the proper registration fee as provided in
14 section 28. The said secretary or his duly author-
15 ized agent shall then register in a book or upon suit-
16 able index cards to be kept for the purpose the motor
17 vehicle described in the application, giving to said vehi-
18 cle a distinguishing number or other mark to be known as
19 the register number for said vehicle, and shall thereupon
20 issue to the applicant a certificate of registration. Said
21 certificate shall contain the name, place of residence and
22 address of the applicant and the register number or mark,
23 and shall be in such form and contain such further infor-
24 mation as the secretary shall determine. An applicant

25 for the registrtaion of a motor vehicle who does not file
26 his application therefor until after the thirtieth day of
27 September in any year shall be entitled to a reduction in
28 the fee for such registration as provided in section 28.
29 Upon the transfer of ownership of any motor vehicle its
30 registration shall expire and the person in whose name
31 such vehicle is registered shall return forthwith the cer-
32 tificate of registration to the secretary with a written
33 notice containing the date of such transfer of ownership
34 and the name, place of residence and address of the new
35 owner. A person who transfers the ownership of a reg-
36 istered motor vehicle owned by him to another, upon the
37 filing of a new application and upon the payment of a
38 proper fee may have registered in his name another
39 motor vehicle for the remainder of the calendar year,
40 provided the horse power of said motor vehicle is the
41 same or less than that of the motor vehicle first regis-
42 tered by him, but if the horse power of the motor vehicle
43 is greater than that of the motor vehicle first registered
44 by him the applicant shall pay, in addition to the said fee,
45 the difference between the fee paid by him for the said
46 vehicle first registered and the fee for the registration of
47 a motor vehicle of the higher horse power as provided in
48 section 28. The secretary, at his discretion, may assign
49 to the motor vehicle of any person who surrenders his
50 registration certificate as herein provided and who desires
51 to register another motor vehicle the register number of

52 the motor vehicle described in the surrendered certificate.
53 Said secretary shall furnish at his office without charge to
54 every person whose automobile is registered as aforesaid
55 two number plates of suitable design, each number plate
56 to have displayed upon it the register number assigned to
57 such vehicle, but no such number plates shall be furnished
58 by the secretary for motor cycles. If said secretary shall
59 determine at any time that for any reason a motor vehicle
60 is unsafe or improperly equipped or otherwise unfit to be
61 operated he may refuse to register such vehicle and said
62 secretary may for like reasons revoke any registration
63 already recorded. The owner of such vehicle shall have
64 the right for ten days after such refusal or revocal to
65 appeal to the governor and council for a reversal of the
66 decision of the said secretary, and upon such petition
67 being received by the governor and council they shall
68 forthwith grant a hearing, notice of the time of such hear-
69 ing to be given by mail or otherwise to the petitioner
70 five days before the date of such hearing, and if the
71 governor and council shall determine that the registration
72 should be allowed they shall so direct the secretary and
73 he shall register the motor vehicle for which application
74 was made in accordance with the provisions of this act or
75 record the registration that has been revoked, as the case
76 may be. The horse power of every motor vehicle sought
77 to be registered shall be determined by the secretary and
78 such determination shall be final and conclusive. In de-

79 terminating such horse power the secretary may use the
80 highest rated power as given by the manufacturer or he
81 may satisfy himself by testing or causing same to be
82 tested. Every application filed under the provisions of
83 this section shall be sworn to by the applicant before a
84 justice of the peace or a notary public. The registration
85 of every motor vehicle shall expire at midnight upon the
86 thirty-first day of December in each year.

Sect. 3. A motor vehicle owned by a non-resident of
2 this State, who has complied with the laws relative to
3 motor vehicles and the operation thereof of the state in
4 which he resides, may be operated on the ways of this
5 State for a period not exceeding ten days without registra-
6 tion, except as otherwise provided in section ten. Every
7 such vehicle so operated shall have displayed upon it the
8 distinguishing number or mark of the state in which the
9 owner thereof resides and none other until the vehicle is
10 registered in accordance with the provisions of this act.
11 Said number or mark shall be displayed upon two
12 number plates substantially as provided in section 5. A
13 motor vehicle so owned may be operated also in this
14 State during the months of July, August and September
15 in any one year if application for the registration thereof
16 is made in accordance with the provisions of section 2 and
17 the proper fee provided for in section 28 is paid and the
18 said vehicle is duly registered by the secretary or his
19 authorized agent. The secretary shall furnish at his

20 office without charge to every person whose automobile is
21 registered as aforesaid two number plates of suitable de-
22 sign, each number plate to have displayed upon it the
23 register number assigned to such vehicle, but no such
24 number plates shall be furnished by the secretary for
25 motor cycles. Every application filed under the pro-
26 visions of this section shall be sworn to by the applicant
27 before a justice of the peace or a notary public. Every
28 such registration shall expire at midnight upon the thir-
29 tieth day of September in each year.

