

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

AS PASSED BY THE

## Eightieth Legislature

OF THE

## STATE OF MAINE

1921

Including Acts and Resolves of the Special Session held in 1920.

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Published by the Secretary of State, in accordance with the Resolves of the Legislature approved June 28, 1820, March 18, 1840, and March 16, 1842.

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

As Passed by the Eightieth Legislature

**1921**

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from state held in the library; state aid shall be withheld when no report is made, and if report shows that public documents received from state are not retained. In every town and city where a free public library exists, the librarian of the state library shall transmit to such library all laws, Maine reports, and other documents which the town or city is by law entitled to receive from the state, and the same shall be constantly kept in such library for the use and benefit of all the citizens; and the officers of said library, on or before the first day of April of each year, shall send to the librarian of the state library a report containing a list of all books and documents purchased with the state stipend for the preceding year, and of all books and documents received from the state in said library. The aid from the state, hereby provided, shall be withheld from any town, city or village corporation until the report herein required to be made on or before the first day of April of each year, shall have been received by the librarian of the state library. And the same shall also be withheld unless said report shall show that the laws, Maine reports and other documents furnished to said town or city by the state are kept in said library as required by this section.

**Sec. 35. Books may be donated to towns to assist in foundation of library.** The trustees of the Maine State Library shall donate to any town having no free public library owned or controlled by the town, books purchased for that purpose, not exceeding fifty per cent in value of the books and documents purchased by said town for the purpose of founding a free public library therein; said donation in no case to exceed one hundred dollars, unless in the judgment of the trustees, it would be to the advantage of the library to receive the amount in some other form.

**Sec. 36. Towns may accept gifts and devises for library purposes.** Any town, as such, may receive, hold and manage devises, bequests or gifts for the establishment, increase or maintenance of a public library therein; and may accept by vote of the legal voters thereof, any land or land and buildings thereon, to be used as a public library or art gallery, or both combined. When any plantation is incorporated into a town, such gifts and the proceeds thereof fully vest in such town.

**Sec. 37. Inconsistent statutes repealed.** All acts and parts of acts inconsistent herewith are hereby repealed.

Approved April 9, 1921.

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## Chapter 211.

An Act Relative to Motor Vehicles and the Law of the Road, and to Revise and Amend Chapter Twenty-six of the Revised Statutes and Acts Amendatory thereof and Additional thereto.

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

**Sec. 1. Terms defined.** As used in this chapter, unless the context otherwise indicates, the word "way" includes all kinds of public ways;

the word "team" and the word "vehicle" shall each include all kinds of conveyances on such ways for persons and for property, except those propelled or drawn by human power, or used exclusively on tracks; the word "trailer" any vehicle for transportation of passengers or commodities without motive power, not operated on tracks, drawn or propelled by a motor vehicle, except a pair of wheels commonly used for other purposes than transportation; the term "solid tires" shall include tires of rubber or other material that do not depend on confined air for the support of the load; the term "motor vehicle," any self-propelled vehicle not operated exclusively on tracks, except tractors; the word "tractor," any self-propelled vehicle not used on fixed rails, designed or used as a traveling power plant for drawing vehicles, but having no provision for carrying loads independently; the word "owner," any person, firm, corporation or association owning a vehicle or having exclusive right to the use thereof under contract, lease, hiring, or otherwise; the word "curb," the outer edge of a defined sidewalk, or either edge of the wrought and usually traveled part of a way; the word "section," shall refer to this chapter unless otherwise indicated; and words in the context of this act indicating operation or use of a vehicle refer to its operation or use upon any way or bridge in this state, including public parks and parkways.

**Sec. 2. Teams approaching to meet shall turn to right; shall stop a reasonable length of time at some convenient passing place if requested.** When persons traveling with a team are approaching to meet on a way, they shall seasonably turn to the right of the middle of the traveled part of it, so that they can pass each other without interference. When it is unsafe, or difficult on account of weight of load to do so, a person about to be met or overtaken, if requested, shall stop a reasonable time, at a convenient place, to enable the other to pass.

**Sec. 3. Teams stationary or traveling slowly shall turn to right to allow another approaching from rear to pass.** When a person with a team is stationary, or traveling slowly, on a way at a place unsafe or inconvenient for passing him with a team, he shall, if requested, drive to the right, or stop a reasonable time at a convenient place, to allow the other to pass.

**Sec. 4. Stationary vehicles shall not obstruct way; animal drawn vehicles shall not be left on a way unless fastened.** No person shall leave his vehicle stationary on a way so as to obstruct the free passage of other vehicles; or allow an animal-drawn team to be in the way unattended unless it is reasonably fastened.

**Sec. 5. Vehicles shall keep to right boundary of way so as to allow swifter vehicles approaching from rear passage to left. A**

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person in control of any vehicle moving slowly along a way shall keep said vehicle as closely as practicable to the right-hand boundary of the way, allowing more swiftly moving vehicles reasonably free passage to the left.

**Sec. 6. Bells to be attached to horse or animal drawn vehicles when snow is on ground.** One or more bells shall be either attached to one of the foremost horses drawing vehicles without wheels on snow, or attached to the shafts of the vehicle.

**Sec. 7. At intersecting ways vehicles shall keep to right of center of intersection if turning to the right and pass to right of intersecting center if turning to left; shall not pass moving vehicle from rear at top of hill or on a curve or while crossing an intersecting way.** Whoever operates a motor vehicle shall at the intersection of ways keep to the right of the intersection of the center lines of the traveled part of such ways when turning to the right, and pass to the right of such intersection when turning to the left, except when traffic officers otherwise direct traffic. No operator shall pass a moving vehicle from the rear at the top of a hill or on a curve when the view ahead is in any way obscured or while the vehicle is crossing an intersecting way.

**Sec. 8. Street crossings and safety zones for pedestrians may be created by municipal ordinance.** Cities and towns may enact ordinances or by-laws providing for the establishment of street crossings and safety zones for pedestrians, and restrict or prohibit the crossing of streets by pedestrians except within the limits of crossings or zones so established.

**Sec. 9. Vehicles approaching street car from rear which is stationary shall stop at least five feet from car, except at safety zones or unless it can pass eight feet from running board; may pass to left when traffic permits.** An operator of a vehicle shall bring it to a full stop not less than five feet from the rear of any street car headed in the same direction which has stopped for the purpose of taking on or discharging passengers, and shall remain stationary until such car has taken on or discharged its passengers; provided, however, that such operator may pass such car where a safety zone is established or where he may pass such car at a distance of at least eight feet from the running board or lowest step thereof; and provided, further, that he shall slow down and proceed cautiously. He may also pass to the left of such car when there is a clear view and a clear way for at least one hundred feet in advance of such car on its left; provided he shall slow down and proceed cautiously.

**Sec. 10. Police and fire department vehicles and ambulances have right of way; street cars shall stop and vehicles shall be brought to right hand curb and remain stationary until apparatus has**

**passed.** Police, fire department, traffic emergency repair vehicles and ambulances, when operated in response to calls, shall have the right of way; and on the approach of any such vehicle the driver of every other vehicle shall immediately draw his vehicle as near as practicable to the right hand curb and parallel thereto and bring it to a standstill until such public service vehicles have passed. The person in control of a street car shall also immediately stop said car upon the approach of fire apparatus and keep it stationary until such apparatus has passed.

