

# MAINE STATE LEGISLATURE

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SEVENTY-FIFTH LEGISLATURE

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SENATE

NO. 20

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*In Senate, Jan. 19, 1911.*

*Laid on table for printing on motion by Mr. Stearns of Oxford, pending reference to Committee on Judiciary in concurrence.*

*W. C. HANSON, Secretary*

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STATE OF MAINE

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

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

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

Section 1. Terms used in this chapter shall be construed  
2 as follows, unless a different meaning is clearly apparent  
3 from the language or context, or unless such construction is  
4 inconsistent 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 manufac-  
13 turer 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 but  
29 two wheels in contact with the ground, and a saddle on which  
30 the driver sits astride.

“Motor vehicle” shall include automobiles, motor cycles  
32 and all other vehicles propelled by power other than mus-  
33 cular power except railroad and railway cars and motor vehi-  
34 cles running only upon rails or tracks, ambulances, fire en-  
35 gines and apparatus, police patrol wagons and other vehicles

36 used by the police department of any city or town solely for  
37 the 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  
44 by the commissioner, on which is displayed the register num-  
45 ber or mark of an automobile assigned to such automobile by  
46 the 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,  
51 provided 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  
55 said number or mark, except on motor cycles, shall always  
56 be in separate Arabic numerals at least four inches in height,  
57 with 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 commis-  
6 sioner, a statement of the name, place of residence and ad-  
7 dress of the applicant, with a brief description of the motor  
8 vehicle, including the name of the maker, the number, if any,  
9 affixed by the maker, the character of the motor power and  
10 the amount of such motor power stated in figures of horse  
11 power; and with such application shall be deposited the  
12 proper registration fee as provided in section twenty-nine of  
13 this act. The commissioner shall then register in a book or  
14 upon suitable index cards to be kept for the purpose the mo-  
15 tor vehicle described in the application, giving to said vehicle  
16 a distinguishing number or other mark to be known as the  
17 register number for that vehicle, and shall thereupon issue  
18 to the applicant a certificate of registration. The certificate  
19 shall contain the name, place of residence and address of the  
20 applicant and the register number or mark, and shall be in  
21 such form and contain such further information as the com-

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

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

76 the register number of the motor cycle stamped or otherwise  
77 suitably inscribed thereon. Such number plates and seals  
78 so furnished shall be valid only for the calendar year for  
79 which they are issued. If the commissioner shall determine  
80 at any time that for any reason a motor vehicle is unsafe or  
81 improperly equipped or otherwise unfit to be operated he  
82 may refuse to register such vehicle, and the commissioner  
83 may for like reasons revoke any registration already record-  
84 ed. The horse power of every automobile sought to be reg-  
85 istered shall be determined by the commissioner, and such  
86 determination shall be final and conclusive. Every applica-  
87 tion filed under the provisions of this section shall be sworn  
88 to by the applicant before a justice of the peace or a notary  
89 public. The fee for such oath shall not exceed twenty-five  
90 cents. The registration of every motor vehicle shall expire  
91 at midnight upon the thirty-first day of December in each  
92 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 up-  
8 on 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 days  
15 in any one year if application for the registration thereof is  
16 made in accordance with the provisions of section two, and  
17 the proper fee provided for in section twenty-nine is paid and  
18 the said vehicle is duly registered by the commissioner, or  
19 his authorized agent. The commissioner shall furnish at  
20 his office without charge to every person whose automobile  
21 is registered as aforesaid two number plates of suitable de-  
22 sign, each number plate to have displayed upon it the regis-  
23 ter number assigned to such vehicle, but no such number  
24 plates shall be furnished by the commissioner for motor  
25 cycles. The commissioner shall furnish in like manner to  
26 every person whose motor cycle is registered as aforesaid a  
27 seal, circular in form, approximately two inches in diameter,  
28 bearing thereon the words "Registered, Motor Cycle No. —  
29 Maine," together with the year of the issue thereof and with  
30 the register number of the motor cycle stamped or other-  
31 wise suitably inscribed thereon. Such number plates and  
32 seals shall be valid only during the calendar year for which  
33 they are issued. Every application filed under the provisions  
34 of this section shall be sworn to by the applicant before a jus-  
35 tice of the peace or a notary public. The fee for such oath  
36 shall not exceed twenty-five cents. Every such registration

37 shall expire at midnight upon the thirty-first day of Decem-  
38 ber in each year.

