

MAINE STATE LEGISLATURE

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SEVENTY-EIGHTH LEGISLATURE

HOUSE

NO. 711

House of Representatives, March 29, 1917.

Printed under joint rules.

W. R. ROIX, Clerk.

Presented by Mr. Clason of Lisbon.

STATE OF MAINE

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

An Act to transfer the registration of motor vehicles from the
office of secretary of state to the state highway commission.

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

Section 1. Section 17, of Chapter 26, of the Revised Stat-
utes of 1916, is hereby amended as follows:

By striking out after the word "the," being the first word in
the tenth line, the words "secretary of state" and inserting
the words 'state highway commission' so that said section as
amended shall read as follows:

'Any person arrested for violation of any speed regulation
of sections fifteen to forty-one, both inclusive, except those

3 of section thirty-eight, shall be given an immediate trial, if
4 he shall so demand of the officer making the arrest; but if
5 for any reason it is impracticable so to do, the officer making
6 the arrest; shall accept the personal recognizance of the per-
7 son arrested for his appearance in court on a specified day,
8 not later than two days thereafter. If such person fails to
9 appear in court on the day specified, either in person or by
10 counsel, the court shall, in case said person be a resident,
11 order the state highway commission to revoke his license and
12 to annul the registration of the motor vehicle driven by such
13 person when arrested; in case said person be a non-resident
14 or said vehicle be licensed by some other state or country,
15 all rights of said person to operate in this state, or of the
16 owner of said vehicle to have the same operated in this
17 state shall forthwith terminate. None of the foregoing pro-
18 visions of this section shall be held in any way to modify or
19 effect the operation of any provision of the following sec-
20 tion.'

Sect. 2. Section 23 of said Chapter 26, of the Revised
2 Statutes of 1916, is hereby amended as follows:

By striking out after the word "the," being the first word
2 in the fifth line the words, "secretary of state" and inserting
3 the words 'state highway commission' and also by striking
4 out after the word "under" the word "his" and inserting
5 the word 'their;' by striking out after the word "said" in the
6 seventh line, the word "secretary" and inserting the word
7 'commission;' by striking out after the word "the" in the

8 thirtieth line the words "secretary of state" and inserting
9 the words 'state highway commission;' by striking out after
10 the word "the" in the thirty-eighth line, said word being the
11 eighth word in said line, the word "secretary" and inserting
12 the word 'commission' and by striking out after the word
13 "the" in the thirty-eighth and thirty-ninth lines, said word
14 being the twelfth word in said thirty-eighth line, the words
15 "secretary of state" and inserting 'state highway commis-
16 sion;' by striking out after the word "the" in the forty-fifth
17 line, the words "secretary of state" and inserting the words
18 'state highway commission;' by striking out the words "sec-
19 retary of state" in the forty-eighth line and inserting the
20 words 'state highway commission,' and also by striking out
21 after the word "in" in the forty-eighth line the word "his"
22 and inserting the word 'their;' by striking out after the
23 word "the" in the fifty-third line, said word being the third
24 word in said line, the words "secretary of state" and insert-
25 ing the words 'state highway commission;' by striking out
26 after the word "the" in the fifty-sixth line, said word being
27 the tenth word in said line, the words, "secretary of state"
28 and inserting the words 'state highway commission' so that
29 said section as amended shall read as follows:

'All motor vehicles shall be registered by the owner or
2 person in control thereof in accordance with the provisions
3 of this section and the following sections. Application for
4 such registrations may be made by mail or otherwise to the
5 state highway commission upon blanks prepared under their

6 authority. The application shall, in addition to such other
7 particulars as may be required by said commission, contain
8 a statement of the name, place of residence and address of
9 the applicant, with a brief description of the motor vehicle,
10 including the name of the maker, the number if any, affixed
11 by the maker, the character of the motive power and the
12 amount of such power, stated in figures of horse power,
13 and with such application shall be deposited an annual regis-
14 tration fee of:

Five dollars for automobiles (used for conveyance of per-
2 sons for hire, pleasure or business), of twenty horse power
3 and under.

