

NEW DRAFT.

SEVENTY-FIFTH LEGISLATURE

SENATE

NO. 234

In Senate, March 22, 1911.

*Laid on table on motion of Mr. Kellogg and ordered printed
with both reports.*

W. C. HANSON, Secretary.

STATE OF MAINE

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

AN ACT to more fully provide for the registration of motor vehicles, licensing of persons operating same, regulating speed, prescribing the amount of license and registration fees and making penalty for the violation of certain provisions of this act.

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

Section 1. The terms "motor vehicle," as used in this act shall include all vehicles self-propelled on the highway, town- way, public streets, avenues, driveway, park or parkway, by motive power of whatsoever kind, namely, automobiles, (used for the conveyance of persons for hire, pleasure or business), motor trucks or automobiles (used for commercial purposes), motor cycles (used for pleasure or busi-

8 ness), log haulers or traction engines (used for commercial
9 purpose), excepting such vehicles as run only upon rails
10 or railway trucks, automobile fire engines and apparatus,
11 and other vehicles used by cities or towns, such as police
12 patrol wagons and road rollers.

Sect. 2. The rate of speed upon any highway, townway,
2 public street, avenue, driveway, park or parkway by any
3 person operating a motor vehicle in this state shall be not
4 greater than twenty-five miles an hour in open country out-
5 side of cities and villages, and within the compact or built-
6 up portions of any city, town or village not greater than ten
7 miles an hour, except where such city or town may by ordi-
8 nance or by law permit a greater rate of speed.

Sect. 3. No person operating a motor vehicle on any
2 highway, townway, public street, avenue, driveway, park
3 or parkway, shall drive at any speed greater than is reason-
4 able, safe and proper, having regard to the traffic and use
5 of the public way by others, or so as to endanger the life
6 or limb of any person. Racing and reckless driving on any
7 such ways, streets, avenues or parks is hereby forbidden.

Permits may be granted by municipal officers of cities or
9 towns after a public hearing thereon to drive automobiles
10 or motor cycles in hill climbing contests during a specified
11 time upon a certain highway at any rate of speed.

Sect. 4. Whoever, driving or operating a motor vehicle
2 upon any highway, townway, public street, avenue, drive-
3 way, park or parkway of this state, when approaching from

4 the opposite direction a person riding, driving or leading a
5 horse or other animal which appears to be frightened, is
6 signalled by putting up of the hand or by other visible sign
7 by such person, shall cause such motor vehicle to come to a
8 stop as soon as possible and remain stationary so long as
9 it may be necessary and reasonable to allow such horse or
10 animal to pass. Whenever traveling in the same direction
11 the person operating a motor vehicle shall use reasonable
12 caution in passing horses or other animals and vehicles.

Sect. 5. Every such motor vehicle when in use on the
2 highways shall have attached thereto a suitable horn, bell
3 or other equally as good means of signal, that when blown,
4 rung or otherwise operated may be heard a distance of at
5 least two hundred feet, and shall also have lighted lamps
6 between thirty minutes after sunset and thirty minutes be-
7 fore sunrise. Automobiles and motor trucks shall have at
8 least two white lights forward and one red rear light with
9 white light to plainly illuminate registered number. Motor
10 cycles shall have at least one white light forward and one
11 red rear light. Log haulers or traction engines shall have
12 at least two white lights forward.

Sect. 6. Municipal officers of any city or town may desig-
2 nate places on any streets or ways therein, where in their
3 judgment by reason of cliffs, embankments or other excep-
4 tional natural conditions the meeting of motor vehicles and
5 horses or other animals would be attended with unusual
6 danger, by causing the words "Automobiles Go Slow" to

7 be conspicuously displayed on sign boards on the right hand
8 side of each approach to such place not less than one hun-
9 dred and fifty feet distant therefrom. And no such motor
10 vehicle shall pass any place so designated at a greater speed
11 than five miles an hour, and if a horse ridden or driven is
12 met coming from the opposite direction and signal from the
13 person riding or driving such horse or other animal is made,
14 the driver of such motor vehicle shall come to a stop as soon
15 as possible, and allowing a reasonable time for said horse
16 or other animal to pass, and whenever traveling in same
17 direction, shall use reasonable and proper care in passing
18 said horse or other animal.

