

MAINE STATE LEGISLATURE

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SEVENTY-SEVENTH LEGISLATURE

SENATE

NO. 350

In Senate, March 13, 1915.

*Reported by Senator Colby from Committee on Ways and
Bridges and ordered printed under joint rules.*

W. E. LAWRY, Secretary.

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
4 "cycles" 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,

9 townway, public streets, avenues, driveway, park or park-
10 way, by motive power of whatsoever kind, namely automo-
11 biles, (used for the conveyance of persons for hire, pleas-
12 ure or business), motor trucks or automobiles (used for
13 commercial purposes), motor cycles, which shall mean all
14 kinds of motor wheels (used for pleasure or business), log
15 haulers 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 ve-
18 hicles used by cities or towns, such as police patrol wagons
19 and road rollers.'

Sect. 2. Section two of said chapter is hereby amended by
2 striking out the word "ten" in the sixth line thereof, and in-
3 serting in lieu thereof the word 'fifteen'; also by striking out
4 all of said section after the word "hour" in the sixth line
5 thereof, and inserting in lieu thereof the following: "The
6 compact or built-up portion of any city, town or village shall
7 mean the territory of a city, town or village contiguous to
8 any way which is built up with structures devoted to busi-
9 ness, or where the dwelling houses are situated less than
10 one hundred and fifty feet between them for a distance of
11 at least one quarter of a mile. Provided, however, that no
12 person shall be convicted for exceeding the rate of speed
13 hereby established for any compact or built-up portions un-
14 less said city, town or village shall cause the words "Speed
15 Limit, Fifteen Miles" to be conspicuously displayed on sign
16 boards along each highway, townway, public street, drive-

17 way or parkway and such other signs as will clearly desig-
18 nate 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 aver-
21 age 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 to
24 be erected speed limit signs contrary to those contemplated
25 by this act and if any such signs now exist it shall be the
26 duty of municipal officers of cities and towns to cause their
27 removal.

Any person arrested for violation of any of the speed regu-
29 lations of this act, except those of section twenty, shall be
30 given an immediate trial, if he shall so demand of the officer
31 making the arrest, but if for any reason it is impracticable
32 so to do, the officer making the arrest shall accept the per-
33 sonal recognizance of the person arrested for his appearance
34 in court on a specified day, not later than two days there-
35 after. If such person fails to appear in court on the day
36 specified, either in person or by counsel, the court shall, in
37 case said person be a resident, order the Secretary of State
38 to revoke his license and also annul the registration of the
39 motor vehicle driven by such person when arrested; and in
40 case said person be a non-resident or said vehicle be licensed
41 by some other state or country, all rights of said person to
42 operate in this State shall forthwith terminate.

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

Said section, as amended, shall read as follows:

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

It shall not be a violation of the speed regulation in the open country, outside of cities and villages, unless the av-

69 erage speed for at least one-half mile exceeds the rate of
70 twenty-five miles per hour.

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

Any person arrested for violation of any of the speed reg-
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81 sonal recognizance of the person arrested for his appear-
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83 thereafter. If such person fails to appear in court on the
84 day specified, either in person or by counsel, the court shall,
85 in case said person be a resident, order the Secretary of
86 State to revoke his license and also annul the registration of
87 the motor vehicle driven by such person when arrested; and
88 in case said person be a non-resident or said vehicle be li-
89 censed by some other state or country, all rights of said per-
90 son to operate in this State or of the owner of said vehicle
91 to have the same operated in this State shall forthwith ter-
92minate.

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 town way, public way, street or avenue, driveway, park,
7 or parkway in the built-up or compact portion of any city
8 or 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 go-
12 ing around a corner or curve in a street or way,' so that said
13 section, as amended, shall read as follows:

14 '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 reason-
17 able, safe and proper, having regard to the traffic and use
18 of the public way by others, or so as to endanger the life
19 or limb of any person. Racing and reckless driving on any
20 such ways, streets, avenues or parks is hereby forbidden.
21 It shall be prima facie evidence of a rate of speed greater
22 than is reasonably safe and proper, as aforesaid, if a motor
23 vehicle is operated on any highway, town way, public way,
24 street or avenue, driveway, park, or parkway in the built-
25 up or compact portion of any city or town at a rate of speed
26 exceeding eight miles per hour where the operator's or chauf-
27 feur's view of the road traffic is obstructed either upon ap-
28 proaching an intersecting way, or in traversing a crossing
29 or intersecting of ways, or in going around a corner or curve
30 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 amend-
2 ed by inserting after the word "revoked" in the last line
3 thereof, the following:

'If any motor vehicle is so driven in a reckless manner
5 or by a person apparently under the influence of intoxicat-
6 ing liquor, it shall be the duty of every officer who is charged
7 with enforcing the laws of the state, and every citizen there-
8 of, to report the same to the Secretary of State at once;
9 also the number on the number plates on the vehicle, to-
10 gether with the name of the state where such vehicle is reg-
11 istered, and if known, the name, and permanent, or tempo-
12 rary 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 the
16 complaint is made and to suspend the registration of the
17 vehicle operated for such time as the secretary shall deem
18 advisable. This paragraph shall apply to residents and non-
19 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
31 any way recklessly or while under the influence of intoxicat-
32 ing liquor so that the lives or safety of the public are in
33 danger, or upon a bet, wager or race, or who for the pur-
34 pose of making a record, thereby violating the speed regu-
35 lations and who knowingly goes away without stopping and
36 making himself known after causing injury to any person
37 or property, or who uses a motor vehicle without authority
38 from its owner, shall be punished by a fine not exceeding
39 fifty dollars, or by imprisonment for a term of three months,
40 or by both such fine and imprisonment, and if any person be
41 convicted the second time for violation of this section, he
42 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 any
48 motor vehicles as a manufacturer or dealer, the certificate
49 of registration of all motor vehicles owned or controlled shall
50 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; also
56 the number on the number plates on the vehicle, together
57 with the name of the state where such vehicle is registered,
58 and, if known, the name, and permanent, or temporary resi-
59 dence, of the driver or owner.

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

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