

# MAINE STATE LEGISLATURE

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EIGHTY-FOURTH LEGISLATURE

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Senate Document

No. 32

S. P. 52.

In Senate, Jan. 24, 1929.

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

ROYDEN V. BROWN, Secretary.

Presented by Senator Oakes 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-NINE

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AN ACT to Provide for Service of Processes on Non-Resident Operators of Automobiles, Operating Same Within the Jurisdiction of the State of Maine, who do Damage to Property or Cause Injury to Persons.

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

Section 1. The acceptance by a non-resident of the  
2 rights and privileges conferred by the statutes of Maine  
3 with reference to the rights and privileges of non-residents  
4 operating motor vehicles registered in other jurisdictions,  
5 as evidenced by his operating a motor vehicle thereunder,  
6 or the operation by a non-resident of a motor vehicle on a  
7 public way in the state other than under said statutes, shall

8 be deemed equivalent to an appointment by such non-resi-  
9 dent of the secretary of state or his successor in office to  
10 be his true and lawful attorney upon whom may be served  
11 all lawful processes in any action or proceeding against him,  
12 growing out of any accident or collision in which said non-  
13 resident may be involved while operating a motor vehicle  
14 on such a way, and said acceptance or operation shall be  
15 a signification of his agreement that any such process  
16 against him which is so served shall be of the same legal  
17 force and validity as if served on him personally. Service  
18 of such process shall be made by leaving a copy of the  
19 process with a fee of two dollars in the hands of the secre-  
20 tary of state, or in his office, and such service shall be suf-  
21 ficient service upon the said non-resident; provided, that  
22 notice of such service and a copy of the process are forth-  
23 with sent by registered mail by the plaintiff to the defend-  
24 ant, and the defendant's return receipt and the plaintiff's  
25 affidavit of compliance herewith are appended to the writ  
26 and entered with the declaration. The court in which the  
27 action is pending may order such continuances as may be  
28 necessary to afford the defendant reasonable opportunity to  
29 defend the action.

Sect. 2. The fee of two dollars, paid by the plaintiff to  
2 the secretary of state at the time of the service, shall be  
3 taxed in his costs, if he prevails in the suit. The secretary  
4 shall keep a record of such processes, which shall show the  
5 day and hour of service.

Sect. 3. Officers authorized to serve civil processes by  
2 statutes of this state are hereby authorized and empowered  
3 to serve all processes and notices on the secretary of state  
4 required under section 1 of this act.