

MAINE STATE LEGISLATURE

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EIGHTY-FIFTH LEGISLATURE

Legislative Document

No. 570

H. P. 1038 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.

STATE OF MAINE

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

AN ACT Amending Chapter 29 of the Revised Statutes of
Maine (Revision of 1930) and to Provide for Compensation
to the State for the Use of Public Highways by Motor
Trucks.

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-seven thereof the following new sections:

'Sec. 57(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 truck, and of each motor truck trailer or trailers com-
bined, having a carrying capacity of three thousand pounds or
more, the following charges as compensation for the use of
the public highways and for the maintenance, repair and re-
construction of the same; the capacity of all such vehicles
shall be based, as to all trucks which have not been changed or
rebuilt subsequent to their original manufacture, upon the
factory list capacity thereof, but as to all trailers, and as to re-
built and changed trucks, upon the actual capacity thereof:

For trucks, or truck and trailer or trailers combined, having
a carrying capacity of three thousand pounds and less than

six thousand pounds, one-half cent per mile for each mile traveled over the highways in this state

For trucks, or truck and trailer or trailers combined, having a carrying capacity of six thousand pounds and less than eight thousand pounds, one cent per mile for each mile traveled over the highways in this state

For trucks, or truck and trailer or trailers combined, having a carrying capacity of eight thousand pounds and less than ten thousand pounds, one and one-half cents per mile for each mile traveled over the highways in this state

For trucks, or truck and trailer or trailers combined, having a carrying capacity of ten thousand pounds and over, two cents per mile for each mile traveled over the highways in this state.

The owner or owners of motor trucks and trailers 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 motor truck or trailer, of carrying capacity of three thousand pounds or more, so used over the highways in this state may apply the excise tax so paid as a credit against, and deduct the amount thereof from, the charges against such motor truck, or such motor truck and trailer or trailers combined, as provided for in this section and payable during the same calendar year.

'Sec. 57(b). All owners of motor trucks and trailers 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 truck, or of each motor truck and trailer or trailers combined, operated over the highways of this state by such owner or owners, the number of miles which each such motor truck, or each motor truck and trailer or trailers combined, shall have operated over the highways in this state during the preceding month, the capacity of each such motor truck, or of each such motor truck and trailer or trailers combined, so operated, 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 truck or trucks and of the trailer or trailers registered in the name or names to which said charges apply automatically shall become suspended and such motor truck or trucks and such trailer or trailers 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 truck registered in this state shall be equipped with an instrument which accurately will register the mileage traveled by such motor truck 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. 57(c). The provisions of the two preceding sections shall not apply to motor trucks, or to motor trucks and trailer or trailers combined, while engaged exclusively in the transporting of agricultural, horticultural, dairy or other farm products when being transported by the producer or grower, in

a motor truck owned or hired by him and operated by him or his employe, from the point of production to any market, to an assembling or shipping point or to a place of storage or from the place of original storage to any market or to an assembling or shipping point and also shall not apply to the return movement of such truck or trailer if empty or if loaded with supplies owned by such producer or grower and necessary in his agricultural, horticultural, dairying or other farming operations; nor shall said sections apply to such trucks or trailers while engaged exclusively in work for any branch of the government of the United States or for any department of the state or for any county, city, town, village, water district or sewer district, nor to such trucks or trailers while being operated exclusively within the limits of a single city, town or village, nor to motor vehicles when engaged in the delivery of United States mail.

Sec. 57(d). All motor trucks, and all motor trucks and trailer or trailers combined, using the highways in this state but not registered therein shall be subject to the charges provided for in section fifty-seven (a) and shall make the reports to the secretary of state provided for in section fifty-seven (b); if the owner or owners of any such motor trucks, or such motor trucks and trailer or trailers combined, 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 trucks, and such motor trucks and trailer or trailers combined, 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 on 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.