Sect. 4. Every manufacturer of or dealer in motor
2 vehicles may make application, by mail or otherwise,
3 upon a blank provided by said secretary for a general
4 distinguishing number or mark instead of registering
5 each motor vehicle owned or controlled by him, and with
6 such application shall be deposited the proper registra-
7 tion fee as provided in section 28, and said secretary
8 may grant said application if satisfied of the facts stated
9 in said application and issue to the applicant a certificate
10 of registration containing the name, business address of
11 the applicant and the distinguishing number or mark as-
12 signed to him, and made in such form and containing
13 such further information as said secretary may determine;
14 and all motor vehicles owned or controlled by such man-
15 ufacturer or dealer shall be regarded as registered
16 under such general distinguishing number or mark until
17 sold or let for hire or loaned for a period of more than

18 five successive days. Said secretary shall furnish at his
19 office without charge to every manufacturer of or dealer
20 in motor vehicles whose vehicles are registered in accord-
21 ance with the provisions of this section six pairs of num-
22 ber plates of suitable design, the plates to have displayed
23 upon them the register number which is assigned to the
24 motor vehicles of such manufacturer or dealer with a
25 different letter or letters or mark on each pair of number
26 plates, but no such number plates shall be furnished by
27 the secretary for motor cycles. Every application filed
28 under the provisions of this section shall be sworn to by
29 the applicant before a justice of the peace or a notary
30 public. Every such registration shall expire at midnight
31 upon the thirty-first day of December in each year.

Sect. 5. Every automobile operated in or on any way
2 in this State shall have its register number displayed con-
3 spicuously thereon on the two number plates furnished by
4 the secretary, in accordance with the provisions of sections
5 2, 3, and 4, one number plate to be attached at the front
6 and the other at the rear of said vehicle so that the said
7 number plates and the register number thereon shall be
8 always plainly visible. The bottom of each number plate
9 shall be horizontal and at least fifteen and not more than
10 thirty-six inches from the ground. The said number plates
11 shall be kept clean, and during the period when the vehicle
12 is required to display lights the rear register number shall
13 be illuminated so as to be plainly visible at a distance of

14 sixty feet. No number plates other than such as are pro-
15 cured from the secretary or such as may be authorized by
16 him for temporary use, except as provided in section 3,
17 shall be displayed on any automobile so operated, and if
18 any number plate supplied by the secretary is lost or muti-
19 lated, or if the register number thereon becomes illegible,
20 the owner or person in control of the automobile for which
21 said number plate was furnished shall apply in writing to
22 the secretary for a new number plate and deposit with his
23 application the sum of one dollar for each new number
24 plate, and thereupon said secretary shall issue to such appli-
25 cant a permit allowing him to place a temporary number
26 plate bearing his register number upon said automobile
27 until a number plate of the regular design is made and de-
28 livered to said applicant; provided, however, that all such
29 temporary number plates and the register numbers thereon
30 shall conform to the regular number plates and be displayed
31 as nearly as may be as herein provided for said regular num-
32 ber plates.

Sect. 6. Every motor cycle operated in or on any way
2 shall have displayed conspicuously its register number on
3 some part of the vehicle or on some proper contrivance
4 attached thereto, in the rear of the saddle, so that said
5 register number shall be visible at all times during day-
6 light, and said register number shall be displayed by sep-
7 arate Arabic numerals not less than two inches in height,
8 the strokes to be not less than one quarter of an inch.

9 and if a letter or letters is concluded in the register num-
10 ber such letter or letters shall be of the same height and
11 width of stroke as the numerals. The letters "MAINE"
12 and numerals denoting the year of the registration shall
13 also appear with the register number in characters not
14 less than one inch in height.

