

# MAINE STATE LEGISLATURE

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# Acts and Resolves

As Passed by the

## Seventy-Ninth Legislature

OF THE

## STATE OF MAINE

AT THE

SPECIAL SESSION

November 4-8, 1919

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Supplementary to the Acts and Resolves of the Regular Session.

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

As Passed by the Seventy-Ninth Legislature

AT THE

Special Session, November 4-8

**1919**

Supplementary to Public Laws of the Regular Session

[supplied from page 3 of volume]

## Chapter 242.

An Act to Require Mirrors or Reflectors on Certain Motor Vehicles and to Regulate the Use of Spot Lights Thereon.

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

**Sec. 1. Taxicabs and commercial motor vehicles to be equipped with mirror or reflector for purpose of affording operator view to the rear.** No person shall operate upon any public way any taxicab, commercial motor vehicle or motor truck, so constructed, equipped or loaded that the driver or operator is prevented from having a constantly free and unobstructed view of the highway immediately in the rear, unless there is attached to the vehicle a mirror or reflector so placed and adjusted as to afford the operator a clear, reflected view of the highway in the rear of the vehicle.

**Sec. 2. Spot lights on motor vehicles, regulating use of.** There shall not be used on or in connection with any motor vehicle a spot light, so-called, the rays from which shine more than two feet above the road at a distance of thirty feet from the vehicle, except that such a spot light may be used for the purpose of reading signs, and as an auxiliary light in cases of necessity when the other lights required by law fail to operate.

**Sec. 3. Penalty for violation.** Violation of this act shall be punished by a fine of not less than ten nor more than fifty dollars.

Approved November 7, 1919.

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## Chapter 243.

An Act to Amend Sections Two, Three, Four, Five and Six of Chapter Three Hundred Nineteen of the Public Laws of Nineteen Hundred and Fifteen Relative to State and County Aid in the Construction of Highway Bridges.

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

**Sec. 1. 1915, c. 319, § 2; 1917, c. 304, relating to apportionment of cost of construction of bridges; amended.** Paragraph one of section two of chapter three hundred and nineteen of the public laws of nineteen hundred and fifteen, as amended by section two of chapter three hundred and four of the public laws of nineteen hundred and seventeen, is hereby amended by striking out all after the word "bridge" in the thirteenth line of said section and inserting in place thereof the following: 'and the form of its construction. Said board shall keep or cause to be kept a written record of its doings, including its findings as to preliminary facts necessary to its organization and jurisdiction. The decision of said board, or a majority thereof, upon any matter within its jurisdiction shall be final and conclusive, and the record of its findings upon all preliminary matters shall be prima facie evidence of the truth thereof. The state highway com-

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mission shall appoint times and places for meetings of said board and give such reasonable notice thereof as they shall see fit,' so that said paragraph of said section as amended shall read as follows:

**'Sec. 2. Board comprising municipal officers, county commissioners and state highway commission, sitting to determine necessity of building or rebuilding bridge and form of construction shall keep written record of its doings. Decision of board to be final. State highway commission to appoint time and place of meetings and shall give reasonable notice thereof.** When the municipal officers of any town deem that any bridge on any main thoroughfare must be built or rebuilt and in their judgment the expense of the construction will entitle the municipality to state and county aid as provided in section one of this act, they shall petition the commissioners of the county or counties in which said bridge is, or may be built or rebuilt and the state highway commission to meet with them for the purpose of examining into and determining whether public convenience and necessity require the building or rebuilding of said bridge; said petition to be accompanied by such plans of survey as may be directed to be made by the state highway commission. The said municipal officers together with the county commissioners and the state highway commission, shall constitute a board to determine the necessity of building or rebuilding said bridge, and the form of its construction. Said board shall keep or cause to be kept a written record of its doings, including its findings as to preliminary facts necessary to its organization and jurisdiction. The decision of said board, or a majority thereof, upon any matter within its jurisdiction shall be final and conclusive, and the record of its findings upon all preliminary matters shall be prima facie evidence of the truth thereof. The state highway commission shall appoint times and places for meetings of said board and give such reasonable notice thereof as they shall see fit.'

