

MAINE STATE LEGISLATURE

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SENATE AMENDMENT B TO SENATE PAPER 742,
SENATE DOCUMENT 399

EIGHTY-FOURTH LEGISLATURE

Senate Document

No. 429

In Senate, April 9, 1929.

S. D. 399 tabled by Senator Oakes of Cumberland pending adoption of Senate Amendment B. 500 copies ordered printed.

ROYDEN V. BROWN, Secretary.

STATE OF MAINE

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

AN ACT Additional and Amendatory of Chapter Two Hundred and Eleven of the Public Laws of Nineteen Hundred and Twenty-one as Amended, Relating to the Use and Operation of Motor Vehicles on the Highways.

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

Strike out all after the enacting clause and insert in place
2 thereof the following:

Section 1. (a) The chief of the state highway police
2 shall prepare and may supply to police and sheriffs' offices
3 and other suitable agencies forms of accident reports call-
4 ing for sufficiently detailed information to disclose with

5 reference to a highway accident the cause, conditions then
6 existing and the persons and vehicles involved.

(b) The chief of the state highway police shall receive
2 accident reports required to be made by law and shall tabu-
3 late and analyze such reports and may publish annually or
4 at more frequent intervals statistical information based
5 thereon as to the number, cause and location of highway
6 accidents.

(c) The driver of any vehicle involved in an accident
2 resulting in injuries or death to any person or property
3 damage to an apparent extent of fifty dollars or more shall,
4 immediately, forward a report of such accident to the chief
5 of the state highway police, or forthwith deliver the same
6 to some state highway police officer, who shall so forward
7 the same to said chief. The chief may require drivers, in-
8 volved in accidents, to file supplemental reports of acci-
9 dents upon forms furnished by him whenever the original
10 report is insufficient in the opinion of the chief. Such
11 reports shall be without prejudice, and the fact that such
12 reports have been so made shall be admissible in evidence
13 solely to prove a compliance with this section, but no such
14 report or any part thereof or statement contained therein
15 shall be admissible in evidence for any other purpose in any
16 trial, civil or criminal, arising out of such accident.

Sect. 2. Any person who shall individually, or in associa-
2 tion with one or more others, wilfully break, injure, tamper
3 with or remove any part or parts of any vehicle for the

4 purpose of injuring, defacing or destroying such vehicle, or
5 temporarily or permanently preventing its useful operation,
6 or for any purpose against the will or without the consent
7 of the owner of such vehicle or who shall in any other
8 manner wilfully or maliciously interfere with or prevent
9 the running or operation of such vehicle shall be guilty of
10 a misdemeanor.

Sect. 3. Whoever is found guilty of a misdemeanor as
2 defined in section two of this act, shall be punished by a
3 fine of not more than two hundred dollars, or by imprison-
4 ment for a term not exceeding three months, or by both
5 fine and imprisonment; and whoever is convicted the second
6 time for a violation of said sections shall be punished by
7 a fine of not less than two hundred dollars and not more
8 than five hundred dollars, or by imprisonment for not more
9 than eleven months, or both.

Sect. 4. The person in charge of any garage or repair
2 shop to which is brought any motor vehicle which shows
3 evidence of having been involved in a serious accident or
4 struck by any bullet shall report to the nearest police sta-
5 tion, to some one of the state highway police, or to some
6 sheriff or his deputy, immediately after such motor vehicle
7 is received, giving the serial and engine number, registra-
8 tion number and the name and address of the owner or
9 operator of such vehicle.

Sect. 5. Section seven of chapter two hundred and eleven

2 of the public laws of nineteen hundred and twenty-one is
3 hereby repealed.

Sect. 6. Section twenty-seven of chapter two hundred
2 and eleven of the public laws of nineteen hundred and
3 twenty-one is hereby amended to read as follows:

'Sect. 27. The secretary may appoint and deputize agents,
2 examiners and inspectors, stationed at convenient places in
3 the state, to receive applications for registration and licenses,
4 and to conduct examinations when ordered by the secretary.'