Sect. 7. Every motor vehicle of more than ten horse
2 power operated in or on any way shall be provided with
3 at least two brakes, powerful in action and separated from
4 each other, of which one brake shall act directly on the
5 driving wheels or on parts of the mechanism which are
6 firmly connected with said wheels. Each of the two brakes
7 shall suffice alone to stop the motor vehicle within a proper
8 distance. One of the two brakes must be so arranged as
9 to be operated with the feet; provided, however, that on
10 automobiles not exceeding ten-horse power one brake shall
11 be deemed to be sufficient. Every motor cycle shall be
12 provided with at least one brake which may be operated
13 by hand. Every motor vehicle so operated shall be pro-
14 vided with a muffler and with a suitable bell, horn or other
15 means of signaling and with suitable lamps, so as to con-
16 form in all particulars to the provisions of section 10, and
17 shall be provided with a lock, key or other contrivance to
18 prevent such vehicle from being set in motion by unauthor-
19 ized persons, or otherwise, contrary to the will of the owner
20 or person in charge thereof.

Sect. 8. Application to operate motor vehicles may be
2 made by mail or otherwise to the secretary or his duly

3 authorized agent upon blanks prepared under his authority.
4 The fees provided in section 28 shall be deposited with the
5 application. Before such a license is granted the applicant
6 may be required to pass such examinations as to his quali-
7 fications as the secretary may require, and no license shall
8 be issued until the secretary or his authorized agent is satis-
9 fied that the applicant is a proper person to receive it. No
10 operator's license shall be issued to any person under six-
11 teen years of age. To each person shall be assigned some
12 distinguishing number or mark and the licenses issued shall
13 be in such form as the secretary shall determine; they may
14 contain special restrictions and limitations concerning the
15 type of motor power, horse power, design and other fea-
16 tures of the motor vehicles which the licensee may operate;
17 they shall contain the distinguishing number or mark as-
18 signed to the licensee, his name, place of residence and
19 address, and a brief description of the licensee for pur-
20 poses of identification, and such other information as the
21 secretary shall deem necessary. Special licenses may be
22 issued to chauffeurs, and the secretary shall furnish to
23 every chauffeur so licensed a suitable metal badge with the
24 distinguishing number or mark assigned to him thereon
25 without extra charge therefor, but no such license shall
26 be issued to any person less than eighteen years of age.
27 Every person licensed to operate motor vehicles as afore-
28 said shall endorse his usual signature on the margin of
29 the license in the space provided for the purpose imme-

30 diately upon the receipt of said license, and such license
31 shall not be valid until so endorsed. On or before the
32 first day of January in the year nineteen hundred and ten
33 the secretary shall send by ordinary mail to the address
34 of record in his office of every person who has a special
35 license to operate for hire, heretofore commonly called a
36 "professional chauffeur's" license, a new form of license
37 conforming to the requirements of this act, which shall be
38 good on and after said first day of January for the unex-
39 pired term of said license to operate for hire and on and
40 after said first day of January all such licenses previously
41 dated shall be null and void. All other licenses to operate
42 motor vehicles shall expire at midnight upon the thirty-
43 first day of December in the year nineteen hundred and
44 nine, and thereafter all licenses issued to operators and
45 chauffeurs shall be valid for one year only from the date
46 of issue. Every application filed under the provisions of
47 this section shall be sworn to by the applicant before a
48 justice of the peace or a notary public.

Sect. 9. No motor vehicle shall be operated after mid-
2 night on the thirty-first day of December in the year nine-
3 teen hundred and nine unless registered in accordance with
4 the provisions of this act nor unless such vehicle is equipped
5 as provided in sections 5, 6, and 7, except as otherwise pro-
6 vided in section 3.

Sect. 10. No person shall operate a motor vehicle upon
2 any way in this State unless licensed under the provisions

3 of this act, except as otherwise herein provided, but the
4 provisions of this section shall not prevent the operation
5 of motor vehicles by unlicensed persons if riding with or
6 accompanied by a licensed chauffeur or operator, excepting
7 only persons who have been licensed and whose licenses are
8 not in force because of revocation or suspension for cause
9 and persons less than sixteen years of age, but said licensed
10 chauffeur or operator shall be liable for the violation of
11 any provision of this act or any regulation made in accord-
12 ance herewith committed by such unlicensed operator. Dur-
13 ing the period of ten days within which a motor vehicle
14 of a non-resident may be operated on the ways of this State
15 in accordance with the provisions of section 3, such vehicle
16 may be operated by its owner or by his chauffeur or em-
17 ployee, without a license from the secretary if the operator
18 is duly licensed under the laws of the state in which he
19 resides or has complied fully with the laws of the state of
20 his residence respecting the licensing of operators of motor
21 vehicles, but if such non-resident or his chauffeur or em-
22 ployee be convicted by any court or trial justice of violating
23 any provision of the laws of the State relating to motor
24 vehicles or to the operators thereof, whether or not he
25 appeals, he shall thereafter be subject to and required to
26 comply with all the provisions of this act relating to the
27 registration of motor vehicles and the licensing of the
28 operators thereof. A record of the trial shall be sent forth-
29 with by the court or trial justice to the secretary. No