Sect. 7. Whosoever violates any provision of the five pre-
2 ceding sections shall be punished by a fine not less than ten
3 or more than twenty-five dollars for first offense and not
4 less than twenty-five or more than fifty dollars for second
5 offense committed during any period of twelve months, or
6 by imprisonment of a term not exceeding ten days.

Sect. 8. All motor vehicles shall be registered by the
2 owner or person in control thereof in accordance with the
3 provisions of this act. Application for such registration
4 may be made by mail or otherwise to the secretary of state
5 upon blanks prepared under his authority. The applica-
6 tion shall, in addition to such other particulars as may be
7 required by said secretary, contain a statement of the name,
8 place of residence and address of the applicant, with a brief
9 description of the motor vehicle, including the name of the

10 maker, the number if any, affixed by the maker, the char-
11 acter of the motive power and the amount of such power,
12 stated in figures of horse power, and with such application
13 shall be deposited an annual registration fee of:

\$5.00 for automobiles (used for conveyance of persons for
15 hire, pleasure or business), of twenty horse power and
16 under.

\$10.00 for automobiles (used for conveyance of person,
18 for hire, pleasure or business), between twenty horse power
19 and including thirty-five horse power.

\$15.00 for automobiles (used for conveyance of person,
21 for hire, pleasure or business), over thirty-five horse power.

\$10.00 for motor trucks or automobile (used for commer-
23 cial purposes).

\$3.00 for motor cycles (used for pleasure or business).

\$10.00 for traction engines or log haulers (used for com-
26 mercial purposes).

The above horse power shall be based on the "A-L-A-M"
28 standard, so called. Application for registration, applied
29 for by an owner of an automobile, a resident of this state,
30 not including motor cycle, log hauler or traction engine,
31 during the periods between the first day of October and
32 ending December thirty-first in any year after 1911, one-
33 half of the registration fee.

The secretary of state upon granting the application shall
35 register in a book or upon suitable index cards to be kept
36 for the purpose, the motor vehicle described in the applica-
37 tion, giving to the owner of such motor vehicle a distinguish-

38 ing number or other mark and shall thereupon issue to the
39 applicant a certificate of registration, said certificate shall
40 contain the name, place of residence and address of the
41 applicant, and the registered number or mark shall prescribe
42 the manner in which said registered number or mark shall
43 be inscribed or displayed on the motor vehicle and shall be
44 in such form as the secretary may determine.

The secretary of state shall also furnish the applicant two
46 enamel iron plates, containing the word "Maine" to be not
47 less than one inch in height and the number of the registra-
48 tion in Arabic numerals not less than four inches in height.
49 The number plates must be attached to the front and rear
50 of automobiles, auto trucks and traction engines. Motor
51 cycles will be provided with a registration seal or other dis-
52 tinguishing mark as may be determined by the secretary of
53 state. The number for motor cycles must be so placed as
54 to be always plainly visible. A proper record of all appli-
55 cations for registration and of all certificates issued shall
56 be kept by the secretary of state in his office and shall be
57 open to the inspection of any person during reasonable
58 hours. The certificate of registration shall always be car-
59 ried on the person or in some easily accessible place in or
60 about the motor vehicle. Upon the sale of any motor ve-
61 hicle, registration shall expire and the vendor shall imme-
62 diately return the certificate of registration to the secretary
63 of state, with notice of sale and the name, place and resi-
64 dence and address of the vendee. Registration plates, seal,

65 or other distinguishing mark for automobiles, motor cycles
66 and traction engines shall be furnished free, from the office
67 of the secretary of state.

A motor cycle that has been registered in accordance with
69 this section, may be operated by the owner of such motor
70 cycle without a license and the certificate of registration
71 shall be evidence of the right to operate. To replace lost
72 or mutilated plates, seventy-five cents each. The express
73 charge for delivery of registration plates to be paid for by
74 the receiver.