Sect. 7. Section thirty-one of chapter two hundred and
2 eleven of the public laws of nineteen hundred and twenty-
3 one is hereby amended by striking out in said section the
4 following: "The word 'chauffeur' as herein used shall mean
5 any person employed for the purpose of operating a motor
6 vehicle, and whose principal duty it is to operate such ve-
7 hicle," and substituting therefor the following: "The word
8 "chauffeur" as herein used shall mean any person who oper-
9 ates a motor vehicle other than his own, and who, directly
10 or indirectly, receives compensation for any work or ser-
11 vices in connection therewith,' so that said section as amend-
12 ed shall read as follows:

'Sect. 31. Special licenses to operate motor vehicles shall
2 be issued to chauffeurs subject to the same general require-
3 ments governing the issuance of an operator's license as is
4 provided in the preceding section; but no such license shall
5 be issued to any person less than eighteen years of age. An

6 operator's license shall not entitle a person to drive a motor
7 vehicle as a chauffeur as defined in this section.

The secretary shall furnish every licensed chauffeur with
2 a suitable metal badge with distinguishing number or mark
3 assigned to him thereon without extra charge therefor. Said
4 badge shall thereafter be worn by such chauffeur affixed to
5 his clothing at all times while he is operating or driving
6 a motor vehicle, and shall be valid only during the term
7 of the license of the chauffeur to whom it is issued.

Every application for a chauffeur's license shall be ac-
2 companied by a fee of five dollars; provided, however, that
3 if such applicant already holds an operator's license the
4 accompanying fee shall be three dollars.

Failure of an operator or chauffeur to exhibit his license
2 to any magistrate, motor vehicle inspector, police officer,
3 sheriff or other authorized official, on demand, shall be
4 prima facie evidence that such person is not duly licensed.

A chauffeur who is registered under the provisions of
2 law of the state or country of his residence, shall be exempt
3 from license under this section, provided he shall wear a
4 badge or carry a license certificate assigned to him by the
5 jurisdiction of his residence.

The word "chauffeur" as herein used shall mean any per-
2 son who operates a motor vehicle other than his own, and
3 who, directly or indirectly, receives compensation for any
4 work or services in connection therewith; but as used else-
5 where generally in this act with respect to the use and oper-

6 ation of motor vehicles, the word "operator" and "driver"
7 shall include the word "chauffeur."

Temporary licenses without fees may be issued to chauf-
2 feurs in the employ of the state, or any municipal corpora-
3 tion, to terminate when their employment ends.'

Sect. 8. Section thirty-four of chapter two hundred and
2 eleven of the public laws of nineteen hundred and twenty-
3 one as amended by chapter one hundred and sixty-one and
4 chapter two hundred of the public laws of nineteen hundred
5 and twenty-seven, is hereby amended to read as follows:

'Sect. 34. The provisions of this act relative to the regis-
2 tration of motor vehicles, tractors and trailers, and the
3 granting of operators' licenses shall not apply to a motor
4 vehicle, tractor or trailer owned by a non-resident, other
5 than a foreign corporation doing business in this state, or
6 to a non-resident operator other than the operator of any
7 such vehicle belonging to a foreign corporation doing busi-
8 ness in this state, provided that the owner of such vehicle
9 and its operator have complied with the provisions of law
10 of the state or country of his residence relative to the regis-
11 tration of such vehicles, and the granting of operators'
12 licenses. But this exemption regarding operators' licenses
13 shall not apply to any operator resident in any other state
14 or country whose laws do not require such operators'
15 licenses. Nothing in this act shall be construed to permit
16 a non-resident vehicle having a weight in excess of or

17 equipped contrary to that allowed a similar resident vehicle,
18 to be operated on the ways of this state.

(b) No vehicle owned or operated by a non-resident
2 shall be operated on the public ways of this state as a
3 vehicle engaged in the business of livery or for hire, or as
4 a jitney, within this state, and no motor truck or trailer
5 owned or operated by a non-resident, shall be operated on
6 the highways of this state, except and until it has been reg-
7 istered under the laws of this state and made to comply
8 with the by-laws and ordinances of municipalities wherein
9 it is operated, in the same manner as may be required of
10 like vehicles owned, operated and registered in this state.
11 Provided, however, that any truck or trailer having a rated
12 carrying capacity of one and one-half tons or less, which
13 is duly registered according to the laws of another state or
14 country which grants like privileges to such truck and trailer
15 registered in this state, and to the operators thereof, shall
16 not be required to be registered in this state.

(c) The secretary may issue to public utilities operating
2 in this state for a nominal fee, a special permit for vehicles
3 engaged in emergency repair work in this state provided
4 such vehicles are registered in some other state and have
5 attached thereto registration plates and are driven by per-
6 sons licensed to operate in this or some other state.'

