

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

---

SEVENTY-NINTH LEGISLATURE

---

SENATE

NO. 166

---

In Senate, Mar. 6, 1919.

Referred to Committee on Ways and Bridges and 500 copies ordered printed. Sent down for concurrence.

P. F. CRANE, Secretary.

Presented by Senator Peacock of Washington.

---

STATE OF MAINE

---

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

---

AN ACT to Amend Chapter twenty-six of the Revised Statutes, as amended by the Public Laws of Nineteen Hundred and Seventeen, relating to the Registration and Operation of Motor Vehicles.

---

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

Section 1. Section fifteen of chapter twenty-six of the  
2 revised statutes is hereby amended by striking out the comma  
3 after the word "tracks" in the eighth line and inserting in  
4 place thereof a period; also by striking out the words "auto-  
5 mobiles fire engines and apparatus, and other vehicles used  
6 by cities or towns, such as police patrol wagons and road  
7 rollers" in the ninth and tenth lines, so that said section, as  
8 amended, shall read as follows:

'Sect. 15. The term "motor vehicle," as used in the following sections shall include all vehicles self-propelled on highways, town ways, public streets, avenues, driveways, parks or parkways, 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, which shall mean all kinds of motor wheels (used for pleasure or business,) log haulers or traction engines (used for commercial purposes,) excepting such vehicles as run only upon rails or railroad tracks.'

Sect. 2. Section sixteen of chapter twenty-six of the revised statutes, as amended by chapter two hundred and thirteen of the public laws of nineteen hundred and seventeen, is hereby further amended by striking out the words "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 greater than twenty-five miles an hour in open country outside of cities and villages, and within the compact or built up portions of any city, town or village, not greater than fifteen miles an hour," in the first, second, third, fourth and fifth lines, as reprinted in section one of chapter two hundred and thirteen of the public laws of nineteen hundred and seventeen, and inserting in place thereof the words: 'No motor vehicle shall be operated upon any highway, town way, public street, avenue, driveway, park or parkway, of this state

17 at a rate of speed exceeding fifteen miles an hour within the  
18 compact or built up portions of any city, town or village. If  
19 the rate of speed of a motor vehicle operated upon any high-  
20 way, town way, public street, avenue, driveway, park or park-  
21 way of this state exceeds twenty-five miles per hour in the  
22 open country outside of the compact or built up portions of  
23 any city, town, or village, such rate of speed shall be prima  
24 facie evidence that the person operating such vehicle is operat-  
25 ing the same at a rate of speed greater than is reasonable and  
26 proper, and in violation of the provisions of this section and  
27 the burden of proof shall be upon the person operating said  
28 motor vehicle to show that such rate of speed was not greater  
29 than was reasonable and proper as above set forth. Pro-  
30 vided, however, that no motor vehicle shall be operated upon  
31 any highway, town way, public street, avenue, driveway,  
32 park or parkway of this state at a rate of speed greater than  
33 thirty-five miles per hour under any circumstances or con-  
34 ditions, except under permit granted by municipal officers of  
35 cities and towns, in accordance with the provisions of sec-  
36 tion seventeen of this chapter as renumbered; also by strik-  
37 ing out the words "No person shall be convicted of exceeding  
38 in the open country, outside of cities and villages, the rate of  
39 speed hereby established unless the average speed for at  
40 least one-half mile exceeds the rate of twenty-five miles  
41 per hour," in the fifteenth, sixteenth, seventeenth, and  
42 eighteenth lines as reprinted in section one of chapter two  
43 hundred and thirteen of the public laws of nineteen hundred

44 and seventeen; also by striking out the words "thirty-eight  
45 and thirty-nine" in line twenty-three as reprinted in the  
46 public laws of nineteen hundred and seventeen and inserting  
47 in place thereof the words 'thirty-six, thirty-seven and thirty-  
48 eight' as renumbered, so that said section as amended by the  
49 public laws of nineteen hundred and seventeen and as further  
50 amended by this act, shall read as follows:

'Sect. 16. No motor vehicle shall be operated upon any high-  
2 way, town way, public street, avenue, driveway, park or park-  
3 way, of this state at a rate of speed exceeding fifteen miles an  
4 hour within the compact or built up portions of any city, town  
5 or village. If the rate of speed of a motor vehicle operated  
6 upon any highway, town way, public street, avenue, driveway,  
7 park or parkway of this state exceeds twenty-five miles per  
8 hour in the open country outside of the compact or built up  
9 portions of any city, town or village, such rate of speed shall  
10 be prima facie evidence that the person operating such vehicle  
11 is operating the same at a rate of speed greater than is reason-  
12 able and proper, and in violation of the provisions of this sec-  
13 tion, and the burden of proof shall be upon the person operat-  
14 ing said motor vehicle to show that such rate of speed was not  
15 greater than was reasonable and proper as above set forth.  
16 Provided, however, that no motor vehicle shall be operated  
17 upon any highway, town way, public street, avenue, drive-  
18 way, park or parkway of this state at a rate of speed greater  
19 than thirty-five miles per hour under any circumstances or  
20 conditions, except under permit granted by municipal officers

