

MAINE STATE LEGISLATURE

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(NEW DRAFT)

EIGHTIETH LEGISLATURE

HOUSE

NO. 455

House of Representatives, April 1, 1921.

Read twice under suspension of rules. Tabled pending third reading and 500 copies ordered printed.

CLYDE R. CHAPMAN, Clerk.

STATE OF MAINE

**IN THE YEAR OF OUR LORD ONE THOUSAND
NINE HUNDRED AND TWENTY-ONE**

AN ACT Relative to Motor Vehicles and the Law of the Road,
and to Revise and Amend Chapter Twenty-six of the Re-
vised Statutes and Acts Amendatory Thereof and Additional
Thereeto.

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

Section 1. As used in this chapter, unless the context
2 otherwise indicates, the word "way" includes all kinds of
3 public ways; the word "team" and the word "vehicle" shall
4 each include all kinds of conveyances on such ways for
5 persons and for property, except those propelled or drawn
6 by human power, or used exclusively on tracks; the word
7 "trailer" any vehicle for transportation of passengers or

8 commodities without motive power, not operated on tracks,
9 drawn or propelled by a motor vehicle, except a pair of
10 wheels commonly used for other purposes than transpor-
11 tation; the term "solid tires" shall include tires of rubber
12 or other material that do not depend on confined air for
13 the support of the load; the term "motor vehicle," any
14 self-propelled vehicle not operated exclusively on tracks,
15 except tractors; the word "tractor," any self-propelled ve-
16 hicle not used on fixed rails, designed or used as a travel-
17 ing power plant for drawing vehicles, but having no pro-
18 vision for carrying loads independently; the word "owner,"
19 any person, firm, corporation or association owning a ve-
20 hicle or having exclusive right to the use thereof under
21 contract, lease, hiring, or otherwise; the word "curb," the
22 outer edge of a defined sidewalk, or either edge of the
23 wrought and usually traveled part of a way; the word
24 "section," shall refer to this chapter unless otherwise indi-
25 cated; and words in the context of this act indicating oper-
26 ation or use of a vehicle refer to its operation or use upon
27 any way or bridge in this state, including public parks and
28 parkways.

Sect. 2. When persons traveling with a team are ap-
2 proaching to meet on a way, they shall seasonably turn to
3 the right of the middle of the traveled part of it, so that
4 they can pass each other without interference. When it
5 is unsafe, or difficult on account of weight of load to do
6 so, a person about to be met or overtaken, if requested,

7 shall stop a reasonable time, at a convenient place, to
8 enable the other to pass.

Sect. 3. When a person with a team is stationary, or
2 traveling slowly, on a way at a place unsafe or inconve-
3 nient for passing him with a team, he shall, if requested,
4 drive to the right, or stop a reasonable time at a convenient
5 place, to allow the other to pass.

Sect. 4. No person shall leave his vehicle stationary on
2 a way so as to obstruct the free passage of other vehicles ;
3 or allow an animal-drawn team to be in the way unat-
4 tended unless it is reasonably fastened.

Sect. 5. A person in control of any vehicle moving slowly
2 along a way shall keep said vehicle as closely as practi-
3 cable to the right-hand boundary of the way, allowing more
4 swiftly moving vehicles reasonably free passage to the left.

Sect. 6. One or more bells shall be either attached to
2 one of the foremost horses drawing vehicles without wheels
3 on snow, or attached to the shafts of the vehicle.

Sect. 7. Whoever operates a motor vehicle shall at the
2 intersection of ways keep to the right of the intersection
3 of the center lines of the traveled part of such ways when
4 turning to the right, and pass to the right of such inter-
5 section when turning to the left, except when traffic offi-
6 cers otherwise direct traffic. No operator shall pass a mov-
7 ing vehicle from the rear at the top of a hill or on a curve
8 when the view ahead is in any way obscured or while the
9 vehicle is crossing an intersecting way.

Sect. 8. Cities and towns may enact ordinances or by-laws providing for the establishment of street crossings and safety zones for pedestrians, and restrict or prohibit the crossing of streets by pedestrians except within the limits of crossings or zones so established.

Sect. 9. An operator of a vehicle shall bring it to a full stop not less than five feet from the rear of any street car headed in the same direction which has stopped for the purpose of taking on or discharging passengers, and shall remain stationary until such car has taken on or discharged its passengers; provided, however, that such operator may pass such car where a safety zone is established or where he may pass such car at a distance of at least eight feet from the running board or lowest step thereof; and provided, further, that he shall slow down and proceed cautiously. He may also pass to the left of such car when there is a clear view and a clear way for at least one hundred feet in advance of such car on its left; provided he shall slow down and proceed cautiously.

Sect. 10. Police, fire department, traffic emergency repair vehicles and ambulances, when operated in response to calls, shall have the right of way; and on the approach of any such vehicle the driver of every other vehicle shall immediately draw his vehicle as near as practicable to the right hand curb and parallel thereto and bring it to a standstill until such public service vehicles have passed. The person in control of a street car shall also immediately stop

9 said car upon the approach of fire apparatus and keep it
10 stationary until such apparatus has passed.

Sect. 11. No driver of a team having passengers therein
2 conveyed for hire, shall leave it without a person in charge
3 and without fastening it securely; and no person having
4 control or charge of a motor vehicle shall allow such ve-
5 hicle to stand upon any way and remain unattended with-
6 out effectively setting its brakes.

Sect. 12. No motor vehicle or trailer which, with or with-
2 out load, is wider than eight feet over all, or is over twelve
3 feet, six inches high, shall be operated upon any way or
4 bridge. No portion of any such vehicle or load, except
5 the reflecting mirror required by this act, shall project be-
6 yond the side of said vehicle to make a total width greater
7 than herein specified.

Sect. 13. No person shall throw or place, or cause to be
2 thrown or placed upon any way or bridge, any tacks, nails,
3 wire, scrap metal, glass, crockery or other substance in-
4 jurious to the feet of persons or animals or to tires or
5 wheels of vehicles. Whoever accidentally, or by reason of
6 an accident, drops from his hand or a vehicle any such
7 substance upon any way or bridge shall forthwith make
8 all reasonable efforts to clear such way or bridge of the
9 same.

Sect. 14. No animal-drawn team shall travel faster than
2 a walk on a bridge erected wholly or partly by the state,
3 or on any bridge covered with plank and fifty feet long

4 composing part of a way, or on any bridge owned by a
5 corporation; and no motor vehicle shall travel over any
6 such bridge faster than twelve miles an hour, provided,
7 that heavy vehicles may be further restricted, as herein-
8 after provided.

Sect. 15. Whoever wilfully violates the preceding section
2 forfeits three dollars, to be recovered on complaint made
3 by any owner of said bridge, or by any municipal officer
4 of the town in which it is located, to the owners of the
5 bridge or to the state or municipal corporation required
6 to keep it in repair.

Sect. 16. No vehicle, engine, contrivance or object shall
2 be moved upon or over any way or bridge upon wheels,
3 rollers or otherwise in excess of the weights prescribed in
4 this act or without obtaining a permit in accordance with
5 section eighteen; nor shall any vehicle, engine, team or
6 contrivance of whatever weight be moved upon or over
7 any way or bridge which has any flange, rib, clamp or
8 other object attached to its wheels, or made a part thereof,
9 likely to bruise or injure the surface of such way or bridge,
10 without permit obtained as provided in this act. Mowing
11 machines, light farm tractors, not customarily operated
12 over public ways, and other lightweight farming vehicles,
13 are exempted from the provisions of this section. This
14 section shall not be construed to prohibit the use of tire
15 chains of reasonable proportions on vehicles when required
16 for safety because of snow, ice or other conditions tending
17 to cause such vehicle to slide or skid.

Sect. 17. No tractor, with or without trailers, and no motor vehicle having a gross weight in excess of four tons shall be operated upon any bridge at a rate of speed greater than fifteen miles per hour; and no such vehicle having a gross weight in excess of six tons shall be operated upon any bridge at a rate of speed greater than six miles per hour.

Sect. 18. Jurisdiction is hereby vested in the state highway commission to grant emergency permits upon proper application in writing, to move objects having a weight or width greater than is specified in the two preceding sections over any way or bridge upon which money of the state has been expended, or over which said commission has assumed control; and like permits may be granted by county commissioners, municipal officers, superintendents of streets, or other road officials having charge of the repair and maintenance of any other way or bridge. Said permits shall be issued to cover the emergency or purpose stated in the application and shall be limited as to the particular objects to be moved and the particular ways and bridges which may be used and may contain any special conditions or provisions which in the opinion of the grantors are necessary for the protection thereof.