Sect. 9. Every manufacturer of or dealer in motor ve-
2 hicles (automobiles or auto trucks) may instead of regis-
3 tering each motor vehicle owned or controlled by him, make
4 application upon a blank provided by said secretary of state,
5 for a general distinguishing number or mark and said sec-
6 retary may, if satisfied with the facts stated in the applica-
7 tion, grant the application and issue to the applicant a cer-
8 tificate of registration, containing the name, place of resi-
9 dence and address of the applicant and the general distin-
10 guishing number or mark assigned to him or them and
11 made in such form as the secretary of state may determine;
12 and all motor vehicles (automobiles and motor trucks)
13 owned and controlled by such manufacturer or dealer shall
14 until sold, or exchanged, be regarded as registered under
15 such general distinguishing number or mark. The annual
16 fee for every certificate of registration shall be:

\$25.00 for privilege to purchase, demonstrate, sell and exchange automobiles and auto trucks.

The secretary of state shall furnish the manufacturer or dealer with five pairs of registration number plates free of cost. Extra registration plates to the manufacturers and dealers in automobiles and auto trucks, in addition to the five pairs of plates originally furnished, to replace lost or mutilated plates, seventy-five cents each. Expressage on registration number plates to be paid by the receiver. Application for registration applied for by a manufacturer or dealer in automobiles or motor trucks, during the periods beginning the first day of October and ending December thirty-first in any year, one-half of the registration fee.

Every manufacturer or dealer in motor cycles shall annually pay a fee of \$6.00 for registration certificate to handle, demonstrate, sell and exchange motor cycles. The secretary of state shall furnish the manufacturer or dealer in motor cycles with three sets of seals or other distinguishing marks free of cost. For every seal for motor cycle in addition to the three seals originally furnished the manufacturer or dealer in motor cycles to replace lost or mutilated plates, fifty cents. Expressage of seals to be paid by the receiver.

Every manufacturer or dealer in automobiles, auto trucks and motor cycles in this state shall pay to the secretary of state the registration fee on or before December thirty-first, nineteen hundred and eleven, and annually on this date

44 thereafter, provided that any manufacturer or dealer as
45 aforesaid, commencing business in this state after January
46 first of any year, shall pay to the secretary of state at the
47 time of commencing said business the registration fee herein
48 provided.

Sect. 10. Whenever a manufacturer or dealer sells or
2 exchanges an automobile, he or they shall immediately notify
3 the secretary of state to whom the motor vehicle has been
4 sold or exchanged, with description of motor vehicle, name
5 of maker, name of make, if possible, horse power and ad-
6 dress, of the party to whom sold or exchanged. The secre-
7 tary of state shall furnish necessary blanks for making said
8 reports. Application for registration applied for by manu-
9 facturers or dealers in automobiles, not including motor
10 cycles, during the period between the first day of October
11 and ending December thirty-first in any year one-half of
12 the registration fee.

Sect. 11. No motor vehicle of whatsoever kind shall be
2 operated by a resident of this state of Maine, upon any high-
3 way, townway, public street, avenue, driveway, park or park-
4 way, unless registered as heretofore provided, and no per-
5 son, a resident of the state, shall operate a motor vehicle
6 upon any highway, townway, public street, avenue, drive-
7 way, park or parkway, unless licensed to do so, under the
8 provisions of this act. Every registration of motor ve-
9 hicles shall expire on the thirty-first day of December of
10 each year and the certificate of registration thereupon be-
11 comes void.

Sect. 12. A person transferring the ownership of a registered automobile or motor truck and applying to the secretary of state for registration of another automobile or motor truck in the same calendar year, shall receive a certificate of registration and number plates therefor upon payment of a fee of two dollars, and pay expressage provided the horse power is the same as that of the former automobile or auto truck, but if the horse power of the other vehicle is greater he shall pay the difference between the fee paid by him for the vehicle first registered and the fee for the vehicle of greater horse power. A person who may exchange an automobile or motor truck before the first day of August in any year and procure a certificate of registration paying therefor a fee of two dollars, shall if the automobile or motor truck received in exchange is of less horse power than the former vehicle, be entitled to a rebate of one-half the difference between the fee of said former vehicle and the fee for the vehicle of lower horse power received in exchange as aforesaid. Provided, however, that a person transferring the ownership of a motor cycle and applying for registration of another motor cycle within the same calendar year, shall pay for registration certificate thereof a fee of one dollar, which fee shall include seal on number plate expressage to be paid by the receiver.