21 of cities and towns, in accordance with the provisions of  
22 section seventeen of this chapter as renumbered. The com-  
23 pact or built up portion of any city, town or village shall  
24 mean the territory of a city, town or village contiguous to  
25 any way, which is built up with structures devoted to busi-  
26 ness, or where the dwelling houses are situated less than one  
27 hundred fifty feet apart for a distance of at least one-quarter  
28 of a mile. No person shall be convicted of exceeding the  
29 rate of speed hereby established for any compact or built  
30 up portions, unless said city, town or village shall cause the  
31 words "speed limit, fifteen miles" to be conspicuously dis-  
32 played on sign boards along each highway, townway, public  
33 street, driveway or parkway, and such other signs as will  
34 clearly designate such compact or built up portion. No  
35 municipal officer or other person shall erect or cause to be  
36 erected speed limit signs contrary to those contemplated by  
37 this section and if any such signs now exist the municipal  
38 officers of cities and towns shall cause their removal. Any  
39 person arrested for violation of any of the speed regulations  
40 of this chapter, except those of sections thirty-six, thirty-  
41 seven and thirty-eight, as renumbered, shall be given an im-  
42 mediate trial, if he shall so demand of the officer making the  
43 arrest, but if for any reason it is impracticable to do so, the  
44 officer making the arrest shall immediately take the prisoner  
45 before some bail commissioner, who before admitting him  
46 to bail, shall require him to give his name, his place of resi-  
47 dence, the number of his license to operate a motor vehicle,

48 and the registration number of the motor vehicle operated  
49 at the time of his arrest, and shall make a record thereof on  
50 the bail bond, and may take his personal recognizance for  
51 his appearance in court on a specified day, not less than  
52 two days thereafter. If such person fails to appear in  
53 court on the day specified, either in person or by counsel,  
54 the court shall notify the secretary of state, who, in case the  
55 person is a resident of the state, shall immediately revoke his  
56 license, and also annul the registration of the motor vehicle  
57 driven by such person when arrested; and in case the person  
58 is a non-resident, or said motor vehicle is registered by some  
59 other state or country, all rights of said person to operate  
60 in this state, or of the owner of said vehicle to have the  
61 same operated in this state, shall forthwith terminate.

Sect. 3. Section twenty of chapter twenty-six of the re-  
2 vised statutes is hereby renumbered section nineteen and  
3 further amended by striking out the word "white" in line  
4 six, line eight and line nine; also by striking out the pe-  
5 riod after the word "forward" in the ninth line and add-  
6 ing after said word the following: 'and one red rear  
7 light. All lights attached to motor vehicles shall conform  
8 to the rules and regulations as promulgated from time to  
9 time, by the public utilities commission;' so that said sec-  
10 tion, as amended and renumbered, shall read as follows:

'Sect. 19. Every such motor vehicle when in use on the  
2 highways shall have attached thereto a suitable horn, bell  
3 or other means of signal, equally as good, that when

4 blown, rung or otherwise operated may be heard a dis-  
5 tance of at least two hundred feet, and shall also have  
6 lighted lamps between thirty minutes after sunset and  
7 thirty minutes before sunrise. Automobiles and motor  
8 trucks shall have at least two lights forward and one  
9 red rear light with white light to plainly illuminate reg-  
10 istered number. Motor cycles shall have at least one light  
11 forward and one red rear light. Log haulers or traction  
12 engines shall have at least two lights forward and one  
13 red rear light. All lights attached to motor vehicles shall  
14 conform to the rules and regulations as promulgated from  
15 time to time by the public utilities commission.'

Sect. 4. Section twenty-two of chapter twenty-six of  
2 the revised statutes is hereby renumbered section twenty-  
3 one and further amended by striking out the word "six"  
4 in the first line of said section and inserting in place there-  
5 of the word 'five;' also by striking out the words "ex-  
6 cept section seventeen," in the first and second lines; also  
7 by striking out the word "twenty-five" after the word  
8 "than" and before the word "dollars" in the first part of  
9 the third line and inserting in place thereof the word 'sev-  
10 enty-five;' also by striking out the word "fifty" in the  
11 fourth line and inserting in place thereof the word 'one  
12 hundred;' also by striking out the word "ten" in the fifty  
13 line and inserting in place thereof the word 'sixty,' so that  
14 said section, as amended and renumbered, shall read as  
15 follows:



'Sect. 21. Whoever violates any provision of the five preceding sections, shall be punished by a fine of not less than ten, or more than seventy-five dollars for the first offense, and not less than twenty-five, or more than one hundred dollars for the second offense committed during any period of twelve months, or by imprisonment for a term not exceeding sixty days.'

