

MAINE STATE LEGISLATURE

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SEVENTY-SEVENTH LEGISLATURE

SENATE

NO. 262

In Senate, March 4, 1915.

Ordered, That five hundred copies be printed and that the same be referred to the Committee on Ways and Bridges.

Committee on Reference.

Presented by Mr. Peacock of Washington.

STATE OF MAINE

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

AN ACT to amend sections one, two, three and twenty of chapter one hundred and sixty-two of the Public Laws of one thousand nine hundred and eleven relating to the Regulation of Speed of Motor Vehicles.

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

Section 1. Section one of chapter one hundred and sixty-
2 two of the public laws of one thousand nine hundred and
3 eleven is hereby amended by inserting after the word "cy-
4 cles" in the seventh line thereof the words 'which shall
5 mean all kinds of motor wheels,' so that said section, as
6 amended, shall read as follows:

'Section 1. The terms "motor vehicle" as used in this act
8 shall include all vehicles self-propelled on the highway, town-
9 way, public streets, avenues, driveway, park or parkway,
10 by motive power of whatsoever kind, namely, automobiles
11 (used for the conveyance of persons for hire, pleasure or
12 business), motor trucks or automobiles (used for commer-
13 cial purposes), motor cycles, which shall mean all kinds
14 of motor wheels (used for pleasure or business), log haul-
15 ers or traction engines (used for commercial purpose),
16 excepting such vehicles as run only upon rails or railway
17 tracks, automobile fire engines and apparatus, and other
18 vehicles used by cities or towns, such as police patrol wagons
19 and road rollers.'

Sect. 2. Section two of said chapter is hereby amended
2 by striking out the word "ten" in the sixth line thereof, and
3 inserting in lieu thereof the word 'fifteen'; also by striking
4 out all of said section after the word "hour" in the sixth
5 line thereof, and inserting in lieu thereof the following:
6 'The compact or built-up portion of any city, town or vil-
7 lage shall mean the territory of a city, town or village con-
8 tiguous to any way which is built up with structures de-
9 voted to business, or where the dwelling houses are situ-
10 ated less than one hundred and fifty feet between them for
11 a distance of at least one-quarter of a mile. Provided, how-
12 ever, that no person shall be convicted for exceeding the
13 rate of speed hereby established for any compact or built-
14 up portions unless said city, town or village shall cause the

15 words "Speed Limit, Fifteen Miles" to be conspicuously
16 displayed on sign boards along each highway, townway,
17 public street, driveway or parkway and such other signs as
18 will clearly designate such compact or built-up portion.

It shall not be a violation of the speed regulation in the
20 open country, outside of cities and villages, unless the av-
21 erage speed for at least one-half mile exceeds the rate of
22 twenty-five miles per hour.

No municipal officer or other person shall erect or cause
24 to be erected speed limit signs contrary to those contem-
25 plated by this act and if any such signs now exist it shall
26 be the duty of municipal officers of cities and towns to cause
27 their removal.

Any person arrested for violation of any of the speed reg-
29 ulations of this act, except those of section twenty, shall be
30 given an immediate trial, if he shall so demand of the offi-
31 cer making the arrest, but if for any reason it is impracti-
32 cable so to do, the officer making the arrest shall accept the
33 personal recognizance of the person arrested for his ap-
34 pearance in court on a specified day, not later than two
35 days thereafter. If such person fails to appear in court
36 on the day specified, either in person or by counsel, the
37 court shall, in case said person be a resident, order the sec-
38 retary of state to revoke his license and also annul the reg-
39 istration of the motor vehicle driven by such person when
40 arrested; and in case said person be a non-resident or said
41 vehicle be licensed by some other state or country, all rights

42 of said person to operate in this state shall forthwith ter-
43 minate.

None of the foregoing provisions of this section shall be
45 held in any way to modify or affect the operation of any of
46 the provisions of section three of this act.'

'Sect. 2. The rate of speed upon any highway, townway,
49 public street, avenue, driveway, park or parkway by any
50 person operating a motor vehicle in this state shall be not
51 greater than twenty-five miles an hour in open country out-
52 side of cities and villages, and within the compact or built-
53 up portions of any city, town or village not greater than
54 fifteen miles an hour. The compact or built-up portion of
55 any city, town or village shall mean the territory of a city,
56 town or village contiguous to any way which is built up
57 with structures devoted to business, or where the dwelling
58 houses are situated less than one hundred and fifty feet
59 between them for a distance of at least one-quarter of a
60 mile. Provided, however, that no person shall be convicted
61 for exceeding the rate of speed hereby established for any
62 compact or built-up portions unless said city, town or vil-
63 lage shall cause the words, "Speed Limit, Fifteen Miles"
64 to be conspicuously displayed on sign boards along each
65 highway, townway, public street, driveway or parkway and
66 such other signs as will clearly designate such compact or
67 built-up portion.

It shall not be a violation of the speed regulation in the
69 open country, outside of cities and villages, unless the av-
70 erage speed for at least one-half mile exceeds the rate of
71 twenty-five miles per hour.

No municipal officer or other person shall erect or cause
73 to be erected speed limit signs contrary to those contem-
74 plated by this act and if any such signs now exist it shall
75 be the duty of municipal officers of cities and towns to cause
76 their removal.

