

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)

SEVENTY-FIFTH LEGISLATURE

HOUSE

NO. 34

House of Representatives, Jan. 25, 1911.

Tabled by Mr. Colby of Bingham and clerk instructed to change same to House document.

C. C. HARVEY, Clerk.

STATE OF MAINE

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

AN ACT relating to the registration and use of motor vehicles
and the licensing of persons operating the same.

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

Section 1. Terms used in this chapter shall be construed as
2 follows, unless a different meaning is clearly apparent from
3 the language or context, or unless such construction is incon-
4 sistent with the manifest intent of the legislature:—

“Automobile” shall include all motor vehicles, except motor
6 cycles.

“Chauffeur” shall mean any person who operates a motor
8 vehicle other than his own and who directly or indirectly
9 receives pay or any compensation whatsoever for any work
10 or services in connection with motor vehicles, except only

11 manufacturers, agents, proprietors of garages and dealers,
12 who do not operate for hire. An employee of a manufactur-
13 er or a dealer whose principal occupation is that of a sales-
14 man may at the discretion of the commissioner be exempted
15 from this definition and be designated as an operator.

“Commissioner” shall mean the Maine commissioner of
17 highways.

“Dealer” shall include every person who is engaged in the
19 business of buying, selling or exchanging motor vehicles, on
20 commission or otherwise, and every person who lets for hire
21 two or more motor vehicles.

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

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

“Motor cycle” shall apply only to motor vehicles having
29 but two wheels in contact with the ground, and a saddle on
30 which the driver sits astride.

“Motor vehicle” shall include automobiles, motor cycles and
32 all other vehicles propelled by power other than muscular
33 power except railroad and railway cars and motor vehicles
34 running only upon rails or tracks, ambulances, fire engines
35 and apparatus, police patrol wagons and other vehicles used
36 by the police department of any city or town solely for the

37 official business of such department or board, and road
38 rollers.

“Non-resident” shall apply to residents of states or coun-
40 tries who have no regular place of abode or business in this
41 state for a period of more than three months in the calendar
42 year.

“Number plate” shall mean the sign or marker furnished by
44 the commissioner, on which is displayed the register number
45 or mark of an automobile assigned to such automobile by the
46 commissioner.

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

“Police officer” or “officer” shall include any constable or
50 other officer authorized to make arrest or serve process, pro-
51 vided he is in uniform or displays his badge of office.

“Register number” shall apply to the number or mark as-
53 signed by the commissioner to a motor vehicle, whether or
54 not such number or mark includes a letter or letters; and said
55 number or mark, except on motor cycles, shall always be in
56 separate Arabic numerals at least four inches in height, with
57 strokes not less than one half of an inch in width.

“Thickly settled or business part of a city or town” shall
59 mean the territory of a city or town contiguous to any way
60 which is built up with structures devoted to business, or the
61 territory of a city or town contiguous to any way where the
62 dwelling houses are situated at such distances as will average

63 less than two hundred feet between them for a distance of a
64 quarter of a mile or over.

“Way” shall mean any public highway, private way laid
66 out under authority of statute, street, avenue, road, alley,
67 park or park-way.

REGISTRATION OF MOTOR VEHICLES.

Sect. 2. Application for the registration of motor vehicles
2 may be made by the owner thereof, by mail or otherwise, to
3 the Maine highway commissioner, upon blanks prepared un-
4 der his authority. The application shall contain, in addition
5 to such other particulars as may be required by the com-
6 missioner, a statement of the name, place of residence and
7 address of the applicant, with a brief description of the mo-
8 tor vehicle, including the name of the maker, the number, if
9 any, affixed by the maker, the character of the motor power
10 and the amount of such motor power stated in figures of
11 horse power; and with such application shall be deposited
12 the proper registration fee as provided in section twenty-
13 nine of this act. The commissioner shall then register in a
14 book or upon suitable index cards to be kept for the purpose
15 the motor vehicle described in the application, giving to said
16 vehicle a distinguishing number or other mark to be known
17 as the register number for that vehicle, and shall thereupon
18 issue to the applicant a certificate of registration. The cer-
19 tificate shall contain the name, place of residence and address
20 of the applicant and the register number or mark, and shall
21 be in such form and contain such further information as the

22 commissioner may determine. An applicant for the regis-
23 tration of a motor vehicle who does not file his application
24 therefor until after the thirtieth day of September in any
25 year shall be entitled to a reduction in the fee for such regis-
26 tration as provided in section twenty-nine of this act. Upon
27 the transfer of ownership of any motor vehicle its registra-
28 tion shall expire, and the person in whose name such vehicle
29 is registered shall forthwith return the certificate of regis-
30 tration to the commissioner, with a written notice containing
31 the date of such transfer of ownership and the name, place
32 of residence and address of the new owner. A person who
33 transfers the ownership of a registered motor vehicle owned
34 by him to another, upon the filing of a new application and
35 upon payment of the proper fee, may have registered in his
36 name another motor vehicle for the remainder of the calen-
37 dar year, provided the horse power of such motor vehicle is
38 the same as that of the motor vehicle first registered by him,
39 or if the vehicle sought to be registered is a motor cycle; but
40 if the horse power of the automobile is greater than that of
41 the automobile first registered by him, the applicant shall
42 pay, in addition to the said fee, the difference between the fee
43 paid by him for the said vehicle first registered and the fee
44 for the registration of an automobile of the higher horse
45 power, as provided in section twenty-nine. A person who
46 before the first day of August in any year transfers the own-
47 ership of an automobile registered in his name and who ap-
48 plies for the registration of another motor vehicle of less