Sect. 19. Notwithstanding any loads authorized in this act upon any bridge, officials charged with the repair and maintenance thereof may limit the load permitted on any bridge to such weight as they deem necessary for the safety of life or property, or the maintenance of such bridge. Upon

6 the failure or neglect of local officials to prescribe such
7 weights for any bridge, said commission may fix such limit
8 of weight as it deems proper. Such regulations shall be
9 in effect when notice thereof is conspicuously posted at
10 each end of the bridge affected.

Sect. 20. The state highway commission shall designate
2 state and state-aid highways and improved third class high-
3 ways and bridges, or sections thereof, over which, during
4 such periods of each year as may be determined by the
5 commission, it shall be unlawful for any motor truck or
6 other vehicle or team to pass having a weight, with or with-
7 out load, exceeding that prescribed by said commission;
8 or to pass except according to restrictions as to weight,
9 speed, operation and equipment prescribed by the commis-
10 sion and pursuant to its written license. County commis-
11 sioners and municipal officers may make similar designa-
12 tions of any other ways and bridges within their respective
13 jurisdictions, and impose similar restrictions upon vehicles
14 passing over the same. Provided always that a notice speci-
15 fying the designated sections of a way or bridge, the periods
16 of closing, and prescribed restrictions, or exclusion, shall
17 be conspicuously posted at each end thereof.

Sect. 21. Whoever as owner, driver, operator or mover
2 of any engine, team, vehicle or contrivance mentioned in
3 the five preceding sections violates any provision of said
4 sections or the regulations made or permits granted under
5 authority thereof, shall be liable to a fine of not less than ten
6 dollars nor more than five hundred dollars for each offence;

7 and he shall also be responsible for all damage which said
8 way or bridge may sustain as a result thereof, and the
9 amount may be recovered in an action on the case brought
10 by the municipality, when any way or bridge is injured
11 which is under the care of said municipality; by the county
12 commissioners in behalf of any unincorporated township
13 injured, and by the state when any state or state-aid way
14 or bridge is injured; and shall be used for the repair of
15 the ways and bridges so injured. Highway officials in grant-
16 ing permits under the preceding sections may require from
17 owners or operators a bond satisfactory to them running
18 to the state or the municipal corporation affected, condi-
19 tioned to reimburse it for any expenses necessarily incurred
20 in repairing all damage caused to the way or bridge by the
21 use thereon of such vehicle, load, contrivance or other ob-
22 ject.

Sect. 22. Log-haulers, traction engines, or other motive
2 power to be used in drawing heavily loaded sledges, carts,
3 drays, or vans, may be operated upon ways; provided the
4 owners or operators thereof shall apply for and obtain a
5 permit as provided in the preceding sections and shall de-
6 posit a bond as provided in said sections.

Sect. 23. Tractors, the propulsive power of which is ex-
2 erted not through wheels resting upon the ground, but by
3 means of a flexible band or chain known as a movable track,
4 shall not be subject to the limitation upon permissible weight
5 per inch width of tire as provided in section forty-nine if

6 the portions of the movable track in contact with the sur-
7 face of the way present plane surfaces.

Sect. 24. No person shall remove, injure, or tamper with
2 any sign placed by authority of the state highway commis-
3 sion, or by any local official having charge of the repair
4 and maintenance of ways and bridges; nor shall any person
5 operate any vehicle over a way or bridge which is lawfully
6 closed for construction or repairs, and contrary to posted
7 notice whether the work thereon is being done by the state,
8 county or municipality, or by a contractor, unless permit
9 to pass is expressly granted by some person in charge of
10 the work.

VEHICLES—THEIR REGISTRATION AND OPERATION LICENSING OPERATORS

Sect. 25. The state highway commission shall be the
2 chief enforcement department for all statutes, rules and
3 regulations pertaining to vehicles and the law of the road,
4 and to such commission, hereinafter referred to in this act
5 as the commission, is hereby delegated all rights, duties
6 and powers and by it may be performed all official acts
7 authorized by statute respecting the regulation of motor
8 vehicles and the owners or operators thereof.

The commission may employ such inspectors as may be
2 necessary to enforce the provisions of this act. Inspectors
3 may be equipped with motor-cycles and assigned to the
4 patrol of state highways and other important ways outside
5 of settled portions of cities and towns. The commission,

6 with the consent of the governor and council, may also
7 commission inspectors as state highway police, who shall
8 throughout the state enforce the provisions of this act and
9 all laws relating to motor-driven and horse-drawn vehicles,
10 and all rules and regulations in relation thereto, arrest all
11 violators thereof and prosecute all offenses against the
12 same. Said state highway police shall have the same power
13 to serve criminal processes against such offenders as sher-
14 iffs and shall have the same right as sheriffs to require
15 aid in executing the duties of their office; and before being
16 qualified to discharge the duties required by this act, shall
17 give bond to the treasurer of state in the sum of five hun-
18 dred dollars with surety approved by the commission and
19 conditioned upon the faithful performance of the duties of
20 their office. No inspector or member of the state high-
21 way police shall receive any fee for making an arrest or
22 for court attendance; but shall be paid actual costs of
23 arrest and actual expenses of travel.

Sect. 26. The secretary of state, hereinafter called the
2 secretary, shall collect all fees required for licensing and
3 registering all vehicles and operators, and shall forthwith
4 transmit the same to the treasurer of state. He shall from
5 time to time as required by the governor and council, make
6 report of his doings and of the fees received from vehicle
7 registrations, licenses issued, and from other sources, with
8 such recommendations as he may consider appropriate.

Sect. 27. The secretary may appoint deputies or agents

2 stationed at convenient places in the state to receive appli-
3 cations for registration and licenses, and to conduct ex-
4 aminations when ordered by the secretary. Inspectors may
5 be delegated to act as such deputies or agents.

Sect. 28. In the administration of the laws relative to
2 motor vehicles and to the operators and the operation there-
3 of, the commission may conduct hearings, subpoena wit-
4 nesses, administer oaths, take testimony, and order the pro-
5 duction of books and papers. Each commissioner for the
6 purposes mentioned in this chapter may administer oaths,
7 issue subpoenas and all processes necessary for the per-
8 formance of the duties of the commission. The fees for
9 travel and attendance of witnesses shall be the same as
10 for witnesses before the supreme judicial court and shall
11 be paid by the state out of motor vehicle registration fees
12 upon certificates of the commission filed with the auditor.
13 Any justice of the supreme judicial court, on the petition
14 of the commission, may issue summary process to enforce
15 the lawful orders of the commission in any matter.

To facilitate hearings one member of the commission may
2 take testimony, and shall have the same power to conduct
3 hearings as the commission would have, and on his report
4 or findings the commission may act in any matter as fully
5 as if the commission as a board had conducted such hear-
6 ing.

Sect. 29. All records of the commission and the secre-
2 tary pertaining to the applications and registration of mo-
3 tor vehicles and to operators' licenses shall be open to

4 public inspection during office hours. Complaints in writ-
5 ing may be regarded as confidential.

Sect. 30. Applications to operate motor vehicles shall be
2 made under oath and may be presented by mail or other-
3 wise to the secretary, upon blanks prepared under his au-
4 thority, and which shall therein call for specific answers
5 to questions of a character designed to show the experi-
6 ence and competency of the applicant to operate a motor
7 vehicle; a fee of two dollars shall accompany the applica-
8 tion. Before the license is granted an applicant may be
9 required to pass such examination by actual demonstration
10 or otherwise as to his qualifications to operate a motor
11 vehicle as the secretary shall require; and no license shall
12 be issued until the secretary is satisfied that the applicant
13 is a proper person to receive it; no license shall be issued
14 to any person under fifteen years of age. A record of all
15 applications for license and of all licenses issued shall be
16 kept by the secretary. Each license shall state the name,
17 age, place of residence of the licensee and the distinguish-
18 ing numbers or marks assigned to him and may contain
19 a brief description of the licensee for the purpose of iden-
20 tification and such other information as the secretary shall
21 deem necessary. A person to whom a license to operate
22 a motor vehicle has been issued, unless such license con-
23 tains a special limitation or restriction, may operate any
24 registered motor vehicle. Every licensee shall endorse his
25 usual signature upon the margin of the license before using
26 it, and no license shall be valid until so endorsed.

Sect. 31. Special licenses to operate motor vehicles shall
2 be issued to chauffeurs subject to the same general require-
3 ments governing the issuance of an operator's license as
4 is provided in the preceding section; but no such license
5 shall be issued to any person less than eighteen years of
6 age. An operator's license shall not entitle a person to
7 drive a motor vehicle as a chauffeur as defined in this sec-
8 tion.

The secretary shall furnish every licensed chauffeur with
2 a suitable metal badge with distinguishing number or mark
3 assigned to him thereon without extra charge therefor.
4 Said badge shall thereafter be worn by such chauffeur
5 affixed to his clothing at all times while he is operating
6 or driving a motor vehicle, and shall be valid only during
7 the term of the license of the chauffeur to whom it is issued.