Sect. 13. A log hauler, traction engine or other motors to be used in drawing heavily loaded sledges, carts, drays or vans, may be operated upon the ways of any town, pro-

4 vided the owner or operator thereof shall first secure writ-
5 ten permit from the municipal officers of such town, so to
6 operate, and shall deposit with said municipal officers a good
7 and sufficient bond running to said municipal officers and
8 their successors in office in amount satisfactory to said
9 municipal officers, conditioned to reimburse said town for
10 any expenses necessarily incurred in repairing all damages
11 to their townways caused by the use of such log hauler,
12 traction engine or other motor thereon.

Sect. 14. Licenses for operating motor vehicles shall be
2 issued by the secretary of state to persons not less than
3 sixteen years of age. Application shall be made upon blanks
4 prepared by the secretary of state for this purpose and the
5 licenses issued shall be in such form and shall contain such
6 provisions as said secretary of state may determine. To
7 such licenses shall be assigned some distinguishing number
8 or mark and a proper record of all applications for license
9 and of all licenses issued shall be kept by the secretary of
10 state at his office and shall be open to the inspection of any
11 person during reasonable business hours. Each license shall
12 state the name, age, place of residence of licensee and the
13 distinguishing number or mark assigned to him. The fee
14 for such license to operate an automobile, motor truck or
15 traction engine shall be two dollars, which shall be depos-
16 ited at the time of making the application. The secretary
17 of state may at any time suspend or revoke any license for
18 any violation of this act or regulation made thereunder.

19 Before a license to operate is granted, the applicant shall
20 present such evidence as to his qualification to operate a
21 motor vehicle, as may be required by the secretary of state.
22 Every person licensed to operate motor vehicles shall en-
23 dorse his name in the margin of the license and such license
24 shall not be valid until so endorsed.

Sect. 15. Non-residents may operate motor vehicles on
2 the roads and highways of this state not exceeding thirty
3 days without registration, provided that such motor vehicle
4 is registered in some other state or country and has attached
5 thereto registered plates, and driven by a person licensed
6 to operate in this or some other state or country. Previous
7 to the expiration of said thirty days, if the owner is to con-
8 tinue operation within this state, he must make application
9 to the secretary of state for registration in accordance with
10 section 8 and pay the fee of

\$5.00 for automobile, twenty horse power and under,

\$10.00 for automobile between twenty horse power and in-
13 cluding thirty-five horse power,

\$15.00 for automobile of over thirty-five horse power,

\$3.00 for motor cycle,

\$10.00 for auto truck,

\$10.00 for traction engine and log hauler,

18 on receipt of which fee the secretary of state shall furnish
19 said applicant a certificate of registration and two number
20 plates free of expense, expressage to be paid by the receiver,
21 which said plates must be placed on the motor vehicles, for-

22 ward and rear, and remain there so long as such motor ve-
23 hicle is operated in this state in the year of issuing said
24 certificate, provided, however, that applications for regis-
25 tration for non-resident owners of motor vehicles applied
26 for during the periods between the first days of October
27 and ending December thirty-first in any year after nineteen
28 hundred and eleven, shall be one-half of said registration
29 fee. Motor cycles owned by non-residents driven by a per-
30 son registered in this or some other state or country may
31 be operated on the roads and highways of this state having
32 a registration seal, plate or other distinguishing mark at-
33 tached to his motor cycle, on thirty days limitation before
34 registering.

Sect. 16. Whosoever violates any provisions of the seven
2 preceding sections shall be punished by fine not exceeding
3 fifty dollars or by imprisonment not exceeding ten days.

Sect. 17. This or the preceding sections shall not prevent
2 the operation of motor vehicles by unlicensed persons if
3 riding with or accompanied by a licensed operator. Such
4 unlicensed persons so operating for the purpose of becom-
5 ing familiar with the use and handling of a motor vehicle,
6 preparatory to taking out license for driving.