49 horse power than that of the vehicle so transferred, shall
50 be entitled, upon payment of the proper fees set forth in
51 section twenty-nine, to a rebate equivalent to one half the
52 difference between the respective fees for the higher and the
53 lower horse powers, and a person under like conditions who
54 does not apply for the registration of another automobile
55 shall be entitled to a rebate of one half the fee paid for the
56 registration of such vehicle, provided, however, that no such
57 rebate shall be paid except upon a certificate filed with the
58 state auditor setting forth the facts, and signed by the com-
59 missioner, and that the rebate shall be paid out of the fees
60 received for the registration of automobiles and motor ve-
61 hicles. The commissioner, at his discretion, may assign to
62 the motor vehicle of any person who surrenders his regis-
63 tration certificate as herein provided and who desires to reg-
64 ister another motor vehicle the register number of the motor
65 vehicle described in the surrendered certificate. The com-
66 missioner shall furnish at his office without charge to every
67 person whose automobile is registered as aforesaid two num-
68 ber plates of suitable design, each number plate to have dis-
69 played upon it the register number assigned to such vehicle,
70 but no such number plates shall be furnished by the com-
71 missioner for motor cycles. The commissioner shall fur-
72 nish in like manner to every person whose motor cycle is reg-
73 istered as aforesaid a seal, circular in form, approximately
74 two inches in diameter, bearing thereon the words "Regis-
75 tered Motor Cycle No. ——— Maine," together with the

76 year of the issue thereof and with the register number of the
77 motor cycle stamped or otherwise suitably inscribed thereon.
78 Such number plates and seals so furnished shall be valid
79 only for the calendar year for which they are issued. If the
80 commissioner shall determine at any time that for any rea-
81 son a motor vehicle is unsafe or improperly equipped or
82 otherwise unfit to be operated he may refuse to register such
83 vehicle, and the commissioner may for like reasons revoke
84 any registration already recorded. The horse power of ev-
85 ery automobile sought to be registered shall be determined by
86 the commissioner, and such determination shall be final and
87 conclusive. Every application filed under the provisions of
88 this section shall be sworn to by the applicant before a justice
89 of the peace or a notary public. The fee for such oath shall
90 not exceed twenty-five cents. The registration of every
91 motor vehicle shall expire at midnight upon the thirty-first
92 day of December in each year.

MOTOR VEHICLES OWNED BY NON-RESIDENTS.

Sect. 3. A motor vehicle owned by a non-resident of this
2 state, who has complied with the laws relative to motor
3 vehicles and the operation thereof of the state or country
4 in which he resides, may be operated on the ways of this
5 state for not exceeding sixty days in any one calendar year
6 without registration except as otherwise provided in section
7 ten. Every such vehicle so operated shall have displayed
8 upon it the distinguishing number or mark of the state in
9 which the owner thereof resides, and none other until the

10 vehicle is registered in accordance with the provisions of this
11 act. If the vehicle be an automobile said number or mark
12 shall be displayed upon two number plates substantially as
13 provided in section five. A motor vehicle so owned may be
14 operated also in this state for a period longer than sixty
15 days in any one year if application for the registration there-
16 of is made in accordance with the provisions of section two,
17 and the proper fee provided for in section twenty-nine is
18 paid and the said vehicle is duly registered by the commis-
19 sioner, or his authorized agent. The commissioner shall
20 furnish at his office without charge to every person whose
21 automobile is registered as aforesaid two number plates of
22 suitable design, each number plate to have displayed upon
23 it the register number assigned to such vehicle, but no such
24 number plates shall be furnished by the commissioner for
25 motor cycles. The commissioner shall furnish in like man-
26 ner to every person whose motor cycle is registered as afore-
27 said a seal, circular in form, approximately two inches in
28 diameter, bearing thereon the words "Registered Motor
29 Cycle No. ——— Maine," together with the year of the
30 issue thereof and with the register number of the motor
31 cycle stamped or otherwise suitably inscribed thereon. Such
32 number plates and seals shall be valid only during the calen-
33 dar year for which they are issued. Every application filed
34 under the provisions of this section shall be sworn to by the
35 applicant before a justice of the peace or a notary public.
36 The fee for such oath shall not exceed twenty-five cents.

37 Every such registration shall expire at midnight upon the
38 thirty-first day of December in each year.

MOTOR VEHICLES OWNED OR CONTROLLED BY
MANUFACTURERS AND DEALERS.

Sect. 4. Every manufacturer of or dealer in motor vehi-
2 cles may make application, by mail or otherwise, upon a
3 blank provided by the commissioner for a general distin-
4 guishing number or mark, instead of registering each motor
5 vehicle owned or controlled by him, and with such applica-
6 tion shall be deposited the proper registration fee, as pro-
7 vided in section twenty-nine; and the commissioner may
8 grant the application, if satisfied of the facts stated in the
9 application, and issue to the applicant a certificate of regis-
10 tration containing the name, business address of the appli-
11 cant and the general distinguishing number or mark assigned
12 to him, and made in such form and containing such further
13 information as the commissioner may determine; and all
14 motor vehicles owned or controlled by such manufacturer or
15 dealer shall be regarded as registered under such general dis-
16 tinguishing number or mark until sold or let for hire or
17 loaned for a period of more than five successive days. The
18 commissioner shall furnish at his office without charge to
19 every manufacturer of or dealer in automobiles whose ve-
20 hicles are registered in accordance with the provisions of this
21 section five pairs of number plates of suitable design, the
22 plates to have displayed upon them the register number
23 which is assigned to the motor vehicles of such manufacturer