Every application for a chauffeur's license shall be accom-
2 panied by a fee of five dollars; provided, however, that if
3 such applicant already holds an operator's license the ac-
4 companying fee shall be three dollars.

Failure of an operator or chauffeur to exhibit his license
2 to any magistrate, motor vehicle inspector, police officer,
3 sheriff or other authorized official, on demand, shall be
4 prima facie evidence that such person is not duly licensed.

A chauffeur who is registered under the provisions of
2 law of the state or country of his residence, shall be exempt
3 from license under this section, provided he shall wear a
4 badge or carry a license certificate assigned to him by the
5 jurisdiction of his residence.

The word "chauffeur" as herein used shall mean any person employed for the purpose of operating a motor vehicle, and whose principal duty is to operate such vehicle; but as used elsewhere generally in this act with respect to the use and operation of motor vehicles the word "operator" and "driver" shall include the word "chauffeur."

Temporary licenses without fee may be issued to chauffeurs in the employ of the state or any municipal corporation, to terminate when their employment ends.

Sect. 32. The secretary shall also prepare suitable blanks for applicants for a license to operate motor cycles and it shall issue licenses to competent persons to operate motor cycles, subject to the same general requirements obtaining with respect to a license to operate a motor vehicle.

A license to operate a motor vehicle shall not authorize the licensee to operate a motor cycle unless the license shall so specify; but licensees to operate a motor vehicle may on application be granted a license to operate a motor cycle without paying an additional fee.

Sect. 33. No person shall operate a motor vehicle upon any way in this state unless licensed according to the provisions of this act; but the provisions of this section shall not prevent the operation of a motor vehicle by an unlicensed person, not less than fifteen years of age, if riding beside a licensed operator in said vehicle for the purpose of becoming familiar with the use and handling of a motor vehicle preparatory to taking out license for driving; and provided, further, that such unlicensed person has not there-

10 tofore had a license revoked, suspended or finally refused.

Sect. 34. Non-residents may operate motor vehicles and
2 trailers, except those hereinafter enumerated in this sec-
3 tion, on the ways in this state for not exceeding thirty days
4 in any one year without registration, provided such vehicles
5 are registered in some other state or country and have at-
6 tached thereto registration plates, and are driven by persons
7 licensed to operate in this or some other state or country.
8 Previous to the expiration of said thirty days, if the owner
9 of any such vehicle is to continue its operation within this
10 state, he shall make application to the secretary for regis-
11 tration thereof in accordance with section forty-three and
12 pay the fee required of resident owners.

On receipt of the fee, the secretary shall furnish said
2 non-resident applicant a certificate of registration and ap-
3 propriate number plates, free of expense, which plates shall
4 be attached to the vehicle as required by section forty-eight,
5 and remain there as long as such vehicle is operated in
6 this state in the year during which said certificate is issued;
7 provided, however, that on applications for registration by
8 such non-residents during the period between the first day
9 of October and the thirty-first day of December in any
10 year, one-half of said registration fee shall be charged. Any
11 motor cycle or side-car owned by a non-resident, operated
12 by a person registered and authorized to operate it in this
13 or some other state or country, having a plate or other
14 distinguishing mark attached to the motor cycle, may be
15 operated on the ways of this state for not more than thirty

16 days in the aggregate before registration. Provided, how-
17 ever, that no motor truck, tractor or trailer used for com-
18 mercial purposes and owned either by a resident of this
19 state or a non-resident thereof, shall be operated over any
20 ways or bridges except and until such vehicle is registered
21 and the registration fee paid as provided by statute for the
22 registration of vehicles with like capacity and character
23 owned in this state; but registration and license evidenced
24 by an appropriate plate or tag attached to the vehicle may
25 be issued to operate it for not exceeding five days in any
26 one year upon payment of one-fourth of the fee required
27 for annual registration of such vehicle; or, for not ex-
28 ceeding ten days, upon payment of one-third of such an-
29 nual registration. A non-resident may at any time apply
30 for and obtain annual registration of such vehicle by pay-
31 ing the difference between the fee for such short term reg-
32 istration and the fee required for its annual registration.
33 Such vehicle when registered as required by this section
34 may be operated by persons licensed to operate it according
35 to the laws of this or some other state or country, and may
36 display their register plates in addition to the plates of this
37 state as required by this act.

Sect. 35. The commission may suspend or revoke any
2 certificate of registration or any license issued to any per-
3 son to operate a motor vehicle after hearing for any cause
4 which it deems sufficient. Pending a speedy hearing it
5 may also summarily suspend a license of any motor vehicle
6 operator in its discretion and may order the license or reg-

7 istration certificate to be surrendered to it whenever it has
8 reason to believe that the holder thereof is an improper per-
9 son or incompetent to operate a motor vehicle, or is operat-
10 ing so as to endanger the public; and neither the certifi-
11 cate nor the license shall be reissued unless upon examina-
12 tion or investigation the commission or the appellate court
13 determines that the operator shall again be permitted to
14 operate.

Sect. 36. Notice of the revocation or suspension of the
2 right of a non-resident owner or operator of a vehicle to
3 operate or to have operated said vehicle in this state, shall
4 forthwith be sent by the commission to the motor vehicle de-
5 partment of the state or country which issued his license or
6 registration.

Sect. 37. Notice of any hearing held by the commission,
2 or by its authority, under this act, shall state the place, day
3 and hour thereof, and warn the licensee or registrant that
4 he may then and there appear, in person or through coun-
5 sel, to show cause why his license should not be suspended
6 or revoked, or why the registration of the vehicle should
7 not be annulled; and service of such notice shall be suffi-
8 cient if sent by registered mail to the address given by the
9 licensee or registrant, five days at least before the day set
10 for the hearing.

Sect. 38. The commission may suspend or revoke the
2 right of any non-resident operator to operate in this state
3 and may suspend or revoke the license or right of any non-
4 resident owner to operate or have operated in this state

5 any vehicle for the same causes and under the same condi-
6 tions and in the same manner that it could take such action
7 regarding any resident owner or operator, or vehicle owned
8 in this state; and thereupon the right of such non-resident
9 owner or operator to operate or have operated any such
10 vehicle in this state shall terminate and he shall be subject
11 to the same penalties as any resident owner or operator who
12 operates without license or registration.

Whenever the commission or secretary is notified by the
2 licensing or registration department of another state or
3 country that any licensee or registrant resident therein, has
4 had his license or registration suspended, revoked or an-
5 nulled, the commission may forthwith suspend, revoke or
6 terminate any right, license or registration granted to such
7 person in this state.

Sect. 39. If any person is aggrieved by the decision of
2 the commission in revoking or suspending a license or cer-
3 tificate of registration or by the refusal of the secretary
4 to issue a license or certificate of registration he may with-
5 in ten days thereafter appeal to any justice of the supreme
6 judicial or a superior court, by presenting to him a peti-
7 tion therefor, in term time or vacation. Such justice shall
8 fix a time and place for hearing, which may be in vaca-
9 tion, and cause notice thereof to be given to the commis-
10 sion or secretary; and after hearing it may affirm or re-
11 verse their decision and the decision of such justice shall be
12 final. Pending judgment of the court, the decision of the
13 commission in revoking or suspending any license or cer-

14 tificate or registration shall remain in full force and affect.

Sect. 40. Subject to the same conditions as to appeal,
2 the commission may revoke or suspend the certificate of
3 registration of any vehicle which is so constructed as to
4 be, when in operation, a menace to the safety of its occu-
5 pants or to the public, or is so constructed or operated as
6 to cause unreasonable damage to ways or bridges.

Sect. 41. Every court and trial justice in every case
2 wherein a person is convicted of the violation of any stat-
3 ute relative to motor vehicles or to the operation of any
4 vehicle shall forthwith transmit to the commission an ab-
5 stract, duly certified, setting forth therein the names of
6 the parties, the nature of the offense, the date of hearing,
7 the plea, the judgment and the result; and they shall be
8 open to public inspection during reasonable hours. Said
9 magistrates may make such recommendations to the com-
10 mission as to suspension or revocation of licenses and cer-
11 tificates of registration of respondents as they deem to be
12 in furtherance of justice.

Sect. 42. In addition to any other penalty provided in
2 this act and imposed by any court or trial justice upon any
3 person for violation of any provision of this act, the court
4 or trial justice may suspend an operator's license for a pe-
5 riod not exceeding ten days, in which case the magistrate
6 shall take up the license certificate of such person, who
7 shall forthwith surrender the same, and forward it by reg-
8 istered mail to the commission. It may thereupon grant
9 a hearing and take such further action relative to suspend-

10 ing, revoking or restoring such license or the registration
11 of the vehicle operated thereunder as it deems necessary.