**Sec. 11. Teams with passengers conveyed for hire shall not be left unattended; brakes shall be set on stationary motor vehicles.** No driver of a team having passengers therein conveyed for hire, shall leave it without a person in charge or without fastening it securely; and no person having control or charge of a motor vehicle shall allow such vehicle to stand upon any way and remain unattended without effectively setting its brakes.

**Sec. 12. Motor vehicles or trailers over 8 feet wide or 12½ feet high not to be operated on any way.** No motor vehicle or trailer which, with or without load, is wider than eight feet over all, or is over twelve feet, six inches high, shall be operated upon any way or bridge. No portion of any such vehicle or load, except the reflecting mirror required by this act, shall project beyond the side of said vehicle to make a total width greater than herein specified.

**Sec. 13. Substances injurious to tires or motor vehicles or feet of persons or animals not to be placed on any way or bridge; when placed thereon by accident shall be removed.** No person shall throw or place, or cause to be thrown or placed upon any way or bridge, any tacks, nails, wire, scrap metal, glass, crockery or other substance injurious to the feet of persons or animals or to tires or wheels of vehicles. Whoever accidentally, or by reason of an accident, drops from his hand or a vehicle any such substance upon any way or bridge shall forthwith make all reasonable efforts to clear such way or bridge of the same.

**Sec. 14. Animal drawn teams not to pass over bridge faster than a walk; motor vehicles not to exceed twelve miles an hour; heavy vehicles may be further restricted.** No animal-drawn team shall travel faster than a walk on a bridge erected wholly or partly by the state, or on any bridge covered with plank and fifty feet long composing part of a way, or on any bridge owned by a corporation; and no motor vehicle shall travel over any such bridge faster than twelve miles an hour, provided, that heavy vehicles may be further restricted, as hereinafter provided.

**Sec. 15. Penalty for violation of speed limit over bridge.** Whoever wilfully violates the preceding section forfeits three dollars, to be recovered

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on complaint made by any owner of said bridge, or by any municipal officer of the town in which it is located, to the owners of the bridge or to the state or municipal corporation required to keep it in repair.

**Sec. 16. Heavy vehicles or vehicles with any contrivance on wheels injurious to road or bridge not to be operated without special permit; certain farm vehicles exempted; tire chains permitted.**

No vehicle, engine, contrivance or object shall be moved upon or over any way or bridge upon wheels, rollers or otherwise in excess of the weights prescribed in this act or without obtaining a permit in accordance with section eighteen; nor shall any vehicle, engine, team or contrivance of whatever weight be moved upon or over any way or bridge which has any flange, rib, clamp or other object attached to its wheels, or made a part thereof, likely to bruise or injure the surface of such way or bridge, without permit obtained as provided in this act. Mowing machines, light farm tractors, not customarily operated over public ways, and other lightweight farming vehicles, are exempted from the provisions of this section. This section shall not be construed to prohibit the use of tire chains of reasonable proportions on vehicles when required for safety because of snow, ice or other conditions tending to cause such vehicle to slide or skid. Provided, however, that this act shall not apply to ways, open to the public, privately owned or maintained, or to the use of such ways by those owning or maintaining them.

**Sec. 17. Tractors and trailers with a gross weight of over four tons not to pass over bridge faster than 15 miles an hour; six ton vehicles restricted to six miles.** No tractor, with or without trailers, and no motor vehicle having a gross weight in excess of four tons shall be operated upon any bridge at a rate of speed greater than fifteen miles per hour; and no such vehicle having a gross weight in excess of six tons shall be operated upon any bridge at a rate of speed greater than six miles per hour.

**Sec. 18. Permits may be granted for moving heavy objects over ways and bridges; jurisdiction; permits limited.** Jurisdiction is hereby vested in the state highway commission to grant emergency permits upon proper application in writing to move objects having a weight or width greater than specified in the two preceding sections over any way or bridge upon which the money of the state has been expended or over which said commission has assumed control; and like permits may be granted by county commissioners, municipal officers, superintendents of streets, or other road officials having charge of the repair and maintenance of any other way or bridge.



Said permits shall be issued to cover the emergency or purpose stated in the application and shall be limited as to the particular objects to be moved and the particular ways and bridges which may be used.

Provided, however, that the state highway commission, in respect to state and state aid highways and bridges within city or compact village limits, and municipal officers in respect to all other ways and bridges within such city and compact village limits, may grant permits to operate vehicles having a gross weight exceeding the limit of gross weight in this act prescribed, and all such permits may contain any special conditions or provisions which in the opinion of the grantors are necessary.

**Sec. 19. Special restrictions relating to heavy objects passing over bridges.** Notwithstanding any loads authorized in this act upon any bridge, officials charged with the repair and maintenance thereof may limit the load permitted on any bridge to such weight as they deem necessary for the safety of life or property, or the maintenance of such bridge. Upon the failure or neglect of local officials to prescribe such weights for any bridge, said commission may fix such limit of weight as it deems proper. Such regulations shall be in effect when notice thereof is conspicuously posted at each end of the bridge affected.

**Sec. 20. Ways may be closed to certain vehicles during certain seasons of the year; notices to be posted; jurisdiction.** The state highway commission shall designate state and state aid highways and improved third class highways and bridges, or sections thereof, over which, during such periods of each year as may be determined by the commission, it shall be unlawful for any motor truck or other vehicle or team to pass having a weight, with or without load, exceeding that prescribed by said commission; or to pass except according to restrictions as to weight, speed, operation and equipment prescribed by the commission and pursuant to its written license. County commissioners and municipal officers may make similar designations of any other ways and bridges within their respective jurisdictions, and impose similar restrictions upon vehicles passing over the same. Provided always that a notice specifying the designated sections of a way or bridge, the periods of closing, and prescribed restrictions, or exclusion, shall be conspicuously posted at each end thereof.

**Sec. 21. Penalties for violation of five preceding sections; bond may be required for permits for moving heavy objects over ways.** Whoever as owner, driver, operator or mover of any engine, team, vehicle or contrivance mentioned in the five preceding sections violates any provision of said sections or the regulations made or permits granted under authority thereof, shall be liable to a fine of not less than ten dollars nor

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more than five hundred dollars for each offense; and he shall also be responsible for all damage which said way or bridge may sustain as a result thereof, and the amount may be recovered in an action on the case brought by the municipality, when any way or bridge is injured which is under the care of said municipality; by the county commissioners in behalf of any unincorporated township injured, and by the state when any state or state aid way or bridge is injured; and shall be used for the repair of the ways and bridges so injured. Highway officials in granting permits under the preceding sections may require from owners or operators a bond satisfactory to them running to the state or the municipal corporation affected, conditioned to reimburse it for any expenses necessarily incurred in repairing all damage caused to the way or bridge by the use thereon of such vehicle, load, contrivance or other object.

**Sec. 22. Log-haulers and traction engines may be operated on ways, provided permit is obtained.** Log-haulers, traction engines, or other motive power to be used in drawing heavily loaded sledges, carts, drays, or vans, may be operated upon ways; provided the owners or operators thereof shall apply for and obtain a permit as provided in the preceding sections and shall deposit a bond as provided in said sections.