Sect. 5. Section twenty-three of chapter twenty-six of the revised statutes, as amended by chapter two hundred and thirty-four of the public laws of nineteen hundred and seventeen, is hereby renumbered section twenty-two and further amended by striking out the comma after the words "horse power" in the tenth line of said section as reprinted in chapter two hundred and thirty-four of public laws of nineteen hundred and seventeen, and inserting in lieu thereof a semicolon and the following words: 'said application to contain a statement as to whether or not applicant has, with reference to the headlights upon his motor vehicle, complied with the rules and regulations of the public utilities commission of Maine, framed, published and in effect in accordance with section three, chapter two hundred and seventy-two of the public laws of the state of Maine for the year nineteen hundred and seventeen, and in case said applicant has not so complied the secretary of state shall refuse to register such vehicle and issue a license for its operation;' also by striking out all of the words in the first paragraph of said section twenty-

21 three, as reprinted in chapter two hundred and thirty-four  
22 of the public laws of nineteen hundred and seventeen, after  
23 the words "horse power" in the sixteenth line, striking  
24 out the semicolon after the said words "horse power," in-  
25 serting a period and adding the following words: "The  
26 annual registration fee for motor trucks, having a rated  
27 carrying capacity of one ton or less, shall be ten dollars;  
28 for motor trucks having a rated carrying capacity of over  
29 one ton and not over two tons, twenty dollars; for motor  
30 trucks having a rated carrying capacity of over two tons  
31 and not over three tons, thirty dollars; for motor trucks  
32 having a rated carrying capacity of, over three tons and  
33 not over four tons, forty dollars; for motor trucks hav-  
34 ing a rated carrying capacity of over four tons and not  
35 over five tons, fifty dollars; for motor trucks having a  
36 rated carrying capacity of over five tons and not over six  
37 tons, sixty-five dollars; for motor trucks having a rated  
38 carrying capacity of over six tons and not over seven tons,  
39 eighty dollars; for motor trucks having a rated carrying  
40 capacity of over seven tons and not over eight tons, ninety-  
41 five dollars; for motor trucks having a rated carrying ca-  
42 pacity of over eight tons and not over nine tons, one hun-  
43 dred and ten dollars; for motor trucks having a rated  
44 carrying capacity of over nine tons and not over ten tons,  
45 one hundred and twenty-five dollars. The annual regis-  
46 tration fee for traction engines and log haulers shall be  
47 ten dollars. The annual registration fee for motor cycles

48 shall be three dollars, but the payment of said registra-  
49 tion fee shall not carry with it the right to operate said  
50 motor cycle without an operator's license. The annual  
51 registration fee for side cars used in connection with mo-  
52 tor cycles shall be two dollars. Provided, however, that  
53 nothing contained in this section shall be construed to  
54 in any way rescind, alter, amend or modify any of the  
55 provisions of sections eleven to fourteen both inclusive,  
56 of this chapter, of section twenty-nine as renumbered, of  
57 this chapter or of any other provision of law appertain-  
58 ing thereto and inconsistent therewith. All motor vehicles  
59 owned and used by the State of Maine, or any city, town,  
60 village corporation, municipal fire district, or municipal  
61 water district, or county of this state shall be exempt from  
62 the provisions of this section as to registration and the  
63 payment of registration fees; but all such motor vehicles  
64 shall be required to display identification plates or mark-  
65 ers, which shall be approved by the secretary of state.  
66 Also by striking out the period after the word "each" at  
67 the end of the second paragraph of said section, as re-  
68 printed in section one of chapter two hundred and thirty-  
69 four of the public laws of nineteen hundred and seven-  
70 teen, and inserting in place thereof a semicolon and add-  
71 ing the words 'provided, however, that in case plates are  
72 lost in transportation, the applicant may file with the sec-  
73 retary of state an affidavit, executed before a notary or  
74 justice of the peace, certifying that the plates have not

75 been received by him and agreeing that if they shall be  
76 received at some later date to return them forthwith to  
77 the secretary of state and said secretary, after a thorough  
78 investigation, may furnish the applicant with a second set  
79 of plates without additional charge;’ also by striking out  
80 the word “express” in the fiftieth line of said section, as  
81 reprinted in section one of chapter two hundred and thirty-  
82 four of the public laws of nineteen hundred and seventeen;  
83 also by striking out the last paragraph of said section,  
84 as reprinted in section one of chapter two hundred and  
85 thirty-four of the public laws of nineteen hundred and  
86 seventeen; so that said section, as amended by chapter  
87 two hundred and thirty-four of the public laws of nineteen  
88 hundred and seventeen, and as further amended and re-  
89 numbered by this act, shall read as follows:

‘Sect. 22. All motor vehicles shall be registered by the  
2 owner or person in control thereof in accordance with the  
3 provisions of this section and the following sections. Ap-  
4 plication for such registration may be made by mail or  
5 otherwise to the secretary of state upon blanks prepared  
6 under his authority. The application shall, in addition to  
7 such other particulars as may be required by said secre-  
8 tary, contain a statement of the name, place of residence  
9 and address of the applicant, with a brief description of  
10 the motor vehicle, including the name of the maker, the  
11 number, if any, affixed by the maker, the character of  
12 the motive power and the amount of such power, stated

13 in figures of horse power; application to contain a state-  
14 ment as to whether or not applicant has, with reference  
15 to the headlights upon his motor vehicle, complied with  
16 the rules and regulations of the public utilities commis-  
17 sion of Maine, framed, published and in effect in accord-  
18 ance with section three, chapter two hundred and seventy-  
19 two of the public laws of the State of Maine for the year  
20 nineteen hundred and seventeen, and in case said applicant  
21 has not so complied the secretary of state shall refuse to  
22 register such vehicle and issue a license for its operation  
23 and with such application shall be deposited an annual  
24 registration fee of five dollars for automobiles (used for  
25 conveyance of persons for hire, pleasure or business), of  
26 fifteen horse power or under; ten dollars for automobiles  
27 (used for conveyance of persons for hire, pleasure or busi-  
28 ness), between fifteen horse power and including thirty-  
29 five horse power; fifteen dollars for automobiles (used for  
30 conveyance of persons for hire, pleasure or business), over  
31 thirty-five horse power. The annual registration fee for  
32 motor trucks, having a rated carrying capacity of one  
33 ton or less, shall be ten dollars; for motor trucks having  
34 a rated carrying capacity of over one ton and not over  
35 two tons, twenty dollars; for motor trucks having a rated  
36 carrying capacity of over two tons and not over three tons,  
37 thirty dollars; for motor trucks having a rated carrying  
38 capacity of over three tons and not over four tons, forty  
39 dollars; for motor trucks having a rated carrying capacity

40 of over four tons and not over five tons, fifty dollars; for  
41 motor trucks having a rated carrying capacity of over  
42 five tons and not over six tons, sixty-five dollars; for mo-  
43 tor trucks having a rated carrying capacity of over six  
44 tons and not over seven tons, eighty dollars; for motor  
45 trucks having a rated carrying capacity of over seven  
46 tons and not over eight tons, ninety-five dollars; for mo-  
47 tor trucks having a rated carrying capacity of over eight  
48 tons and not over nine tons, one hundred and ten dollars,  
49 for motor trucks having a rated carrying capacity of over  
50 nine tons and not over ten tons, one hundred and twenty-  
51 five dollars. The annual registration fee for traction en-  
52 gines and log haulers shall be ten dollars. The annual  
53 registration fee for motor cycles shall be three dollars,  
54 but the payment of said registration fee shall not carry  
55 with it the right to operate said motor cycle without an  
56 operator's license. The annual registration fee for side  
57 cars used in connection with motor cycles shall be two  
58 dollars. Provided, however, that nothing contained in this  
59 section shall be construed to in any way rescind, alter,  
60 amend or modify any of the provisions of sections eleven  
61 to fourteen both inclusive, of this chapter, of section twen-  
62 ty-nine as renumbered of this chapter or of any other pro-  
63 vision of law appertaining thereto and inconsistent there-  
64 with. All motor vehicles owned and used by the State of  
65 Maine, or any city, town, village corporation, municipal

66 fire district, or municipal water district, or county of this  
67 state shall be exempt from the provisions of this section  
68 as to registration and the payment of registration fees ;  
69 but all such motor vehicles shall be required to display  
70 identification plates or markers, which shall be approved  
71 by the secretary of state.