Sect. 43. No person shall operate any motor vehicle or
2 trailer, nor shall the owner or custodian of such vehicle
3 permit the same to be operated, or remain upon, any way
4 unless the same is registered and equipped in accordance
5 with the provisions of this act. Application for such reg-
6 istration may be made by mail or otherwise to the secre-
7 tary upon blanks prepared under its authority. The appli-
8 cation shall be under oath and, in addition to such other
9 particulars as may be required by the secretary, contain a
10 statement of the name, place of residence and address of
11 the applicant, with a brief description of the vehicle, in-
12 cluding the name of its maker, the number, if any, affixed
13 by the maker, the character of the motive power and the
14 amount of such power, stated in figures of horse power,
15 and the actual weight of the vehicle; and its loading ca-
16 pacity, if intended for commercial use. The applicant shall
17 state in his application the kind of lens used in the head-
18 lights upon his motor vehicle, and shall specify whether he
19 has complied with the rules and regulations of the com-
20 mission, framed, published and in effect. In case said ap-
21 plicant has not given satisfactory answers, the secretary shall
22 refuse to register such vehicle, or issue a license for its
23 operation.

Sect. 44. No commercial vehicle equipped with pneu-
2 matic tires shall be operated on open country ways at a
3 rate of speed exceeding twenty miles per hour, or within

4 the compact built-up portions of any city, town or village
5 at a rate of speed exceeding twelve miles per hour; said
6 ways and built-up portions being defined in section sixty-
7 two. No: shall any commercial vehicle, equipped with two
8 or more solid tires be operated on said open country ways
9 at a rate of speed exceeding fifteen miles per hour, or with-
10 in said compact built-up portions at a rate of speed exceed-
11 ing ten miles per hour.

Sect. 45. The rights and powers of the commission to
2 exclude, or restrict the weight or equipment, or to regu-
3 late the speed of, vehicles enumerated in section forty-four,
4 when in their judgment the passage of any such vehicle
5 over any way or bridge would be unsafe or likely to cause
6 excessive damage to the same, is hereby expressly con-
7 ferred on said commission and nothing in any section of
8 this act shall be construed to restrict or abridge any of
9 said rights and powers; the intent of this act being to con-
10 fer upon the state highway commission, and upon the ap-
11 propriate highway officials, broad regulative authority to
12 encourage reasonable use of the ways and bridges and to
13 correct abuse thereof; such delegated authority being nec-
14 essary in the opinion of the legislature for the reasonable
15 use and proper protection and continued maintenance of
16 the ways and bridges of this state.

Sect. 46. An appeal in writing may be taken from any
2 order or decision of local highway officials made under
3 the provisions of sections sixteen to twenty-three inclusive,
4 to the commission, and the commission may hear and de-

5 cide the matter in a summary manner, modifying, affirming
6 or vacating the action of such officials and may issue any
7 order necessary to carry its decision into effect. No appeal
8 shall suspend the order or decision of said highway offi-
9 cials, pending the decision of the commission.

Sect. 47. The annual fees for the registration and licens-
2 ing of vehicles shall be in accordance with the following
3 schedule, and shall accompany the application for regis-
4 tration:

a.—Motor vehicles used for the conveyance of passengers.

Equipped with	Per h. p.	Per 100 lbs. weight
Pneumatic tires	25 cents	25 cents
Solid tires (two or more)	25 cents	50 cents

Motor vehicles regularly used for livery or hire shall pay
2 double the above fees.

b.—Tractors.

Equipped with	Per h. p.	Per 100 lbs. weight
Pneumatic tires	25 cents	25 cents
Sold rubber tire	25 cents	50 cents
Iron, steel or other hard tires	25 cents	80 cents

Tractors used for agricultural purposes or not customarily
2 used on public ways shall pay one-tenth of the above rates;
3 caterpillar tractors, so called, except as above provided,
4 shall pay a registration fee of fifteen dollars.

c.—Trailers.

Equipped with	Per 100 lbs. gross weight of vehicle and load
Pneumatic tires	15 cents
Solid tires	40 cents
Iron, steel or other hard tires	75 cents
d. Motorcycles	\$5.00 each
e. Motorcycle sidecars	\$5.00 each

In computations under this section minor fractions of 2 horsepower and weight shall carry the lower rating, and 3 major fractions shall carry the next higher rating.

Horsepower specified in this act shall be based on the 2 "A. L. A. M." standard, so called.

"Steam Vehicles."—In the computation of fees for all ve- 2 hicles propelled by steam, the horsepower rating shall be 3 based on the system of rating adopted by the United States 4 Government.

"Electric Vehicles."—For vehicles propelled by electricity 2 the rating shall be the normal horsepower designated by 3 the manufacturers of the electric motor or motors in the 4 vehicle.

In the computation of fees based on gross weight, said 2 gross weight, in the case of freight or merchandise ve- 3 hicles, shall be the actual weight of the vehicle in pounds 4 plus the manufacturer's rated load capacity, and in the case 5 of passenger vehicles shall be the actual weight of the

6 vehicles. In no case shall the registration fee be less than
7 ten dollars.

On any application for registration applied for by an
2 owner resident of this state, of a motor vehicle or trailer,
3 not including a log hauler, or traction engine, during the
4 period between the first day of October and the thirty-first
5 day of December, one-half the registration fee shall be
6 charged. The secretary upon granting the application shall
7 register in a book or upon suitable index cards to be kept
8 for the purpose, the vehicle described in the application,
9 giving to its owner a distinguishing number or other mark,
10 and shall thereupon issue a certificate of registration which
11 shall contain the name, place of residence and address of
12 the owner.

Sect. 48. The secretary shall furnish suitable register
2 number plates, seals and other distinguishing marks, with-
3 out charge, to every person whose vehicle is registered
4 under this act. Such plates shall be of a distinctly differ-
5 ent color or shade each year and shall be in such form as
6 the secretary may determine; and shall bear the numerals
7 of the year of issue, or the last two numerals of said year,
8 the word "Maine" or the abbreviation "Me." in letters not
9 less than one inch in height. The numerals of the register
10 number thereon, except on motor cycle number plates, shall
11 be substantially not less than four inches high. The sec-
12 retary may select and issue a special distinguishing letter,
13 mark or design for number plates issued to manufacturers

14 and dealers; also for any temporary or other special classes
15 of registration and for use on motor cycles, trucks, trailers,
16 tractors, and side cars, which are required to be registered
17 under this act.

Number plates so furnished shall be valid only for the
2 calendar year for which they are issued. Each number
3 plate displayed shall be horizontal and shall be so fastened
4 as not to swing, and its lower edges shall be at least twelve
5 inches from the ground. Not more than one set of number
6 plates shall be displayed upon any vehicle, except as may
7 be otherwise permitted by this act.

In the case of all motor vehicles and tractors, one number
2 plate shall be attached to the front and the other to the
3 rear of said vehicle, so that the plates and the registered
4 number thereon shall always be plainly visible. In the case
5 of trailers, semi-trailers, and side cars, one such plate shall
6 be attached to the rear thereof and shall be always plainly
7 visible. All plates shall be kept reasonably clean and the
8 numbers legible.

The certificate of registration shall always be carried on
2 the person of the operator or occupant, or in some easily
3 accessible place in or about the vehicle therein described,
4 except that certificates of registration of dealers need not
5 be so carried.

If any plate is lost or the register number thereon be-
2 comes mutilated or illegible, the owner or person in con-
3 trol of the vehicle for which said number plate was fur-
4 nished, shall immediately place a temporary number plate

5 bearing his register number upon said vehicle. Such tem-
6 porary number plate shall conform to the register number
7 plate and shall be displayed as nearly as possible as herein
8 provided for said regular number plate, and such person
9 shall within twenty-four hours after such loss or mutilation
10 give notice thereof to the secretary and apply under oath
11 for new number plates; and thereupon the secretary, if sat-
12 isfied of the truth of the facts stated in the application,
13 shall supply a new set of number plates upon payment of
14 a fee of seventy-five cents for each plate.

If the secretary is unable to furnish immediately to any
2 person entitled thereto any plate or marker provided in
3 this act, he may issue a temporary certificate with tem-
4 porary number plates, which certificate shall be carried and
5 said plates shall be displayed upon said vehicle in the same
6 manner as required for regular certificates and number
7 plates. Whenever one of a set of number plates is lost and
8 a new set is issued, as provided in this section, the remain-
9 ing plate shall forthwith be returned to the secretary. In
10 case plates are lost in transportation, and the applicant
11 shall certify in the affidavit that the plates have not been
12 received by him and agrees that if they shall be received
13 at some later date to return them forthwith, the secretary,
14 after a thorough investigation, may furnish the applicant
15 with a second set of plates, without additional charge.