24 or dealer, with a different letter or letters or mark on each
25 pair of number plates, but no such number plates shall be
26 furnished by the commissioner for motor cycles. The com-
27 missioner shall furnish, at the price stated in section twenty-
28 nine, to every person whose vehicles are registered as afore-
29 said as many seals for motor cycles as such person shall
30 apply for, said seals to be circular in form, approximately
31 two inches in diameter, bearing thereon the words "Regis-
32 tered Motor Cycle No. ——— Maine," together with the year
33 of the issue thereof and with the register number or mark of
34 the manufacturer or dealer stamped or suitably inscribed
35 thereon, and each seal so furnished shall also bear a different
36 letter or letters. Such number plates and seals shall be valid
37 only for the calendar year for which they are issued. Every
38 application filed under the provisions of this section shall be
39 sworn to by the applicant before a justice of the peace or a
40 notary public. The fee for such oath shall not exceed twen-
41 ty-five cents. Every such registration shall expire at mid-
42 night upon the thirty-first day of December in each year.

NUMBER PLATES, SAFEGUARDS AND OTHER EQUIPMENT.

Sect. 5. Every automobile operated in or on any way in
2 this state shall have its register number displayed conspicu-
3 ously thereon on the two number plates furnished by the
4 commissioner, in accordance with the provisions of sections
5 two, three and four, one number plate to be attached at the
6 front and the other at the rear of said vehicle, so that the said

7 number plates and the register number thereon shall be al-
8 ways plainly visible. The bottom of each number plate shall
9 be horizontal, and not less than eight and not more than
10 forty-eight inches from the ground. The said number
11 plates shall be kept clean and the numbers legible, and during
12 the period when the vehicle is required to display lights the
13 rear register number shall be illuminated so as to be plainly
14 visible at a distance of sixty feet. No number plates other
15 than such as are procured from the commissioner, or such
16 as may be authorized by him for temporary use, except as
17 provided in section three, shall be displayed on any automo-
18 bile so operated; and if any number plate supplied by the
19 commissioner is lost or mutilated, or if the register number
20 thereon becomes illegible, the owner or person in control of
21 the automobile for which said number plate was furnished
22 shall apply in writing to the commissioner for a new number
23 plate, and deposit with his application the sum of seventy-
24 five cents for each new number plate, and thereupon the
25 commissioner shall issue to such applicant a permit allow-
26 ing him to place a temporary number plate bearing his regis-
27 ter number upon said automobile until a number plate of the
28 regular design is made and delivered to said applicant; pro-
29 vided, however, that all such temporary number plates and
30 the register numbers thereon shall conform to the regular
31 number plates and be displayed as nearly as may be as herein
32 provided for said regular number plates. All automobiles

33 of twenty-five horse power and over shall have some means
34 of accurately indicating the speed thereof.

Sect. 6. Every motor cycle operated in or on any way shall
2 have displayed conspicuously the seal bearing the register
3 number furnished in accordance with the provisions of sec-
4 tions two, three and four of this act for such vehicle. Said
5 seal shall be fastened securely to some part of the vehicle or
6 to some contrivance firmly attached thereto, in the rear of
7 the saddle.

Sect. 7. Every motor vehicle of more than ten horse pow-
2 er, operated in or on any way, shall be provided with at least
3 two brakes, powerful in action and separated from each
4 other, of which one brake shall act directly on the driving
5 wheels or on parts of the mechanism which are firmly con-
6 nected with said wheels. Each of the two brakes shall suf-
7 fice alone to stop the motor vehicle within a proper distance.
8 One of the two brakes shall be so arranged as to be operated
9 with the feet; provided, however, that on automobiles not
10 exceeding ten horse power one brake shall be deemed to be
11 sufficient. Every motor cycle shall be provided with at least
12 one brake which may be operated by hand. Every motor
13 vehicle so operated shall be provided with a muffler or other
14 suitable contrivance to prevent unnecessary noise and with a
15 suitable bell, horn or other means of signalling, and with
16 suitable lamps; and shall be provided with a lock, a ratchet
17 brake which can be set, a key or other contrivance to pre-
18 vent such vehicle from being set in motion by unauthorized

19 persons, or otherwise, contrary to the will of the owner or
20 person in charge thereof. Every automobile operated dur-
21 ing the period from one half an hour after sunset to one half
22 an hour before sunrise shall display at least two white lights,
23 and every motor cycle so operated at least one white light,
24 which shall be visible not less than two hundred feet in the
25 direction toward which the vehicle is proceeding; and every
26 such motor vehicle shall display at least one red light in the
27 reverse direction. Every automobile so operated shall have
28 a rear light so placed as to show a red light from behind and
29 a white light so arranged as to illuminate and not obscure the
30 rear register number.

LICENSES TO OPERATE AND OPERATION OF MO- TOR VEHICLES.

