

# MAINE STATE LEGISLATURE

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# EIGHTY-FIFTH LEGISLATURE

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**Legislative Document**

**No. 569**

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H. P. 1037                      House of Representatives, Feb. 13, 1931.

Referred to Committee on Taxation and 1,000 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Cram of Mt. Vernon.

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## STATE OF MAINE

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

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AN ACT to Provide for Compensation of the State for the Use  
of Public Highways by Motor Vehicles Used for the Con-  
veyance of Passengers for Hire.

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

Section 1. Chapter twenty-nine of the revised statutes of Maine (revision of 1930) hereby is amended by inserting after section fifty-four thereof the following new sections:

'Sec. 54(a). In addition to the annual registration and licensing fees provided for in the foregoing section there shall be paid by and collected from the owner or owners of each motor vehicle used for the conveyance of passengers for hire, and having seating capacity for more than seven passengers, the following charges as compensation for the use of the public highways and for the maintenance, repair and reconstruction of the same:

For such motor vehicles having a seating capacity of eight but not exceeding fifteen passengers, one half cent per mile for each mile traveled by such motor vehicles over the highways in this state, the tax to increase one half cent per mile for each eight units, or fraction thereof, of seating capacity in excess of fifteen passengers.

The owner or owners of such motor vehicles who have paid, during any calendar year, excise taxes as provided for in

chapter twelve of the revised statutes of Maine (revision of 1930), upon any such motor vehicles used in the transportation of passengers for hire over the highways in this state may apply the excise tax so paid as a credit against, and deduct the amount thereof from, the foregoing charges, payable during the same calendar year, against such motor vehicles so used in the conveyance of passengers for hire.

'Sec. 54(b). All owners of motor vehicles used in the conveyance of passengers for hire to which the preceding section applies shall, on or before the last day of each month, file with the secretary of state, on forms and under rules and regulations to be prescribed by him, a return containing a sworn statement of the name and address of the owner or owners of each motor vehicle operated over the highways of this state by such owner or owners, the number of miles which each motor vehicle shall have operated over the highways in this state during the preceding month, the seating capacity of each such motor vehicle, and such other information as the secretary of state may require in order promptly to compute the charges fixed by the preceding section against such owner or owners; such return shall be accompanied with payment in full of the charges due for the preceding month from such owner or owners, subject to the credit provided for in the preceding section. There shall be added to all such charges, and collected from the owner or owners against whom the same are fixed, interest at the rate of one per cent per month on all such charges not paid on or before the date when the same are due and payable as aforesaid, and if said charges remain unpaid for a period of more than thirty days after the same are due and payable, the certificate of registration of the motor vehicles to which said charges apply automatically shall become suspended and such motor vehicles shall not be operated on the highways of this state during the suspension of such registration. It hereby is made the duty of the secretary of state to enforce the provisions of this and the preceding section and to collect all charges provided for in said sections, and said secretary of state hereby is vested with such authority, and is authorized to take such action, as may be necessary for the prompt and efficient investigation and collection of such charges, and for the enforcement of said sections, including

the institution and prosecution in the name of the state of all actions and court proceedings brought for that purpose. All monies collected by the secretary of state under the provisions of this and the preceding section shall be remitted by him to the state treasurer and allocated to the state highway fund. Every motor vehicle subject to the provisions of this and the preceding section shall be equipped with an instrument which accurately will register the mileage traveled by such motor vehicle and such instrument at all times shall be kept in proper working condition. Any person who knowingly makes any false return to the secretary of state or who knowingly makes any false statement or report to any representative of the secretary of state, and any person who knowingly aids or abets such person, shall be fined not more than five hundred dollars or imprisoned not more than eleven months, or may be both fined and imprisoned.

'Sec. 54(c). The provisions of the two preceding sections shall not apply to motor vehicles while engaged exclusively in the transportation of pupils, teachers or school officials to or from schools or while used exclusively for transporting persons to or from Sunday schools, churches or religious services or to or from picnics or special pre-arranged excursions under the auspices of any school, Sunday school, church or religious organization; nor shall said sections apply to motor vehicles while engaged exclusively in operating within the limits of a single city, town or village or between a depot and hotels nor to motor vehicles while used exclusively in performing transportation service for any branch of the government of the United States, for any department of the state or for any county, city, town, village, water district or sewer district, nor to motor vehicles when engaged in the delivery of United States mail.

'Sec. 54(d). All motor vehicles used in the conveyance of passengers for hire and not registered in this state shall be subject to the charges provided for in section fifty-four (a) and shall make to the secretary of state the reports provided for in section fifty-four (b); if the owner or owners of any such motor vehicles using the highways in this state shall fail to make the reports and fail to pay the charges provided for in said sections, such motor vehicles shall be excluded from the use of the highways in this state and may be held as

security for such charges as may be due and payable, and the owner or owners thereof shall be subject to a fine of not less than one hundred or more than one thousand dollars. The secretary of state may call upon the state highway police for assistance in the enforcement of this section.

Sec. 2. The first return to the secretary of state under the provisions of this act shall be for the month of August, 1931; such return shall be made on or before September thirtieth, 1931 and shall be accompanied by payment of such tax as the return shall show to be due and payable, and thereafter return shall be made, and tax paid, monthly as provided in section one of this act; only one half of the excise taxes paid during 1931 may be used as a credit against the charges provided for in this act.