Sect. 49. No truck, tractor on wheels, trailer or other
2 commercial vehicle having a gross weight of more than
3 18,000 pounds distributed by four wheels on a road surface

4 or having a gross weight on any one axle exceeding 13,500
 5 pounds imparted to a road surface, shall be operated over
 6 any way or bridge; except that when the gross weight is
 7 distributed on the road surface upon six or more wheels
 8 by the combined use of a trailer, or otherwise, so that the
 9 imparted weight from any one axle shall not exceed 13,500
 10 pounds, the permissible gross weight of a vehicle or vehi-
 11 cles thus combined may be increased not exceeding 50 per
 12 cent. But no vehicle having a load of over 700 pounds per
 13 inch width of tire upon any wheel concentrated upon the
 14 road surface, said width to be measured between the flanges
 15 of the rim, shall be operated upon any way or bridge; ex-
 16 cept in special cases under special permit to be granted
 17 by the commission for greater weights as elsewhere pro-
 18 vided in this act. The term "gross weight" as above ap-
 19 plied shall mean the actual weight of the vehicle in pounds
 20 plus the manufacturer's rated load capacity, or the capacity
 21 prescribed for such vehicle by the commissioner, but if
 22 no such rating is given, then the actual weight of the vehicle
 23 and load.

Sect. 50. With each application for registration of a mo-
 2 tor truck shall be deposited an annual registration fee grad-
 3 uated as follows when equipped with pneumatic tires:

For trucks with a rated carrying capacity of one	
thousand pounds or less	\$10.00
For trucks having a rated carrying capacity of over	
1000 pounds and not over one ton	15.00

For trucks having a rated carrying capacity of over one ton and not over two tons	35.00
For trucks having a rated carrying capacity of over two tons and not over three tons	55.00
For trucks having a rated carrying capacity of over three tons and not over four tons	80.00
For trucks having a rated carrying capacity of over four tons	110.00

Provided, however, that every such vehicle equipped with
 2 two or more solid tires shall pay an additional fee of thirty-
 3 three and one-third per cent more than any such vehicle
 4 would be hereby required to pay if equipped with pneu-
 5 matic tires; provided, further, however, that any motor ve-
 6 hicle with a rated carrying capacity of over five tons may
 7 be registered and operated if such motor vehicle is owned
 8 and registered on the date of the approval of this act. But
 9 no vehicle shall be operated on ways or bridges which, either
 10 loaded or without load, exceeds the limits prescribed in sec-
 11 tion forty-nine, or is contrary to the provisions of any other
 12 section of this act, or any other statute pertaining thereto.

Sect. 51. All motor vehicles owned and used by the state
 2 or any municipal corporation therein, shall be registered,
 3 but shall be exempt from the provisions of this act as to
 4 payment of registration fees; but all such vehicles shall
 5 display register plates as required by this act or approved by
 6 the commission.

Sect. 52. Every vehicle intended for commercial use shall
 2 have attached thereto in some visible place a plate giving

3 its actual unloaded weight with the weight of its seating
4 or loading capacity, as specified by the manufacturer, or
5 fixed by the commission; or such seating or loading capacity
6 shall be plainly marked or painted on said vehicle. The
7 weight and capacity so appearing shall be prima facie evi-
8 dence of their correctness.

Sect. 53. Every manufacturer or dealer in motor vehicles
2 or trailers, may, instead of registering each vehicle owned
3 or controlled by him, make application under oath upon a
4 blank provided by the secretary for a general distinguish-
5 ing number, color or mark. The secretary may, if satis-
6 fied with the facts stated in the application, grant the ap-
7 plication and issue to the applicant a certificate of regis-
8 tration, containing the name, place of residence and ad-
9 dress of the applicant and the general distinguishing num-
10 ber, color or mark assigned to him and made in such form
11 as the secretary may determine; and all vehicles owned or
12 controlled by such manufacturer or dealer shall be regarded
13 as registered under such general distinguishing number, col-
14 or or mark until sold, exchanged, or operated for hire. The
15 annual fee for every such certificate of registration shall
16 be thirty dollars. The secretary shall furnish the manu-
17 facturer or dealer with three pairs of registration num-
18 ber plates free of cost; and there may be issued to any
19 such applicant two similar pairs of plates, in addition to
20 the three pairs so issued, upon payment of ten dollars for
21 each such additional pair; and upon payment of five dol-

22 lars per pair additional plates shall be furnished. Extra
23 registration plates shall be furnished to replace lost or mu-
24 tilated plates for seventy-five cents each. Single plates shall
25 be furnished for trailers. On applications for registration,
26 or for additional plates applied for by said manufacturers
27 or dealers during the period between the first day of Octo-
28 ber and the thirty-first day of December in any year, one-
29 half of the registration fee shall be charged. No motor
30 truck, tractor or trailer registered under this section shall
31 be used for other than demonstration or emergency pur-
32 poses.

Sect. 54. Every manufacturer or dealer in motor cycles
2 shall annually pay a fee of fifteen dollars for a registration
3 certificate to handle, demonstrate, sell and exchange mo-
4 tor cycles. The secretary shall furnish the manufacturer
5 of, or dealer in, motor cycles with three sets of distinguish-
6 ing plates free of cost, and additional sets for five dollars
7 per set. For every plate in addition to the three originally
8 furnished to the manufacturer or dealer in motor cycles,
9 to replace lost or mutilated plates, fifty cents shall be
10 charged.

Sect. 55. Every manufacturer or dealer in motor vehicles
2 shall pay to the secretary the required registration fee for
3 the succeeding year on or before the thirty-first day of
4 December annually; provided, that any manufacturer or
5 dealer commencing business after the first day of January
6 of any year shall pay the fee at the time of commencing
7 business.

Sect. 56. Any person engaged in the business of carrying
2 on a motor vehicle service station or repair shop may make
3 application under oath to the secretary for a special license
4 to move and operate any unregistered motor vehicle or
5 trailer, not his own, to and from any service station or
6 repair shop for the purpose of making repairs or perform-
7 ing other labor on said vehicle, and delivering it to the
8 owner. The secretary may grant the application if satis-
9 fied of the facts therein stated, and upon payment of a fee
10 of ten dollars issue to the applicant an annual license con-
11 taining the name and business address of the licensee, to-
12 gether with one set of number plates of a distinguishing
13 color or design. Such plates when conspicuously attached
14 to each end of any such vehicle shall authorize its opera-
15 tion by any licensed operator of motor vehicles over ways
16 and bridges for the purposes herein specified. After the
17 first day of October one-half of such fee shall be charged.

Sect. 57. Whenever a manufacturer or dealer sells or ex-
2 changes a motor vehicle or trailer, he shall immediately
3 notify the secretary that the vehicle has been sold or ex-
4 changed, giving a description of the vehicle, name of maker,
5 name of make, if possible, horsepower and name and ad-
6 dress of the vendee.

Sect. 58. All registrations of vehicles, all certificates of
2 registration and number plates, and all licenses to operate
3 motor vehicles shall terminate and become void at mid-
4 night on the thirty-first day of December of each year;
5 and no person shall operate any motor vehicle on or after

6 the first day of January of any year unless then duly
7 licensed to operate such vehicle for such year.

Sect. 59. Upon the transfer of ownership of any motor
2 vehicle or trailer, its registration shall expire and the per-
3 son in whose name such vehicle or trailer is registered shall
4 forthwith return the certificate of registration to the sec-
5 retary with a written notice containing the date of the
6 transfer of ownership and the name, place of residence and
7 address of the vendee, and a description of the vehicle.

Sect. 60. Whoever transfers the ownership or discon-
2 tinues the use of a registered motor vehicle or trailer and
3 applies to the secretary for registration of another motor
4 vehicle or trailer in the same calendar year, shall be en-
5 titled to a certificate of registration permitting the use of
6 the same number plates thereon upon payment of a fee of
7 two dollars, provided the horsepower or rating is the same
8 as that of the former vehicle; but if the horsepower or
9 rating of the vehicle to be registered is greater he shall
10 pay the difference between the fee paid by him for the
11 vehicle first registered and the fee for the vehicle of greater
12 horsepower or rating. Whoever exchanges or discontinues
13 the use of a motor vehicle or trailer before the first day
14 of August in any year and procures a certificate of regis-
15 tration, paying therefor a fee of two dollars, shall if the
16 vehicle registered in its stead is of less horsepower or rating
17 than the former vehicle, be entitled to a rebate of one-half
18 the difference between the registration fee of said former
19 vehicle and the registration fee for such vehicle received

20 in exchange. Whoever transfers the ownership or dis-
21 continues the use of a motor cycle and applies for the
22 registration of another motor cycle within the same calen-
23 dar year, shall pay for the registration certificate thereof
24 a fee of one dollar, which fee shall include the number
25 plate. The certificate issued for the registration of the for-
26 mer vehicle shall be returned to the secretary, who shall
27 cause an endorsement to be stamped upon the original cer-
28 tificate and also upon the duplicate certificate upon file in
29 its office, showing that the ownership of such vehicle has
30 been transferred or its use discontinued and that the reg-
31 istration has been cancelled.

