

MAINE STATE LEGISLATURE

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H. P. 1453

House of Representatives, February 11, 1941.

Referred to Committee on Motor Vehicles. Sent up for concurrence and 750 copies ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Crockett of North Haven.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-ONE

AN ACT Relating to Nonresident Vehicles and Operators.

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

R. S., c. 29, § 40, amended; § 41, fourth subdivision, 1st ¶, §§ 57-A, 57-B, repealed. Strike out all of section 40, all of the proviso in the 1st paragraph of 4th subdivision of section 41 ending with the words "record of each such permit," all of section 57-A amended and all of section 57-B amended and insert as a new section 40 the following:

'Sec. 40. Nonresident vehicles and operators licensed in home state may operate; exceptions. (A) Except as otherwise provided in this chapter, the provisions of this chapter relative to the registration of motor vehicles, trailers and semitrailers, and the granting of operators' licenses shall not apply to a motor vehicle, trailer or semitrailer owned by a nonresident or to a nonresident operator, providing that the owner of such vehicle has complied with the provisions of law of the country, state, territory or federal district of his residence relative to the registration of such vehicle and provided said operator has complied with the provisions of law of the country, state, territory or federal district of his residence relative to operators' licenses. The provisions of this subsection shall apply to a motor vehicle, trailer or semitrailer owned by a nonresident, who has complied with the provisions of law of the country, state, territory or federal

district of his residence, only to the extent that like privileges are granted by such country, state, territory or federal district to a similar vehicle owned by a resident of this state who shall have complied with the laws of this state relative to registration of such vehicles.

Nothing in this chapter shall be construed to permit a nonresident vehicle with or without load having a weight, length or height in excess of or equipped contrary to that allowed a similar resident vehicle, to be operated on the ways of this state.

(B) No motor vehicle owned by a nonresident shall be operated on the public ways of this state as a vehicle engaged in the business of livery or for hire, or as a jitney, within this state, and no motor truck, trailer or semitrailer, owned by a nonresident, shall transport property for hire, profit, compensation or otherwise, in intrastate commerce within this state in the same manner as may be required of like vehicles owned in this state; and if such vehicle be operated in transportation of property for hire, profit or compensation, unless and until it has conformed to the provisions of chapter 259, public laws of 1933, as amended, provided, however, that the provisions of this subsection shall not apply to vehicles operated by or for any public utility operating in this state while such vehicles are engaged in emergency repair work in this state provided such vehicles are registered in some other country, state, territory or federal district and have complied with the laws of the place of such registration.

(C) No special or emergency permit for movement or transportation of property shall be granted to a nonresident owner of any vehicle, when the vehicle, with or without load exceeds the limits imposed by this chapter as to weight, length, width or height and when such vehicle is not properly registered in this state in the same manner as provided for resident owners, or when, if the transportation of such property is for hire, profit or compensation, the owner has not complied with the provisions of this chapter in the same manner as resident owners and with the provisions of chapter 259 of public laws of 1933 as amended, and the Interstate Commerce Act, Part II, Motor Carrier Act of 1933, as amended; provided, however, the state police may designate some place within the state and close to the border on each highway entering the state as a "transfer place" and permit any nonresident owned vehicle to enter the state and proceed to such transfer place for the sole purpose of transferring property to or receiving property from a resident owned vehicle properly registered under the provisions of the above mentioned laws of this state and the federal government without requiring registration of such nonresident vehicle.

(D) The secretary of state shall determine what country, state, terri-

tory, or federal district grant like privileges to residents of this state as granted by this chapter to nonresident owners and operators and to the extent that he shall determine, shall grant like privileges to the nonresident owner and operator from such country, state, territory or federal district.

(E) The provisions of this section shall be separable, and if any of such provisions be held to be unconstitutional, such unconstitutionality shall not affect the validity of the remaining provisions thereof.'