

# MAINE STATE LEGISLATURE

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# EIGHTY-SECOND LEGISLATURE

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**S. P. No. 198**

**S. D. No. 82**

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In Senate, February 13, 1925.

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

ROYDEN V. BROWN, Secretary.

Presented by Senator Foster of Kennebec.

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## STATE OF MAINE

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

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AN ACT to Amend Chapter Two Hundred Eleven of the  
Public Laws for the Year Nineteen Hundred Twenty-one,  
Relating to Motor Vehicles.

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

Section 1. Chapter two hundred eleven of the public laws  
2 of nineteen hundred twenty-one, as amended by the public  
3 laws of nineteen hundred twenty-three, is hereby further  
4 amended by striking out section seven, in said chapter, and  
5 inserting in place thereof the following: 'Whoever oper-  
6 ates a motor vehicle shall at the intersection of ways keep  
7 to the right of the intersection of the center lines of the  
8 traveled part of such ways when turning to the right, and  
9 pass to the right of such intersection when turning to the

10 left, except when traffic officers otherwise direct traffic. No  
11 operator shall pass a moving vehicle from the rear, (a)  
12 while ascending a hill, nor (b) while driving upon a curve,  
13 when in either case the view ahead is in any way obscured,  
14 nor (c) while crossing an intersecting way.'

Sect. 2. Said chapter is further amended by striking out  
2 the word "ten" in the fourth line of section forty-two, and  
3 inserting in place thereof the word 'thirty,' so that said  
4 section as amended, shall read as follows:

'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  
5 period not exceeding thirty days, in which case the magis-  
6 trate shall take up the license certificate of such person,  
7 who shall forthwith surrender the same, and forward it  
8 by registered mail to the commission. It may thereupon  
9 grant a hearing and take such further action relative to  
10 suspending, revoking or restoring such license or the regis-  
11 tration of the vehicle operated thereunder as it deems nec-  
12 essary.'

Sect. 3. Section sixty-nine of the same chapter is hereby  
2 amended by striking out in the first line thereof, the words  
3 "on wheels," so that said section as amended, shall read as  
4 follows:

'Sect. 69. Every vehicle, whether stationary or in motion,  
2 on any way or bridge shall have attached to it a light or

3 lights so displayed as to be visible from the front and rear  
4 thereof during the period from one-half hour after sun-  
5 set to one-half hour before sunrise; provided, however, that  
6 this section shall not apply to any vehicle which is designed  
7 to be propelled by hand, nor to any vehicle not in motion  
8 and parked or beside a curb in a place and under conditions  
9 where there is sufficient artificial light to make such vehicle  
10 clearly visible from a distance not less than one hundred  
11 feet in each direction.'

Sect. 4. Section sixty-eight of the same chapter is hereby  
2 amended by adding at the end of the first paragraph there-  
3 of, the following: 'Each lamp and light required under this  
4 section shall be at all times in proper working order and  
5 condition, when such motor vehicle is upon the highway,'  
6 so that said paragraph as amended, shall read as follows:

'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 en-  
4 able its operator to proceed with safety to himself and to  
5 other users of the ways under all ordinary conditions of  
6 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 commission,  
9 as provided in this act, and shall be lighted during the period  
10 from one-half hour after sunset to one-half hour before sun-  
11 rise; except as provided in section sixty-nine. Each lamp  
12 and light required under this section shall be at all times in

13 proper working order and condition, when such motor ve-  
14 hicle is upon the highway.

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 clearly  
16 discernible on a level way at least two hundred feet directly  
17 ahead and at the same time at least seven feet to the right  
18 of the axis of such vehicle for a distance of at least one  
19 hundred feet; provided that no front lamp capable of fur-  
20 nishing more than four candle-power light shall be used if  
21 equipped with a reflector, unless so designed, equipped or  
22 mounted that no portion of the beam of light when pro-  
23 jected seventy-five feet or more ahead of the lamps shall  
24 rise above a plane forty-two inches higher than and par-  
25 allel with the level surface on which the vehicle stands;

26 and provided, further, that no electric bulb or other lighting  
27 device of a greater capacity than thirty-two candle-power  
28 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,  
3 one lamp capable of displaying a red light visible for a  
4 distance of at least one hundred feet behind such vehicle:  
5 provided that when a vehicle is used in conjunction with  
6 another vehicle or vehicles only the last of such vehicles  
7 shall be required to carry such lamp. Every such motor  
8 vehicle, tractor and trailer shall carry a lamp illuminating  
9 with white light the rear registration plate of such vehicle  
10 so that the characters thereon shall be visible for a distance  
11 of at least fifty feet.'