Sect. 6I. The commission shall prepare rules and regula-
2 tions from time to time governing the adjustment, use and
3 operation of lights on vehicles and governing the sufficiency
4 and adjustment of brakes; and may from time to time alter,
5 rescind or add to any rules and regulations previously made.

No person shall equip his vehicle with, use or sell any
2 lens, reflector or lighting device designed for use on vehi-
3 cles on public ways contrary to this act or contrary to such
4 rules and regulations of the commission. The rules and
5 regulations of the commission and any changes therein
6 shall take effect when approved by the governor and coun-
7 cil and published at least once in each daily newspaper in
8 the state. The certificate of the commission or its secre-
9 tary shall be received as prima facie evidence in any court
10 of law to prove that such rules and regulations have been
11 enacted as herein provided. The commission may also make

12 rules and regulations not inconsistent with this act or other
13 laws of the state, found needful to administer the provi-
14 sions of this act. Such rules and regulations shall be ap-
15 proved and published, and may be proved in court, as above
16 provided.

Sect. 62. No motor vehicle shall be operated upon any
2 way of this state at a rate of speed exceeding fifteen miles
3 an hour within the compact or built-up portions of any
4 city, town or village. If the rate of speed of a motor ve-
5 hicle operated upon any way of this state exceeds twenty-
6 five miles per hour in the open country outside of the com-
7 pact or built-up portions of any city, town or village, such
8 rate of speed shall be prima facie evidence that the per-
9 son operating such vehicle is operating the same at a rate
10 of speed greater than is reasonable and proper, and in vio-
11 lation of the provisions of this section, and the burden of
12 proof shall be upon the person operating said motor vehi-
13 cle to show that such rate of speed was not greater than
14 was reasonable and proper as above set forth. Provided,
15 however, that no motor vehicle shall be operated upon any
16 way of this state at a rate of speed greater than thirty-five
17 miles per hour under any circumstances or conditions, ex-
18 cept under permit granted by municipal officers in accord-
19 ance with the provisions of section sixty-four. The compact
20 or built-up portion of any city, town or village shall mean
21 the territory of a city, town or village contiguous to any
22 way, which is built up with structures devoted to business,
23 or where the dwelling houses are situated less than one

24 hundred and fifty feet apart for a distance of at least one-
25 quarter of a mile. No person shall be convicted of ex-
26 ceeding the rate of speed hereby established for any com-
27 pact or built-up portions unless said city, town or village
28 shall cause either the words "speed limit, fifteen miles,"
29 or the words and figures "speed limit, 15 miles," to be con-
30 spicuously displayed on sign boards along ways, and such
31 other signs as will clearly designate such compact or built-
32 up portion. No municipal officer or other person shall
33 erect or cause to be erected speed limit signs contrary to
34 this section, and if any such signs now exist, municipal
35 officers shall cause their removal.

Sect. 63. Whoever is arrested for violation of any pro-
2 visions of this act, except those of sections seventy-two,
3 seventy-three, seventy-four, eighty-four and eighty-seven,
4 shall be given an immediate trial if he shall so demand
5 of the officer making the arrest but if for any reason it
6 is impracticable to do so, the officer making the arrest
7 shall immediately take the prisoner before some bail com-
8 missioner, who before admitting him to bail, shall require
9 him to give his name, his place of residence, the number
10 of his license to operate a motor vehicle, and the regis-
11 tration number of the motor vehicle operated at the time
12 of his arrest, and shall make a record thereof on the bail
13 bond, and may take his personal recognizance for his ap-
14 pearance in court on a specified day, not less than two days
15 thereafter if requested by the person arrested; or such offi-
16 cer in like cases may accept the personal recognizance of

17 such person for his appearance as aforesaid. If such per-
18 son fails to appear in court on the day specified, either in
19 person or by counsel, the court shall notify the commis-
20 sion, who, in case the person is a resident of the state, shall
21 immediately suspend or revoke his license, and also sus-
22 pend or annul the registration of the motor vehicle driven
23 by such person when arrested.

Sect. 64. No person operating a motor vehicle on any
2 way shall drive at any speed greater than is reasonable,
3 safe and proper, having regard to the traffic and use of
4 the way by others, or so as to endanger life or limb. Racing
5 and reckless driving on any way is hereby forbidden. It
6 shall be prima facie evidence of a rate of speed greater
7 than is reasonably safe and proper, as aforesaid, if a motor
8 vehicle is operated in the built-up or compact portion of
9 any city or town at a rate of speed exceeding eight miles
10 per hour where the operator's view of the road traffic is
11 obstructed either upon approaching an intersecting way or
12 in traversing a crossing or intersection of ways, or in go-
13 ing around a corner or curve. Permits may be granted
14 by municipal officers after a public hearing thereon to
15 drive automobiles or motor cycles in hill climbing contests
16 during a specified time upon a certain way at any rate of
17 speed.

Sect. 65. Whoever, driving or operating a motor vehicle
2 upon any way, when approaching from the opposite direc-
3 tion a person riding, driving or leading a horse or other
4 animal which appears to be frightened, is signalled by put-

5 ting up of the hand or by other visible sign by such per-
6 son, shall cause such motor vehicle to come to a stop as
7 soon as possible and remain stationary as long as it may
8 be necessary and reasonable to allow such horse or animal
9 to pass. Whenever traveling in the same direction, the
10 person operating a motor vehicle shall use reasonable cau-
11 tion in passing horses or other animals and vehicles.

Sect. 66. Every motor vehicle shall be provided with
2 adequate brakes in good working order and sufficient to
3 control such vehicle at all times when the same is in use,
4 and a suitable and adequate horn or other device for sig-
5 nalling. No signalling device shall be unnecessarily sound-
6 ed in the thickly settled part of a city or town so as to
7 make a harsh, objectionable or unreasonable noise; except
8 in the case of fire and police department vehicles and am-
9 bulances. All motor vehicles shall be equipped with a
10 muffler of such construction and device as to prevent ex-
11 cessive noise. No person operating a motor vehicle shall
12 at any time open the muffler cut-out, nor permit the exhaust
13 to make any unnecessary noise.

Sect. 67. No equipment in the nature of a speed control-
2 ler or governor attached to a motor vehicle shall be re-
3 moved therefrom or tampered with so that such vehicle
4 may be operated at a greater rate of speed than is allowed
5 by such equipment; nor shall any vehicle whose equip-
6 ment is so tampered with or removed, be operated on any
7 way or bridge.

Sect. 68. Every motor vehicle and tractor on wheels shall
2 be equipped with lamps and lights as provided in this act,
3 of sufficient power and so adjusted and operated as to
4 enable its operator to proceed with safety to himself and
5 to other users of the ways under all ordinary conditions
6 of highway and weather. Said lamps and lights shall con-
7 form to and operate in accordance with the rules and reg-
8 ulations promulgated from time to time by the commis-
9 sion, as provided in this act, and shall be lighted during
10 the period from one-half hour after sunset to one-half hour
11 before sunrise; except as provided in section sixty-nine.

Every motor vehicle and tractor on wheels shall have
2 mounted on the right and left sides of the front thereof
3 a pair of lamps each of approximately equal candle-power,
4 and every motor cycle shall have mounted on the front
5 thereof one lamp. If any such vehicle is so mechanically
6 constructed, governed or controlled that it cannot exceed
7 a speed of fifteen miles per hour, it shall have front lamps
8 capable of furnishing light of sufficient candle-power to
9 render any substantial object clearly discernible on a level
10 way at least fifty feet directly ahead and at the same time
11 at least seven feet to the right of the axis of such vehicle
12 for a distance of at least twenty-five feet. If said vehicles
13 can exceed a speed of fifteen miles per hour, then they
14 shall have front lamps capable of furnishing light of suffi-
15 cient candle-power to render any substantial object clear-
16 ly discernible on a level way at least two hundred feet di-
17 rectly ahead and at the same time at least seven feet to

18 the right of the axis of such vehicle for a distance of at
19 least one hundred feet; provided that no front lamp capable
20 of furnishing more than four candle-power light shall be
21 used if equipped with a reflector, unless so designed,
22 equipped or mounted that no portion of the beam of light
23 when projected seventy-five feet or more ahead of the lamps
24 shall rise above a plane forty-two inches higher than and
25 parallel with the level surface on which the vehicle stands;
26 and provided, further, that no electric bulb or other light-
27 ing device of a greater capacity than thirty-two candle-
28 power shall be used, no matter how the same may be shaded,
29 covered or obscured.

Every trailer, when operated at night shall carry at the
2 front of its left side one lamp capable of throwing a white
3 light visible from both sides of such vehicle; excepting,
4 however, small two-wheel trailers of one thousand pounds
5 capacity or less, towed closely behind a motor vehicle, whose
6 overall length, including towing vehicle and load, does not
7 exceed thirty feet.