30 person shall operate a motor vehicle for hire or as a chauffeur unless specially licensed by the secretary so to do, and while so operating every chauffeur shall display conspicuously the badge furnished to him by the secretary upon the front of his outermost coat or garment so that the distinguishing number of mark assigned to him by the secretary shall be plainly visible. Every automobile operated during the period from one-half an hour after sunset to one-half an hour before sunrise shall display at least two white lights, and every motor cycle so operated at least one white light, which shall be visible not less than two hundred feet in the direction towards which the vehicle is proceeding, and every such motor vehicle shall display at least one red light in the reverse direction. Every automobile so operated shall have a rear light so placed as to show a red light from behind, and a white light so arranged as to illuminate and not obscure the rear register number.

Sect. 11. Every person operating a motor vehicle shall have the certificate of registration for said vehicle and his license to operate upon his person or in the vehicle in some easily accessible place; provided, however, the certificates of registration of dealers need not be so carried.

Sect. 12. No person shall employ for hire as a chauffeur or operator of a motor vehicle any person not specially licensed as aforesaid.

Sect. 13. No person having control or charge of a motor vehicle shall allow such vehicle to stand in any public street

3 or way and remain unattended without first locking or
4 making it fast and stopping the motor of said vehicle.

Sect. 14. Every person operating a motor vehicle shall
2 bring said vehicle and the motor propelling it immediately
3 to a stop when approaching a horse or other draft animal
4 being led, ridden or driven, if such animal appears to be
5 frightened or if the person in charge thereof shall signal
6 so to do, and, if traveling in the opposite direction to that
7 in which said animal is proceeding, said vehicle shall remain
8 stationary so long as may be reasonable to allow such horse
9 or animal to pass, or, if traveling in the same direction, the
10 person operating shall use reasonable caution in thereafter
11 passing such horse or other animal. Upon approaching an
12 intersecting way or a curve or corner in a way every per-
13 son operating a motor vehicle shall slow down and give a
14 timely signal with his bell, horn or other device for sig-
15 naling. The driver of any motor vehicle on any highway,
16 approaching a crossing of ways shall slow down and keep
17 to the right of the intersection of the centers of both ways,
19 when turning to the right, and pass to the right of the
19 intersection of the centers of said ways before turning to
20 the left.

Sect. 15. No person shall operate a motor vehicle nor
2 shall any owner of such vehicle permit it to be operated
3 in or over any way, public or private, whether laid out
4 under authority of law or otherwise, from which motor

5 vehicles are excluded, provided notice of such exclusion is
6 conspicuously posted at the entrance to such way.

Sect. 16. Every person operating a motor vehicle on
2 any way in this State shall run it at a rate of speed at no
3 time greater than is reasonable and proper, having regard
4 to traffic and the use of the way and the safety of the
5 public. It shall be conclusive evidence of a rate of speed
6 greater than is reasonable and proper as aforesaid if a
7 motor vehicle is operated on any way outside of the thickly
8 settled and business part of a city or town at a rate of
9 speed exceeding twenty-five miles per hour for a distance
10 of a quarter of a mile. It shall be prima facie evidence
11 of a rate of speed greater than is reasonable and proper
12 as aforesaid if a motor vehicle is operated on any way
13 inside the thickly settled or business part of a city or town
14 at a rate of speed exceeding fifteen miles per hour for the
15 distance of one-eighth of a mile, or if a motor vehicle is
16 operated on any way upon approaching an intersecting way,
17 or in traversing a crossing or intersection of ways, or in
18 going around a corner or a curve in a street or way where
19 the operator's or chauffeur's view of the road traffic is
20 obstructed at a rate of speed exceeding eight miles per hour.