**Sec. 23. Movable track tractors, not subject to weight provisions of sec. 49.** Tractors, the propulsive power of which is exerted not through wheels resting upon the ground, but by means of a flexible band or chain known as a movable track, shall not be subject to the limitation upon permissible weight per inch width of tire as provided in section forty-nine if the portions of the movable track in contact with the surface of the way present plane surfaces.

**Sec. 24. Vehicles shall not pass over ways closed for repairs and contrary to posted notices; notices shall not be tampered with.** No person shall remove, injure, or tamper with any sign placed by authority of the state highway commission, or by any local official having charge of the repair and maintenance of ways and bridges; nor shall any person operate any vehicle over a way or bridge which is lawfully closed for construction or repairs, and contrary to posted notice whether the work thereon is being done by the state, county or municipality, or by a contractor, unless permit to pass is expressly granted by some person in charge of the work.

VEHICLES—THEIR REGISTRATION AND OPERATION  
LICENSING OPERATORS

**Sec. 25. State Highway Commission to enforce statutes relating to use of ways by motor and animal driven vehicles; may appoint**

**inspectors and state highway police.** The state highway commission shall be the chief enforcement department for all statutes, rules and regulations pertaining to vehicles and the law of the road, and to such commission, hereinafter referred to in this act as the commission, is hereby delegated all rights, duties and powers and by it may be performed all official acts authorized by statute respecting the regulation of motor vehicles and the owners or operators thereof.

The commission may employ such inspectors as may be necessary to enforce the provisions of this act. Inspectors may be equipped with motor-cycles and assigned to the patrol of state highways and other important ways outside of settled portions of cities and towns. The commission, with the consent of the governor and council, may also commission inspectors as state highway police, who shall throughout the state enforce the provisions of this act and all laws relating to motor-driven and horse-drawn vehicles, and all rules and regulations in relation thereto, arrest all violators thereof and prosecute all offenses against the same. Said state highway police shall have the same power to serve criminal processes against such offenders as sheriffs and shall have the same right as sheriffs to require aid in executing the duties of their office; and before being qualified to discharge the duties required by this act, shall give bond to the treasurer of state in the sum of five hundred dollars with surety approved by the commission and conditioned upon the faithful performance of the duties of their office. No inspector or member of the state highway police shall receive any fee for making an arrest or for court attendance; but shall be paid actual costs of arrest and actual expenses of travel.

**Sec. 26. Motor vehicles to be registered by secretary of state; shall report to governor and council.** The secretary of state, hereinafter called the secretary, shall collect all fees required for licensing and registering all vehicles and operators, and shall forthwith transmit the same to the treasurer of state. He shall from time to time as required by the governor and council, make report of his doings and of the fees received from vehicle registrations, licenses issued, and from other sources, with such recommendations as he may consider appropriate.

**Sec. 27. Secretary may appoint deputies in convenient places in state to receive applications.** The secretary may appoint deputies or agents stationed at convenient places in the state to receive applications for registration and licenses, and to conduct examinations when ordered by the secretary. Inspectors may be delegated to act as such deputies or agents.

**Sec. 28. Commission may conduct hearings to aid in enforcement of motor vehicle laws; may summon witnesses, etc.; justice of supreme court may issue summary process to enforce orders**

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**of commission; one commissioner may conduct hearing.** In the administration of the laws relative to motor vehicles and to the operators and the operation thereof, the commission may conduct hearings, subpoena witnesses, administer oaths, take testimony, and order the production of books and papers. Each commissioner for the purposes mentioned in this chapter may administer oaths, issue subpoenas and all processes necessary for the performance of the duties of the commission. The fees for travel and attendance of witnesses shall be the same as for witnesses before the supreme judicial court and shall be paid by the state out of motor vehicle registration fees upon certificates of the commission filed with the auditor. Any justice of the supreme judicial court, on the petition of the commission, may issue summary process to enforce the lawful orders of the commission in any matter.

To facilitate hearings one member of the commission may take testimony, and shall have the same power to conduct hearings as the commission would have, and on his report or findings the commission may act in any matter as fully as if the commission as a board had conducted such hearing.

**Sec. 29. Records of commission and secretary open to public inspection; complaint may be regarded as confidential.** All records of the commission and the secretary pertaining to the applications and registration of motor vehicles and to operators' licenses shall be open to public inspection during office hours. Complaints in writing may be regarded as confidential.

**Sec. 30. Applications for operators licenses to be sworn to; may be required to pass examination; applicant must be fifteen years old; licensee may operate any registered vehicle unless specifically limited.** Applications to operate motor vehicles shall be made under oath and may be presented by mail or otherwise to the secretary, upon blanks prepared under his authority, and which shall therein call for specific answers to questions of a character designed to show the experience and competency of the applicant to operate a motor vehicle; a fee of two dollars shall accompany the application. Before the license is granted an applicant may be required to pass such examination by actual demonstration or otherwise as to his qualifications to operate a motor vehicle as the secretary shall require; and no license shall be issued until the secretary is satisfied that the applicant is a proper person to receive it; no license shall be issued to any person under fifteen years of age. A record of all applications for license and of all licenses issued shall be kept by the secretary. Each license shall state the name, age, place of residence of the licensee and the distinguishing numbers or marks assigned to him and may contain a brief description of the licensee for the purpose of iden-

tification and such other information as the secretary shall deem necessary. A person to whom a license to operate a motor vehicle has been issued, unless such license contains a special limitation or restriction, may operate any registered motor vehicle. Every licensee shall endorse his usual signature upon the margin of the license before using it, and no license shall be valid until so endorsed.

**Sec. 31. Chauffeurs; special license required; to be furnished with badges; fee; failure to exhibit badge or license to officer in authority; exemptions; definition of term "chauffeurs"; no fee required of chauffeur in employ of state or municipal corporation; must be licensed, however.** Special licenses to operate motor vehicles shall be issued to chauffeurs subject to the same general requirements governing the issuance of an operator's license as is provided in the preceding section; but no such license shall be issued to any person less than eighteen years of age. An operator's license shall not entitle a person to drive a motor vehicle as a chauffeur as defined in this section.

The secretary shall furnish every licensed chauffeur with a suitable metal badge with distinguishing number or mark assigned to him thereon without extra charge therefor. Said badge shall thereafter be worn by such chauffeur affixed to his clothing at all times while he is operating or driving a motor vehicle, and shall be valid only during the term of the license of the chauffeur to whom it is issued.

Every application for a chauffeur's license shall be accompanied by a fee of five dollars; provided, however, that if such applicant already holds an operator's license the accompanying fee shall be three dollars.

Failure of an operator or chauffeur to exhibit his license to any magistrate, motor vehicle inspector, police officer, sheriff or other authorized official, on demand, shall be prima facie evidence that such person is not duly licensed.

A chauffeur who is registered under the provisions of law of the state or country of his residence, shall be exempt from license under this section, provided he shall wear a badge or carry a license certificate assigned to him by the jurisdiction of his residence.

The word "chauffeur" as herein used shall mean any person employed for the purpose of operating a motor vehicle, and whose principal duty is to operate such vehicle; but as used elsewhere generally in this act with respect to the use and operation of motor vehicles the word "operator" and "driver" shall include the word "chauffeur."