Sect. 9. The secretary shall not grant the application of
2 any minor under the age of eighteen years for an oper-
3 ator's license unless such application is signed by the father

4 of the applicant, if the father is living, and has custody
5 of the applicant, otherwise by the mother or guardian hav-
6 ing the custody of such minor, or in the event a minor un-
7 der the age of eighteen years has no father, mother or
8 guardian, then an operator's license shall not be granted to
9 the minor unless his application therefor is signed by his
10 employer.

Sect. 10. Every owner of a motor vehicle causing or
2 knowingly permitting a minor under the age of eighteen
3 years to drive such vehicle upon a highway, and any per-
4 son who gives or furnishes a motor vehicle to such minor,
5 shall be jointly and severally liable with such minor for any
6 damages caused by the negligence of such minor in driv-
7 ing such vehicles.

Sect. 11. In the event that an operator's or chauffeur's
2 license or a chauffeur's badge issued under the provisions
3 of this act shall be lost or destroyed, the person to whom
4 the same was issued may obtain a duplicate or substitute
5 thereof upon furnishing proof satisfactory to the secretary
6 that such license or badge has been lost or destroyed and
7 upon payment of the fees required by law.

Sect. 12. Whoever upon any way, or in any place to
2 which the public has a right of access, operates any vehicle
3 recklessly or in a manner so as to endanger any person or
4 property shall be guilty of reckless driving and upon con-
5 viction shall be punished as provided in section three of
6 this act.

Sect. 13. Section forty-three of chapter two hundred and
2 eleven of the public laws of nineteen hundred and twenty-
3 one is hereby amended so that said section shall read as
4 follows:

‘Sect. 43. No motor vehicle or trailer shall be operated,
2 or remain upon, any way unless the same is registered and
3 equipped in accordance with the provisions of this act.
4 Application for such registration may be made by mail or
5 otherwise to the secretary upon blanks prepared under his
6 authority. The application shall be made under oath and
7 shall contain such particulars as may be required by the
8 secretary, including the name, residence and address of the
9 applicant, with a brief description of the vehicle, the name
10 of its maker, the motor and serial numbers, the character
11 of the motive power and the amount of such power, stated
12 in figures of horse power, and the actual weight of the
13 vehicle, and its load capacity, if intended for commercial
14 use. The applicant shall state in his application the kind
15 of lens used in the headlights upon his motor vehicle, and
16 shall specify whether he has complied with the rules and
17 regulations of the commission, framed, published and in
18 effect. In case said applicant has not given satisfactory
19 answers, the secretary shall refuse to register such vehicle,
20 or to issue a license for its operation.’

Sect. 14. Section fifty-seven of chapter two hundred and
2 eleven of the public laws of nineteen hundred and twenty-
3 one is hereby amended by striking out the words “name

4 of make, if possible" in the fourth line thereof and sub-
5 stituting the words 'motor and serial number,' and by strik-
6 ing out the words "horse power" in the fourth line, so that
7 said section shall read as follows:

'Sect. 57. Whenever a manufacturer or dealer sells or
2 exchanges a motor vehicle or trailer, he shall immediately
3 notify the secretary that the vehicle has been sold or ex-
4 changed, giving a description of the vehicle, name of maker,
5 motor and serial number, and name and address of the
6 vendee.'

Sect. 15. Section fifty-nine of chapter two hundred and
2 eleven of the public laws of nineteen hundred and twenty-
3 one is hereby amended by adding to said section the follow-
4 ing words: 'including its motor and serial number,' so that
5 said section, as amended, shall read as follows:

'Sect. 59. Upon the transfer of ownership of any motor
2 vehicle or trailer, its registration shall expire and the per-
3 son in whose name such vehicle or trailer is registered shall
4 forthwith return the certificate of registration to the secre-
5 tary with a written notice containing the date of the transfer
6 of ownership and the name, place of residence and address
7 of the vendee, and a description of the vehicle, including
8 its motor and serial number.'

Sect. 16. Section sixty-two of chapter two hundred and
2 eleven of the public laws of nineteen hundred and twenty-
3 one is hereby amended to read as follows:

'(a). Any person driving a vehicle on a way shall drive

2 the same at a careful and prudent speed not greater than
3 is reasonable and proper, having due regard to the traffic,
4 surface and width of the highway and of any other condi-
5 tions then existing, and no person shall drive any vehicle
6 upon a way at such a speed as to endanger the life, limb
7 or property of any person.

(b) Subject to the provisions of subdivision (a) of this
2 section and except in those instances where a lower speed
3 is specified in this act, it shall be prima facie lawful for
4 the driver of a vehicle to drive the same at a speed not ex-
5 ceeding the following, but in any case when such speed
6 would be unsafe it shall not be lawful.

