

MAINE STATE LEGISLATURE

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EIGHTY - THIRD LEGISLATURE

House Document

No. 171

H. P. 663 House of Representatives, Feb. 17, 1927.

Referred to Committee on Mercantile Affairs and Insurance
and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Crockett of Hollis.

STATE OF MAINE

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

AN ACT Concerning Financial Responsibility for Damages
Caused by the Operation of Motor Vehicles.

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

Section 1. The secretary of state may require from any
2 person who shall have been convicted of a violation of the
3 law relative to operating or attempting to operate a motor
4 vehicle while under the influence of intoxicating liquor or
5 drugs or of a violation of the law relating to the operation
6 of a motor vehicle upon any way recklessly, so that the
7 lives or safety of the public are in danger, or who shall have
8 caused the death of or injury to any person, or damage to
9 property to the extent of at least one hundred dollars, by
10 reason of the operation of a motor vehicle, or from the

11 person in whose name such motor vehicle is registered or
12 from both, proof of financial responsibility to satisfy any
13 claim for damages, by reason of personal injury to or the
14 death of any person, of at least ten thousand dollars, and
15 for damage to property of at least one thousand dollars;
16 and, if such person or persons shall fail to furnish such
17 proof, said secretary of state may, until such proof shall
18 be furnished, suspend the registration of such motor vehicle
19 or refuse thereafter to register any motor vehicle owned
20 by such person, or, if such person shall not be a resident
21 of this state, withdraw from such person the privilege of
22 operating any motor vehicle in this state and the privilege
23 of operation within this state of any motor vehicle owned
24 by him, or refuse to register any motor vehicle transferred
25 by him if it shall not appear to said secretary of state's
26 satisfaction that such transfer is a bona fide sale.

Sect. 2. Such proof of financial responsibility shall be
2 furnished as shall be satisfactory to said secretary of state
3 and may be evidence of the insuring of such person against
4 public liability in said amount and property damage in said
5 amount, provided the policy of insurance, shall be non-
6 cancellable except after ten days' notice to the secretary of
7 state; or such proof may be the bond of a surety company
8 or a bond with individual surety owning real estate, which
9 bond shall be conditioned for the payment of said amounts.
10 Such bond shall constitute a lien in favor of the state upon
11 the real estate of any such surety, which lien shall exist in

12 favor of any holder of a judgment on account of damage
13 caused by the operation of such person's motor vehicle, upon
14 the filing of notice to that effect by the secretary of state,
15 in the town clerk's office in the town where such real estate
16 shall be located. Such proof of financial responsibility may
17 also be evidence presented to the secretary of state of a
18 deposit by such person with the state treasurer of a sum
19 in money or collateral, the amount of which money or col-
20 lateral shall be determined by and shall be satisfactory to
21 said secretary of state. The treasurer of the state shall
22 accept any such deposit and issue a receipt therefor, and,
23 if such deposit shall be a sum in money, the state shall pay
24 interest thereon if so directed by the board of control at a
25 rate not greater than five per centum per annum. Addi-
26 tional evidence of financial responsibility shall be furnished
27 the secretary of state at any time upon his request therefor.

Sect. 3. Such bond, money or collateral shall be held by
2 the secretary of state or treasurer, as the case may be, to
3 satisfy any execution issued against such person in any
4 cause arising out of damage caused by the operation of any
5 motor vehicle owned by such person. Such policy or bond
6 shall be in such terms as the secretary of state shall deem
7 adequate. A reasonable sum, not exceeding ten dollars, shall
8 be charged for such investigation of the title of any surety's
9 real estate or of collaterals so deposited and of the value
10 of the same and for the filing fee to be paid to the town
11 clerk.

Sect. 4. Upon the request of any insurance company, any
2 person furnishing any financial responsibility or any surety
3 on any bond herein provided for, the secretary of state shall
4 furnish such company, person or surety a certified abstract
5 of the operating record of any person subject to the provi-
6 sions of this act, and, if there shall be no record of any
7 conviction of such person of a violation of any provision
8 of any statute relating to the operation of motor vehicles
9 or of any injury or damage caused by such person as herein
10 provided, the secretary of state shall so certify. The secre-
11 tary of state shall collect for each such certificate the sum
12 of one dollar.

Sect. 5. Any registrant whose certificate of registration
2 shall have been suspended as herein provided shall immedi-
3 ately return to the secretary of state his certificate of regis-
4 tration and the number plates issued thereunder. If any
5 person shall fail to return to the secretary of state the
6 certificate of registration and the number plates issued there-
7 under as provided herein, the secretary of state shall forth-
8 with direct any state highway police officer to secure pos-
9 session thereof and to return the same to the office of the
10 secretary of state. Any person failing to return such certi-
11 ficate and number plates shall be fined not more than twenty-
12 five dollars, and to the fine imposed the trial court shall add
13 the expense of securing such registration and number plates.
14 The amount of such fine and expense shall be paid to the
15 state highway commission in the manner provided for the

16 payment of fines for violation of the motor vehicle laws.

Sect. 6. The secretary of state may cancel such bond or
2 return such evidence of insurance, or the treasurer may,
3 with the consent of the secretary of state, return such money
4 or collateral to the person furnishing the same, provided
5 three years shall have elapsed since such deposit during
6 which such person shall not have violated any provision of
7 the motor vehicle laws and provided no right of action or
8 judgment arising out of the operation of a motor vehicle
9 shall then be outstanding against such person.

Sect. 7. The secretary of state shall make rules and regu-
2 lations necessary for the administration of this act.

Sect. 8. This act shall take effect January first, nineteen
2 hundred twenty-eight.