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Temporary licenses without fees may be issued to chauffeurs in the employ of the state or any municipal corporation, to terminate when their employment ends.

**Sec. 32. Special license for operation of motor cycle.** The secretary shall also prepare suitable blanks for applicants for a license to operate motor cycles and he shall issue licenses to competent persons to operate motor cycles, subject to the same general requirements obtaining with respect to a license to operate a motor vehicle.

A license to operate a motor vehicle shall not authorize the licensee to operate a motor cycle unless the license shall so specify; but licensees to operate a motor vehicle may on application be granted a license to operate a motor cycle without paying an additional fee.

**Sec. 33. Unlicensed persons not to operate motor vehicles; proviso.** No person shall operate a motor vehicle upon any way in this state unless licensed according to the provisions of this act; but the provisions of this section shall not prevent the operation of a motor vehicle by an unlicensed person, not less than fifteen years of age, if riding beside a licensed operator in said vehicle for the purpose of becoming familiar with the use and handling of a motor vehicle preparatory to taking out license for driving; and provided, further, that such unlicensed person has not theretofore had a license revoked, suspended or finally refused.

**Sec. 34. Non-resident not to operate motor truck, trailer or tractor in state without Maine registration; temporary registration may be issued; pleasure car allowed 30 days in state without Maine registration if vehicle is registered under laws of another state.** Non-residents may operate motor vehicles and trailers, except those hereinafter enumerated in this section, on the ways in this state for not exceeding thirty days in any one year without registration, provided such vehicles are registered in some other state or country and have attached thereto registration plates, and are driven by persons licensed to operate in this or some other state or country. Previous to the expiration of said thirty days, if the owner of any such vehicle is to continue its operation within this state, he shall make application to the secretary for registration thereof in accordance with section forty-three and pay the fee required of resident owners.

On receipt of the fee, the secretary shall furnish said non-resident applicant a certificate of registration and appropriate number plates, free of expense, which plates shall be attached to the vehicle as required by section forty-eight, and remain there as long as such vehicle is operated in this state in the year during which said certificate is issued; provided, however, that on applications for registration by such non-residents during

the period between the first day of October and the thirty-first day of December in any year, one-half of said registration fee shall be charged. Any motor cycle or side-car owned by a non-resident, operated by a person registered and authorized to operate it in this or some other state or country, having a registration plate or other distinguishing mark attached to the motor cycle, may be operated on the ways of this state for not more than thirty days in the aggregate before registration. Provided, however, that no motor truck, tractor or trailer used for commercial purposes and owned either by a resident of this state or a non-resident thereof, shall be operated over any ways or bridges except and until such vehicle is registered and the registration fee paid as provided by statute for the registration of vehicles with like capacity and character owned in this state; but registration and license evidenced by an appropriate plate or tag attached to the vehicle may be issued to operate it for not exceeding five days in any one year upon payment of one-fourth of the fee required for annual registration of such vehicle; or, for not exceeding ten days, upon payment of one-third of such annual registration. A non-resident may at any time apply for and obtain annual registration of such vehicle by paying the difference between the fee for such short term registration and the fee required for its annual registration. Such vehicle when registered as required by this section may be operated by persons licensed to operate it according to the laws of this or some other state or country, and may display their register plates in addition to the plates of this state as required by this act.

**Sec. 35. Commission may suspend or revoke operator's license or certificate of registration.** The commission may suspend or revoke any certificate of registration or any license issued to any person to operate a motor vehicle after hearing for any cause which it deems sufficient. Pending a speedy hearing it may also summarily suspend a license of any motor vehicle operator in its discretion and may order the license or registration certificate to be surrendered to it whenever it has reason to believe that the holder thereof is an improper person or incompetent to operate a motor vehicle, or is operating so as to endanger the public; and neither the certificate nor the license shall be reissued unless upon examination or investigation the commission or the appellate court determines that the operator shall again be permitted to operate.

**Sec. 36. Notice of revocation or suspension of right of non-residents to operate or have operated motor vehicle to be sent to department of state from which it was issued.** Notice of the revocation or suspension of the right of a non-resident owner or operator

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of a vehicle to operate or to have operated said vehicle in this state, shall forthwith be sent by the commission to the motor vehicle department of the state or country which issued his license or registration.

**Sec. 37. Notice of hearings; service of notice.** Notice of any hearing held by the commission, or by its authority, under this act, shall state the place, day and hour thereof, and warn the licensee or registrant that he may then and there appear, in person or through counsel, to show cause why his license should not be suspended or revoked, or why the registration of the vehicle should not be annulled; and service of such notice shall be sufficient if sent by registered mail to the address given by the licensee or registrant, five days at least before the day set for the hearing.

**Sec. 38. Non-resident's right to operate motor vehicle or have same operated may be revoked or suspended by commission; in case non-resident's license has been revoked by state of issue, right to operate in this state may be suspended or revoked.** The commission may suspend or revoke the right of any non-resident operator to operate in this state and may suspend or revoke the license or right of any non-resident owner to operate or have operated in this state any vehicle for the same causes and under the same conditions and in the same manner that it could take such action regarding any resident owner or operator, or vehicle owned in this state; and thereupon the right of such non-resident owner or operator to operate or have operated any such vehicle in this state shall terminate and he shall be subject to the same penalties as any resident owner or operator who operates without license or registration.

Whenever the commission or secretary is notified by the licensing or registration department of another state or country that any licensee or registrant resident therein, has had his license or registration suspended, revoked or annulled, the commission may forthwith suspend, revoke or terminate any right, license or registration granted to such person in this state.

**Sec. 39. Appeal may be taken from decision or ruling of commission or secretary to justice of supreme or superior court.** If any person is aggrieved by the decision of the commission in revoking or suspending a license or certificate of registration or by the refusal of the secretary to issue a license or certificate of registration he may within ten days thereafter appeal to any justice of the supreme judicial or a superior court, by presenting to him a petition therefor, in term time or vacation. Such justice shall fix a time and place for hearing, which may be in vacation, and cause notice thereof to be given to the commission or secretary; and after hearing it may affirm or reverse their decision, and the decision of



such justice shall be final. Pending judgment of the court, the decision of the commission in revoking or suspending any license or certificate or registration shall remain in full force and effect.

**Sec. 40. Certificate of registration of motor vehicle which is a menace to public or so constructed as to cause unnecessary damage to highways may be revoked or suspended.** Subject to the same conditions as to appeal, the commission may revoke or suspend the certificate of registration of any vehicle which is so constructed as to be, when in operation, a menace to the safety of its occupants or to the public, or is so constructed or operated as to cause unreasonable damage to ways or bridges.

**Sec. 41. Court record of conviction of violation of statute relative to motor vehicles to be sent to commission; shall be held as a public record; magistrate may make recommendation.** Every court and trial justice in every case wherein a person is convicted of the violation of any statute relative to motor vehicles or to the operation of any vehicle shall forthwith transmit to the commission an abstract, duly certified, setting forth therein the names of the parties, the nature of the offense, the date of hearing, the plea, the judgment and the result; and they shall be open to public inspection during reasonable hours. Said magistrates may make such recommendations to the commission as to suspension or revocation of licenses and certificates of registration of respondents as they deem to be in furtherance of justice.

