

# MAINE STATE LEGISLATURE

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EIGHTY-FOURTH LEGISLATURE

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Senate Document

No. 278

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S. P. 630

In Senate, Mar. 1, 1929.

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

ROYDEN V. BROWN, Secretary.

Presented by Senator Minott 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 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:

Section 1. Section seven of chapter one hundred eighty-  
2 four of the public laws of nineteen hundred twenty-one as  
3 amended by chapter two hundred eleven of the public laws  
4 of nineteen hundred twenty-three and chapter one hundred  
5 sixty-seven of the public laws of nineteen hundred twenty-  
6 five, is hereby further amended by inserting the words 'or  
7 two individuals' after the word "state" in the eighth line

8 thereof, and the words 'which bond shall be approved by  
9 the public utilities commission' after the word "thereon"  
10 in said eighth line, and by striking out the word "surety"  
11 in the eighth line thereof, so that said section seven as  
12 amended shall read as follows:

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

Sect. 2. Section eight of said chapter one hundred eighty-  
2 four of the public laws of nineteen hundred twenty-one  
3 amended as aforesaid is hereby further amended by strik-  
4 ing out all of said section eight and inserting the following,  
5 to be known as section eight:

‘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, death or  
4 property damage shall be determined by the public utilities  
5 commission.’

Sect. 3. Section nine of said chapter one hundred eighty-  
2 four of the public laws of nineteen hundred twenty-one  
3 amended as aforesaid is hereby further amended by strik-  
4 ing out all of said section nine and inserting the following,  
5 to be known as section nine:

‘Sect. 9. The original policy of insurance or the indemnity  
2 bond, or a certified copy thereof, or such certificate relative  
3 thereto as the public utilities commission may require, shall  
4 be filed with said commission before said motor vehicle is  
5 registered by the secretary of state as **required by law**  
6 proper notice thereof being given by said commission to  
7 the secretary of state. No such insurance or bond shall  
8 lapse, expire or be cancelled while the registration is in  
9 force until at least ten days’ written notice shall have been  
10 given the public utilities commission and the secretary of  
11 state of an intention to cancel and until said public utilities  
12 commission shall have accepted other insurance or indem-  
13 nity bond and shall have notified the person or company  
14 seeking to cancel such insurance or bond that such other  
15 insurance or bond has been accepted or that the public  
16 service registration of the motor vehicle or trailer described  
17 in such insurance policy or bond has been cancelled and

18 the number plates of such motor vehicle or trailer described  
19 in such insurance or bond have been returned to the sec-  
20 retary of state.'

Sect. 4. Section ten of said chapter one hundred eighty-  
2 four of the public laws of nineteen hundred twenty-one  
3 amended as aforesaid is hereby further amended by insert-  
4 ing the words 'or individuals' after the word "company"  
5 in the sixth line thereof, so that said section ten as amended  
6 shall read as follows :

'Sect. 10. Any person sustaining bodily injuries, or in-  
2 jury to or destruction of his property, and the personal  
3 representatives of any person sustaining death by reason  
4 of an accident arising out of the ownership, operation, main-  
5 tenance or use upon the ways of the state of any motor  
6 vehicle or trailer shall within thirty days thereafter give  
7 to the company or individuals executing any motor vehicle  
8 liability bond as surety for the owner or the person responsi-  
9 ble for the operation of such motor vehicle or trailer in-  
10 volved in such accident, or to the liability insurance com-  
11 pany issuing the motor vehicle liability policy covering such  
12 owner or other person, a notice in writing of the time, place  
13 and cause of the said injury, death or damage. If the per-  
14 son sustaining injury or damage or the personal representa-  
15 tive of such person shall be unable to give such notice by  
16 reason of lack of knowledge of either the person, or the  
17 registered number of the motor vehicle or trailer causing  
18 such injury or damage, notice shall be given as aforesaid

19 within thirty days of the time of acquiring such knowledge.’

Sect. 5. Section twelve of said chapter one hundred and  
2 eighty-four of the public laws of nineteen hundred and  
3 twenty-one amended as aforesaid is hereby further amended  
4 by inserting the words ‘or individuals’ after the word  
5 “company” in the sixth line thereof, so that said section  
6 twelve as amended shall read as follows:

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

Sect. 6. Section thirteen of said chapter one hundred and  
2 eighty-four of the public laws of nineteen hundred and  
3 twenty-one amended as aforesaid is hereby further amended  
4 by inserting the words ‘or individuals’ after the word  
5 “thereof” in the second line thereof; and after the word  
6 “broker” in the seventh line thereof; and by striking out  
7 the word “or” between the words “agent” and “broker”  
8 in the seventh line thereof; so that said section as amended  
9 shall read as follows:

‘Sect. 13. No insurance or surety company, officer, agent  
2 or attorney thereof, or individuals, and no insurance broker

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

Sect. 7. Chapter one hundred and eighty-four of the  
2 public laws of nineteen hundred and twenty-one as amended  
3 is further amended by striking out section sixteen thereof.