

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

STATE OF MAINE

ENACTED BY THE

Seventy-Seventh Legislature

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Seventy-Seventh Legislature

1915

[supplied from page 1 of volume]

Chapter 207.**CHAP. 207**

An Act to Amend Sections One, Two, Three and Twenty of Chapter One Hundred Sixty-two of the Public Laws of Nineteen Hundred Eleven, Relating to the Regulation of Speed of Motor Vehicles.

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

Section 1. Section one of chapter one hundred sixty-two of the Public Laws of nineteen hundred eleven is hereby amended by inserting after the word "cycles" in the seventh line thereof the words 'which shall mean all kinds of motor wheels,' so that said section, as amended, shall read as follows:

Ch. 162, Sec.
1, P. L., 1911,
amended.

'Section 1. The terms "motor vehicle," as used in this act shall include all vehicles self-propelled on the highway, town way, public streets, avenues, driveway, park or parkway, by motive power of whatsoever kind, namely automobiles (used for the conveyance of persons for hire, pleasure or business), motor trucks or automobiles (used for commercial purposes), motor cycles, which shall mean all kinds of motor wheels (used for pleasure or business), loghaulers or traction engines (used for commercial purpose), excepting such vehicles as run only upon rails or railway tracks, automobile fire engines and apparatus, and other vehicles used by cities or towns, such as police patrol wagons and road rollers.'

Term motor vehicle
defined.

Section 2. Section two of said chapter is hereby amended by striking out the word "ten" in the sixth line thereof, and inserting in lieu thereof the word 'fifteen;' also by striking out all of said section after the word "hour" in the sixth line thereof, and inserting in lieu thereof the following: "The compact or built-up portion of any city, town or village shall mean the territory of a city, town or village contiguous to any way which is built up with structures devoted to business, or where the dwelling houses are situated less than one hundred fifty feet between them for a distance of at least one quarter of a mile. Provided, however, that no person shall be convicted for exceeding the rate of speed hereby established for any compact or built-up portions unless said city, town or village shall cause the words "Speed Limit, Fifteen Miles" to be conspicuously displayed on sign boards along each highway, town way, public street, driveway or parkway and such other signs as will clearly designate such compact or built-up portion.

Ch. 162, Sec.
2, P. L.,
1911,
amended.

—addi-
tional.

It shall not be a violation of the speed regulation in the open country, outside of cities and villages, unless the average speed for at least one-half mile exceeds the rate of twenty-five miles per hour.

No municipal officer or other person shall erect or cause to be erected speed limit signs contrary to those contemplated by

CHAP. 207 this act and if any such signs now exist it shall be the duty of municipal officers of cities and towns to cause their removal.

Any person arrested for violation of any of the speed regulations of this act, except those of section twenty, shall be given an immediate trial, if he shall so demand of the officer making the arrest, but if for any reason it is impracticable so to do, the officer making the arrest shall accept the personal recognizance of the person arrested for his appearance in court on a specified day, not later than two days thereafter. If such person fails to appear in court on the day specified, either in person or by counsel, the court shall, in case said person be a resident, order the Secretary of State to revoke his license and also annul the registration of the motor vehicle driven by such person when arrested; and in case said person be a non-resident or said vehicle be licensed by some other state or country, all rights of said person to operate in this State, or of the owner of said vehicle to have the same operated in this State shall forthwith terminate.

None of the foregoing provisions of this section shall be held in any way to modify or effect the operation of any of the provisions of section three of this act,' so that said section, as amended, shall read as follows:

Rate of speed of automobiles regulated.

'Section 2. The rate of speed upon any highway, town way, public street, avenue, driveway, park or parkway, by any person operating a motor vehicle in this State shall be not greater than twenty-five miles an hour in open country outside of cities and villages, and within the compact or built-up portions of any city, town or village not greater than fifteen miles an hour. The compact or built-up portion of any city, town or village shall mean the territory of a city, town or village contiguous to any way which is built up with structures devoted to business, or where the dwelling houses are situated less than one hundred fifty feet between them for a distance of at least one-quarter of a mile. Provided, however, that no person shall be convicted for exceeding the rate of speed hereby established for any compact or built-up portions unless said city, town or village shall cause the words, "Speed Limit, Fifteen Miles" to be conspicuously displayed on sign boards along each highway, town way, public street, driveway or parkway and such other signs as will clearly designate such compact or built-up portion.

Compact or built-up portion defined.

-proviso.

No person shall be convicted if sign boards are not displayed.

-speed in open country.

It shall not be a violation of the speed regulation in the open country, outside of cities and villages, unless the average speed for at least one-half mile exceeds the rate of twenty-five miles per hour.

No municipal officer or other person shall erect or cause to be erected speed limit signs contrary to those contemplated by this act and if any such signs now exist it shall be the duty of municipal officers of cities and towns to cause their removal.

Any person arrested for violation of any of the speed regulations of this act, except those of section twenty, shall be given an immediate trial, if he shall so demand of the officer making the arrest, but if for any reason it is impracticable so to do, the officer making the arrest shall accept the personal recognition of the person arrested for his appearance in court on a specified day, not later than two days thereafter. If such person fails to appear in court on the day specified, either in person or by counsel, the court shall, in case said person be a resident, order the Secretary of State to revoke his license and also annul the registration of the motor vehicle driven by such person when arrested; and in case said person be a non-resident or said vehicle be licensed by some other state or country, all rights of said person to operate in this State or of the owner of said vehicle to have the same operated in this State shall forthwith terminate.'