Sect. 17. The city council of a city or the board of
2 aldermen of a city having no common council, and the
3 selectmen of a town and boards of park commissioners, as
4 authorized by law, may make special regulations as to the
5 speed of motor vehicles and as to the use of such vehicles

6 upon particular ways, and may exclude such vehicles alto-
7 gether from certain ways; provided, however, that no such
8 special regulation shall be effective unless it shall have
9 been published in one or more newspapers, if there be any,
10 published in the city or town in which the way is situated,
11 otherwise in one or more newspapers published in the county
12 in which the city or town is situated, nor unless notice of
13 the same is posted conspicuously by the city, town or board
14 of park commissioners, making the regulation at points
15 where any way affected thereby joins other ways, nor until
16 after the secretary shall have certified in writing, after a
17 public hearing before the governor and council as a tri-
18 bunal, that such regulation is consistent with the public
19 interests, but no regulation shall be valid which excludes
20 motor vehicles from any State highway or from any main
21 highway leading from any city or town to another. No
22 ordinance, by-law or regulation now in force in any city
23 or town or in any park or parkway, which regulates the
24 speed at which motor vehicles shall be run upon its ways
25 or which excludes such vehicles therefrom or which gov-
26 erns or restricts the use of such vehicles shall hereafter
27 have any force or effect.

Sect. 18. Any person convicted of a violation of any
2 provision of this act, or who is convicted of the violation
3 of any rule or regulation of the secretary or governor and
4 council made under authority of section 24, or who is con-
5 victed of a violation of a special speed regulation lawfully

6 made under authority of section 17, may be punished by a
7 fine of not less than ten dollars nor more than twenty-
8 five dollars for the first offense and not less than twenty-
9 five dollars nor more than fifty dollars for a second offense
10 and not less than fifty dollars nor more than one hundred
11 dollars for subsequent offenses committed during any period
12 of twelve months. A complaint against a person for the
13 violation of sections 16 and 17 of this act may be placed
14 on file at the discretion of the court or trial justice if the
15 violation appears to have been unintentional or if no per-
16 son or property could have been endangered thereby. Upon
17 a third or subsequent conviction in the same calendar year
18 of a violation of sections 16 and 17 of this act the secretary
19 shall forthwith revoke the license of the person so con-
20 victed. If it appears by the records of said secretary that
21 the person so convicted is the owner of a motor vehicle or
22 has the exclusive control of any motor vehicle as a manu-
23 facturer or dealer, said secretary shall thereupon revoke the
24 certificate of registration of all motor vehicles so exclu-
25 sively owned or controlled; and no new license or certificate
26 shall be issued to such person for at least thirty days after
27 the date of such conviction subject to the same right of
28 appeal as provided in section 2 of this act, nor thereafter
29 except in the discretion of said secretary subject to the
30 same right of appeal, nor shall such vehicles be registered
31 in the name of any person until after the expiration of said
32 thirty days.

Sect. 19. The governor and council may order any certificate of registration or any license issued to any person under the provisions of this act to be suspended or revoked after due hearing, for any cause which they may deem sufficient, and the said governor and council may order the suspension of the license of any operator or chauffeur in their discretion and without a hearing, and may order the license to be delivered to the secretary, whenever they have reason to believe that the holder thereof is an improper or incompetent person to operate motor vehicles or is operating improperly or so as to endanger the public, and neither the certificate of registration nor the license shall be reissued unless, upon examination or investigation, or after a hearing, the governor and council determine that the operator should again be permitted to operate; and no motor vehicle, the registration of which has been so suspended or revoked, shall be registered in the name of any person until at least thirty days from the date of suspension or revocation, unless the governor and council shall determine otherwise.

Sect. 20. Any person convicted of operating a motor vehicle in this State after his license to operate has been suspended or revoked, and any person convicted of operating or causing or permitting any other person to operate a motor vehicle after the certificate of registration for such vehicle has been suspended or revoked, and any person who attaches or permits to be attached to a motor vehicle a number plate assigned by the secretary to

9 another vehicle, or who obscures or permits to be ob-
10 scured the figures on any number plate attached to any
11 motor vehicle, or who fails to display on a motor vehicle
12 the number plate and the register number duly issued
13 therefor, with intent to conceal the identity of such motor
14 vehicle, or who wears a chauffeur's badge not furnished
15 to him by the secretary, or who with intent to conceal his
16 identity wears a chauffeur's badge belonging to another
17 person, shall be punished by a fine of not exceeding one
18 hundred dollars or by imprisonment for a term of ten
19 days, or by both such fine and imprisonment.

