

MAINE STATE LEGISLATURE

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SEVENTY-EIGHTH LEGISLATURE

HOUSE

NO. 210

House of Representatives, Feb. 9, 1917.

Referred to Committee on Judiciary and one thousand copies ordered printed. Sent up for concurrence.

W. R. ROIX, Clerk.

Presented by Mr. Hutchins of Mexico.

STATE OF MAINE

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

AN ACT to amend section two and section twenty of chapter one hundred sixty-two of the public laws of 1911, as amended by chapter 207 of the public laws of 1915, relating to the speed of motor vehicles.

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

Section 1. Section two of chapter one hundred sixty-two of the public laws of 1911, as amended by chapter 207 of the public laws of 1915, is hereby amended by striking out all of said section after the word "removal" in the twenty-sixth line of said section, and by inserting in place thereof the following:

‘Any person arrested for violation of any of the speed regulations of this act, except those of section twenty, shall be given an immediate trial, if he shall so demand of the officer making the arrest, but if for any reason it is impracticable to do so, the officer making the arrest shall immediately take the prisoner before some bail commissioner, who before admitting him to bail, shall require him to give his name, his place of residence, the number of his license to operate a motor vehicle, and the registration number of the motor vehicle operated at the time of his arrest, and shall make a record thereof on the bail bond, and may take his personal recognizance for his appearance in court on a specified day, not later than two days thereafter. If such person fails to appear in court on the day specified, either in person or by counsel, the court shall notify the secretary of state, who in case the person is a resident of the state, shall immediately revoke his license, and also annul the registration of the motor vehicle driven by such person when arrested; and in case the person is a non-resident, or said motor vehicle be registered by some other state or country, all rights of said person to operate in this state, or of the owner of said vehicle to have the same operated in this state shall forthwith terminate.’ So that said section as amended shall read as follows:

‘Sect. 2. The rate of speed upon any highway, town way, public street, avenue, driveway, park or parkway, by any person operating a motor vehicle in this state shall not be

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
7 fifteen miles an hour. The compact or built-up portion of
8 any city, town or village shall mean the territory of a city,
9 town or village contiguous to any way which is built up with
10 structures devoted to business, or where the dwelling houses
11 are situated less than one hundred fifty feet between them
12 for a distance of at least one-quarter of a mile. Provided,
13 however, that no person shall be convicted for exceeding
14 the rate of speed hereby established for any compact or
15 built-up portions unless said city, town or village shall cause
16 the words, "Speed Limit, Fifteen Miles" to be conspicuously
17 displayed on sign boards along each highway, town way,
18 public street, driveway or parkway and such other signs as
19 will clearly designate such compact or built-up portion.

It shall not be a violation of the speed regulation in the
2 open country, outside of cities and villages, unless the aver-
3 age speed for at least one-half mile exceeds the rate of
4 twenty-five miles per hour.

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

Any person arrested for violation of any of the speed reg-
2 ulations of this act, except those of section twenty, shall be

3 given an immediate trial, if he shall so demand of the offi-
4 cer making the arrest, but if for any reason it is impracti-
5 cable to do so, the officer making the arrest shall immedi-
6 ately take the prisoner before some bail commissioner, who
7 before admitting him to bail, shall require him to give his
8 name, his place of residence, the number of his license to
9 operate a motor vehicle, and the registration number of the
10 motor vehicle operated at the time of his arrest and shall
11 note them on the bail bond, and may take his personal recog-
12 nizance for his appearance in court on a specified day, not
13 later than two days thereafter. If such person fails to ap-
14 pear in court on the day specified, either in person or by
15 counsel, the court shall notify the secretary of state, who,
16 in case the person is a resident of the state, shall immedi-
17 ately revoke his license, and also annul the registration of
18 the motor vehicle driven by such person when arrested; and
19 in case the person be a non-resident, or said vehicle be reg-
20 istered by some other state or country, all the rights of said
21 person to operate in this state, or of the owner of said ve-
22 hicle to have the same operated in this state shall forthwith
23 terminate.'

Sect. 2. Section twenty of chapter one hundred sixty-two
2 of the public laws of 1911, as amended by section 4, of
3 chapter 207 of the public laws of 1915, is hereby amended
4 by striking out all of said section, and by enacting the fol-
5 lowing in the place thereof:

'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 or who goes away without stopping and making himself
7 known after causing injury to any person or property, or
8 who uses a motor vehicle without authority from its owner,
9 shall be punished by a fine of not more than fifty dollars,
10 or by imprisonment for a term of three months, or by both
11 fine and imprisonment, and if any person be convicted the
12 second time for a violation of this section, he shall be pun-
13 ished by a fine of one hundred dollars, or by imprisonment
14 for not less than six months, and not more than one year.

If any motor vehicle is so driven in a reckless manner or
2 by a person apparently under the influence of intoxicating
3 liquor, it shall be the duty of every officer who is charged
4 with enforcing the laws of the state, and of every citizen
5 thereof, to report the same to the secretary of state at once,
6 giving the number on the number plates of the vehicle, the
7 state registering the same, and if known, the name and resi-
8 dence of the operator or owner.

Upon receipt of such complaint the secretary of state shall
2 forthwith investigate the case and shall have authority to
3 suspend the license of such operator, and also to annul the
4 registration operated, for such time as the secretary of state
5 shall deem advisable.

No person whose license to operate a motor vehicle has

2 been revoked upon conviction of violating section twenty
3 of the act, shall again be licensed to operate a motor vehicle
4 in this state for three years.

If any person convicted of any violation of the provisions
2 of this act shall appeal from the judgment and sentence of
3 the trial court, his license to operate a motor vehicle in this
4 state shall be suspended during the time his appeal is pend-
5 ing in the appellate court; should he operate any motor
6 vehicle in this state during the time his license is so sus-
7 pended, he shall be liable to all the penalties of law for
8 operating a motor vehicle without a license.

Assessors of cities, towns and plantations shall annually,
2 on or before the first day of May, make return to the sec-
3 retary of state of all persons owning motor vehicles, as
4 appears by their assessment books.

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

Municipal and police courts and trial justices in their re-
2 spective counties shall have concurrent jurisdiction with the
3 supreme judicial and superior courts over all prosecutions
4 for all violations of the provisions of this chapter.'