1. Fifteen miles an hour when passing a school during
2 school recess or while children are going to or leaving school
3 during opening or closing hours;

2. Fifteen miles an hour when approaching within fifty
2 feet and in traversing an intersection of ways when the
3 driver's view is obstructed. A driver's view shall be deemed
4 to be obstructed when at any time during the last fifty feet
5 of his approach to such intersection he does not have a
6 clear and uninterrupted view of such intersection and of
7 the traffic upon all of the ways entering such intersection
8 for a distance of two hundred feet from such intersection;

3. Twenty-five miles an hour on any way in a business dis-
2 trict or built-up portion, as defined herein, when traffic on
3 such way is controlled at intersections by traffic officers or
4 stop-and-go signals;

4. Twenty miles an hour on all other ways in a business district or built-up portion, as defined herein;

5. Twenty-five miles an hour in a residence district or built-up portion, as defined herein, and in public parks unless a different speed is fixed by the municipal officers and approved by the state highway commission and duly posted;

6. Thirty-five miles an hour under all other conditions.

It shall be prima facie unlawful for any person to exceed any of the foregoing speed limitations, except as provided in subdivision (c) of this section. In every charge of violation of this section the complaint shall specify the speed at which the defendant is alleged to have driven, also the speed which this section declares shall be prima facie lawful at the time and place of such alleged violation.

(c) Municipal officers in their respective jurisdictions are hereby authorized in their discretion, but subject to the approval of the state highway commission, to increase the speed which shall be prima facie lawful upon through ways at the entrances to which vehicles are required to stop before entering or crossing such through ways. Municipal officers shall place and maintain upon all through ways upon which the permissible speed is increased adequate signs giving notice of such special regulations. There shall also be placed and maintained upon each and every way intersecting any said through way, appropriate stop signs as required by chapter one hundred and thirty-eight of the

13 public laws of nineteen hundred and twenty-seven, as
14 amended.

(d) The compact or built-up portions of any city, town
2 or village, shall be the territory of any city, town or village
3 contiguous to any way which is built up with structures de-
4 voted to business or where the dwelling houses are situated
5 less than one hundred fifty feet apart for a distance of at
6 least one quarter of a mile. Municipal officers may desig-
7 nate such compact or built-up portions by appropriate signs.'

Sect. 17. Section sixty-four of chapter two hundred and
2 eleven of the public laws of nineteen hundred and twenty-
3 one, as amended by chapter one hundred twenty-five of the
4 public laws of nineteen hundred and twenty-seven, is hereby
5 repealed.

Sections seventy-two and seventy-three of chapter two
2 hundred eleven of the public laws of nineteen hundred
3 twenty-one, as amended, are hereby further amended by
4 striking out the whole of said sections and inserting in place
5 thereof the following:

'Sect. 72. Whoever operates a motor vehicle upon any
2 way recklessly, so that lives or safety of the public are in
3 danger, or whoever goes away without stopping and making
4 himself known after causing injury to any person or prop-
5 erty, or uses a motor vehicle without authority from its
6 owner, shall be punished by a fine of not more than two
7 hundred dollars, or by imprisonment for a term of not
8 exceeding three months, or by both fine and imprisonment;

9 and if any person be convicted the second time for a viola-
10 tion of this section, he shall be punished by a fine of not
11 less than two hundred dollars and not more than five hun-
12 dred dollars, or by imprisonment for not more than eleven
13 months, or both.

If any person so drives a motor vehicle in a reckless man-
2 ner or goes away without stopping and making himself
3 known after causing injury to any other person or property
4 or operates a motor vehicle while apparently under the
5 influence of intoxicating liquor or drugs, it shall be the
6 duty of every officer who is charged with the enforcement
7 of law and of every citizen, to forthwith report the same to
8 the secretary, giving the register number of the vehicle, the
9 state registering the same, and the name and residence of
10 the operator, occupants or owner if known. Upon receipt
11 of such complaint the secretary shall forthwith investigate
12 the case and may suspend or revoke the license of such
13 operator, or, if a non-resident, his right to operate in this
14 state, and annul the registration of any vehicle so operated,
15 for such time as he shall deem advisable.'