Sect. 8. Application to operate automobiles may be made,
2 by mail or otherwise, to the commissioner upon blanks pre-
3 pared under his authority. The fees provided in section
4 twenty-nine shall be deposited with the application. Before
5 such a license is granted the applicant shall pass such exam-
6 ination as to his qualifications as the commissioner shall re-
7 quire, and no license shall be issued until the commissioner
8 is satisfied that the applicant is a proper person to receive it.
9 No operator's license shall be issued to any person under
10 sixteen years of age. To each person shall be assigned some
11 distinguishing number or mark, and the licenses issued shall
12 be in such form as the commissioner shall determine; they
13 may contain special restrictions and limitations concerning the

14 type of motor power, horse power, design and other features
15 of the automobiles which the licensee may operate; they
16 shall contain the distinguishing number or mark assigned to
17 the licensee, his name, place of residence and address, and a
18 brief description of the licensee for the purposes of identifi-
19 cation; and such other information as the commissioner shall
20 deem necessary. A person to whom a license to operate
21 automobiles has been issued, unless such license contains a
22 special limitation or restriction, may operate any registered
23 motor cycle. Special licenses shall be issued to chauffeurs,
24 but no such license shall be issued to any person less than
25 eighteen years of age. Every person licensed to operate
26 automobiles as aforesaid shall endorse his usual signature on
27 the margin of the license, in the space provided for the pur-
28 pose, immediately upon the receipt of said license, and such
29 license shall not be valid until so endorsed. All licenses to
30 operate motor vehicles other than those of chauffeurs, shall
31 expire at midnight upon the thirty-first day of December in
32 the year nineteen hundred and eleven, and thereafter all li-
33 censes issued to operators and chauffeurs shall be valid for
34 one year only from the date of issue. A person whose motor
35 cycle has been registered in accordance with the provisions
36 of sections two and three of this act may operate such motor
37 cycle without a license from the commissioner, and the cer-
38 tificate of registration for said vehicle shall be evidence of the
39 right of the owner thereof to operate it while said registra-
40 tion is in force. Every application filed under the provisions

41 of this section shall be sworn to by the applicant before a
42 justice of the peace or a notary public. The fee for such
43 oath shall not exceed twenty-five cents.

OPERATION OF MOTOR VEHICLES.

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

Sect. 10. No person shall operate a motor vehicle upon any
2 way in this state unless licensed under the provisions of this
3 act, except as is otherwise herein provided; but the provi-
4 sions of this section shall not prevent the operation of motor
5 vehicles by unlicensed persons if riding with or accompanied
6 by a licensed chauffeur or operator, excepting only persons
7 who have been licensed and whose licenses are not in force
8 because of revocation or suspension, and persons less than
9 sixteen years of age; but such licensed chauffeur or opera-
10 tor shall be liable for the violation of any provision of this
11 act or of any regulation made in accordance herewith com-
12 mitted by such unlicensed operator; provided, however, that
13 the examiners of chauffeurs and operators, in the employ of
14 the commissioner, when engaged in their official duty, shall
15 not be liable for the acts of any person who is being exam-
16 ined. During the period of sixty days within which a motor
17 vehicle of a non-resident may be operated on the ways of this

18 state in accordance with the provisions of section three, such
19 vehicle may be operated by its owner or by his chauffeur or
20 employee without a license from the commissioner, if the
21 operator is duly licensed under the laws of the state in
22 which he resides, or has complied fully with the laws of the
23 state of his residence respecting the licensing of operators of
24 motor vehicles; but if any such non-resident or his chauffeur
25 or employee be convicted by any court or trial justice of vio-
26 lating any provision of the laws of this state relating to mo-
27 tor vehicles or to the operation thereof, whether or not he
28 appeals, he shall be thereafter subject to and required to
29 comply with all the provisions of this act relating to the
30 registration of motor vehicles owned by residents of this
31 state and the licensing of the operators thereof. A record
32 of the trial shall be sent forthwith by the court or trial jus-
33 tice to the commissioner. Except as hereinbefore provided,
34 no person shall operate a motor vehicle for hire or as a
35 chauffeur unless specially licensed by the commissioner so to
36 do.

Sect. 11. Every person operating an automobile shall have
2 the certificate of registration for the vehicle and his license
3 to operate upon his person or in the vehicle in some easily
4 accessible place, except that the certificates of registration
5 of dealers need not so be carried. Every person operating
6 a motor cycle shall have the certificate of registration for such
7 vehicle upon his person. If for any reason the commissioner
8 is unable to issue promptly to an applicant the certificate of

9 registration or the license applied for he may issue a receipt
10 for the fee or fees paid, and said receipt shall be carried in
11 lieu of the certificate or license as the case may be, and for
12 the period of thirty days from the date of its issue said re-
13 ceipt shall have the same force and effect given to the certifi-
14 cate or license by the provisions of this act.

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

Sect. 13. No chauffeur or operator, when operating a mo-
2 tor vehicle, shall have or permit to be on or in such vehicle
3 or on or about his person anything which may interfere with
4 or impede the proper operation of the vehicle or of any of
5 the machinery or appliances by which the vehicle is operated
6 or controlled. No person having control or charge of a
7 motor vehicle shall allow such vehicle to stand in any public
8 street or way and remain unattended without first locking
9 or making it fast or effectively setting the brakes thereon,
10 and stopping the motor of said vehicle.