**Sec. 42. Court may temporarily suspend operator's license.** In addition to any other penalty provided in this act and imposed by any court or trial justice upon any person for violation of any provision of this act, the court or trial justice may suspend an operator's license for a period not exceeding ten days, in which case the magistrate shall take up the license certificate of such person, who shall forthwith surrender the same, and forward it by registered mail to the commission. It may thereupon grant a hearing and take such further action relative to suspending, revoking or restoring such license or the registration of the vehicle operated thereunder as it deems necessary.

**Sec. 43. All motor vehicles and trailers to be registered; application to be sworn to; what application shall contain; secretary may refuse registration.** No person shall operate any motor vehicle or trailer, nor shall the owner or custodian of such vehicle permit the same to be operated, or remain upon, any way unless the same is registered and equipped in accordance with the provisions of this act. Application for such registration may be made by mail or otherwise to the secretary upon blanks prepared under his authority. The application shall be

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under oath and, in addition to such other particulars as may be required by the secretary, contain a statement of the name, place of residence and address of the applicant, with a brief description of the vehicle, including the name of its maker, the number, if any, affixed by the maker, the character of the motive power and the amount of such power, stated in figures of horse power, and the actual weight of the vehicle; and its loading capacity, if intended for commercial use. The applicant shall state in his application the kind of lens used in the headlights upon his motor vehicle, and shall specify whether he has complied with the rules and regulations of the commission, framed, published and in effect. In case said applicant has not given satisfactory answers, the secretary shall refuse to register such vehicle, or issue a license for its operation.

**Sec. 44. Rate of speed of commercial vehicles.** No commercial vehicle equipped with pneumatic tires shall be operated on open country ways at a rate of speed exceeding twenty miles per hour, or within the compact built-up portions of any city, town or village at a rate of speed exceeding twelve miles per hour; said ways and built-up portions being defined in section sixty-two. Nor shall any commercial vehicle, equipped with two or more solid tires be operated on said open country ways at a rate of speed exceeding fifteen miles per hour, or within said compact built-up portions at a rate of speed exceeding ten miles per hour.

**Sec. 45. Authority delegated to commission to correct abuse of highways by all vehicles.** The rights and powers of the commission to exclude, or restrict the weight or equipment, or to regulate the speed of, vehicles enumerated in section forty-four, when in their judgment the passage of any such vehicle over any way or bridge would be unsafe or likely to cause excessive damage to the same, is hereby expressly conferred on said commission and nothing in any section of this act shall be construed to restrict or abridge any of said rights and powers; the intent of this act being to confer upon the state highway commission, and upon the appropriate highway officials, broad regulative authority to encourage reasonable use of the ways and bridges and to correct abuse thereof; such delegated authority being necessary in the opinion of the legislature for the reasonable use and proper protection and continued maintenance of the ways and bridges of this state.

**Sec. 46. Appeal may be taken to commission from decision of local highway officers.** An appeal in writing may be taken from any order or decision of local highway officials made under the provisions of sections sixteen to twenty-two inclusive, to the commission, and the commission may hear and decide the matter in a summary manner, modifying, affirming or vacating the action of such officials and may

issue any order necessary to carry its decision into effect. No appeal shall suspend the order or decision of said highway officials, pending the decision of the commission.

**Sec. 47. Fees for registration of vehicles.** The annual fees for the registration and licensing of vehicles shall be in accordance with the following schedule, and shall accompany the application for registration:

a. Motor vehicles used for the conveyance of passengers.

	Per H. P.	Per 100 lbs. weight
Equipped with		
Pneumatic tires.....	25 cents	25 cents
Solid tires (two or more).....	25 cents	50 cents

Motor vehicles regularly used for livery or hire shall pay double the above fees.

b. Tractors.

	Per H. P.	Per 100 lbs. weight
Equipped with		
Pneumatic tires.....	25 cents	25 cents
Solid rubber tires.....	25 cents	50 cents
Iron, steel or other hard tires.....	25 cents	80 cents

Tractors used for agricultural purposes or not customarily used on public ways shall pay one-tenth of the above rates; caterpillar tractors, so-called, except as above provided, shall pay a registration fee of fifteen dollars. Tractors not used for hauling or carrying loads on the highways shall be exempt from registration and license.

c. Trailers.

	Per 100 lbs. gross weight of vehicle and load.
Equipped with	
Pneumatic tires.....	15 cents
Solid tires.....	40 cents
Iron, steel or other hard tires.....	75 cents

d. Motorcycles..... \$5.00 each

e. Motorcycle sidecars..... \$5.00 each

In computations under this section minor fractions of horse power and weight shall carry the lower rating, and major fractions shall carry the next higher rating.

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Horse power specified in this act shall be based on the "A. L. A. M." standard, so called.

"Steam Vehicles."—In the computation of fees for all vehicles propelled by steam, the horsepower rating shall be based on the system of rating adopted by the United States Government.

"Electric Vehicles."—For vehicles propelled by electricity the rating shall be the normal horsepower designated by the manufacturers of the electric motor or motors in the vehicle.

In the computation of fees based on gross weight, said gross weight, in the case of freight or merchandise vehicles, shall be the actual weight of the vehicle in pounds plus the manufacturer's rated load capacity, and in the case of passenger vehicles shall be the actual weight of the vehicles. In no case shall the registration fee be less than ten dollars.

On any application for registration applied for by an owner resident of this state, of a motor vehicle or trailer, not including a log hauler, or traction engine, during the period between the first day of October and the thirty-first day of December, one-half the registration fee shall be charged. The secretary upon granting the application shall register in a book or upon suitable index cards to be kept for the purpose, the vehicle described in the application, giving to its owner a distinguishing number or other mark, and shall thereupon issue a certificate of registration which shall contain the name, place of residence and address of the owner.

**Sec. 48. Registration number plates to be furnished by secretary; form of registration plates; certificate of registration to be carried by operator or about the vehicle; in case number plate is lost temporary plates may be used; procedure to be employed in obtaining new plates; plates lost in transportation may be replaced without charge.** The secretary shall furnish suitable register number plates, seals and other distinguishing marks, without charge, to every person whose vehicle is registered under this act. Such plates shall be of a distinctly different color or shade each year and shall be in such form as the secretary may determine; and shall bear the numerals of the year of issue, or the last two numerals of said year, the word "Maine" or the abbreviation "Me." in letters not less than one inch in height. The numerals of the register number thereon, except on motor cycle number plates, shall be substantially not less than four inches high. The secretary may select and issue a special distinguishing letter, mark or design for number plates issued to manufacturers and dealers; also for any temporary or other special classes of registration and for use on motor cycles, trucks, trailers, tractors, and side cars, which are required to be registered under this act.

Number plates so furnished shall be valid only for the calendar year for which they are issued. Each number plate displayed shall be horizontal and shall be so fastened as not to swing, and its lower edges shall be at least twelve inches from the ground. Not more than one set of number plates shall be displayed upon any vehicle, except as may be otherwise permitted by this act.

In the case of all motor vehicles and tractors, one number plate shall be attached to the front and the other to the rear of said vehicle, so that the plates and the registered number thereon shall always be plainly visible. In the case of trailers, semi-trailers, and side cars, one such plate shall be attached to the rear thereof and shall be always plainly visible. All plates shall be kept reasonably clean and the numbers legible.