#### MOTOR VEHICLES OWNED OR CONTROLLED BY MANUFACTURERS AND DEALERS.

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

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

#### NUMBER PLATES. SAEGUARDS AND OTHER EQUIPMENT.

Sect. 5. Every automobile operated in or on any way in  
2 this state shall have its regular 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

7 said number plates and the register number thereon shall be  
8 always plainly visible. The bottom of each number plate  
9 shall be horizontal, and not less than eight and not more than  
10 forty-eight inches from the ground, the said number plates  
11 shall be kept clean and the numbers legible, and during the  
12 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 com-  
25 missioner shall issue to such applicant a permit allowing him  
26 to place a temporary number plate bearing his register num-  
27 ber upon said automobile until a number plate of the regular  
28 design is made and delivered to said applicant; provided,  
29 however, that all such temporary number plates and the reg-  
30 ister numbers thereon shall conform to the regular num-  
31 ber 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  
2 shall have displayed conspicuously the seal bearing the reg-  
3 ister number furnished in accordance with the provisions of  
4 sections two, three and four of this act for such vehicle.  
5 Said seal shall be fastened securely to some part of the  
6 vehicle or to some contrivance firmly attached thereto, in  
7 the rear of the saddle.

Sect. 7. Every motor vehicle of more than ten horse  
2 power, operated in or on any way, shall be provided with at  
3 least 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 suit-  
16 able lamps; and shall be provided with a lock, a ratchet brake  
17 which can be set, a key or other contrivance to prevent such  
18 vehicle from being set in motion by unauthorized persons, or

19 otherwise, contrary to the will of the owner or person in  
20 charge thereof. Every automobile operated during the pe-  
21 riod from one half an hour after sunset to one half an hour  
22 before sunrise shall display at least two white lights, and  
23 every motor cycle so operated at least one white light, which  
24 shall be visible not less than two hundred feet in the direc-  
25 tion toward which the vehicle is proceeding; and every such  
26 motor vehicle shall display at least one red light in the re-  
27 verse direction. Every automobile so operated shall have a  
28 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 is  
8 satisfied that the applicant is a proper person to receive it.  
9 No operator's license shall be issued to any person under six-  
10 teen 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

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

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

#### OPERATION OF MOTOR VEHICLES.

Sect. 9. No motor vehicles shall be operated after midnight  
2 on the thirty-first day of December in the year nineteen hun-  
3 dred and eleven unless registered in accordance with the pro-  
4 visions of this act, nor unless such vehicle is equipped as  
5 provided in sections five, six and seven, except as is other-  
6 wise 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 operator  
10 shall be liable for the violation of any provision of this act or  
11 of any regulation made in accordance herewith committed by  
12 such unlicensed operator; provided, however, that the exam-  
13 iners of chauffeurs and operators, in the employ of the com-  
14 missioner, when engaged in their official duty, shall not be  
15 liable for the acts of any person who is being examined.  
16 During the period of sixty days within which a motor ve-  
17 hicle 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 which  
22 he resides, or has complied fully with the laws of the state  
23 of his residence respecting the licensing of operators of motor  
24 vehicles; but if any such non-resident or his chauffeur or  
25 employee be convicted by any court or trial justice of violat-  
26 ing any provision of the laws of this state relating to motor  
27 vehicles or to the operation thereof, whether or not he ap-  
28 peals, he shall be thereafter subject to and required to com-  
29 ply with all the provisions of this act relating to the regis-  
30 tration of motor vehicles owned by residents of this state  
31 and the licensing of the operators thereof. A record of the  
32 trial shall be sent forthwith by the court or trial justice to  
33 the commissioner. Except as hereinbefore provided, no per-  
34 son shall operate a motor vehicle for hire or as a chauffeur  
35 unless specially licensed by the commissioner so to 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 li-  
3 censed 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 the  
5 machinery or appliances by which the vehicle is operated or  
6 controlled. No persons having control or charge of a motor  
7 vehicle shall allow such vehicle to stand in any public street  
8 or way and remain unattended without first locking or mak-  
9 ing it fast or effectively setting the brakes thereon, and stop-  
10 ping 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-

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

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

#### FEES.

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 registration 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.