Ten dollars for automobiles (used for conveyance of per-
2 sons, for hire, pleasure or business), between twenty horse
3 power and including thirty-five horse power.

Fifteen dollars for automobiles (used for conveyance of
2 persons, for hire, pleasure or business), over thirty-five
3 horse power.

Ten dollars for motor trucks or automobiles (used for
2 commercial purposes).

Three dollars for motor cycles (used for pleasure or busi-
2 ness)

Ten dollars for traction engines or log haulers (used for
2 commercial purposes).

The above horse power shall be based on the "A-L-A-M"
2 standard, so called. On any application for registration,
3 applied for by an owner, a resident of this state, of an auto-

4 mobile, not including motor cycle, log hauler or traction
5 engine, during the period between the first day of October
6 and the thirty-first day of December in any year, one-half
7 of the registration fee shall be charged. The state highway
8 commission upon granting the application shall register in
9 a book or upon suitable index cards to be kept for the
10 purpose, the motor vehicle described in the application, giv-
11 ing to the owner of such motor vehicle a distinguishing
12 number or other mark, and shall thereupon issue to the ap-
13 plicant a certificate of registration, which shall contain the
14 name, place of residence and address of the applicant and
15 the registered number or mark, shall prescribe the manner
16 in which said registered number or mark shall be inscribed
17 or displayed on the motor vehicle and shall be in such form
18 as the commission may determine. The State Highway
19 Commission shall also furnish the applicant two enameled
20 iron plates, containing the word "Maine," in letters not less
21 than one inch in height, and the number of the registration
22 in Arabic numerals not less than four inches in height. The
23 number plates must be attached to the front and rear of au-
24 tomobiles, auto trucks and traction engines. Motor cycles
25 will be provided with a registration seal or other distinguish-
26 ing mark as may be determined by the state highway com-
27 mission. The number for motor cycles must be so placed
28 as to be always plainly visible. A proper record of all ap-
29 plications for registration and of all certificates issued shall
30 be kept by the state highway commission in their office and

31 shall be open to the inspection of any person during rea-
32 sonable hours. The certificate of registration shall always
33 be carried on the person or in some easily accessible place
34 in or about the motor vehicle. Upon the sale of any motor
35 vehicle, registration shall expire and the vendor shall im-
36 mediately return the certificate of registration to the state
37 highway commission, with notice of sale and the name,
38 place of residence and address of the vendee. Registra-
39 tion plates, seal, or other distinguishing mark for automo-
40 biles, motor cycles and traction engines shall be furnished
41 free, from the office of the state highway commission. The
42 express charge for delivery of registration plates shall be
43 paid by the receiver. Plates lost or mutilated may be re-
44 placed for seventy-five cents each.

A motor cycle that has been registered in accordance with
2 this section may be operated by the owner of such motor
3 cycle without a license and the certificate of registration
4 shall be evidence of the right to operate.'

Sect. 3. Section 24 of said Chapter 26 of the Revised
2 Statutes of 1916, is hereby amended as follows:

By striking out after the word "the" in the third line the
2 words "secretary of state" and inserting the words 'state
3 highway commission'; by striking out after the word "said"
4 in the fourth line the word "secretary" and inserting the
5 word 'commission'; by striking out after the word "the"
6 in the ninth line, the words "secretary of state" and insert-
7 ing the words 'state highway commission'; by striking out

8 after the word "the" in the fourteenth line the words "sec-
9 retary of state" and inserting the words 'state highway
10 commission' so that said section as amended shall read as
11 follows:

'Every manufacturer of or dealer in motor vehicles (auto-
2 mobiles or auto trucks) may instead of registering each
3 motor vehicle owned or controlled by him, make application
4 upon a blank provided by the state highway commission
5 for a general distinguishing number or mark and said com-
6 mission may, if satisfied with the facts stated in the appli-
7 cation, grant the application and issue to the applicant a
8 certificate of registration, containing the name, place of resi-
9 dence and address of the applicant and the general dis-
10 tinguishing number or mark assigned to him or them and
11 made in such form as the state highway commission may
12 determine; and all motor vehicles (automobiles and motor
13 trucks) owned and controlled by such manufacturer or
14 dealer shall until sold, or exchanged be regarded as regis-
15 tered under such general distinguishing number or mark.
16 The annual fee for every certificate of registration to pur-
17 chase, demonstrate, sell and exchange automobiles and auto
18 trucks, shall be twenty-five dollars. The state highway com-
19 mission shall furnish the manufacturer or dealer with five
20 pairs of registration number plates free of cost. Extra
21 registration plates shall be furnished to the manufacturers
22 and dealers in automobiles and auto trucks, in addition to
23 the five pairs of plates originally furnished, to replace lost

24 or mutilated plates for seventy-five cents each. Transportation charges on registration number plates shall be paid by the receiver. On applications for registration applied for by manufacturers or dealers in automobiles or motor trucks, during the period between the first day of October and the thirty-first day of December in any year, one-half of the registration fee shall be charged.'

Sect. 4. Section 25 of said chapter 26 of the Revised Statutes of 1916 is hereby amended as follows:

By striking out after the word "the" in the third line, said word being the sixth word in said line, the words "secretary of state" and inserting the words 'state highway commission' so that said section as amended shall read as follows:

'Every manufacturer or dealer in motor cycles shall annually pay a fee of six dollars for a registration certificate to handle, demonstrate, sell and exchange motor cycles. The state highway commission shall furnish the manufacturer of, or dealer in motor cycles with three sets of seals or other distinguishing marks free of cost. For every seal for a motor cycle in addition to the three seals originally furnished to the manufacturer or dealer in motor cycles, to replace lost or mutilated plates, fifty cents will be charged. Transportation charges on seals shall be paid by the receiver.'

Sect. 5. Section 26 of said Chapter 26 of the Revised Statutes of 1916 is hereby amended as follows:

By striking out after the word “the” in the second line, 2 said word being the ninth word in said line, the words “sec- 3 retary of state” and inserting the words ‘state highway 4 commission’; by striking out after the word “the” in the 5 sixth line, said word being the first word in said line, the 6 words “secretary of state” and inserting the words ‘state 7 highway commission’ so that said section as amended shall 8 read as follows:

“Every manufacturer or dealer in automobiles, auto trucks 2 and motor cycles in this state shall pay to the state highway 3 commission the required registration fee on or before the 4 thirty-first day of December annually; provided, that any 5 manufacturer or dealer as aforesaid, commencing business 6 in this state after the first day of January of any year, shall 7 pay to the state highway commission at the time of com- 8 mencing said business the registration fee herein provided.”

Sect. 6. Section 27 of said Chapter 26 of the Revised 2 Statutes of 1916 is hereby amended as follows:

By striking out after the word “the” in the second line, 2 said word being the fourth word in said line, the words 3 “secretary of state” and inserting the words ‘state highway 4 commission’; by striking out after the word “the” in the 5 fifth line, said word being the tenth word in said line, the 6 words “secretary of state” and inserting the words ‘state 7 highway commission’ so that said section as amended shall 8 read as follows:

‘Whenever a manufacturer or dealer sells or exchanges

2 an automobile, he shall immediately notify the state high-
3 way commission that the motor vehicle has been sold or
4 exchanged, giving description of the motor vehicle, name of
5 maker, name of make, if possible, horse power, and name
6 and address of the party to whom sold or with whom ex-
7 changed. The state highway commission shall furnish nec-
8 essary blanks for making said reports.'

