

# MAINE STATE LEGISLATURE

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EIGHTY-SECOND LEGISLATURE

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S. P. No. 317

S. D. No. 119

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In Senate, Feb. 24, 1925.

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

ROYDEN V. BROWN, Secretary.

Presented by Senator Cram of Cumberland.

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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 One Hundred Eighty-four of the Public Laws of Nineteen Hundred and Twenty-one, as Amended by Chapter Two Hundred and Eleven of the Laws of Nineteen Hundred and Twenty-three, Relating to the Supervision, Regulation and Conduct of the Transportation of Persons Over the Public Highways of the State of Maine by Automobiles, Jitney Busses and Auto Stages by the Public Utilities Commission.

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

Chapter one hundred and eighty-four of the public laws  
2 of nineteen hundred and twenty-one, as amended by chapter  
3 two hundred and eleven of the public laws of nineteen hun-

4 dred and twenty-three is hereby amended by striking out  
5 section six thereof and adding a new section six and addi-  
6 tional sections, as follows:

‘Sect. 6. Every person, firm or corporation operating any  
2 motor vehicle or trailer under the provisions of this chapter  
3 shall keep an accurate record of the mileage, of the number  
4 of trips made, number of passengers carried, of the receipts  
5 from operation, operating and other expenses, etc., and shall  
6 file with the commission at such times and in such form as  
7 it may prescribe, reports duly verified, covering the period  
8 fixed by the commission. The commission shall prescribe  
9 the character of the information to be embodied in such  
10 reports and furnish a blank form therefor.

Sect. 7. The secretary of state shall not register any motor  
2 vehicle or trailer subject to the supervision and control of  
3 the public utilities commission, and the public utilities com-  
4 mission shall not issue a certificate permitting the operation  
5 of such motor vehicle or trailer, and no person or persons  
6 shall operate or cause to be operated upon any public high-  
7 way any such motor vehicle or trailer until the owner or  
8 owners thereof shall have procured insurance or a bond  
9 having a surety company authorized to transact business in  
10 this state as surety thereon, which insurance or surety bond  
11 shall indemnify the insured against any legal liability for  
12 personal injury, the death of any person or property dam-  
13 age, which injury, death or damage may result from or  
14 have been caused by the use or operation of the motor vehicle

15 or trailer described in the contract of insurance or such bond.

Sect. 8. The amount of insurance or of such bond which  
2 each motor vehicle or trailer owner shall carry as insurance  
3 or indemnity against claims for personal injury or death  
4 shall be determined upon the basis of five hundred dollars  
5 for each passenger which each motor vehicle or trailer de-  
6 scribed in the contract of insurance or such bond, as the  
7 case may be, may carry under the provisions of the general  
8 statutes; provided no such policy or bond shall indemnify  
9 the insured in an amount less than five thousand dollars in  
10 the event the carrying capacity of such motor vehicle or  
11 trailer as prescribed by law shall be sixteen or less, provided  
12 the maximum indemnity of such policy or bond need not  
13 be more than ten thousand dollars and provided that in the  
14 event such carrying capacity shall exceed sixteen passengers,  
15 the maximum indemnity need not exceed twenty thousand  
16 dollars, and such policy or such bond shall indemnify the  
17 assured against legal liability resulting from property dam-  
18 age to the amount of one thousand dollars.

Sect. 9. Any company issuing any such insurance or in-  
2 demnity bond shall file with the secretary of state and public  
3 utilities commission a certificate in such form as said sec-  
4 retary shall prescribe, and no such insurance or bond shall  
5 lapse, expire or be cancelled while the registration is in force  
6 until at least ten days' written notice shall have been given  
7 the secretary of state and public utilities commission of an  
8 intention to cancel, and until said secretary shall have ac-

9 cepted other insurance or indemnity bond and shall have  
10 notified the person or company seeking to cancel such in-  
11 surance or bond that such other insurance or bond has been  
12 accepted or that the public service registration of the motor  
13 vehicle or trailer described in such insurance policy or bond  
14 has been cancelled and the number plates of such motor  
15 vehicle or trailer described in such insurance or bond have  
16 been returned to the secretary of state.

Sect. 10. Any person sustaining bodily injuries, or injury  
2 to or destruction of his property, and the personal repre-  
3 sentatives of any person sustaining death by reason of an  
4 accident arising out of the ownership, operation, mainte-  
5 nance or use upon the ways of the state of any motor vehicle  
6 or trailer shall within thirty days thereafter give to the com-  
7 pany executing any motor vehicle liability bond as surety  
8 for the owner or the person responsible for the operation  
9 of such motor vehicle or trailer involved in such accident,  
10 or to the liability insurance company issuing the motor vehi-  
11 cle liability policy covering such owner or other person, a  
12 notice in writing of the time, place and cause of the said  
13 injury, death or damage. If the person sustaining injury or  
14 damage or the personal representative of such person shall  
15 be unable to give such notice by reason of lack of knowledge  
16 of either the person, or the registered number of the motor  
17 vehicle or trailer causing such injury or damage, notice shall  
18 be given as aforesaid within thirty days of the time of ac-  
19 quiring such knowledge.

Sect. 11. Actions of tort for injuries to the person or for  
2 death and for injuries to or destruction of property caused  
3 by the ownership, operation, maintenance or use on the ways  
4 of the state of motor vehicles or trailers shall be commenced  
5 only within one year next after the cause of action occurs.

Sect. 12. If a judgment rendered against the principal of  
2 a motor vehicle liability bond or against the person responsi-  
3 ble for the operation of the principal's motor vehicle or  
4 trailer is not satisfied within thirty days after its rendition,  
5 the judgment creditor may for his use and benefit and at  
6 his sole expense bring an action in the name of the state  
7 against the surety company executing the bond, but no action  
8 shall be brought later than four months from the date of the  
9 original execution.

Sect. 13. No insurance or surety company, officer, agent  
2 or attorney thereof, and no insurance broker shall pay or  
3 allow, or offer to pay or allow any valuable consideration  
4 or inducement not specified in the policy or contract, in  
5 connection with placing or negotiating any motor liability  
6 bond or any motor liability policy, both as defined in section  
7 two. No such insurance or surety company, officer, agent  
8 or broker shall at any time pay or allow or offer to pay or  
9 allow any rebate of any premium paid or payable on any  
10 policy of insurance or bond.

Sect. 14. No person shall receive or accept from any in-  
2 surance or surety company, or officer or agent thereof or  
3 any other person, any such rebate or premium paid or pay-

4 able on any motor vehicle liability bond or any motor vehicle  
5 liability policy, at a rate less than that specified in the policy  
6 or contract. No person shall be excused from testifying,  
7 or from producing any books, papers, contracts, agreements,  
8 or documents, at the trial of any other person charged with  
9 violating any provision of this and the preceding section on  
10 the ground that such testimony or evidence may tend to in-  
11 criminate himself. But no person shall be prosecuted for  
12 any act concerning which he shall be compelled so to testify  
13 or produce evidence, documentary or otherwise, except for  
14 perjury committed in so testifying.

Sect. 15. Any person who shall violate any provision of  
2 this act shall be fined not less than ten dollars nor more than  
3 five hundred dollars or imprisoned not more than one year,  
4 or may be both fined and imprisoned.

Sect. 16. This act shall apply to registration of motor vehi-  
2 cles and trailers for the year nineteen hundred and twenty-  
3 six and for subsequent years, but not for the year nineteen  
4 hundred and twenty-five.'