Section 3. Section three of said chapter is hereby amended by inserting after the word "forbidden" in the seventh line thereof the following: 'It shall be prima facie evidence of a rate of speed greater than is reasonably safe and proper, as aforesaid, if a motor vehicle is operated on any highway, town way, public way, street or avenue, driveway, park, or parkway in the built-up or compact portion of any city or town at a rate of speed exceeding eight miles per hour where the operator's or chauffeur's view of the road traffic is obstructed either upon approaching an intersecting way, or in traversing a crossing or intersecting of ways, or in going around a corner or curve in a street or way,' so that said section, as amended, shall read as follows:

'Section 3. No person operating a motor vehicle on any highway, town way, public street, avenue, driveway, park or parkway, shall drive at any speed greater than is reasonable, safe and proper, having regard to the traffic and use of the public way by others, or so as to endanger the life or limb of any person. Racing and reckless driving on any such ways, streets, avenues or parks is hereby forbidden. It shall be prima facie evidence of a rate of speed greater than is reasonably safe and proper, as aforesaid, if a motor vehicle is operated on any highway, town way, public way, street or avenue, driveway, park or parkway in the built-up or compact portion of any city or town at a rate of speed exceeding eight miles per hour where

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Speed limit signs contrary to provisions of this act shall not be erected.

Violators shall upon request be given immediate trial.

Penalty for failure to appear in court.

Ch. 162, Sec. 3, P. L., 1911, amended.
—additional.

Rate of speed shall be within reason, as to insure safety.

Racing on public highway forbidden.

Limited speed of eight miles per hour, when.

CHAP. 207 the operator's or chauffeur's view of the road traffic is obstructed either upon approaching an intersecting way, or in traversing a crossing or intersecting of ways, or in going around a corner or curve in a street or way.

Municipal officers may grant permit.

Permits may be granted by municipal officers of cities or towns after a public hearing thereof to drive automobiles or motor cycles in hill climbing contests during a specified time upon a certain highway at any rate of speed.'

Ch. 162, Sec. 20, P. L., 1911, amended.

Section 4. Section twenty of said chapter is hereby amended by inserting after the word "revoked" in the last line thereof, the following:

-additional.

'If any motor vehicle is so driven in a reckless manner or by a person apparently under the influence of intoxicating liquor, it shall be the duty of every officer who is charged with enforcing the laws of the State, and every citizen thereof, to report the same to the Secretary of State at once; also the number on the number plates on the vehicle, together with the name of the state where such vehicle is registered, and if known, the name, and permanent, or temporary residence, of the driver or owner.

Upon receipt of such complaint the Secretary of State shall forthwith investigate the case and have authority to suspend the license to operate of the persons against whom the complaint is made and to suspend the registration of the vehicle operated for such time as the Secretary shall deem advisable. This paragraph shall apply to residents and non-residents operating motor vehicles.

No fees shall be allowed to either the complainant or officer making arrest under this chapter.

Assessors of cities, towns and plantations shall annually, on or before the fifteenth day of April, make returns to the Secretary of State of all persons within their respective cities, towns or plantations owning motor vehicles, as appears by their assessment books.

A copy of this section shall be printed on every operator's license,' so that said section, as amended, shall read as follows:

Penalty for operating motor vehicle in a reckless way, or while intoxicated, or without authority of owner.

'Section 20. Any person operating a motor vehicle upon any way recklessly or while under the influence of intoxicating liquor so that the lives or safety of the public are in danger, or upon a bet, wager or race, or who for the purpose of making a record, thereby violating the speed regulations and who knowingly goes away without stopping and making himself known after causing injury to any person or property, or who uses a motor vehicle without authority from its owner, shall be punished by a fine not exceeding fifty dollars, or by imprison-

ment for a term of three months, or by both such fine and imprisonment, and if any person be convicted the second time for violation of this section, he shall be punished by a fine of one hundred dollars or by imprisonment for a term not less than six months and not more than one year. On conviction of violation of this section, the license of the person to operate so convicted shall be revoked immediately. And if the person so convicted is the owner of a motor vehicle, or has control of any motor vehicles as a manufacturer or dealer, the certificate of registration of all motor vehicles owned or controlled shall be revoked.

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—for second offense.

License may be revoked.

If any motor vehicle is so driven in a reckless manner or by a person apparently under the influence of intoxicating liquor, it shall be the duty of every officer who is charged with enforcing the laws of the State, and every citizen thereof, to report the same to the Secretary of State at once; also the number on the number plates on the vehicle, together with the name of the state where such vehicle is registered, and, if known, the name, and permanent, or temporary residence of the driver or owner.

Violation of law shall be reported to Secretary of State.

Upon receipt of such complaint the Secretary of State shall forthwith investigate the case and have authority to suspend the license to operate of the persons against whom the complaint is made and to suspend the registration of the vehicle operated for such time as the Secretary shall deem advisable. This paragraph shall apply to residents and non-residents operating motor vehicles.

Secretary of State shall investigate case.

No fees shall be allowed to either the complainant or officer making arrest under this chapter.

—no fee allowed.

Assessors of cities, towns and plantations shall annually, on or before the fifteenth day of April, make returns to the Secretary of State of all persons within their respective cities, towns or plantations owning motor vehicles, as appears by their assessment books.

Assessors shall notify Secretary of State of motor vehicles owned in their respective jurisdiction.

A copy of this section shall be printed on every operator's license.'

—printed on license.