Sect. 7. Sections 28 of said Chapter 26 of the Revised
2 Statutes of 1916 is hereby amended as follows:

By striking out after the word "the" in the eleventh line
2 the words "secretary of state" and inserting the words 'state
3 highway commission,' so that said section as amended shall
4 read as follows:

'No motor vehicle of any kind shall be operated by a resi-
2 dent of this state, upon any highway, town way, public
3 street, avenue, driveway, park or parkway, unless registered
4 as provided in this chapter, and no person a resident of the
5 state, shall operate a motor vehicle upon any highway, town
6 way, public street, avenue, driveway, park or parkway, un-
7 less licensed to do so, under the provisions of Section thirty-
8 one. Every registration of motor vehicles shall expire on
9 the thirty-first day of December of each year and the cer-
10 tificate of registration thereupon becomes void. All licenses
11 to operate motor vehicles expire on the thirty-first day of
12 December of each year, and an application for a new license
13 to drive or operate a motor vehicle must be made to the
14 state highway commission and a license received, to enable

15 any person to drive or operate a motor vehicle of any kind,
16 excepting motor cycles, on and after the first day of January
17 of each year.'

Sect. 8. Section 29 of said Chapter 26 of the Revised
2 Statutes of 1916 is hereby amended as follows:

By striking out after the word "the" in the second and
2 third lines the words "secretary of state" and inserting the
3 words 'state highway commission,' so that said section as
4 amended shall read as follows:

'A person transferring the ownership of a registered au-
2 tomobile or motor truck and applying to the state highway
3 commission for registration of another automobile or motor
4 truck in the same calendar year, shall receive a certificate
5 of registration and number plates therefor upon payment
6 of a fee of two dollars, and shall pay the expressage, pro-
7 vided the horse power is the same as that of the former au-
8 tomobile or auto truck; but if the horse power of the other
9 vehicle is greater he shall pay the difference between the fee
10 paid by him for the vehicle first registered and the fee for
11 the vehicle of greater horse power. A person who may ex-
12 change an automobile or motor truck before the first day
13 of August in any year and procure a certificate of registra-
14 tion paying therefor a fee of two dollars, shall if the auto-
15 mobile or motor truck received in exchange is of less horse
16 power than the former vehicle, be entitled to a rebate of
17 one-half the difference between the fee of said former ve-
18 hicle and the fee for the vehicle of lower horse power re-

19 ceived in exchange as aforesaid. A person transferring the
20 ownership of a motor cycle and applying for registration
21 of another motor cycle within the same calendar year, shall
22 pay for the registration certificate thereof a fee of one dollar,
23 which fee shall include seal or number plate; express charges
24 shall be paid by the receiver.'

Sect. 9. Section 31 of said chapter 26 of the Revised Statutes of 1916 is hereby amended as follows:

By striking out after the word "the" in the second line the words "secretary of state" and inserting the words 'state highway commission;' by striking out after the word "the" in the third and fourth lines the words "secretary of state" and inserting the words 'state highway commission;' by striking out after the word "the" in the fifth line the words "secretary of state" and inserting the words 'state highway commission;' by striking out after the word "the" in the eighth line, said word being the fifth word in said line, the words "secretary of state" and inserting the words 'state highway commission' and also by striking out after the word "at" in the eighth line the word "his" and inserting the word 'their;' by striking out after the word "the" in the thirteenth and fourteenth lines, said word being the eleventh word in the thirteenth line, the words "secretary of state" and inserting the words 'state highway commission;' by striking out after the word "the" in the eighteenth line the words "secretary of state" and inserting the words 'state highway commission' so that said section as amended shall read as follows:

‘Licenses for operating motor vehicles except motor cycles,
2 shall be issued by the state highway commission to persons
3 not less than sixteen years of age. Applications shall be
4 made upon blanks prepared by the state highway commission
5 for this purpose and the licenses issued shall be in such form
6 and shall contain such provisions as the state highway com-
7 mission may determine. To such licenses shall be assigned
8 some distinguishing number or mark and a proper record of
9 all applications for license and of all licenses issued shall be
10 kept by the state highway commission at their office and shall
11 be open to the inspection of any person during reasonable
12 business hours. Each license shall state the name, age, place
13 of residence of licensee and the distinguishing number or
14 mark assigned to him. The fee for such license to operate
15 an automobile, motor truck or traction engine shall be two
16 dollars, which shall be deposited at the time of making the
17 application. The state highway commission may at any time
18 suspend or revoke any license for any violation of sections
19 fifteen to forty-one, both inclusive, or regulation made there-
20 under. Before a license to operate is granted, the applicant
21 shall present such evidence as to his qualification to operate
22 a motor vehicle, as may be required by the state highway
23 commission. Every person licensed to operate motor vehicles
24 shall indorse his name in the margin of the license and such
25 license shall not be valid until so indorsed.’

Sect. 10. Section 32 of said Chapter 26 of the Revised
2 Statutes of 1916 is hereby amended as follows:

By striking out in the eighth line the words "secretary of
2 state" and inserting the words 'state highway commission';
3 by striking out after the word "the" in the tenth line, said
4 word being the sixth word in said line, the words "secretary
5 of state" and inserting the words 'state highway commission'
6 so that said section as amended shall read as follows:

'Non-residents may operate motor vehicles on the roads and
2 highways of this state for not exceeding thirty days without
3 registration, provided that such motor vehicle is registered in
4 some other state or country and has attached thereto regis-
5 tered plates, and is driven by a person licensed to operate in
6 this or some other state or country. Previous to the expira-
7 tion of said thirty days, if the owner is to continue operation
8 within this state, he must make application to the state high-
9 way commission for registration in accordance with section
10 twenty-three and pay the fee therein prescribed.

On receipt of the fee, the state highway commission shall
2 furnish said applicant a certificate of registration and two
3 number plates free of expense, transportation charges to be
4 paid by the receiver, which plates must be placed on the
5 motor vehicle, forward and rear, and remain there as long as
6 such motor vehicle is operated in this state in the year during
7 which said certificate is issued; provided, however, that on
8 applications for registration by non-resident owners of motor
9 vehicles during the period between the first day of October
10 and the thirty-first day of December in any year one-half of
11 said registration fee shall be charged. Any motor cycle

12 owned by a non-resident, driven by a person registered in this
13 or some other state or country, having a registration seal,
14 plate or other distinguishing mark attached to the motor
15 cycle, may be operated on the roads and highways of this
16 state or thirty days before registration.'

Sect. 11. Sect. 34 of said Chapter 26 of the Revised Stat-
2 utes of 1916 is hereby amended as follows:

By striking out after the word "the" in the first line the
2 words "secretary of state" and inserting the words 'state
3 highway commission'; by striking out after the word "as" in
4 the second line, said word being the first word in said line,
5 the word "he" and inserting the word 'they'; by striking out
6 after the word "the" in the twelfth line, said word being the
7 eighth word in said line, the words "secretary of state" and
8 inserting the words 'state highway commission' so that said
9 section as amended shall read as follows:

'The state highway commission may keep on sale in such
2 cities and towns as they may select, with the chief of police
3 or such persons as he may designate, tags that can be at-
4 tached to motor vehicles in a conspicuous place; and when
5 said tags are properly filled out, signed and attached said
6 motor vehicles may be operated seven days from the date on
7 said tag, in the same manner as those bearing the regular
8 plates furnished by the state. The fee to be collected for
9 such tags shall be one dollar. The penalty for using a tag
10 after the time limit has expired shall be the same as for oper-
11 ating unregistered motor vehicles. The person receiving such

12 tag shall return the same to the officer or person from whom
13 it was obtained within ten days of its issuance, under the
14 penalty above imposed. The officer or person issuing the tag
15 shall report to the state highway commission each week the
16 names of all persons, with their addresses, who have not re-
17 turned their tags within the specified time.'