The certificate of registration shall always be carried on the person of the operator or occupant, or in some easily accessible place in or about the vehicle therein described, except that certificates of registration of dealers need not be so carried.

If any number plate is lost or the register number thereon becomes mutilated or illegible, the owner or person in control of the vehicle for which said number plate was furnished, shall immediately place a temporary number plate bearing his register number upon said vehicle. Such temporary number plate shall conform to the register number plate and shall be displayed as nearly as possible as herein provided for said regular number plate, and such person shall within twenty-four hours after such loss or mutilation give notice thereof to the secretary and apply under oath for new number plates; and thereupon the secretary, if satisfied of the truth of the facts stated in the application, shall supply a new set of number plates upon payment of a fee of seventy-five cents for each plate.

If the secretary is unable to furnish immediately to any person entitled thereto any plate or marker provided in this act, he may issue a temporary certificate with temporary number plates, which certificate shall be carried and said plates shall be displayed upon said vehicle in the same manner as required for regular certificates and number plates. Whenever one of a set of number plates is lost and a new set is issued, as provided in this section, the remaining plate shall forthwith be returned to the secretary. In case plates are lost in transportation, and the applicant shall certify in the affidavit that the plates have not been received by him and agrees that if they shall be received at some later date to return them forthwith, the secretary, after a thorough investigation, may furnish the applicant with a second set of plates without additional charge.

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**Sec. 49. Weight of commercial vehicles limited.** No truck, tractor on wheels, trailer or other commercial vehicle having a gross weight of more than eighteen thousand pounds distributed by four wheels on a road surface or having a gross weight on any one axle exceeding thirteen thousand, five hundred pounds imparted to a road surface, shall be operated over any way or bridge; except that when the gross weight is distributed on the road surface upon six or more wheels by the combined use of a trailer, or otherwise, so that the imparted weight from any one axle shall not exceed thirteen thousand, five hundred pounds, the permissible gross weight of a vehicle or vehicles thus combined may be increased not exceeding fifty per cent. But no vehicle having a load of over seven hundred pounds per inch width of tire upon any wheel concentrated upon the road surface, said width to be measured between the flanges of the rim, shall be operated upon any way or bridge; except in special cases under special permit to be granted by the commission for greater weights as elsewhere provided in this act. The term "gross weight" shall mean the actual weight of the vehicle and load.

**Sec. 50. Schedule of fees for registration of motor trucks.** With each application for registration of a motor truck shall be deposited an annual registration fee graduated as follows when equipped with pneumatic tires:

For trucks with a rated carrying capacity of one thousand pounds or less.....	\$10.00
For trucks having a rated carrying capacity of over one thousand pounds and not over one ton.....	15.00
For trucks having a rated carrying capacity of over one ton and not over two tons.....	20.00
For trucks having a rated carrying capacity of over two tons and not over three tons.....	55.00
For trucks having a rated carrying capacity of over three tons and not over four tons.....	80.00
For trucks having a rated carrying capacity of over four tons	110.00

Provided, however, that every such vehicle equipped with two or more solid tires shall pay an additional fee of thirty-three and one-third per cent more than any such vehicle would be hereby required to pay if equipped with pneumatic tires; provided, further, however, that any motor vehicle with a rated carrying capacity of over five tons may be registered and operated if such motor vehicle is owned and registered on the date of the approval of this act. But no vehicle shall be operated on ways or bridges which, either loaded or without load, exceeds the limits prescribed in section 49, or is contrary to the provisions of any other section of this act, or any other statute pertaining thereto.

**Sec. 51. State or municipal controlled motor vehicles to be registered free of charge.** All motor vehicles owned and used by the state or any municipal corporation therein, shall be registered, but shall be exempt from the provisions of this act as to payment of registration fees; but all such vehicles shall display register plates as required by this act or approved by the commission.

**Sec. 52. Weight of commercial vehicles to be plainly indicated on vehicle.** Every vehicle intended for commercial use shall have attached thereto in some visible place a plate giving its actual unloaded weight with the weight of its seating or loading capacity, as specified by the manufacturer, or fixed by the commission; or such seating or loading capacity shall be plainly marked or painted on said vehicle. The weight and capacity so appearing shall be prima facie evidence of their correctness.

**Sec. 53. Dealers registration; fee \$30 for three sets of plates, \$10 a pair for two additional sets, and \$5 a pair in excess of five sets; vehicles under dealers' registration not to be operated for hire; commercial vehicle registered under this section to be used for demonstration or emergency purposes only.** Every manufacturer or dealer in motor vehicles or trailers, may, instead of registering each vehicle owned or controlled by him, make application under oath upon a blank provided by the secretary for a general distinguishing number, color or mark. The secretary may, if satisfied with the facts stated in the application, grant the application and issue to the applicant a certificate of registration, containing the name, place of residence and address of the applicant and the general distinguishing number, color or mark assigned to him and made in such form as the secretary may determine; and all vehicles owned or controlled by such manufacturer or dealer shall be regarded as registered under such general distinguishing number, color or mark until sold, exchanged, or operated for hire. The annual fee for every such certificate of registration shall be thirty dollars. The secretary shall furnish the manufacturer or dealer with three pairs of registration number plates free of cost; and there may be issued to any such applicant two similar pairs of plates, in addition to the three pairs so issued, upon payment of ten dollars for each such additional pair; and upon payment of five dollars per pair additional plates shall be furnished. Extra registration plates shall be furnished to replace lost or mutilated plates for seventy-five cents each. Single plates shall be furnished for trailers. On applications for registration, or for additional plates applied for by said manufacturers or dealers during the period between the first day of October and the thirty-first day of December in any year, one-half of the registration

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fee shall be charged. No motor truck, tractor or trailer registered under this section shall be used for other than demonstration or emergency purposes.

**Sec. 54. Motor cycle dealers' registration; fee, \$15 with three sets of plates and \$5 for each set additional.** Every manufacturer or dealer in motor cycles shall annually pay a fee of fifteen dollars for a registration certificate to handle, demonstrate, sell and exchange motor cycles. The secretary shall furnish the manufacturer of, or dealer in, motor cycles with three sets of distinguishing plates free of cost, and additional sets for five dollars per set. For every plate in addition to the three originally furnished to the manufacturer or dealer in motor cycles, to replace lost or mutilated plates, fifty cents shall be charged.

**Sec. 55. Dealers registration fee to be paid on or before Dec. 31st of preceding year; proviso.** Every manufacturer or dealer in motor vehicles shall pay to the secretary the required registration fee for the succeeding year on or before the thirty-first day of December annually; provided, that any manufacturer or dealer commencing business after the first day of January of any year shall pay the fee at the time of commencing business.

**Sec. 56. Special license for motor service station or repair shop for purpose of moving unregistered vehicles.** Any person engaged in the business of carrying on a motor vehicle service station or repair shop may make application under oath to the secretary for a special license to move and operate any unregistered motor vehicle or trailer, not his own, to and from any service station or repair shop for the purpose of making repairs or performing other labor on said vehicle, and delivering it to the owner. The secretary may grant the application if satisfied of the facts therein stated, and upon payment of a fee of ten dollars issue to the applicant an annual license containing the name and business address of the licensee, together with one set of number plates of a distinguishing color or design. Such plates when conspicuously attached to each end of any such vehicle shall authorize its operation by any licensed operator of motor vehicles over ways and bridges for the purposes herein specified. After the first day of October one-half of such fee shall be charged.