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 au-  
4 tomobile, not including motor cycle, log hauler, or trac-  
5 tion engine, during the period between the first day of  
6 October and the thirty-first day of December in any year,  
7 one-half of the registration fee shall be charged. The sec-  
8 retary of state upon granting the application shall regis-  
9 ter in a book or upon suitable index cards to be kept for  
10 the purpose, the motor vehicle described in the applica-  
11 tion, giving to the owner of such motor vehicle a dis-  
12 tinguishing number or other mark, and shall thereupon  
13 issue to the applicant a certificate of registration which  
14 shall contain the name, place of residence and address of  
15 the applicant and the registered number or mark, shall  
16 prescribe the manner in which said registered number or  
17 mark shall be inscribed or displayed on the motor vehicle,  
18 and shall be in such form as the secretary may determine.  
19 The secretary of state shall also furnish the applicant two  
20 enameled iron plates, containing the word "Maine" in let-  
21 ters not less than one inch in height, and the number of

22 the registration in Arabic numerals not less than four  
23 inches in height. The number plates must be attached to  
24 the front and rear of the automobiles, auto trucks and  
25 traction engines. Motor cycles will be provided with a  
26 registration seal or other distinguishing mark as may be  
27 determined by the secretary of state. The number for  
28 motor cycles must be so placed as to be always plainly  
29 visible. A proper record of all applications for registration  
30 and of all certificates issued shall be kept by the secretary of  
31 state in his office and shall be open to the inspection of  
32 any person during reasonable hours. The certificate of  
33 registration shall always be carried on the person or in  
34 some easily accessible place in or about the motor vehicle.  
35 Upon the sale of any motor vehicle, registration shall ex-  
36 pire and the vendor shall immediately return the certificate  
37 of registration to the secretary of state, with notice of  
38 sale and name, place or residence and address of the vendee.  
39 Registration plates, seal or other distinguishing mark for  
40 automobiles, motor cycles and traction engines shall be  
41 furnished free from the office of the secretary of state.  
42 The charge for delivery of registration plates shall be  
43 paid by the receiver. Plates lost or mutilated may be  
44 replaced for seventy-five cents each; provided, however,  
45 that in case plates are lost in transportation, the applicant  
46 may file with the secretary of state an affidavit, executed  
47 before a notary or justice of the peace, certifying that the  
48 plates have not been received by him and agreeing that if



49 they shall be received at some later date to return them forth-  
50 with to the secretary of state and said secretary after a  
51 thorough investigation, may furnish the applicant with a  
52 second set of plates without additional charge.'

Sect. 6. Section twenty-eight of chapter twenty-six of  
2 the revised statutes is hereby renumbered section twenty-  
3 seven and further amended by striking out the words  
4 "excepting motor cycles" in the next to the last line of  
5 said section, so that said section, as amended and renum-  
6 bered, shall read as follows:

'Sect. 27. No motor vehicle of any kind shall be operated  
2 by a resident of this state, upon any highway, town way,  
3 public street, avenue, driveway, park or parkway, unless  
4 registered as provided in this chapter, and no person, a  
5 resident of the state, shall operate a motor vehicle upon  
6 any highway, town way, public street, avenue, driveway,  
7 park or parkway unless licensed to do so, under the pro-  
8 visions of section thirty, as renumbered. Every registra-  
9 tion of motor vehicles shall expire on the thirty-first day  
10 of December of each year and the certificate of registration  
11 thereupon becomes void. All licenses to operate motor  
12 vehicles expire on the thirty-first day of December of each  
13 year, and an application for a new license to drive or  
14 operate a motor vehicle must be made to the secretary of  
15 state and a license received, to enable any person to drive  
16 or operate a motor vehicle of any kind, on and after the first  
17 day of January of each year.'

Sect. 7. Section thirty-one of chapter twenty-six of the  
2 revised statutes is hereby renumbered section thirty and  
3 further amended by striking out the words "except motor  
4 cycles" in the first line of said section; also by striking  
5 out the words "an automobile, motor truck or traction en-  
6 gine" in the twelfth line of said section and inserting in  
7 place thereof the words 'a motor vehicle of any kind or  
8 description, as defined in section one of this chapter,' so  
9 that said section, as amended and renumbered, shall read  
10 as follows:

'Sect. 30. 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  
4 blanks prepared by the secretary of state for this purpose  
5 and the licenses issued shall be in such form and shall  
6 contain such provisions as the secretary of state may de-  
7 termine. To such licenses shall be assigned some distin-  
8 guishing number or mark and a proper record of all ap-  
9 plications for license and of all licenses issued shall be  
10 kept by the secretary of state at his office and shall be  
11 open to the inspection of any person during reasonable  
12 business hours. Each license shall state the name, age,  
13 place of residence of licensee and the distinguishing num-  
14 ber or marks assigned to him. The fee for such license  
15 to operate a motor vehicle of any kind or description, as  
16 defined in section one of this chapter, shall be two dol-  
17 lars, which shall be deposited at the time of making the

18 application. The secretary of state may at any time sus-  
19 pend or revoke any license for any violation of sections  
20 fifteen to forty-one, both inclusive, or regulation made  
21 thereunder. Before a license to operate is granted, the  
22 applicant shall present such evidence as to his qualifica-  
23 tion to operate a motor vehicle, as may be required by  
24 the secretary of state. Every person licensed to operate  
25 motor vehicles shall indorse his name in the margin of  
26 the license and such license shall not be valid until so in-  
27 dorsed.'