Sect. 12. Section 35 of said Chapter 26 of the Revised
2 Statutes of 1916 is hereby amended as follows:

By striking out after the word "the" in the second line, said
2 word being the second word in said line, the words "secretary
3 of state" and inserting the words 'state highway commission'
4 so that said section as amended shall read as follows:

'All fees received by the state highway commission under
2 the preceding sections shall be turned over to the treasurer
3 of state every calendar month during the year, and shall be
4 appropriated and used for the repair, maintenance and con-
5 struction of state highways, under the direction of the state
6 highway commission.'

Sect. 13. Section 36 of said Chapter 26 of the Revised
2 Statutes of 1916 is hereby amended as follows:

By striking out after the word "the" in the ninth line, the
2 word "secretary" and inserting the words 'highway commis-
3 sion'; by striking out after the word "the" in the tenth line
4 the words "secretary of state" and inserting the words
5 'state highway commission,' and also by striking out after
6 the word "at" in the tenth line the word "his" and inserting

7 the word 'their' so that said section as amended shall read
8 as follows:

'A motor vehicle owned by a non-resident of this state
2 who has complied with the laws of the state of his residence
3 relating to registration and licensing of motor vehicles, and
4 who has a bona fide actual residence in a state granting like
5 privileges to residents of this state, which residence is lo-
6 cated within fifteen miles by highway of the border line of
7 this state, may be operated upon any ways of this state dis-
8 tant not more than fifteen miles from said border line, if
9 such motor vehicle is duly registered in the state of its own-
10 er's residence and the fee required therefor is paid and such
11 motor vehicle is duly registered by the highway commission
12 of this state. The state highway commission shall furnish
13 at their office without charge, to every person whose motor
14 vehicle is registered as aforesaid, a metal tag of suitable
15 design, and oval in shape, having displayed upon it the num-
16 ber assigned to such motor vehicle, the letters "Me." and
17 figures showing the year of issue; but no such tag shall be
18 furnished for motor cycles. Such tag shall at all times be
19 conspicuously displayed on the front of such motor vehicle.
20 Every application filed under the provisions of this section
21 shall be verified by the oath of the applicant. Every regis-
22 tration under the provisions of this section shall expire with
23 each calendar year.'

Sect. 14. Section 39 of said Chapter 26 of the Revised
2 Statutes of 1916 is hereby amended as follows:

By striking out after the word "the" in the fifth line, said
2 word being the seventh word in said line, the words "sec-
3 retary of state," and inserting the words 'state highway com-
4 mission'; by striking out after the word "the" in the ninth
5 line, said word being the first word in said line, the words
6 "secretary of state" and inserting the words 'state highway
7 commission,' so that said section as amended shall read as
8 follows:

'If any motor vehicle is so driven in a reckless manner or by
2 a person apparently under the influence of intoxicating
3 liquor, every officer who is charged with enforcing the laws
4 of the state, and every citizen having knowledge of such act,
5 shall report the same to the state highway commission at
6 once, giving the number on the number plates of the vehicle,
7 the name of the state where such vehicle is registered, and, if
8 known, the name, and permanent or temporary residence of
9 the driver or owner. Upon receiving such complaint the state
10 highway commission shall forthwith investigate the case and
11 may suspend the license to operate of the persons against
12 whom the complaint is made and may suspend the registra-
13 tion of the vehicle operated, for such time as he shall deem
14 advisable. This section shall apply to residents and non-
15 residents operating motor vehicles. No fees shall be allowed
16 to the complainant or to the officer making an arrest under
17 this section.'

Sect. 15. Section 40 of said Chapter 26 of the Revised
2 Statutes of 1916 is hereby amended as follows:

By striking out after the word “the” in the third line the
2 words “secretary of state” and inserting the words ‘state
3 highway commission’ so that said section as amended shall
4 read as follows:

‘Assessors of cities, towns and plantations shall annually,
2 on or before the fifteenth day of April, make returns to the
3 state highway commission of all persons within their respec-
4 tive cities, towns, or plantations owning motor vehicles, as
5 appears by their assessment books. A copy of this section
6 and of the two preceding sections shall be printed on every
7 operator’s license.’