Sect. 14. Every person operating a motor vehicle shall
2 bring the vehicle and the motor propelling it immediately to
3 a stop when approaching a horse or other draft animal being
4 led, ridden or driven, if such animal appears to be frightened
5 and if the person in charge thereof shall signal so to do; and,
6 if travelling in the opposite direction to that in which such
7 animal is proceeding, said vehicle shall remain stationary so
8 long as may be reasonable to allow such horse or animal to

9 pass; or, if travelling in the same direction, the person oper-
10 ating shall use reasonable caution in thereafter passing such
11 horse or other animal. In approaching or passing a car of
12 a street railway which has been stopped to allow passengers
13 to alight or embark, the operator of every motor vehicle
14 shall slow down and if it be necessary for the safety of the
15 public he shall bring said vehicle to a full stop. Upon ap-
16 proaching a pedestrian who is upon the travelled part of any
17 way and not upon a sidewalk, or where the operator's view
18 is obstructed either upon approaching an intersecting way or
19 a curve or corner in a way, every person operating a motor
20 vehicle shall slow down and give a timely signal with his
21 bell, horn, or other device for signalling; provided, that in
22 the thickly settled parts of a city or town no bell, horn or
23 other device for signalling shall be sounded so as to make a
24 harsh, objectionable or unreasonable noise; and provided,
25 further, that no operator of any motor vehicle shall at any
26 time permit any unreasonable amount of smoke to escape
27 from said motor vehicle, nor shall said operator at any time
28 permit said motor vehicle to make any unnecessary noise,
29 by cutting out the muffler or otherwise. The driver of any
30 motor vehicle on any highway approaching a crossing of
31 ways, shall slow down and keep to the right of the intersec-
32 tion of the centers of both ways, when turning to the right,
33 and shall pass to the right of the intersection of the centers
34 of said ways before turning to the left.

Sect. 15. No person shall operate a motor vehicle nor shall

2 any owner of such vehicle permit it to be operated in or over
3 any way, public or private, whether laid out under authority
4 of law or otherwise, from which motor vehicles are excluded,
5 provided notice of such exclusion is conspicuously posted at
6 the entrance to such way.

SPEED LIMITS.

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

SPECIAL SPEED REGULATIONS.

Sect. 17. Towns, cities and village corporations may make
2 by-laws or ordinances as authorized by law regulating the
3 speed of motor vehicles and as to the use of such vehicles
4 upon particular ways, and may exclude such vehicles alto-
5 gether from certain ways; provided, however, that no special
6 regulation shall be effective unless it shall have been pub-
7 lished in one or more newspapers, if there be any, published
8 in the city or town in which the way is situated, otherwise in
9 one or more newspapers published in the county in which the
10 city or town is situated; nor unless notice of the same is post-
11 ed conspicuously by the city or town at the limits of the part
12 of the way affected; and no regulation shall be valid which
13 excludes motor vehicles from any state highway, or from
14 any main highway leading from any city or town to another.
15 All signs and other notices relative to the speed, operation
16 and use of motor vehicles which are not authorized under
17 the provisions of this act shall be removed forthwith from
18 all ways; provided, however, that nothing herein shall in any
19 way abridge or affect chapter 133 of the private and special
20 laws of the year 1909, entitled "An Act to prohibit the use
21 of automobiles in the towns of Eden, Mount Desert, Tremont
22 and Southwest Harbor on the island of Mount Desert."

Section eleven of chapter twenty-four of the revised stat-
24 utes is hereby amended by striking out the word "four" in
25 the last line of said section and inserting in the place thereof
26 the word 'eight.'

PENALTIES AND PUNISHMENTS.

Sect. 18. Any person convicted of a violation of any provision of this act, or who is convicted of a violation of a special speed regulation lawfully made under authority of section seventeen may be punished by a fine of not less than ten dollars nor more than twenty-five dollars for the first offence, and not less than twenty-five dollars nor more than fifty dollars for a second offence, and not less than fifty dollars nor more than one hundred dollars for subsequent offences committed during any period of twelve months. A complaint against a person for the violation of sections eleven, sixteen or seventeen of this act may be placed on file at the discretion of the court or trial justice if the violation appears to have been unintentional or if no person or property could have been endangered thereby. Upon a third or subsequent conviction in the same calendar year of a violation of section sixteen or of section seventeen of this act, the commissioner shall forthwith revoke the license of the person so convicted, and no new license shall be issued to such person for at least thirty days after the date of such conviction, nor thereafter except in the discretion of said commissioner.

Sect. 19. Any officer authorized to make arrests may arrest without warrant and keep in custody for a reasonable time, not more than twenty-four hours, unless Sunday intervenes, any person operating a motor vehicle on any street or way who does not have in his possession a license to

6 operate motor vehicles granted to him by the commissioner,
7 and who violates any statute, by-law, ordinance or regulation
8 relating to the operation or control of motor vehicles; and
9 at or before the expiration of said period of time such person
10 shall be brought before a proper magistrate and proceeded
11 against according to law. The operator of any motor ve-
12 hicle who is arrested as aforesaid and solely because he has
13 violated a provision of section sixteen or of section seven-
14 teen of this act shall be admitted to bail for his appearance
15 in court upon the deposit of one hundred dollars in cash, in
16 lieu of a bail bond, with any person authorized to take bail.

Sect. 20. The commissioner may suspend or revoke any
2 certificate of registration or any license issued to any person
3 under the provisions of this act, after due hearing, for any
4 cause which he may deem sufficient, and the commissioner
5 may suspend the license of any operator or chauffeur in his
6 direction and without a hearing, and may order the license
7 to be delivered to him, whenever he has reason to believe
8 that the holder thereof is an improper or incompetent per-
9 son to operate motor vehicles, or is operating improperly or
10 so as to endanger the public; and neither the certificate of
11 registration nor the license shall be reissued unless, upon
12 examination or investigation, or after a hearing, the com-
13 missioner determines that the operator or chauffeur should
14 again be permitted to operate.