Sect. 8. Section thirty-three of chapter twenty-six of  
2 the revised statutes is hereby renumbered section thirty-  
3 two and further amended by adding at the end of said  
4 section the following sentence: 'Provided, however, that  
5 no motor vehicle of any kind shall be operated upon any  
6 highway, town way, public street, avenue, driveway, park  
7 or parkway of this state for any purpose, by any person  
8 less than sixteen years of age,' so that said section, as  
9 amended and renumbered, shall read as follows:

'Sect. 32. Whoever violates any provision of the nine  
2 preceding sections shall be punished by fine not exceed-  
3 ing fifty dollars or by imprisonment not exceeding ten  
4 days. The preceding sections shall not be construed to  
5 prevent the operation of motor vehicles by unlicensed per-  
6 sons, if riding with or accompanied by a licensed operator,  
7 for the purpose of becoming familiar with the use and  
8 handling of a motor vehicle, preparatory to taking out

9 license for driving. Provided, however, that no motor ve-  
10 hicle of any kind shall be operated upon any highway,  
11 town way, public street, avenue, driveway, park or park-  
12 way of this state for any purpose, by any person less than  
13 sixteen years of age.'

Sect. 9. Section thirty-four of chapter twenty-six of the  
2 revised statutes is hereby repealed in its entirety.

Sect. 10. Section thirty-six of chapter twenty-six of the  
2 revised statutes, as amended by chapter one hundred and  
3 seventy-one of the public laws of nineteen hundred and  
4 seventeen, is hereby renumbered section thirty-four and  
5 further amended by striking out the words "suitable de-  
6 sign and oval in shape" in the twelfth line of said sec-  
7 tion, as reprinted in chapter one hundred and seventy-one  
8 of the public laws of nineteen hundred and seventeen, and  
9 inserting in lieu thereof the words 'such design and shape  
10 as the secretary of state may prescribe; also by striking  
11 out the next to the last sentence of said section and in-  
12 serting in lieu thereof the following: 'Application for reg-  
13 istration under the provision of this section shall be veri-  
14 fied by the oath of the applicant and shall be made upon  
15 blanks furnished by the secretary of state. The applica-  
16 tion shall, in addition to such other particulars as may  
17 be required by said secretary, contain a statement of the  
18 name, place of residence and address, together with a brief  
19 description of the motor vehicle, which shall include the  
20 maker's number and the registration number which has

21 been assigned to it in the state of the owner's residence.  
22 The secretary of state, upon granting the application, shall  
23 register in a book or upon suitable index cards to be kept  
24 for that purpose, the motor vehicles described in the ap-  
25 plication and thereupon shall issue to the applicant a cer-  
26 tificate of registration, which shall contain such facts and  
27 which shall be in such form as the secretary may determine,  
28 so that said section, as amended and renumbered, shall read  
29 as follows:

'Sect. 34. A motor vehicle owned by a non-resident of  
2 this state who has complied with the laws of the state of  
3 his residence relating to registration and licensing of mo-  
4 tor vehicles, and who has a bona fide actual residence in  
5 a state granting like privileges to residents of this state,  
6 which residence is located within fifteen miles by highway  
7 of the border line of this state, may be operated upon any  
8 highways of this state distant not more than fifteen miles  
9 from said border line, if such motor vehicle is duly reg-  
10 istered in the state of its owner's residence and the fee  
11 required therefor is paid and such motor vehicle is duly  
12 registered by the secretary of this state. The secretary  
13 of state shall furnish at his office, upon payment of two  
14 dollars, to every person whose motor vehicle is registered  
15 as aforesaid, a metal tag of such design and shape as the  
16 secretary of state may prescribe, having displayed upon  
17 it the number assigned to such motor vehicle, the letters  
18 "Me.," and figures showing the year of issue; but no such

19 tag shall be furnished for motor cycles. Such tag shall  
20 at all times be conspicuously displayed on the front of  
21 such motor vehicle. Application for registration under  
22 the provision of this section shall be verified by the oath  
23 of the applicant and shall be made upon blanks furnished  
24 by the secretary of state. The application shall, in addi-  
25 tion to such other particulars as may be required by said  
26 secretary, contain a statement of the name, place of resi-  
27 dence and address, together with a brief description of  
28 the motor vehicle, which shall include the maker's num-  
29 ber and the registration number which has been assigned  
30 to it in the state of the owner's residence. The secretary  
31 of state, upon granting the application, shall register in  
32 a book or upon suitable index cards to be kept for that  
33 purpose, the motor vehicle described in the application  
34 and thereupon shall issue to the applicant a certificate of  
35 registration, which shall contain such facts and which  
36 shall be in such form as the secretary may determine.  
37 Every registration under the provisions of this section  
38 shall expire with each calendar year.'