Sect. 21. Whoever upon any way operates an automo-
2 bile or motor cycle recklessly or while under the influence
3 of intoxicating liquor, or so that the lives or safety of the
4 public might be endangered, or upon a bet, wager or race,
5 or who operates a motor vehicle for the purpose of mak-
6 ing a record and thereby violates any provision of sections
7 16 and 17 of this act, or who knowingly goes away without
8 stopping and making himself known after causing injury
9 to any person or property, shall be punished by a fine not
10 exceeding one hundred dollars or by imprisonment for a
11 term not exceeding six months or by both such fine and
12 imprisonment, and if any person be convicted a second
13 time of operating an automobile while under the influence
14 of intoxicating liquor he shall be punished by imprison-

15 ment for a term of not less than six months and not more
16 than two years. A conviction of a violation of this sec-
17 tion shall be reported forthwith by the court or trial jus-
18 tice to the secretary who shall revoke immediately the
19 license of the person so convicted. If it appears by the
20 records of said secretary that the person so convicted is
21 the owner of a motor vehicle, or has exclusive control of
22 any motor vehicles as a manufacturer or dealer, said sec-
23 retary shall revoke the certificate of registration of all
24 motors so exclusively owned or controlled. Whenever any
25 person so convicted appeals, the said secretary shall sus-
26 pend forthwith the license of the person so convicted, and
27 shall order the license delivered to him, and shall not
28 reissue said license unless said person is acquitted in the
29 supreme court, or unless the governor and council in their
30 discretion, after an investigation or upon a hearing, decide
31 to permit a reissue. No new license or certificate shall
32 be issued by said secretary to any person convicted of a
33 violation of this section until after sixty days from the
34 date of such final conviction, nor thereafter except with
35 the approval of the governor and council, nor shall such
36 vehicle or vehicles be registered in the name of any per-
37 son during said sixty days.

Sect. 22. Any person who, while operating or in
2 charge of a motor vehicle, shall refuse when requested by
3 a police officer to give his name and address, or the name

4 and address of the owner of such motor vehicle, or who
5 shall give a false name or address, or who shall refuse or
6 neglect to stop when signaled to stop by any police
7 officer who is in uniform or who displays his badge con-
8 spicuously on the outside of his outer coat or garment, or
9 who refuses on demand of such officer to produce his
10 license to operate such vehicle or his certificate of regis-
11 tration, or to **permit such officer** to take the license or
12 certificate in hand for the purpose of examination, or who
13 refuses on demand of such officer to sign his name in the
14 presence of such officer, and any person who on the de-
15 mand of an officer of the police without a reasonable
16 excuse fails to deliver up his license to operate motor
17 vehicles or the certificate of registration of any motor
18 vehicle operated or owned by him, or the number plates
19 furnished by the secretary for said motor vehicle, or who
20 refuses or neglects to produce his license when requested
21 by a court or trial justice, shall be punished by a fine of
22 not less than twenty-five nor more than one hundred dol-
23 lars.

Sect. 23. A full record shall be kept by every court or
2 trial justice in this State of every case in which a person
3 is charged with a violation of any of the provisions of this
4 act or of any other act relative to motor vehicles, and an
5 abstract of such record shall be sent forthwith by the
6 court or trial justice to the secretary of state. Said ab-
7 stracts shall be made upon forms prepared by said secre-

8 tary and shall include all necessary information as to the
9 parties to the case, the nature of the offense, the date of
10 the hearing, the plea, the judgment and the result; and
11 every such abstract shall be certified by the clerk of the
12 court or by the trial justice as a true abstract of the rec-
13 ord of the court. Said secretary shall keep such records
14 in his office, and they shall be open to the inspection of
15 any person during reasonable business hours. Said
16 court and trial justices shall also endorse upon the back
17 of the license of every person convicted of a violation of
18 this act the nature of the offense, the date of the hearing
19 and the sentence. Said courts and trial justices shall
20 furnish to the secretary the details of any particularly
21 flagrant cases which may be heard before them upon their
22 own initiative or upon the request of said secretary or
23 his agents, and they may make such recommendations to
24 said secretary as to the suspension or revocation of the
25 licenses and certificates of registration of the persons
26 defendant in such cases as they may deem necessary.