Sect. 21. Any person convicted of operating a motor ve-
2 hicle in this state after his license to operate has been sus-

3 pended or revoked, and any person convicted of operating
4 or permitting any other person to operate a motor vehicle
5 after the certificate of registration for such vehicle has been
6 suspended or revoked, and any person who attaches or per-
7 mits to be attached to a motor vehicle a number plate or seal
8 assigned by the commissioner to another vehicle, or who
9 obscures or permits to be obscured the figures on any num-
10 ber plate or seal attached to any motor vehicle, or who fails
11 to display on a motor vehicle the number plate or seal and
12 the register number duly issued therefor, with intent to
13 conceal the identity of such motor vehicle, or who wears a
14 chauffeur's badge not furnished to him by the commissioner,
15 or who with intent to conceal his identity wears a chauf-
16 feur's badge belonging to another person, shall be punished
17 by a fine of not more than one hundred dollars or by impris-
18 onment for a term of ten days, or by both such fine and
19 imprisonment.

Sect. 22. Whoever upon any way operates an automobile
2 or motor cycle recklessly or while under the influence of
3 intoxicating liquor, or so that the lives or safety of the pub-
4 lic might be endangered, or upon a bet, wager or race, or
5 who operates a motor vehicle for the purpose of making a
6 record and thereby violates any provision of sections six-
7 teen and seventeen of this act, or who knowingly goes away
8 without stopping and making himself known after causing
9 injury to any person or property, or who uses a motor ve-
10 hicle without authority, shall be punished by a fine of not

11 more than two hundred dollars or by imprisonment for a
12 term not exceeding six months, or by both such fine and
13 imprisonment; and if any person be convicted a second time
14 of operating an automobile while under the influence of
15 intoxicating liquor, he shall be punished by imprisonment
16 for a term of not less than one year and not more than two
17 years. A conviction of a violation of this section shall be
18 reported forthwith by the court or trial justice to the com-
19 missioner, who shall revoke immediately the license of the
20 person so convicted. If it appears by the records of the
21 commissioner that the person so convicted is the owner of
22 a motor vehicle, or has exclusive control of any motor ve-
23 hicles as a manufacturer or dealer, the commissioner may
24 revoke the certificate of registration of all motor vehicles
25 so exclusively owned or controlled. Whenever any person
26 so convicted appeals, the commissioner shall suspend forth-
27 with the license of the person so convicted, and shall order
28 the license delivered to him, and shall not reissue said license
29 unless such person is acquitted in the appellate court, or un-
30 less the commissioner in his discretion, after an investiga-
31 tion or upon a hearing, decides to reissue it. No new license
32 or certificate shall be issued by the commissioner to any
33 person convicted of a violation of this section until after
34 sixty days from the date of such final conviction, nor there-
35 after except in the discretion of the commissioner.

Sect. 23. Any person who, while operating or in charge
2 of a motor vehicle, shall refuse when requested by an officer

3 to give his name and address, or the name and address of
4 the owner of such motor vehicle, or who shall give a false
5 name or address, or who shall refuse or neglect to stop when
6 signalled to stop by any officer who is in uniform or who
7 displays his badge conspicuously on the outside of his outer
8 coat or garment, or who refuses on demand of such officer
9 to produce his license to operate such vehicle or his certifi-
10 cate of registration, or to permit such officer to take the
11 license or certificate in hand for the purpose of examination,
12 or who refuses on demand of such officer to sign his name
13 in the presence of such officer, and any person who on the
14 demand of an officer or official mentioned in section twenty-
15 six of this act, or authorized by the commissioner, without
16 a reasonable excuse fails to deliver his license to operate
17 motor vehicles or the certificate of registration of any motor
18 vehicle operated or owned by him, or the number plates or
19 seal furnished by the commissioner for said motor vehicle,
20 or who refuses or neglects to produce his license when re-
21 quested by a court or trial justice, shall be punished by a
22 fine of not less than twenty-five nor more than one hundred
23 dollars.

GENERAL PROVISIONS.

COURT RECORDS.

Sect. 24. A full record shall be kept by every court and
2 trial justice in this state of every case in which a person is
3 charged with a violation of any provision of this act or of
4 any other act relative to motor vehicles or to the operation

5 of such vehicles, and an abstract of such record shall be sent
6 forthwith by the court or trial justice to the commissioner.
7 Said abstracts shall be made upon forms prepared by the
8 commissioner, and shall include all necessary information as
9 to the parties to the case, the nature of the offence, the date
10 of the hearing, the plea, the judgment and the result; and
11 every such abstract shall be certified by the clerk of the court
12 or by the trial justice as a true abstract of the record of the
13 court. The commissioner shall keep such records in his
14 main office, and they shall be open to the inspection of any
15 person during reasonable business hours. Courts and trial
16 justices shall, upon their own initiative or upon the request
17 of the commissioner or his agents, furnish to the commis-
18 sioner the details of all particularly flagrant cases which may
19 be heard before them; and they may make such recom-
20 mendations to the commissioner as to the suspension or revo-
21 cation of the licenses and certificates of registration of the
22 persons defendant in such cases as they may deem necessary.

