

MAINE STATE LEGISLATURE

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NEW DRAFT

EIGHTY - THIRD LEGISLATURE

House Document

No. 577

H. P. 1255 House of Representatives, April 1, 1927.

Reported by Mr. Bishop from Committee on Mercantile Affairs and Insurance and Report tabled by Mr. Aldrich pending acceptance of Report. Specially assigned for Tuesday next. New draft ordered printed.

CLYDE R. CHAPMAN, Clerk.

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 lives
7 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 five 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 ve-
19 hicle or refuse thereafter to register any motor vehicle
20 owned by such person, or, if such person shall not be a resi-
21 dent of this state, withdraw from such person the privilege
22 of operating any motor vehicle in this state and the privi-
23 lege of operation within this state of any motor vehicle
24 owned by him, or refuse to register any motor vehicle trans-
25 ferred by him if it shall not appear to said secretary of
26 state's satisfaction that such transfer is a bona fide sale.

Sec. 2. Such proof of financial responsibility shall be fur-
2 nished as shall be satisfactory to said secretary of state and
3 may be evidence of the insuring of such person against pub-
4 lic liability in said amount and property damage in said
5 amount, provided the policy of insurance shall be non-can-
6 cellable 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,
14 upon the filing of notice to that effect by the secretary of
15 state, in the registry of deeds in the county where such real
16 estate shall be located. Such proof of financial responsi-
17 bility may also be evidence presented to the secretary of
18 state of a deposit by such person with the state treasurer
19 of a sum in money or collateral, the amount of which money
20 or collateral shall be determined by and shall be satisfactory
21 to 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 secretary of state at
25 a rate not greater than five per centum per annum. In case
26 of a corporation subject to regulation by the public utilities
27 commission the secretary of state may accept other proof
28 of financial responsibility in lieu of the proofs hereinbefore
29 enumerated. Additional evidence of financial responsibility
30 shall be furnished the secretary of state at any time upon
31 his request therefor.

Sec. 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 cause
4 arising out of damage caused by the operation of any motor
5 vehicle owned by such person. Such policy or bond shall

6 be in such terms as the secretary of state shall deem ade-
7 quate. 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 collateral so deposited and of the value of
10 the same and for the filing fee to be paid to the town 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 pro-
6 visions 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 sec-
11 retary 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 imme-
3 diately return to the secretary of state his certificate of reg-
4 istration and the number plates issued thereunder. If any
5 person shall fail to return to the secretary of state the cer-
6 tificate 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 cer-

11 tificate and number plates shall be fined not more than twen-
12 ty-five dollars, and to the fine imposed the trial court shall
13 add the expense of securing such registration and number
14 plates. The amount of such fine and expense shall be paid
15 to the state highway commission in the manner provided for
16 the 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.