Any person arrested for violation of any of the speed reg-
78 ulations of this act, except those of section twenty, shall
79 be given an immediate trial, if he shall so demand of the
80 officer making the arrest, but if for any reason it is imprac-
81 ticable so to do, the officer making the arrest shall accept
82 the personal recognizance of the person arrested for his
83 appearance in court on a specified day, not later than two
84 days thereafter. If such person fails to appear in court
85 on the day specified, either in person or by counsel, the
86 court shall, in case said person be a resident, order the sec-
87 retary of state to revoke his license and also annul the
88 registration of the motor vehicle driven by such person
89 when arrested; and in case said person be a non-resident
90 or said vehicle be licensed by some other state or country,
91 all rights of said person to operate in this state or of the
92 owner of said vehicle to have the same operated in this state
93 shall forthwith terminate.'

Sect. 3. Section three of said chapter is hereby amended
2 by inserting after the word "forbidden" in the sixth line
3 thereof the following: 'It shall be prima facie evidence of
4 a rate of speed greater than is reasonably safe and proper,
5 as aforesaid, if a motor vehicle is operated on any highway,
6 townway, public way, street or avenue, driveway, park, or
7 parkway in the built-up or compact portion of any city or
8 town at a rate of speed exceeding eight miles per hour
9 where the operator's or chauffeur's view of the road traffic
10 is obstructed either upon approaching an intersecting way,
11 or in traversing a crossing or intersecting of ways, or in
12 going around a corner or curve in a street or way,' so that
13 said section, as amended, shall read as follows:

'Sect. 3. No person operating a motor vehicle on any
15 highway, townway, public street, avenue, driveway, park
16 or parkway, shall drive at any speed greater than is rea-
17 sonable, safe and proper, having regard to the traffic and
18 use of the public way by others, or so as to endanger the
19 life or limb of any person. Racing and reckless driving
20 on any such ways, streets, avenues or parks is hereby for-
21 bidden. It shall be prima facie evidence of a rate of speed
22 greater than is reasonably safe and proper, as aforesaid,
23 if a motor vehicle is operated on any highway, townway,
24 public way, street or avenue, driveway, park, or parkway
25 in the built-up or compact portion of any city or town at
26 a rate of speed exceeding eight miles per hour where the
27 operator's or chauffeur's view of the road traffic is ob-

28 structed either upon approaching an intersecting way, or
29 in traversing a crossing or intersecting of ways, or in going
30 around a corner or curve in a street or way.

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

Sect. 4. Section twenty of said chapter is hereby amended
2 by inserting after the word "revoked" in the last line there-
3 of, the following:

'If any motor vehicle is so driven in a reckless manner
5 or by a person apparently under the influence of intoxi-
6 cating liquor, it shall be the duty of every officer who is
7 charged with enforcing the laws of the state, and every
8 citizen thereof, to report the same to the secretary of state
9 at once; also the number on the number plates on the ve-
10 hicle, together with the name of the state where such ve-
11 hicle is registered, and if known, the name, and permanent,
12 or temporary residence, of the driver or owner.

Upon receipt of such complaint the secretary of state shall
14 forthwith investigate the case and have authority to sus-
15 pend the license to operate of the persons against whom
16 the complaint is made and to suspend the registration of
17 the vehicle operated for such time as the secretary shall
18 deem advisable. This paragraph shall apply to residents
19 and non-residents operating motor vehicles.

No fees shall be allowed to either the complainant or offi-
21 cer making arrest under this chapter.

'Assessors of cities, towns and plantations shall annually,
23 on or before the fifteenth day of April, make returns to the
24 secretary of state of all persons within their respective cities,
25 towns or plantations owning motor vehicles, as appears by
26 their assessment books.

A copy of this section shall be printed on every operator's
28 license.'

Said section, as amended, shall read as follows:

'Sect. 20. Any person operating a motor vehicle upon any
31 way recklessly or while under the influence of intoxicating
32 liquor so that the lives or safety of the public are in danger,
33 or upon a bet, wager or race, or who for the purpose of
34 making a record, thereby violating the speed regulations
35 and who knowingly goes away without stopping and making
36 himself known after causing injury to any person or prop-
37 erty, or who uses a motor vehicle without authority from
38 its owner, shall be punished by a fine not exceeding fifty
39 dollars, or by imprisonment for a term of three months,
40 or by both such fine and imprisonment, and if any person
41 be convicted the second time for violation of this section,
42 he shall be punished by a fine of one hundred dollars or by
43 imprisonment for a term not less than six months and not
44 more than one year. On conviction of violation of this
45 section, the license of the person to operate so convicted
46 shall be revoked immediately. And if the person so con-
47 victed is the owner of a motor vehicle, or has control of

48 any motor vehicles as a manufacturer or dealer, the certifi-
49 cate of registration of all motor vehicles owned or controlled
50 shall be revoked.

If any motor vehicle is so driven in a reckless manner or
52 by a person apparently under the influence of intoxicating
53 liquor, it shall be the duty of every officer who is charged
54 with enforcing the laws of the state, and every citizen there-
55 of, to report the same to the secretary of state at once;
56 also the number on the number plates on the vehicle, to-
57 gether with the name of the state where such vehicle is
58 registered, and if known, the name, and permanent, or tem-
59 porary residence, of the driver or owner.

Upon receipt of such complaint the secretary of state shall
61 forthwith investigate the case and have authority to sus-
62 pend the license to operate of the persons against whom
63 the complaint is made and to suspend the registration of
64 the vehicle operated for such time as the secretary shall
65 deem advisable. This paragraph shall apply to residents
66 and non-residents operating motor vehicles.

No fees shall be allowed to either the complainant or offi-
68 cer making arrest under this chapter.

Assessors of cities, towns and plantations shall annually,
70 on or before the fifteenth day of April, make returns to the
71 secretary of state of all persons within their respective cities,
72 towns or plantations owning motor vehicles, as appears by
73 their assessment books.

A copy of this section shall be printed on every operator's
75 license.'