Sect. 25. In the administration of the laws and regulations
2 relative to motor vehicles and to the operators and the opera-
3 tion thereof, the commissioner may summon witnesses in
4 behalf of the state and may administer oaths and take testi-
5 mony. The commissioner may also cause depositions to
6 be taken, and may order the production of books, papers,
7 agreements and documents. Any person who swears or
8 affirms falsely in regard to any matter or thing respecting
9 which an oath or affirmation is required by the commissioner

10 or by this act shall be deemed guilty of perjury. The fees
11 for the attendance and travel of witnesses shall be the same
12 as for witnesses before the supreme judicial court, and shall
13 be paid by the state upon the certificate of the commissioner
14 filed with the state auditor. The supreme judicial court and
15 both of the superior courts shall have jurisdiction in equity,
16 upon the application of the commissioner, to enforce all law-
17 ful orders of the commissioner under this section. One of
18 the employees of the commissioner shall be a justice of the
19 peace, who shall administer any oath required by this act
20 without charge therefor.

Sect. 26. The commissioner may appoint from time to
2 time competent persons to act as investigators and exam-
3 iners; he may remove them for cause and appoint others in
4 their places, and he may determine their compensation and
5 terms of service and define their duties. Said inspectors
6 and examiners, with respect to the enforcement of all pro-
7 visions of law relative to motor vehicles and to the owner-
8 ship and operation thereof, shall have and exercise through-
9 out the state all the powers of constables, except the service
10 of civil process, and of police officers and watchmen, includ-
11 ing the power to arrest any person who violates any pro-
12 vision of this act, and they may serve all processes lawfully
13 issued by the courts or by the commissioner. The commis-
14 sioner may investigate the cause of any accident in which
15 any motor vehicle is involved which in his judgment re-
16 quires investigation. The selectmen of any town and the

17 mayor and aldermen of any city may from time to time
18 appoint suitable persons as special constables who shall serve
19 without cost to such city or town and who shall have all the
20 powers of police officers and constables in relation to the
21 enforcement of all laws and regulations concerning motor
22 vehicles and the operation thereof. The chief officer of the
23 police department of every city and town and the chairman
24 of the selectmen of such towns as have no regular police
25 department shall notify the commissioner forthwith of the
26 particulars of every serious accident which happens within
27 the limits of their respective city or town in which a motor
28 vehicle is involved, and as a result of which a death occurs
29 or appears likely to occur, and shall also, if possible, ascer-
30 tain the name of the operator of such vehicle and notify the
31 commissioner of the same. Every such officer, upon the re-
32 quest of the commissioner, shall demand forthwith the license
33 of any operator and the certificate of registration and num-
34 ber plates or seal of any motor vehicle situated within the
35 limits of the city or town where such officer resides when
36 said license or certificate has been suspended or revoked by
37 the commissioner, and shall forward the same to the com-
38 missioner. Whenever the death of any person results from
39 any such accident, the commissioner shall suspend forthwith
40 the license of the operator of the automobile or the certifi-
41 cate of registration of the motor cycle involved in said acci-
42 dent, and shall order the said license or certificate to be de-
43 livered to him; and the commissioner shall revoke the same

44 unless, upon investigation or after a hearing, he determines
45 that the accident occurred without serious fault on the part
46 of said operator or chauffeur. No operator or chauffeur
47 whose license is revoked under the provisions of this section
48 shall be licensed again within six months after the date of
49 the suspension, nor thereafter except in the discretion of
50 the commissioner. A proper record of all applications and
51 of all certificates and licenses issued shall be kept by the
52 commissioner at his office, and such records shall be open to
53 the inspection of any person during reasonable business
54 hours. The commissioner may issue or cause to be issued
55 a certified copy of any certificate or registration or of any
56 license to operate motor vehicles, which may have been lost
57 or mutilated, upon the written request of the person entitled
58 thereto; and such certified copies shall have the same force
59 and effect as the originals.

Sect. 27. The commissioner may prepare rules and regula-
2 tions from time to time governing the use and operation of
3 motor vehicles and the conduct of operators and chauffeurs,
4 and may from time to time alter, rescind or add to any rules
5 and regulations previously made by him. Such rules and
6 regulations, and any changes therein, shall take effect when
7 approved by the governor and council and published in at
8 least one newspaper printed and published in each county of
9 the state, and such publication shall be sufficient notice to
10 all persons. The sworn certificate of the commissioner that
11 such rules and regulations have been published as herein

12 provided shall be prima facie evidence thereof. A copy of
 13 such rules and regulations attested by the commissioner shall
 14 be prima facie evidence that they have been made by the
 15 commissioner and approved by the governor and council as
 16 provided by law. This section shall not be construed as giv-
 17 ing the highway commissioner power to regulate the speeds
 18 at which motor vehicles may be operated on the public ways.

GARAGE RECORDS.

Sect. 28. Every manufacturer of and dealer in motor ve-
 2 hicles, and every owner, proprietor, person in control, or
 3 keeper of a garage, shall keep or cause to be kept in a book
 4 a proper record of every automobile which enters and which
 5 leaves his garage, stable, shop or place of business. Said
 6 book shall have columns and headings substantially as fol-
 7 lows:

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

Every person operating or running a motor vehicle into
 9 or out of a garage, or into or out of a stable, shop or place
 10 of business of a manufacturer or dealer, shall enter or cause
 11 to be entered in said book, in the columns under the proper

12 headings, the date and time of entering and leaving, the
13 register number and letter, if any, of the motor vehicle, and
14 the full name of the operator or chauffeur.