Every such motor vehicle, tractor and trailer, shall have
2 on the rear thereof, and to the left of the axis thereof, one
3 lamp capable of displaying a red light visible for a distance
4 of at least one hundred feet behind such vehicle; provided
5 that when a vehicle is used in conjunction with another
6 vehicle or vehicles, only the last of such vehicles shall be
7 required to carry such lamp. Every such motor vehicle,
8 tractor and trailer shall carry a lamp illuminating with white
9 light the rear registration plate of such vehicle so that the

10 characters thereon shall be visible for a distance of at least
11 fifty feet.

Sect. 69. Every vehicle on wheels, whether stationary or
2 in motion, on any way or bridge shall have attached to it
3 a light or lights so displayed as to be visible from the front
4 and rear thereof during the period from one-half hour after
5 sunset to one-half hour before sunrise; provided, however,
6 that this section shall not apply to any vehicle which is de-
7 signed to be propelled by hand, nor to any vehicle not in
8 motion and parked or beside a curb in a place and under
9 conditions where there is sufficient artificial light to make
10 such vehicle clearly visible from a distance not less than
11 one hundred feet in each direction.

Sect. 70. Every vehicle carrying objects which project
2 more than five feet from the rear shall, during the period
3 of one-half hour after sunset to one-half hour before sun-
4 rise, carry a red light at or near the rear end of the ob-
5 jects so projecting, and at all other times such vehicle
6 shall carry a danger signal at or near the end of the object
7 so projecting. Trailers having more than two wheels shall
8 be connected to the towing vehicle or preceding trailer by
9 at least one chain, in addition to the hitch bar, of sufficient
10 strength to hold the trailer on a hill if the hitch bar be-
11 comes disconnected, or shall be provided with some other
12 adequate holding device.

Sect. 71. Municipal officers may designate places on any
2 way where in their judgment by reason of cliffs, embank-
3 ments or other exceptional natural conditions, the meeting

4 of motor vehicles and horses or other animals would be
5 attended with unusual danger, by causing the words "Au-
6 tomobiles go slow" to be conspicuously displayed on signs
7 on each approach to such place not less than one hundred
8 and fifty feet distant therefrom. No motor vehicle shall
9 pass any place so designated at a greater speed than ten
10 miles an hour.

Sect. 72. Whoever operates a motor vehicle upon any
2 way recklessly, so that lives or safety of the public are in
3 danger, or upon a bet, wager or race, or for the purpose
4 of making a record, thereby violating the speed regulations,
5 or whoever goes away without stopping and making him-
6 self known after causing injury to any person or property,
7 or uses a motor vehicle without authority from its owner,
8 shall be punished by a fine of not more than fifty dollars,
9 or by imprisonment for a term not exceeding three months,
10 or by both fine and imprisonment; and if any person be
11 convicted the second time for a violation of this section,
12 he shall be punished by a fine of one hundred dollars, or
13 by imprisonment for not more than one year.

Sect. 73. If any motor vehicle is so driven in a reckless
2 manner or by a person apparently under the influence of
3 intoxicating liquor or drugs, it shall be the duty of every
4 officer who is charged with the enforcement of law and
5 of every citizen, to forthwith report the same to the com-
6 mission, giving the register number of the vehicle, the state
7 registering the same, and the name and residence of the
8 operator or owner, if known. Upon receipt of such com-

9 9. The commission shall forthwith investigate the case
10 and may suspend or revoke the license of such operator,
11 or, if a non-resident, his right to operate in this state, and
12 annul the registration of any vehicle so operated, for such
13 time as it shall deem advisable. No person whose license
14 to operate a motor vehicle has been revoked upon conviction
15 of violating sections seventy-two, seventy-three and
16 seventy-four of this act, shall again be licensed or permitted
17 to operate a motor vehicle in this state for three
18 years; provided, however, that after one year if the commission
19 on petition and after hearing shall determine that
20 public safety will not be endangered by issuing a new license
21 or permit, with or without conditions attached thereto, a
22 new license or permit may then be so issued. If any person
23 convicted of any violation of the provisions of this
24 act shall appeal from the judgment and sentence of the trial
25 court, his license and right to operate a motor vehicle in
26 this state shall be suspended during the time his appeal is
27 pending in the appellate court, unless the trial court shall
28 otherwise order, or unless the commission, after a hearing,
29 shall restore the license or permit pending decision on the
30 appeal.

Sect. 74. No person shall operate or attempt to operate
2 a motor vehicle when intoxicated or at all under the influence
3 of intoxicating liquor or drugs. Whoever violates
4 the foregoing provision shall be punished upon conviction
5 by a fine of not less than one hundred dollars nor more
6 than one thousand dollars or by imprisonment for not less

7 than thirty days nor more than one year, or by both fine
8 and imprisonment. The license of any person convicted of
9 violating the provisions of this section shall be immediately
10 revoked by the commission upon receipt of an attested copy
11 of the court records, without further hearing. Any per-
12 son convicted of a second or subsequent offense shall be
13 punished by imprisonment for not less than three months
14 nor more than one year and his license to operate shall be
15 revoked by the commission. A copy of sections seventy-
16 two, seventy-three and seventy-four shall be printed on
17 every operator's license.

Sect. 75. Any motor vehicle, except a truck, tractor or
2 trailer, used for commercial purposes as specified in sec-
3 tion thirty-four, owned by a non-resident of this state who
4 has complied with the laws of the state of his residence
5 relating to registration and licensing of motor vehicles, and
6 who has a bona fide actual residence in a state granting like
7 privileges to residents of this state, which residence is lo-
8 cated within fifteen miles by highway of the border line
9 of this state, may be operated upon any highways of this
10 state distant not more than fifteen miles from said border
11 line, if such motor vehicle is duly registered in the state
12 of its owner's residence and the fee required therefor is
13 paid and such motor vehicle is duly registered by the sec-
14 retary. The secretary shall furnish, upon payment of two
15 dollars, to every person whose motor vehicle is registered
16 as aforesaid, a metal tag of such design and shape as the
17 secretary may prescribe, having displayed upon it the num-

18 ber assigned to such motor vehicle, the letters "Me." and
19 figures showing the year of issue; but no such tag shall
20 be furnished for motor cycles. Such tag shall at all times
21 be conspicuously displayed on the front of such motor ve-
22 hicle, in addition to its register number plates. Application
23 for registration under the provision of this section shall
24 be verified by the oath of the applicant and shall be made
25 upon blanks furnished by the secretary. The application
26 shall, in addition to such other particulars as may be re-
27 quired by said secretary, contain a statement of the name,
28 place of residence and address, together with a brief de-
29 scription of the motor vehicle, which shall include the mak-
30 er's number and the registration number which has been
31 assigned to it in the state of the owner's residence. The
32 secretary, upon granting the application, shall register in
33 a book or upon suitable index cards to be kept for that pur-
34 pose, the motor vehicle described in the application and
35 thereupon shall issue to the applicant a certificate of reg-
36 istration, which shall contain such facts and which shall
37 be in such form as the secretary may determine. Every
38 registration under the provisions of this section shall ex-
39 pire with each calendar year.

Sect. 76. The secretary shall publish or cause to be pub-
2 lished in pamphlet form each calendar month a list of all
3 certificates of registration issued during the previous month,
4 together with the registration numbers assigned and, if mo-
5 tor vehicles, any other information he deems to be of pub-
6 lic interest. He shall furnish such lists, free of charge, to

7 such public officials of the state as make written applica-
8 tion therefor; and to all other persons applying, at a price
9 per copy calculated by it to approximately cover the cost
10 of publication. He shall also publish an abstract of stat-
11 utes pertaining to motor vehicles and the law of the road
12 and rules and regulations made by the commission pertain-
13 ing to the administration of its duties and the duties of the
14 secretary under this act, together with such other informa-
15 tion as he deems helpful, to public safety and the better reg-
16 ulation of traffic.

Sect. 77. Whenever the owner has once registered a mo-
2 tor vehicle, under the provisions of this act, the secretary
3 shall, at the request of such owner, allow him to keep and
4 use the same number plates for the entire calendar year for
5 which the plates were issued, provided he complies with the
6 other provisions of the motor vehicle law. The secretary
7 shall reserve until December first of each year the same
8 registration number for the succeeding year for persons
9 having registration numbers two to three thousand for pleas-
10 ure vehicles, and numbers one to five hundred for commer-
11 cial vehicles, if such person shall, previous to the first day
12 of December of the current year, pay for the registration
13 of his vehicle for the succeeding year and otherwise com-
14 ply with the provisions of the motor vehicle law.