Sect. 2. Section seventy-four of said chapter, as amended,
2 is hereby further amended by striking out the whole of said
3 section, re-numbering it section seventy-three and inserting
4 in place thereof the following:

'Sect. 73. Whoever shall operate or attempt to operate a
2 motor vehicle upon any way, or in any other place when
3 intoxicated or at all under the influence of intoxicating

4 liquor or drugs, upon conviction, shall be punished by a
5 fine of not less than one hundred dollars nor more than
6 one thousand dollars or by imprisonment for not less than
7 thirty days nor more than eleven months, or by both fine
8 and imprisonment. Any person convicted of a second or
9 subsequent offense shall be punished by imprisonment for
10 not less than three nor more than eleven months, and in
11 addition thereto, the court may impose a fine as above
12 provided.

Whoever shall operate or attempt to operate a motor ve-
2 hicle upon any way, or in any other place when intoxicated
3 or at all under the influence of intoxicating liquor or drugs,
4 when such offense is of a high and aggravated nature shall
5 be deemed guilty of a felony and on conviction thereof
6 shall be punished by a fine of not less than one hundred
7 dollars nor more than one thousand dollars or by imprison-
8 ment of not less than sixty days nor more than two years
9 or by both fine and imprisonment. Any person convicted
10 of a second or subsequent offense of the same gravity shall
11 be punished by imprisonment for not less than three months
12 nor more than three years, and in addition the court may
13 impose a fine as above provided. The license of any per-
14 son convicted of violating the provisions of this section
15 shall be revoked immediately by the secretary upon receipt
16 of an attested copy of the court records, without further
17 hearing.

If any person convicted of any violation of the provisions

2 of this section of the act shall appeal from the judgment
3 and sentence of the trial court, his license and right to
4 operate a motor vehicle in this state shall be suspended
5 during the time his appeal is pending in the appellate court,
6 unless the trial court shall otherwise order, or unless the
7 secretary, after a hearing, shall restore the license or permit
8 pending decision on the appeal. The license of any person
9 against whom probable cause is found and who is held
10 under bail pending the action of the grand jury for the
11 violation of the foregoing provision shall be suspended until
12 the final disposition of the charge.

No person whose license or permit to operate a motor
2 vehicle has been revoked upon conviction of violating the
3 provisions of this section shall be licensed again or per-
4 mitted to operate a motor vehicle for three years, except
5 that, after the expiration of one year from the date of such
6 revocation, he may petition the secretary for a license or
7 permit, who, after hearing and after his determination that
8 public safety will not be endangered by issuing a new license
9 may issue such license or permit with or without conditions
10 thereto attached; upon a second conviction of a violation
11 of the provisions of this section, such person, whose license
12 or permit to operate a motor vehicle has been revoked again
13 by reason of such conviction, shall not be licensed again or
14 permitted to operate a motor vehicle in this state for five
15 years from the date of conviction, provided however, that
16 after two years from the date of such last revocation, he

17 may petition the secretary for a license or permit and the
18 secretary, after like hearing and determination, again may
19 issue a license or permit to the petitioner, with or without
20 conditions; upon any subsequent conviction for a similar
21 offense, the license or permit shall terminate and no sub-
22 sequent license or permit shall be granted to such person;
23 for the purpose of this section, in case a person has been
24 convicted one or more times prior to the date this act takes
25 effect, of a violation of the provisions of this section, such
26 previous conviction or convictions shall be construed as one
27 conviction. A copy of sections seventy-two and seventy-
28 three shall be printed on every operators' license.'

Sect. 18. Section seventy-five of chapter two hundred
2 and eleven of the public laws of nineteen hundred and
3 twenty-one is hereby repealed.

Sect. 19. (a) The driver of any vehicle overtaking an-
2 other vehicle proceeding in the same direction shall pass at
3 a safe distance to the left thereof, and shall not again drive
4 to the right side of the highway until safely clear of such
5 overtaken **vehicle**.

(b) The driver of an overtaking motor vehicle not with-
2 in a business or residence district as herein defined shall
3 give audible warning with his horn or other warning device
4 before passing or attempting to pass a vehicle proceeding
5 in the same direction.

(a) The driver of a vehicle shall not overtake and pass
2 another vehicle proceeding in the same direction, upon the

3 crest of a grade or upon a curve in the way, where the
4 driver's view along the way is obstructed within a distance
5 of *three hundred feet*.

(b) The driver of a vehicle shall not overtake and pass
2 any other vehicle proceeding in the same direction at any
3 steam or electric railway grade crossing nor at any inter-
4 section of ways unless permitted so to do by a traffic or
5 police officer.