Sect. 18. Motor vehicles of whatever kind or description
2 may be operated on the roads and highways of this state,
3 unless prohibited by special law or town ordinance duly
4 authorized by the legislature, prohibiting the use of auto-
5 mobiles or motor vehicles in certain towns, contained in

6 public laws 1903, 1905, 1907, 1909, subject, however, to the
7 provisions of sections 2, 3, 4, 5, 6 and 7.

Sect. 19. All licenses to operate motor vehicles that have
2 been issued prior to December 31st, 1911, will become void
3 on that date and all applications for new licenses to drive
4 or operate a motor vehicle must be made to the secretary
5 of state and a certificate received to enable the person to
6 drive or operate a motor vehicle of whatsoever kind except-
7 ing motor cycles on and after January 1st, of any year,
8 which certificate will be furnished by the secretary of state
9 on payment of two dollars.

Sect. 20. Any person operating a motor vehicle upon any
2 way recklessly or while under the influence of intoxicating
3 liquor so that the lives or safety of the public are in dan-
4 ger, or upon a bet, wager or race, or who for the purpose
5 of making a record, thereby violating the speed regulations
6 and who knowingly goes away without stopping and mak-
7 ing himself known after causing injury to any person or
8 property, or who uses a motor vehicle without authority
9 from its owner, shall be punished by a fine not exceeding
10 \$50.00, or by imprisonment for a term of three months, or
11 by both such fine and imprisonment, and if any person be
12 convicted the second time for violation of this section, he
13 shall be punished by a fine of \$100.00 or by imprisonment
14 for a term not less than six months and not more than one
15 year. On conviction of violation of this section, the license
16 of the person to operate so convicted shall be revoked im-

17 mediately. And if the person so convicted is the owner of
18 a motor vehicle, or has control of any motor vehicles as a
19 manufacturer or dealer, the certificate of registration of all
20 motor vehicles owned or controlled shall be revoked.

Sect. 21. All fees received by the secretary of state under
2 this act shall be turned over to the state treasurer every
3 calendar month during the year to be appropriated and used
4 for the repair, maintenance and construction of the state
5 highways, under the direction of the Maine State Highway
6 Commission.

Sect. 22. All automobiles, auto trucks ten horse power
2 or more, shall be provided with two efficient brakes, foot
3 brake and emergency lever brake. Motor cycles shall be
4 provided with at least one brake to be operated by hand.
5 All motor vehicles (automobiles, motor cycles and auto
6 trucks) must be supplied with muffler, when operating the
7 roads of this state and of such construction and device to
8 prevent excessive noise. Motor vehicles when left in the
9 public streets or way unattended, drivers or operators shall
10 effectively set brakes.

Sect. 23. This act shall become operative on and after
2 December 31st, 1911, and all acts and parts of acts, or laws
3 that have been enacted contrary to and inconsistent are here-
4 by repealed, provided, however, that nothing herein contained
5 in this act shall in any way affect the laws enacted to pro-
6 hibit the use of automobiles or motor vehicles in certain
7 towns as made and contained in public laws of 1903, 1905,
8 1907 and 1909.

MAJORITY REPORT.

The Committee on State Lands and State Roads, to which was referred the bill, entitled "An Act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof of proceedings for the violation of the provisions of the act and penalties for the said violations," have had the same under consideration, and ask leave to report the same in a new draft, under the title of "An Act to more fully provide for the registration of motor vehicles, licensing of persons operating the same, regulating speed, prescribing the amount of license and registration fees and making penalty for the violation of certain provisions of this act," and that it ought to pass.

Per Order,

BURKETT,

DEERING,

FULTON,

LAWRY,

KELLOGG,

SKEHAN,

WEYMOUTH,

A Majority of the Committee.

MINORITY REPORT.

The Committee on State Lands and State Roads, to which was referred the bill, entitled "An Act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof of proceedings for the violation of the provisions of the act and penalties for the said violations," have had the same under consideration, and ask leave to report the same in a new draft, under the title of "An Act to more fully provide for the registration of motor vehicles, licensing of persons operating the same, regulating speed, prescribing the amount of license and the registration fees and making penalty for the violations of certain provisions of this act," and that it ought not to pass.

Per Order,

BLANCHARD,

BUZZELL,

BEARCE,

A Minority Report.