Sect. 11. Section thirty-seven of chapter twenty-six of  
2 the revised statutes is hereby renumbered section thirty-  
3 five and further amended by adding thereto the following:  
4 'Provided, further, that nothing in this section shall be  
5 construed to rescind, alter or in any way modify any pro-  
6 visions of sections eleven to fourteen, of this chapter, sec-  
7 tion twenty-nine of this chapter as renumbered or any of

8 the provisions of law appertaining thereto or inconsistent  
9 therewith,' so that said section, as amended and renumbered,  
10 shall read as follows :

'Sect. 35. Motor vehicles of every 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, subject, how-  
6 ever, to the provisions of sections sixteen to twenty-two,  
7 both inclusive; provided, however, that nothing herein  
8 contained shall in any way affect any laws enacted to pro-  
9 hibit the use of automobiles or motor vehicles in certain  
10 towns therein specified. Provided, further, that nothing  
11 in this section shall be construed to rescind, alter or in  
12 any way modify any provisions of sections eleven to four-  
13 teen, of this chapter, section twenty-nine of this chapter  
14 as renumbered or any of the provisions of law appertain-  
15 ing thereto or inconsistent therewith.'

Sect. 12. Section thirty-eight of chapter twenty-six of  
2 the revised statutes, as amended by chapter two hundred  
3 and thirteen of the public laws of nineteen hundred and  
4 seventeen, is hereby renumbered section thirty-six and fur-  
5 ther amended by striking out the words "or while under  
6 the influence of intoxicating liquor" in the second line of  
7 said section, as reprinted in chapter two hundred and thir-  
8 teen of the public laws of nineteen hundred and seventeen;  
9 so that said section, as amended by the public laws of nine-

10 teen hundred and seventeen, and as further renumbered  
11 and amended by this act, shall read as follows:

'Sect. 36. Whoever operates a motor vehicle upon any  
2 way recklessly, so that the lives or safety of the public  
3 are in danger, or upon a bet, wager or race, or for the  
4 purpose of making a record, thereby violating the speed  
5 regulations, or whoever goes away without stopping and  
6 making himself known after causing injury to any per-  
7 son or property, or uses a motor vehicle without authority  
8 from its owner, shall be punished by a fine of not more  
9 than fifty dollars, or by imprisonment for a term of three  
10 months, or by both fine and imprisonment, and if any per-  
11 son be convicted the second time for a violation of this  
12 section, he shall be punished by a fine of one hundred dol-  
13 lars, or by imprisonment for not less than six months, and  
14 not more than one year.'

Sect. 13. Section thirty-nine of chapter twenty-six of the  
2 revised statutes, as amended by chapter two hundred and  
3 thirteen of the public laws of nineteen hundred and seven-  
4 teen, is hereby renumbered section thirty-seven and fur-  
5 ther amended by inserting after the word "suspend" in  
6 the ninth line of said section, as reprinted in the public  
7 laws of nineteen hundred and seventeen, the words 'or re-  
8 voke'; also by striking out the words "section thirty-eight  
9 or section thirty-nine" in the twelfth line, as reprinted in  
10 the public laws of nineteen hundred and seventeen and in-  
11 serting in place thereof the words, 'sections thirty-six, thir-



ty-seven or thirty-eight;' so that said section, as amended and renumbered, shall read as follows:

'Sect. 37. If any motor vehicle is so driven in a reckless manner or by a person apparently under the influence of intoxicating liquor, it shall be the duty of every officer who is charged with enforcing the laws of the state, and of every citizen thereof, to report the same to the secretary of state, at once, giving the number on the number plates of the vehicle, the state registering the same, and if known, the name and residence of the operator or owner. Upon receipt of such complaint the secretary of state shall forthwith investigate the case and shall have authority to suspend or revoke the license of such operator, and also to annul the registration of the vehicle so operated, for such time as he shall deem advisable.

No person whose license to operate a motor vehicle has been revoked upon conviction of violating sections thirty-six, thirty-seven or thirty-eight of this chapter shall again be licensed to operate a motor vehicle in this state for three years.

If any person convicted of any violation of the provisions of this chapter shall appeal from the judgment and sentence of the trial court, his license to operate a motor vehicle in this state shall be suspended during the time his appeal is pending in the appellate court; should he operate any motor vehicle in this state during the time his

7 license is so suspended, he shall be liable to all the penalties  
8 of law for operating a motor vehicle without a license.