Sect. 24. In the administration of the laws and regu-
2 lations relative to motor vehicles and to the operators and
3 the operation thereof, the governor and council, or the
4 secretary, if so authorized by said governor and council,
5 may summon witnesses in behalf of the State and may
6 administer oaths and take testimony. Said governor and
7 council may also cause depositions to be taken and may
8 order the production of books, papers, agreements, and

9 documents. Any person who swears or affirms falsely in
10 regard to any matter or thing respecting which an oath
11 or affirmation is required by said governor and council or
12 by this act shall be deemed guilty of perjury. The fees
13 for the attendance and travel of witnesses shall be the
14 same as for witnesses before the superior court, and shall
15 be paid by the treasurer upon the warrant of the governor.
16 The supreme judicial court or the superior court shall
17 have jurisdiction in equity, upon the application of the
18 governor and council to enforce all lawful orders of the
19 governor and council or the secretary under this section.

Sect. 25. A proper record of all applications and of
2 all certificates and licenses issued shall be kept by the
3 secretary at his office, and such records shall be open to
4 the inspection of any person during reasonable business
5 hours. The secretary may issue or cause to be issued a
6 certified copy of any certificate of registration or of any
7 license to operate motor vehicles which may have been
8 lost or mutilated upon the written request of the person
9 entitled thereto, and such certified copies shall have the
10 same force and effect as the originals.

Sect. 26. The said secretary may prepare rules and
2 regulations from time to time governing the use and oper-
3 ation of motor vehicles and the conduct of operators and
4 chauffeurs, and may from time to time alter, rescind or
5 add to any rules and regulations previously made by him.
6 The rules and regulations of said secretary, and any

7 changes therein, shall take effect when approved by the
 8 governor and council, and published once in at least one
 9 newspaper printed and published in each county of the
 10 State, and such publication shall be sufficient notice to all
 11 persons. The sworn certificate of the secretary that said
 12 rules and regulations have been published as herein pro-
 13 vided shall be *prima facie* evidence thereof. A copy of
 14 such rules and regulations attested by the secretary shall
 15 be *prima facie* evidence that they have been made by the
 16 secretary and approved by the governor and council as
 17 provided by law. This section shall not be construed as
 18 giving the secretary or the governor and council power
 19 to regulate the speeds at which motor vehicles may be
 20 operated on the public ways.

Sect. 27. Every manufacturer of and dealer in motor
 2 vehicles, and every owner, proprietor, person in control,
 3 or keeper of a garage, shall keep or cause to be kept in a
 4 book a proper record of every automobile which enters
 5 and which leaves his garage, stable, shop or place of busi-
 6 ness. Said book shall have columns and headings sub-
 7 stantially as follows:

DATE	Register number and letter if any	Time of entering garage		Time of leaving garage		Operator's or chauffeur's license number	Operator's or chauffeur's name
		A. M.	P. M.	A. M.	P. M.		

8 Every chauffeur operating or running a motor vehicle into
 9 a garage, or into a stable, shop or place of business of a

10 manufacturer or dealer, shall enter in said book, in the
11 columns under the proper headings, the date and time
12 of entering, the register number and letter, if any, of the
13 motor vehicle, the number of his license to operate, and
14 shall affix his signature thereto. Every chauffeur who
15 takes, operates or runs a motor vehicle from a garage, or
16 from a stable, shop or place of business of a manufacturer
17 or dealer, shall enter in said book, in the columns under
18 the proper headings the date and time of leaving and
19 the number of his license to operate, the register number
20 and letter, if any, of the motor vehicle, and shall affix his
21 signature thereto. In like manner a similar record shall
22 be kept of all motor vehicles operated into or out of
23 any garage by others than chauffeurs, but in such cases
24 the record shall be kept by the owner, proprietor or per-
25 son in control of the garage, or by some employee or
26 employees specially designated for this duty, and the
27 said owner, proprietor or person in control of such garage,
28 shall be responsible for the proper keeping of such record.
29 All entries in said book shall be made legibly, in ink or
30 with indelible pencil. The said book shall be kept in
31 some convenient place, and shall be open at all times to
32 the inspection of the secretary or his agent and of any
33 police officer or constable.

Sect. 28. The secretary or his authorized agents shall
2 collect fees as follows:

For the registration of every motor cycle, two dollars.