Sect. 5. Section sixty-two of the same chapter is hereby  
2 amended by adding after the words "sixty-four" the fol-  
3 lowing: 'The limitation of the rate of speed of motor ve-  
4 hicles shall not apply to the inspectors mentioned in sec-  
5 tion twenty-five of this chapter, when such inspectors are

6 in pursuit of persons violating speed regulations or for the  
7 purpose of overtaking motor vehicles to make arrests or  
8 for any other purpose when necessary, in the actual per  
9 formance of their duties as such officers,' so that said sec-  
10 tion, as amended, shall read as follows:

'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 city,  
4 town or village. If the rate of speed of a motor vehicle  
5 operated upon any way of this state exceeds twenty-five  
6 miles per hour in the open country outside of the compact  
7 or built-up portions of any city, town or village, such rate  
8 of speed shall be prima facie evidence that the person oper-  
9 ating such vehicle is operating the same at a rate of speed  
10 greater than is reasonable and proper, and in violation of  
11 the provisions of this section, and the burden of proof shall  
12 be upon the person operating said motor vehicle to show  
13 that such rate of speed was not greater than was reason-  
14 able and proper as above set forth. Provided, however,  
15 that no motor vehicle shall be operated upon any way of  
16 this state at a rate of speed greater than thirty-five miles  
17 per hour under any circumstances or conditions, except un-  
18 der permit granted by municipal officers in accordance with  
19 the provisions of section sixty-four. The limitation of the  
20 rate of speed of motor vehicles shall not apply to the in-  
21 spectors mentioned in section twenty-five of this chapter,  
22 when such inspectors are in pursuit of persons violating

23 speed regulations or for the purpose of overtaking motor  
24 vehicles to make arrests or for any other purpose when  
25 necessary in the actual performance of their duties as such  
26 officers. The compact or built-up portion of any city, town  
27 or village shall mean the territory of a city, town or village  
28 contiguous to any way, which is built up with structures  
29 devoted to business, or where the dwelling houses are situ-  
30 ated less than one hundred and fifty feet apart for a dis-  
31 tance of at least one-quarter of a mile.

No person shall be convicted of exceeding the rate of  
2 speed hereby established for any compact or built-up por-  
3 tions unless said city, town or village shall cause either the  
4 words "speed limit, fifteen miles," or the words and figures  
5 "speed limit, 15 miles," to be conspicuously displayed on  
6 sign boards along ways, and such other signs as will clearly  
7 designate such compact or built-up portion. No municipal  
8 officer or other person shall erect or cause to be erected  
9 speed limit signs contrary to this section, and if any such  
10 signs now exist, municipal officers shall cause their re-  
11 moval.'

Sect. 6. Said chapter is further amended by adding the  
2 following:

'Sect. 100. The operator, whether resident or non-resi-  
2 dent, of any motor vehicle involved in an accident resulting  
3 in personal injury or damage to property to an apparent  
4 extent in excess of ten dollars, within twenty-four hours  
5 thereafter, shall make a written report of the circumstances

6 thereof to the commission and shall supplement such re-  
7 port by a detailed statement, under oath, on blanks to be  
8 provided by the commission which shall be as nearly accu-  
9 rate as may be ascertained and shall state the time, place  
10 and cause of such accident, the injuries occasioned thereby  
11 and such further facts as the commission may require. The  
12 commission may make such investigation of such accident  
13 as shall seem to it advisable, and for such purpose it may  
14 require the assistance of the state police. The commission  
15 shall take such action as may be necessary to enforce a  
16 strict compliance with the provisions of this section. Any  
17 person who shall fail to make a report as required by the  
18 provisions of this section shall be fined not more than fifty  
19 dollars.

‘Sect. 101. No operator shall permit the front seat of  
2 the motor vehicle which he is operating, to be overcrowded  
3 so as to interfere in any manner with the proper operation  
4 of said vehicle.’

Sect. 7. Section one hundred as the same now appears  
2 in said chapter is hereby renumbered one hundred and two..