Sect. 14. Chapter twenty-six of the revised statutes is  
2 hereby amended by inserting the following section, which  
3 shall be denominated section thirty-eight:

‘Sect. 38. No person shall operate or drive or attempt  
2 to drive a motor vehicle on any highway, town way, pub-  
3 lic street, avenue, driveway, park or parkway of this state  
4 when intoxicated or at all under the influence of intoxicat-  
5 ing liquor or drug. Any person guilty of violating the  
6 foregoing provision shall be punished, upon conviction,  
7 by a fine of not less than one hundred dollars nor more  
8 than one thousand dollars or to imprisonment of not less  
9 than thirty days nor more than one year, or to both fine  
10 and imprisonment. The license of any person convicted  
11 of violating the provisions of this section shall be imme-  
12 diately revoked by the secretary of state upon receipt of  
13 an attested copy of the court records, without further  
14 hearing. Any person convicted of a second or subsequent  
15 offense shall be punished by imprisonment for not less than  
16 three months nor more than one year and his license to  
17 operate shall be indefinitely revoked by the secretary of  
18 state. If any person convicted of any violation of the pro-  
19 visions of this section shall appeal from the judgment and  
20 sentence of the trial court, his license to operate a motor  
21 vehicle in this state shall be suspended during the time his  
22 appeal is pending in the appellate court; should he oper-  
23 ate any motor vehicle in this state during the time his li-

24 cense is so suspended, he shall be liable to all the penalties  
25 of law for operating a motor vehicle without a license.'

Sect. 15. Chapter twenty-six of the revised statutes is  
2 hereby amended by inserting the following section, which  
3 shall be denominated section thirty-nine.

'Sect. 39. No operator's license or registration shall be  
2 suspended or revoked by the secretary of state, except for  
3 violation of section thirty-eight of this chapter, unless the  
4 licensee or registrant has first been given an opportunity  
5 to be heard, either through himself or counsel. Before re-  
6 voking or suspending a license to operate or before an-  
7 nulling the registration of a motor vehicle, except as pro-  
8 vided in section thirty-eight, the secretary of state shall  
9 give notice to such licensee or registrant setting a date  
10 when he may appear at the office of the secretary of state  
11 and through himself or counsel show cause why such li-  
12 cense should not be suspended or revoked or why the reg-  
13 istration of the motor vehicle should not be annulled. Said  
14 notice shall be sent by registered mail to the address given  
15 by the licensee or registrant at least five days before the  
16 day set for hearing. The secretary of state shall sit in  
17 judgment at said hearing, which shall be public, and from  
18 his decision there shall be no appeal.'

Sect. 16. Section seventeen of chapter twenty-six of the  
2 revised statutes relating to violation of the speed regula-  
3 tions of motor vehicles is repealed in its entirety.

Sect. 17. The following sections of chapter twenty-six

2 of the revised statutes are hereby, renumbered respectively,  
3 section eighteen becoming section seventeen; section nine-  
4 teen becoming section eighteen; section twenty-one becom-  
5 ing section twenty; section twenty-four becoming section  
6 twenty-three; section twenty-five becoming section twenty-  
7 four; section twenty-six becoming section twenty-five; sec-  
8 tion twenty-seven becoming section twenty-six; section  
9 twenty-nine becoming section twenty-eight; section thirty  
10 becoming section twenty-nine; section thirty-two becoming  
11 section thirty-one and section thirty-five becoming section  
12 thirty-three.

Sect. 18. Section forty of chapter twenty-six of the re-  
2 vised statutes, as amended by chapter two hundred and  
3 thirteen of the public laws of nineteen hundred and seven-  
4 teen, is hereby further amended by striking out the words  
5 "thirty-eight and thirty-nine" in line five of said section,  
6 as reprinted in the public laws of nineteen hundred and  
7 seventeen, and inserting in place thereof the words 'thirty-  
8 six, thirty-seven and thirty-eight as renumbered,' so that  
9 said section shall read as follows:

'Sect. 40. Assessors of cities, towns and plantations, shall  
2 annually, on or before the first day of May, make return  
3 to the secretary of state of all persons owning motor vehi-  
4 cles as appears by their assessment books.

A copy of sections thirty-six, thirty-seven and thirty-eight  
2 as renumbered, shall be printed on every operator's license.

Municipal and police courts and trial justices in their re-

2 spective counties shall have concurrent jurisdiction with  
3 the supreme judicial and superior courts over all prosecu-  
4 tions for all violations of the provisions of this chapter.'

Sect. 19. This act shall take effect January first, nine-  
2 teen hundred and twenty.