**Sec. 57. Dealers to notify secretary of sale or transfer of motor vehicles.** Whenever a manufacturer or dealer sells or exchanges a motor vehicle or trailer, he shall immediately notify the secretary that the vehicle has been sold or exchanged, giving a description of the vehicle, name of maker, name of make, if possible, horse power and name and address of the vendee.



**Sec. 58. Registration certificates and licenses terminate with calendar year.** All registrations of vehicles, all certificates of registration and number plates, and all licenses to operate motor vehicles shall terminate and become void at midnight on the thirty-first day of December of each year; and no person shall operate any motor vehicle on or after the first day of January of any year unless then duly licensed to operate such vehicle for such year.

**Sec. 59. Registration certificate not transferable; vendor to notify secretary of transfer.** Upon the transfer of ownership of any motor vehicle or trailer, its registration shall expire and the person in whose name such vehicle or trailer is registered shall forthwith return the certificate of registration to the secretary with a written notice containing the date of the transfer of ownership and the name, place of residence and address of the vendee, and a description of the vehicle.

**Sec. 60. Registration of a motor vehicle in same calendar year; fees and procedure; secretary to issue special certificate permitting use of same plates on new car.** Whoever transfers the ownership or discontinues the use of a registered motor vehicle or trailer and applies to the secretary for registration of another motor vehicle or trailer in the same calendar year, shall be entitled to a certificate of registration permitting the use of the same number plates thereon upon payment of a fee of two dollars, provided the horse power or rating is the same as that of the former vehicle; but if the horse power or rating of the vehicle to be registered is greater he shall pay the difference between the fee paid by him for the vehicle first registered and the fee for the vehicle of greater horse power or rating. Whoever exchanges or discontinues the use of a motor vehicle or trailer before the first day of August in any year and procures a certificate of registration, paying therefor a fee of two dollars, shall if the vehicle registered in its stead is of less horse power or rating than the former vehicle, be entitled to a rebate of one-half the difference between the registration fee of said former vehicle and the registration fee for such vehicle received in exchange. Whoever transfers the ownership or discontinues the use of a motor cycle and applies for the registration of another motor cycle within the same calendar year, shall pay for the registration certificate thereof a fee of one dollar, which fee shall include the number plate. The certificate issued for the registration of the former vehicle shall be returned to the secretary, who shall cause an endorsement to be stamped upon the original certificate and also upon the duplicate certificate upon file in his office, showing that the ownership of such vehicle has been transferred or its use discontinued and that the registration has been cancelled.

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**Sec. 61. Commission to promulgate rules and regulations relative to lights and adjustment of brakes on motor vehicles; lens contrary to rules of commission not to be sold and no vehicle to be equipped with; commission to make any rules not inconsistent with provisions of this chapter.** The commission shall prepare rules and regulations from time to time governing the adjustment, use and operation of lights on vehicles and governing the sufficiency and adjustment of brakes; and may from time to time alter, rescind or add to any rules and regulations previously made.

No person shall equip his vehicle with, use or sell any lens, reflector or lighting device designed for use on vehicles on public ways contrary to this act or contrary to such rules and regulations of the commission. The rules and regulations of the commission and any changes therein shall take effect when approved by the governor and council and published at least once in each daily newspaper in the state. The certificate of the commission or its secretary shall be received as prima facie evidence in any court of law to prove that such rules and regulations have been enacted as herein provided. The commission may also make rules and regulations not inconsistent with this act or other laws of the state, found needful to administer the provisions of this act. Such rules and regulations shall be approved and published, and may be proved in court, as above provided.

**Sec. 62. Rate of speed not to exceed fifteen miles in built up portions and under no circumstances 35 miles in open country; if rate of speed exceeds 25 miles burden of proof lies with operator to show that rate was not greater than was safe and proper; signs to be erected in built up portions; term compact or built-up portion defined.** No motor vehicle shall be operated upon any way of this state at a rate of speed exceeding fifteen miles an hour within the compact or built-up portions of any city, town or village. If the rate of speed of a motor vehicle operated upon any way of this state exceeds twenty-five miles per hour in the open country outside of the compact or built-up portions of any city, town or village, such rate of speed shall be prima facie evidence that the person operating such vehicle is operating the same at a rate of speed greater than is reasonable and proper, and in violation of the provisions of this section, and the burden of proof shall be upon the person operating said motor vehicle to show that such rate of speed was not greater than was reasonable and proper as above set forth. Provided, however, that no motor vehicle shall be operated upon any way of this state at a rate of speed greater than thirty-five miles per hour under any circumstances or conditions, except under permit granted by municipal officers in accordance with the provisions of section sixty-four. 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 and fifty feet apart for a distance of at least one-quarter of a mile.

No person shall be convicted of exceeding the rate of speed hereby established for any compact or built-up portions unless said city, town or village shall cause either the words "speed limit, fifteen miles," or the words and figures "speed limit, 15 miles," to be conspicuously displayed on sign boards along ways, and such other signs as will clearly designate such compact or built-up portion. No municipal officer or other person shall erect or cause to be erected speed limit signs contrary to this section, and if any such signs now exist, municipal officers shall cause their removal.

**Sec. 63. Persons arrested, except for reckless driving, operating while intoxicated, deception or false statements in connection with registration or license or in connection with defacement of identification marks on vehicle to be given immediate trial; shall be admitted to bail or may be released on personal recognizance; penalty for default of bail.** Whoever is arrested for violation of any provisions of this act, except those of sections seventy-two, seventy-three, seventy-four, eighty-four and eighty-seven, 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 to do so, the officer making the arrest shall immediately take the prisoner before some bail commissioner, who before admitting him to bail, shall require him to give his name, his place of residence, the number of his license to operate a motor vehicle, and the registration number of the motor vehicle operated at the time of his arrest, and shall make a record thereof on the bail bond, and may take his personal recognizance for his appearance in court on a specified day, not less than two days thereafter if requested by the person arrested; or such officer in like cases may accept the personal recognizance of such person for his appearance as aforesaid. If such person fails to appear in court on the day specified, either in person or by counsel, the court shall notify the commission, who, in case the person is a resident of the state, shall immediately suspend or revoke his license, and also suspend or annul the registration of the motor vehicle driven by such person when arrested.

**Sec. 64. Rate of speed to be regulated by traffic; racing and reckless driving prohibited; not to exceed eight miles an hour in crossing intersecting way or rounding curve when operator's view is obstructed; permits may be granted for hill climbing contest.** No person operating a motor vehicle on any way shall drive at any speed greater than is reasonable, safe and proper, having regard to the traffic and use of the way by others, or so as to endanger life or limb.

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Racing and reckless driving on any way 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 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 view of the road traffic is obstructed either upon approaching an intersecting way or in traversing a crossing or intersection of ways, or in going around a corner or curve. Permits may be granted by municipal officers after a public hearing thereon to drive automobiles or motor cycles in hill climbing contests during a specified time upon a certain way at any rate of speed.

