

MAINE STATE LEGISLATURE

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N I N E T Y - S E V E N T H L E G I S L A T U R E

Legislative Document

No. 1324

H. P. 1126

House of Representatives, March 16, 1955.

Referred to Committee on Judiciary. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Hatfield of Orrington.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-FIVE

AN ACT Relating to Definition and Duties of "Owner" in Motor Vehicle Laws.

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

Sec. 1. R. S., c. 22, § 1, amended. The 8th paragraph of section 1 of chapter 22 of the revised statutes which relates to the definition of "owner" is hereby amended to read as follows:

'"Owner" shall mean any person, firm, corporation or association owning a vehicle or the mortgagor or the vendee in a conditional sales contract, **and shall mean any person, firm, corporation or association owning a motor-truck or truck-tractor, or having the right to use the same thereof, under contract, lease, hiring or otherwise, except, however, it shall not mean or include a person engaged in the business of renting motor vehicles without drivers, as provided for in section 158; provided, however, that nothing contained in this definition shall require a common or contract carrier by motor vehicle operating under permit of the Interstate Commerce Commission or the Public Utilities Commission to register a motor vehicle leased by such carrier for the purpose of augmenting such carrier's equipment, if such motor vehicle is properly registered by the owner thereof in this or some other State;**'

Sec. 2. R. S., c. 22, § 13, amended. The 1st paragraph of section 13 of chapter 22 of the revised statutes is hereby repealed and the following paragraph enacted in place thereof:

'All such owners as defined in section 1 shall register the same in this State if such motor-truck or truck-tractor is to be operated or remain on any way in this State, unless the said vehicle is so registered by the owner in another State.'

Sec. 3. R. S., c. 22, § 157, amended. Section 157 of chapter 22 of the revised statutes is hereby amended to read as follows:

'Sec. 157. Owner and renter of motor vehicles to be jointly and severally liable for damages. The owner of a motor vehicle engaged in the business of renting motor vehicles, **with or** without drivers, who rents any such vehicle, **with or** 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 the vehicle by or with the permission of the person so renting the vehicle from the owner, except that the foregoing provisions shall not confer any right of action upon any passenger in any such rented vehicle as against the owner, but nothing herein contained shall be construed to prevent the introduction as a defense of contributory negligence to the extent to which such defense is allowed in other cases.'

Sec. 4. R. S., c. 22, § 158, amended. Section 158 of chapter 22 of the revised statutes is hereby amended to read as follows:

'Sec. 158. Owner of rented motor vehicles to keep a record of the renter. Every person engaged in the business of renting motor vehicles **with or** without drivers who shall rent any such vehicle **with or** without a driver, otherwise than as a part of a bona fide transaction involving the sale of such motor vehicle, shall maintain a record of the identity of the person to whom the vehicle is rented, including a record of his license, and the exact time the vehicle is the subject to such rental or in possession of the person renting and having the use of the vehicle, and every such record shall be a public record and open to inspection by any officer, and it shall be a misdemeanor for any such owner to fail to make or have in possession or to refuse an inspection of the record required in this section. If the Secretary of State prescribes a form for the keeping of the record provided for in this section, the owner shall use said form.'