Sect. 78. The inspectors of the commission, when in uni-
2 form, and all police officers in uniform may at all times,
3 with or without process, stop any motor vehicle to examine
4 identification numbers and marks thereon, raising the hood

5 or engine cover if necessary to accomplish this purpose,
6 and may demand and inspect the driver's license, registra-
7 tion certificate and permits. Whenever a motor vehicle is
8 being operated by a person not having upon his person or
9 in such vehicle the registration certificate covering such ve-
10 hicle, or if it be operated by a person other than the per-
11 son in whose name it is registered, and such operator is
12 unable to present evidence of his authority to operate such
13 motor vehicle, such inspector or police officer, or any sheriff
14 or his deputy, may impound such vehicle and hold it until
15 the same is claimed and taken by the registered owner there-
16 of, who shall be forthwith notified of the impounding. Said
17 officers if wearing a badge may also at all times, with or
18 without process, and with or without uniform, enter public
19 garages, parking places and buildings where motor vehicles
20 are stored or kept, for the purpose of examining identifica-
21 tion numbers and marks thereon and may also examine any
22 vehicle standing in any public way or place.

Any such officer may in like manner and under like cir-
2 cumstances examine any vehicle to ascertain whether its
3 equipment complies with the requirements of this act.

Sect. 79. Whenever the secretary shall receive report of
2 the theft of a motor vehicle, whether the same be registered
3 or not, and whether owned in this or any other state, to-
4 gether with a description of the same, he shall make a dis-
5 tinctive record thereof and cause the same to be properly
6 filed, and shall promptly report by mail or otherwise the
7 theft of said vehicle to the motor vehicle commissioner or

8 departments of such states of the United States and prov-
9 inces of the Dominion of Canada as he deems needful, giv-
10 ing a complete description of the vehicle, including the
11 name and post office address of the person reporting the
12 theft.

Sect. 80. Whenever the owner of a vehicle previously
2 reported as stolen shall recover it, he shall notify the sec-
3 retary that the vehicle has been recovered, and the secre-
4 tary shall remove or cancel his record of theft and notify
5 each of said foreign motor vehicle departments of such
6 recovery.

Sect. 81. Whenever the secretary shall receive an appli-
2 cation for registration of a vehicle previously reported as
3 stolen, he shall notify the owner of such vehicle as shown
4 by the records of his office; and unless registration has
5 already been issued, he may withhold registration until
6 further investigation.

Sect. 82. No person shall operate a motor vehicle after
2 his license to operate has been suspended or revoked, or
3 operate or permit any other person to operate a vehicle
4 while the certificate of registration of such vehicle is sus-
5 pended or after it has been terminated or cancelled, or
6 attach or permit to be attached to a vehicle a number plate
7 assigned to another vehicle, or obscure or permit to be
8 obscured the figures of any number plate attached to any
9 vehicle, or fail to properly display on a vehicle the number
10 plates and registration number duly issued therefor.

Sect. 83. All registration number plates, issued by the

2 secretary, shall continue to be the property of the state,
3 and the person to whom the same are issued shall surren-
4 der the same, on demand of the secretary, whenever his
5 registration certificate is suspended or revoked. Whoever
6 steals, takes or carries away any register number plate
7 from any person entitled to its possession shall be liable
8 to the penalty provided in section ninety-five.

Sect. 84. Whoever shall deceive or substitute, or cause
2 another to deceive or substitute in connection with any ex-
3 amination required hereunder, or shall knowingly make use
4 of any registration certificate, number plate or operator's
5 license or badge issued upon an application containing any
6 material false statement of fact, shall be liable to the pen-
7 alty provided in section ninety-five of this act; and every
8 such certificate, license plate or badge shall be void from
9 the date of its issue, and shall be surrendered to the sec-
10 retary upon demand, and any moneys paid for the same
11 shall be forfeited to the state.

Sect. 85. No person shall operate or cause to be operated
2 any truck, tractor or trailer with a load that is more than
3 twenty per cent above that specified in the registration cer-
4 tificate issued for such vehicle.

Sect. 86. Whoever while operating a vehicle not lighted
2 or equipped as required by any of the provisions of this
3 act, shall fail or refuse when requested by an officer au-
4 thorized to make arrests to give his correct name and ad-
5 dress, shall be liable to the penalty provided in section
6 ninety-five.

Sect. 87. Whoever knowingly buys, sells, receives, dis-
2 poses of, aids in the disposal of, conceals or has in his
3 possession any motor vehicle from which the manufact-
4 urer's serial number or any other distinguishing number
5 or identification mark has been removed, defaced, covered,
6 altered or destroyed for the purpose of concealment or
7 misrepresenting the identity of said vehicle, shall be fined
8 not more than one thousand dollars or imprisoned not more
9 than one year, or both.

Sect. 88. No person shall operate upon any public way
2 any taxicab, commercial motor vehicle, motor truck or
3 trailer so constructed, equipped, loaded or used that the
4 driver or operator is prevented from having a constantly
5 free and unobstructed view of the highway immediately
6 in the rear, unless there is attached to the vehicle a mirror
7 or reflector so placed and adjusted as to afford the operator
8 a clear, reflected view of the highway in the rear of the
9 vehicle, for a distance of at least fifty feet. Such mirror
10 or reflector shall measure at least six inches in diameter
11 or length.

Sect. 89. There shall not be used on or in connection
2 with any motor vehicle a spot light, so-called, the rays
3 from which shine more than two feet above the road at
4 a distance of thirty feet from the vehicle, except that such
5 spot light may be used for the purpose of reading signs,
6 and as an auxiliary light in cases of necessity when the
7 other lights required by law fail to operate.

Sect. 90. Subject to the provisions of the several sections of this act, vehicles of every kind or description may be operated on the ways of this state unless prohibited or restricted by special law or town ordinance duly authorized by legislative act prohibiting or restricting the use of motor vehicles in certain towns, or by the rules, orders and regulations promulgated by the commission under authority of this act.

Sect. 91. Assessors of cities, towns and plantations shall annually, on or before the first day of June, make return to the secretary of all persons owning vehicles subject to registration as appears on their assessment books.

Sect. 92. All fees and moneys received by the secretary under the preceding sections shall be turned over to the treasurer of state as provided in section twenty-six of this act and shall be appropriated and used for the administration of the office and duties of the commission as provided by general law, including the expenses of administering the motor vehicle department and the licensing of operators and registration of vehicles, and for the repair and maintenance of state aid highways under the direction of the commission and to meet all provisions of the bond issues for highway construction as heretofore provided by statute.

Sect. 93. Municipal and police courts and trial justices in their respective counties shall have concurrent jurisdiction with the supreme judicial and superior courts over all prosecutions for all violations of the provisions of this act.

5 All fines imposed and collected under this act shall be trans-
6 mitted to the commission and applied as provided in sec-
7 tion ninety-two.

Sect. 94. In case any section or provision of this act shall
2 be questioned in any court and shall be held to be uncon-
3 stitutional or invalid, the same shall not be held to affect
4 any other provision or section of this act.

Sect. 95. Whoever violates or fails to comply with the
2 provisions of any section of this act, or any rules or reg-
3 ulations established thereunder, except when such section
4 therein specifies the penalty, shall be subject to a fine not
5 exceeding one hundred dollars, or to imprisonment not ex-
6 ceeding ninety days, or both.

Sect. 96. All lawful registrations, licenses, orders and acts
2 of the secretary of state and of the public utilities com-
3 mission existing when this act takes effect, shall be and
4 remain effective for the full term for which they were
5 granted or made, and shall be considered of the same legal
6 force and effect and duration as if granted or made under
7 the provisions of this act: subject, however, to suspension,
8 revocation, change or repeal by the appropriate officials
9 created or existing under authority of this act, for any vio-
10 lation of law.

Sect. 97. The secretary of state is hereby authorized to
2 remove and destroy all records and papers in his office per-
3 taining to the registration of motor vehicles and the issu-
4 ance of operators' licenses which are more than five years

5 old and are not now in use, and which in his judgment are
6 no longer of value.

Sect. 98. Chapters fifty-three, fifty-four, one hundred and
2 seventy-one, two hundred and thirteen, two hundred and
3 thirty-four, two hundred and fifty-six, two hundred and
4 seventy-two and two hundred and eighty-seven of the pub-
5 lic laws of nineteen hundred and seventeen, chapter two
6 hundred and eleven of the public laws of nineteen hundred
7 and nineteen, chapter two hundred and forty-two of the
8 public laws of the special session of the seventy-ninth leg-
9 islature for the year nineteen hundred and nineteen, and
10 chapter twenty-six of the revised statutes and all acts and
11 parts of acts inconsistent therewith, are all hereby repealed.
12 Provided, however, that all fees for the registration of mo-
13 tor vehicles and for licensing operators now provided by
14 said laws shall continue unchanged until the first day of
15 January, nineteen hundred and twenty-two; and the fees
16 established for vehicles and operators under this act shall
17 become effective on said first day of January.

All acts and parts of acts inconsistent herewith are hereby
2 repealed.