**Sec. 2. 1915, c. 319; 1917, c. 304, § 3; 1919, c. 162, relating to plans and specifications, contracts, raising of money, etc., for construction of bridges, etc., amended.** Section three of chapter three hundred nineteen of the public laws of nineteen hundred and fifteen as amended by section three of chapter three hundred and four of the public laws of nineteen hundred and seventeen, and as amended by chapter one hundred and sixty-two of the public laws of nineteen hundred and nineteen, is hereby further amended so as to read as follows:

**'Sec. 3. State highway commission to advertise for bids; bond to be required; towns may submit bids; bids to be made public; if no bids received or if rejected, work to be performed under supervision of governor and council; commission may perform bridge work without bids if for best interest of state; county commissioners may assess taxes upon unorganized townships.** If the board shall decide that public convenience

and necessity require the building or rebuilding of said bridge, they shall determine the form of its construction and approve the estimated cost; and thereupon it shall be the duty of the state highway commission to prepare plans and specifications for the construction thereof, and as soon as the town or towns and the county or counties interested have paid into the state treasury their proportional shares of the estimated cost of such construction shall, except as otherwise provided in this section, advertise for bids for the same in two or more public newspapers printed wholly or in part in the state, also in one public newspaper printed wholly or in part in the county where the proposed work is to be done, if any such newspaper is so printed in such county; such advertisement shall state the place where the bidders may examine the plans and specifications, and the time and place where the bids for such work will be received by the commission. Each bidder must accompany his bid with a certified check, payable to the treasurer of state, for ten per cent of the amount of his bid as a guarantee that if the work is awarded to him he will contract with the commission for its due execution; such checks shall be returned to the respective unsuccessful bidders. The check of the successful bidder shall be returned to him upon the execution and delivery to the commission of his contract and his bond with sufficient sureties, in terms satisfactory to the commission for the due execution of such work. All bids so submitted shall be publicly opened, read and posted at the time and place stated in such advertisement. The commission shall have the right to reject any and all bids if in its opinion good cause exists therefor, but otherwise it shall award the contract to the lowest responsible bidder. Any town may submit bids for bridge construction within its limits, and shall be subject to all requirements prescribed for other contractors, except that no bond need be required of it. If all bids for work under this chapter are rejected, or if no bids are received, the commission may perform said work by any method which the governor and council approve. The commission may, however, with the approval of the governor and council, let contracts for bridge construction, or do the same, for and in behalf of the state without advertising for bids if the same shall be for the best interests of the state. The commission shall have full power in all matters relating to the furnishing of bonds by the successful bidders for the completion of their work and fulfilling of their contracts, and for the protection of the state and the town from all liability arising from damage or injury to persons or property. The county commissioners of any county where a bridge is to be built or rebuilt in any unorganized township are authorized and required to assess upon said township such sums as may be required to build or rebuild said bridge according to the last state valuation, the whole expense thereof shall be added to their next assessment on said township for repairs authorized by section sixty of chapter ten of the revised statutes

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which assessment shall create a lien upon said township for the whole amount thereof as effectually as is now provided in relation to repairs on such county road. That portion of said assessment which is for building or repairing said bridge aforesaid, shall be set down in the assessment in distinct items in a separate column and shall be enforced as is provided in section sixty-one of chapter ten of the revised statutes.

The county commissioners and municipal officers of cities heretofore referred to are hereby authorized and required to raise by taxation or by borrowing or otherwise, such reasonable sums as may be necessary to carry out the provisions of this act, and the municipal officers of towns, when authorized by a vote at a legal town meeting, are also required to raise by taxation or by borrowing or otherwise, such like sums as may be necessary to carry out the provisions of this act. Any loan so made by the municipal officers or county commissioners shall be a legal debt of the county, town, city or plantation whose credit is pledged under this law. All loans made by the county commissioners under this law are excepted from the provisions of the laws of the state limiting the borrowing capacity of counties. Provided, however, that all loans made by the county commissioners and municipal officers under this law shall mature in not more than twenty years, and not less than one-twentieth of any loan so made shall be raised by taxation and applied in payment of the loan each year after the loan is made.'

**Sec. 3. 1915, c. 319, § 4, relating to supervision and payment of cost of construction.** Section four of chapter three hundred nineteen of the public laws of nineteen hundred and fifteen is hereby amended by adding to said section the following paragraph, 'In case any county or town unreasonably neglects or refuses to pay into the state treasury its proportional part of the estimated cost of construction which may be due and payable under the provisions of this act, or its proportional part of the excess cost of construction above the estimated cost, then the state treasurer shall, out of any funds in the state treasury due said county or town, pay such proportional part and deduct the amount so paid from any such sum in the state treasury due said county or town. In case such funds due or to become due any town or county from the state treasury in any one year do not equal or exceed the towns' or counties' share of either the estimated cost or the actual cost of a bridge to be constructed under the terms of this act, then an action of debt in the name of the state treasurer may be maintained against such delinquent county or town to recover any sum so due the state, but these remedies shall be in addition to, and not exclusive of, other remedies afforded by law for the proper enforcement of the provisions of this chapter,' so that said section as amended shall read as follows:

**'Sec. 4. How towns' and counties' share of cost of construction may be collected in case of neglect or refusal of payment.** The state highway commission shall have supervision of all construction work and no payment shall be made on account of any of said work until the same has been approved by said state highway commission. On completion of any bridge the state highway commission shall render an itemized statement of the complete cost of the construction to the town or towns and the county or counties interested and to the state treasurer. If there remains unexpended balances of the moneys advanced by the town or towns and the county or counties they shall be immediately returned. If the cost of construction has exceeded the estimated cost, the town or towns and the county or counties interested shall forthwith, on receipt of said itemized statement, forward to the treasurer of state their proportional shares of such additional cost.

In case any county or town unreasonably neglects or refuses to pay into the state treasury its proportional part of the estimated cost of construction which may be due and payable under the provisions of this act or its proportional part of the excess cost of construction above the estimated cost, then the state treasurer shall, out of any funds in the state treasury due said county or town, pay such proportional part and deduct the amount so paid from any such sum in the state treasury due said county or town. In case such funds due or to become due any town or county from the state treasury in any one year do not equal or exceed the towns' or counties' share of either the estimated cost or the actual cost of a bridge to be constructed under the terms of this act, then an action of debt in the name of the state treasurer may be maintained against such delinquent county or town to recover any sum so due the state, but these remedies shall be in addition to, and not exclusive of, other remedies afforded by law for the proper enforcement of the provisions of this chapter.'

**Sec. 4. 1915, c. 319, § 5; relating to application of certain sections and apportionment of cost of construction, amended.** Section five of chapter three hundred nineteen of the public laws of nineteen hundred and fifteen is hereby amended by striking out the words "and all plans and specifications shall be approved by a majority of said board," in the eleventh and twelfth lines of said section, so that said section as amended shall read as follows:

**'Sec. 5. Provision as to approval of plans and specifications by majority of board eliminated.** All the foregoing provisions shall apply to either or all towns in the same county or to either or all towns in different counties, and to the county or counties when a bridge is to be built or rebuilt, which crosses the boundary line between said towns or between said towns



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and said counties and the proportion of the cost of construction which either town would legally bear under agreements or legislative enactments in effect January first, nineteen hundred and seventeen, will in addition to the other highway taxes of the said town make a tax rate in excess of five mills. In such cases the municipal officers of each of said towns and the commissioners of each of said counties shall sit upon the board provided for in section two. Notice of complete cost of construction shall be forwarded to each town and each county interested. The proportional parts of the cost to be borne by the towns or by the counties under the provisions of section one of this act shall be apportioned between said towns and between said counties in proportion to their valuations last made by the board of state assessors, in absence of any legal agreement or legislative enactment in effect January one, nineteen hundred and seventeen, regulating such division of cost.'

**Sec. 5. 1915, c. 319, § 6; relating to the cost of maintenance of bridges, amended.** Section six of chapter three hundred nineteen of the public laws of nineteen hundred and fifteen is hereby amended by inserting after the word "certify" in the thirteenth line of said section the words 'the same' so that said section as amended shall read as follows:

'**Sec. 6. Certification of state auditor in case of delinquent towns.** All cost of maintenance of bridges built or rebuilt under the provisions of this act shall be borne by the town or towns in which they are located, apportioned upon the basis of valuation as last made by the board of state assessors where more than one town is involved; provided, however, that in case of neglect or failure by any town or towns to properly maintain any bridges built or rebuilt under the provisions of this act, the state highway commission may order such maintenance work as in their judgment is deemed necessary. If any town or towns fail to obey, within a reasonable time, such order of the state highway commission, then the commission may proceed to do such maintenance work and the amounts payable by said towns, under the provisions of this act, shall be certified by the commission to the state auditor, who, if he finds the amount correct shall certify the same to the treasurer of state, and unless sooner paid it shall be collected and paid in the same manner as any state tax against such town or towns, with interest at six per centum per annum from the date of the auditor's certification to the treasurer of state.'

**Sec. 6. Inconsistent statutes repealed.** All acts and parts of acts inconsistent with this act are hereby repealed.

Approved November 7, 1919.