In the case of motor vehicles operated or run into or out
16 of a garage by others than chauffeurs, the record shall be
17 kept by the owner, proprietor or person in control of the
18 garage, or by some employee or employees specially desig-
19 nated for this duty, and the said owner, proprietor or person
20 in control of such garage, shall be responsible for the proper
21 keeping of said record. All entries in said book shall be
22 made legibly, in ink or with an indelible pencil. The said
23 book shall be kept in some convenient place, and shall be
24 open at all times to the inspection of the commissioner and
25 his agents and of any police officer or constable.

FEEES.

Sect. 29. The commissioner or his authorized agents shall
2 collect fees as follows:

For the registration of every motor cycle, including the
4 right of the owner thereof to operate the vehicle, two dollars.

For the registration of every commercial motor vehicle
6 used solely as such, and every motor truck, regardless of the
7 horse power thereof, five dollars.

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

For the registratoin of every automobile of twenty horse
11 power and above, but less than thirty horse power, ten dol-
12 lars.

For the registration of every automobile of thirty horse
14 power and above, but less than forty horse power, fifteen
15 dollars.

For the registration of every automobile of forty horse
17 power and above, but less than fifty horse power, twenty
18 dollars.

For the registration of every automobile of fifty horse
20 power and above, twenty-five dollars.

For the registration of the motor vehicles owned by or un-
22 der the control of a manufacturer of or dealer in motor ve-
23 hicles, if such person operates upon the public ways not
24 more than five automobiles, twenty-five dollars and five dol-
25 lars for every automobile in excess of five so operated.

For the registration of all of the motor cycles owned by
27 or under the control of a manufacturer of or dealer in motor
28 cycles who does not manufacture or deal in automobiles,
29 including ten seals to be furnished with the certificate of
30 registration, ten dollars.

For the registration of every motor vehicle owned by a
32 non-resident who applies for registration under the provis-
33 ions of section three of this act, and for the registration of
34 every automobile and of the motor vehicles owned by or
35 under the control of a manufacturer of or dealer in motor
36 vehicles, who applies therefor during the period beginning
37 with the first day of October and ending on the thirty-first
38 day of December in any year in accordance with the pro-

39 visions of section two or of section four of this act, one half
40 of the foregoing fees.

For the substitution of the registration of an automobile
42 for that of a vehicle previously registered in accordance with
43 the provisions of section two of this act, two dollars.

For the substitution of the registration of a motor cycle
45 for that of a motor cycle previously registered in accordance
46 with the provisions of section two of this act, one dollar.

For every original operator's or chauffeur's license to oper-
48 ate automobiles, two dollars.

For every renewal of any operator's or chauffeur's license
50 to operate automobiles, fifty cents.

For every examination given to an applicant for a license
52 or for the renewal of a license to operate motor vehicles,
53 two dollars.

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

For every additional number plate furnished to replace
57 such plates as have been lost or mutilated, or which are
58 illegible, and for every additional number plate furnished to
59 a manufacturer of or dealer in motor vehicles whose busi-
60 ness requires more than five pairs of such plates, seventy-
61 five cents.

For every additional seal furnished to replace such seals
63 as have been lost or mutilated, or which are illegible, and
64 for every seal furnished to a manufacturer of or dealer in
65 automobiles for use on motor cycles owned by or under the

66 control of such person, fifty cents; provided, however, that
67 the commissioner or his authorized agents may furnish with-
68 out charge copies of certificates of registration and licenses
69 to operate, and copies of other documents relating thereto,
70 to officers of the state or of any court thereof or a city or
71 town therein.

DISPOSITION OF FEES.

Sect. 30. The fees and fines received under the provisions
2 of this act, together with all other fees received by the com-
3 missioner or any other person under the laws of the state
4 relating to the use and operation of motor vehicles, shall
5 be paid monthly by the commissioner or by the person col-
6 lecting the same into the state treasury, and shall be used
7 by the commissioner for such expenses as may be author-
8 ized by law to carry out the provisions of law regulating
9 the use of motor vehicles; and the balance shall be expended
10 under the direction of the commissioner, for the mainte-
11 nance of state highways without specific appropriation, in
12 addition to all sums already or hereafter appropriated for
13 the same purpose, and an amount not exceeding twenty per
14 cent of said balance may be expended in any one year by
15 said commissioner in repairing, improving, constructing or
16 maintaining town or county highways which are or may be
17 used as through routes or which connect one city or town
18 with another and where the selectmen of the town apply,
19 by petition in writing, to have said improvement, construc-
20 tion or repair made, and said commissioner may spend any

21 part of said money on said work, together with any money
22 which any town may appropriate for said purpose to be
23 used on the same highway, and said way shall remain a
24 town or county way. No bills or schedules for work or
25 materials contracted for under the provisions of this section
26 shall be paid unless such bills and schedules are approved
27 by the commissioner, nor until after audit and certification
28 by the state auditor as required by law for expenditures
29 under specific appropriations.

HILL CLIMBING CONTESTS.

Sect. 31. The mayor and board of aldermen of a city or
2 the selectmen of a town may, after a public hearing, upon
3 special occasions and subject to such regulations concerning
4 the closing, use and control of the highway, as they deem
5 necessary for public convenience and safety, grant permits
6 to persons to drive automobiles or motor cycles in hill-climb-
7 ing contests during a specified time and upon specified parts
8 of the public way at any rate of speed.

REPEAL.

Sect. 32. Sections seven, eight, nine and ten of chapter
2 twenty-four of the revised statutes, and chapter one hun-
3 dred forty-seven of the public laws of the year nineteen
4 hundred five are hereby repealed.