For the registration of every commercial motor vehicle
5 and every motor truck, regardless of the horse power
6 thereof, five dollars.

For the registration of every automobile of less than
8 twenty horse power, five dollars.

For the registration of every automobile of twenty horse
10 power and above, but less than forty horse power, ten
11 dollars.

For the registration of every automobile of forty horse
13 power and above, fifteen dollars.

For the substitution of the registration of a motor vehicle
15 for that of a vehicle previously registered in accordance
16 with the provisions of section 2 of this act, two dollars.

For the registration of every motor vehicle owned by a
18 non-resident who applies for registration under the pro-
19 visions of section 3 of this act, and for the registration
20 of every automobile during the period beginning with the
21 first day of October and ending on the thirty-first day of
22 December, in any year, in accordance with the provisions
23 of section 2 of this act, one-half of the foregoing fees.

For the registration of all the motor vehicles owned by
25 or under the control of a manufacturer of or dealer in
26 motor vehicles, twenty-five dollars.

For every original operator's or chauffeur's license to
28 operate motor vehicles, two dollars.

For every renewal of any operator's or chauffeur's license
30 to operate motor vehicles, fifty cents.

For every additional copy of a certificate of registration
32 or license, fifty cents.

For every additional number plate furnished to replace
34 such as have been lost, mutilated or which are illegible,
35 and for every additional number plate furnished to a man-
36 ufacturer of or dealer in motor vehicles, whose business
37 requires more than six pairs of such plates, one dollar.

Provided, however, that said secretary or his authorized
39 agents may furnish without charge copies of certificates of
40 registration and licenses to operate and copies of other
41 documents relating thereto to officers of the State or of
42 any court thereof or of a city or town therein, and said
43 secretary may issue certificates of registration for motor
44 vehicles and licenses to operate the same to any member
45 of the foreign diplomatic corps without the payment of
46 the fees therefor.

Sect. 29. The fees and fines received under the pro-
2 visions of this act, together with all other fees received
3 by the secretary or any other person under the laws of the
4 state relative to the use and operation of motor vehicles
5 shall be paid monthly by the secretary or by the person
6 collecting the same to the state treasurer and shall be
7 used by said treasurer for the payment on warrant of the
8 governor and council of such expenses as may be necessary
9 and authorized by the legislature or by the governor and
10 council to carry out the provisions of law relative to the use

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11 of motor vehicles, and the balance shall be expended for the
12 maintenance and improvement of highways under the direc-
13 tion of the state commissioner of highways in accordance
14 with the provisions of chapter 112, P. L. 1907, and amend-
15 ments thereof, said balance to be in addition to all sums
16 already appropriated or that may hereafter be appropri-
17 ated by the legislature for the same purpose. No bills or
18 schedules for work or materials contracted for under the
19 provisions of this section shall be paid without warrant of
20 the governor and council.

Sect. 30. It shall be the duty of the secretary upon notice
2 given him that any person is operating a motor vehicle
3 or that any motor vehicle is being operated contrary to
4 the provisions of this act relating to registration, to notify
5 such operator or the owner of such motor vehicle, and to
6 notify a constable or officer of the town or city in which
7 such motor vehicle is being operated. The secretary may
8 require any person giving notice to him as above set forth
9 to give said notice in writing, signed by the individual giv-
10 ing such notice, together with his place of residence. The
11 secretary shall, from time to time, prepare a list of the
12 motor vehicles registered under this act and shall cause
13 the same to be printed in pamphlet form and distributed
14 to such persons as shall make application therefor. He
15 shall also cause this act to be printed in pamphlet form
16 for similar distribution. For the purposes of carrying out

17 the provisions of this act, the secretary may employ such
18 agent or agents and pay him or them such compensation as
19 the governor and council shall consider necessary.

Sect. 31. This act shall take effect upon the first day
2 of January in the year nineteen hundred and ten, pro-
3 vided, however, that so much hereof as relates to the prep-
4 aration of forms, with the filing of applications for cer-
5 tificates of registration and for licenses, and to the dis-
6 tribution of number plates shall take effect upon the first
7 day of December in the year nineteen hundred and nine,
8 and all acts or parts of acts inconsistent with this act are
9 hereby repealed.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES,

Augusta, March 3, 1909.

Tabled pending reference to a committee by Mr. JORDAN
of Cape Elizabeth and ordered printed, with 500 extra copies.

E. M. THOMPSON, *Clerk*.