Sect. 21. (a) The driver of a vehicle upon a way about
2 to be overtaken and passed by another vehicle approaching
3 from the rear shall give way to the right in favor of the
4 overtaking vehicle on suitable and audible signal being given
5 by the driver of the overtaking vehicle, and shall not increase
6 the speed of his vehicle until completely passed by the over-
7 taking vehicle.

(b) The driver of any motor truck when traveling upon
2 a way outside of a business or residence district shall not
3 follow another motor truck within one hundred and fifty
4 feet, but this shall not be construed to prevent one motor
5 truck overtaking and passing another.

Sect. 22. (a) Except as otherwise provided in this sec-
2 tion, the driver of a vehicle intending to turn to the right
3 at an intersection shall approach such intersection in the
4 lane for traffic nearest to the right-hand side of the way,
5 and in turning shall keep as closely as practicable to the
6 right-hand curb and when intending to turn to the left shall
7 approach such intersection in the lane for traffic to the right

8 of and nearest to the center line of the way, and in turning
9 shall pass beyond the center of the intersection, passing as
10 closely as practicable to the right thereof before turning
11 such vehicle to the left.

For the purpose of this section the center of the intersec-
2 tion shall mean the meeting point of the medial lines of the
3 ways intersecting one another.

(b) Municipal officers in their respective jurisdictions
2 may modify the foregoing method of turning at intersec-
3 tions by clearly indicating by buttons, markers or other
4 direction signs within an intersection the course to be fol-
5 lowed by vehicles turning thereat; and it shall be unlawful
6 for any driver to fail to turn other than in a manner as
7 directed when such signs are so installed.

Sect. 23. (a) No person shall park or leave standing
2 any vehicle, whether attended or unattended, upon the
3 paved or improved or main travelled portion of any way,
4 *outside of a business or residence district*, when it is prac-
5 ticable to park or leave such vehicle standing off of the
6 paved or improved or main traveled portion of such way;
7 provided in no event shall any person park or leave standing
8 any vehicle, whether attended or unattended, upon any way
9 unless a clear and unobstructed width of not less than *ten*
10 feet upon the main traveled portion of said way opposite
11 such standing vehicle shall be left for free passage of other
12 vehicles thereon, nor unless a clear view of such vehicle
13 may be obtained from a distance of three hundred feet in

14 each direction upon such way.

Sect. 24. (a) The driver of a motor vehicle when traveling upon a down grade upon any way shall not coast with the gears of such vehicle in neutral.

(b) The driver of a vehicle entering a public way from a private road shall yield the right of way to all vehicles approaching on such public way.

Sect. 25. Municipalities shall have no power to alter any speed limitations or to enact or enforce any regulations contrary to the provisions of this act; except that they may by ordinances or by-laws regulate traffic by means of signal devices or other appropriate methods on any portion of the way where traffic is heavy or continuous, and prohibit other than one-way traffic upon certain ways. The speed of vehicles in public parks may be regulated in like manner provided there shall be erected at all entrances to such parks adequate signs giving notice of any such special speed regulations.

Sect. 26. (a) The owner of a motor vehicle engaged in the business of renting motor vehicles without drivers, who rents any such vehicle without a driver to another, otherwise than as a part of a bona fide transaction involving the sale of such motor vehicle, permitting the renter to operate the vehicle upon the public ways shall be jointly and severally liable with the renter for any damages caused by the negligence of the latter in operating the vehicle and for any damages caused by the negligence of any person operating

10 the vehicle by or with the permission of the person so rent-
11 ing the vehicle from the owner, except that the foregoing
12 provisions shall not confer any right of action upon any
13 passenger in any such rented vehicle as against the owner,
14 but nothing herein contained shall be construed to prevent
15 the introduction as a defense of contributory negligence to
16 the extent to which such defense is allowed in other cases.

Sect. 27. Every person engaged in the business of rent-
2 ing motor vehicles without drivers who shall rent any such
3 vehicle without a driver, otherwise than as a part of a bona
4 fide transaction involving the sale of such motor vehicle,
5 shall maintain a record of the identity of the person to
6 whom the vehicle is rented, including a record of his license,
7 and the exact time the vehicle is the subject to such rental
8 or in possession of the person renting and having the use
9 of the vehicle, and every such record shall be a public record
10 and open to inspection by any officer, and it shall be a mis-
11 demeanor for any such owner to fail to make or have in
12 possession or to refuse an inspection of the record required
13 in this section. If the secretary of state prescribes a form
14 for the keeping of the record provided for in this section,
15 the owner shall use said form.