**Sec. 65. When approaching animal that appears to be frightened vehicle shall be stopped if request or signal is made; caution to be exercised in passing from rear.** Whoever, driving or operating a motor vehicle upon any way, when approaching from the opposite direction a person riding, driving or leading a horse or other animal which appears to be frightened, is signalled by putting up of the hand or by other visible sign by such person, shall cause such motor vehicle to come to a stop as soon as possible and remain stationary as long as it may be necessary and reasonable to allow such horse or animal to pass. Whenever traveling in the same direction, the person operating a motor vehicle shall use reasonable caution in passing horses or other animals and vehicles.

**Sec. 66. Motor vehicles to be equipped with brakes and signaling device; unnecessary noise to be avoided; muffler cut-out not to be opened.** Every motor vehicle shall be provided with adequate brakes in good working order and sufficient to control such vehicle at all times when the same is in use, and a suitable and adequate horn or other device for signaling. No signalling device shall be unnecessarily sounded in the thickly settled part of a city or town so as to make a harsh, objectionable or unreasonable noise; except in the case of fire and police department vehicles and ambulances. All motor vehicles shall be equipped with a muffler of such construction and device as to prevent excessive noise. No person operating a motor vehicle shall at any time open the muffler cut-out, nor permit the exhaust to make any unnecessary noise.

**Sec. 67. Speed controller or governor not to be tampered with.** No equipment in the nature of a speed controller or governor attached to a motor vehicle shall be removed therefrom or tampered with so that such vehicle may be operated at a greater rate of speed than is allowed by such equipment; nor shall any vehicle whose equipment is so tampered with or removed, be operated on any way or bridge.

**Sec. 68. Motor vehicles to be equipped with lights and lamps; shall conform with rules of commission; must be lighted from half hour after sunset to half hour before sunrise; lights to conform**

**to certain specifications; trailers to be equipped with lights; motor vehicles and trailers to be equipped with red tail light and a white light to illuminate number plates.** Every motor vehicle and tractor on wheels shall be equipped with lamps and lights as provided in this act, of sufficient power and so adjusted and operated as to enable its operator to proceed with safety to himself and to other users of the ways under all ordinary conditions of highway and weather. Said lamps and lights shall conform to and operate in accordance with the rules and regulations promulgated from time to time by the commission, as provided in this act, and shall be lighted during the period from one-half hour after sunset to one-half hour before sunrise; except as provided in section sixty-nine.

Every motor vehicle and tractor on wheels shall have mounted on the right and left sides of the front thereof a pair of lamps each of approximately equal candle-power, and every motor cycle shall have mounted on the front thereof one lamp. If any such vehicle is so mechanically constructed, governed or controlled that it cannot exceed a speed of fifteen miles per hour, it shall have front lamps capable of furnishing light of sufficient candle-power to render any substantial object clearly discernible on a level way at least fifty feet directly ahead and at the same time at least seven feet to the right of the axis of such vehicle for a distance of at least twenty-five feet. If said vehicles can exceed a speed of fifteen miles per hour, then they shall have front lamps capable of furnishing light of sufficient candle-power to render any substantial object clearly discernible on a level way at least two hundred feet directly ahead and at the same time at least seven feet to the right of the axis of such vehicle for a distance of at least one hundred feet; provided that no front lamp capable of furnishing more than four candle-power light shall be used if equipped with a reflector, unless so designed, equipped or mounted that no portion of the beam of light when projected seventy-five feet or more ahead of the lamps shall rise above a plane forty-two inches higher than and parallel with the level surface on which the vehicle stands; and provided, further, that no electric bulb or other lighting device of a greater capacity than thirty-two candle-power shall be used, no matter how the same may be shaded, covered or obscured.

Every trailer, when operated at night shall carry at the front of its left side one lamp capable of throwing a white light visible from both sides of such vehicle; excepting, however, small two-wheel trailers of one thousand pounds capacity or less, towed closely behind a motor vehicle, whose overall length, including towing vehicle and load, does not exceed thirty feet.

Every such motor vehicle, tractor and trailer, shall have on the rear thereof, and to the left of the axis thereof, one lamp capable of displaying a red light visible for a distance of at least one hundred feet behind such

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vehicle; provided that when a vehicle is used in conjunction with another vehicle or vehicles, only the last of such vehicles shall be required to carry such lamp. Every such motor vehicle, tractor and trailer shall carry a lamp illuminating with white light the rear registration plate of such vehicle so that the characters thereon shall be visible for a distance of at least fifty feet.

**Sec. 69. Animal drawn vehicles to be equipped with lights; proviso.** Every vehicle on wheels, whether stationary or in motion, on any way or bridge shall have attached to it a light or lights so displayed as to be visible from the front and rear thereof during the period from one-half hour after sunset to one-half hour before sunrise; provided, however, that this section shall not apply to any vehicle which is designed to be propelled by hand, nor to any vehicle not in motion and parked or beside a curb in a place and under conditions where there is sufficient artificial light to make such vehicle clearly visible from a distance not less than one hundred feet in each direction.

**Sec. 70. Vehicles carrying objects extending five feet from rear to be equipped with danger signals both in night and day time; trailers to be securely fastened to machine ahead.** Every vehicle carrying objects which project more than five feet from the rear shall, during the period of one-half hour after sunset to one-half hour before sunrise, carry a red light at or near the rear end of the objects so projecting, and at all other times such vehicle shall carry a danger signal at or near the end of the object so projecting. Trailers having more than two wheels shall be connected to the towing vehicle or preceding trailer by at least one chain, in addition to the hitch bar, of sufficient strength to hold the trailer on a hill if the hitch bar becomes disconnected, or shall be provided with some other adequate holding device.

**Sec. 71. Municipal officers may designate specially dangerous places where rate of speed shall not exceed ten miles an hour.** Municipal officers may designate places on any way where in their judgment by reason of cliffs, embankments or other exceptional natural conditions, the meeting of motor vehicles and horses or other animals would be attended with unusual danger, by causing the words "Automobiles go slow" to be conspicuously displayed on signs on each approach to such place not less than one hundred and fifty feet distant therefrom. No motor vehicle shall pass any place so designated at a greater speed than ten miles an hour.

**Sec. 72. Penalty for reckless driving, going away without stopping after an accident; using motor vehicle without authority.** Whoever operates a motor vehicle upon any way recklessly, so that lives

or safety of the public are in danger, or upon a bet, wager or race, or for the purpose of making a record, thereby violating the speed regulations, or whoever goes away without stopping and making himself known after causing injury to any person or property, or uses a motor vehicle without authority from its owner, shall be punished by a fine of not more than fifty dollars, or by imprisonment for a term not exceeding three months, or by both fine and imprisonment; and if any person be convicted the second time for a violation of this section, he shall be punished by a fine of one hundred dollars, or by imprisonment for not more than one year.

**Sec. 73. Reckless driving or operating while under influence of drugs or intoxicating liquor to be reported to commission by officers and citizens; commission to investigate and may suspend or revoke license; license revoked for operating while under influence of intoxicating liquors not to be reissued for three years except under special conditions; in case of appeal license to be suspended unless trial court orders otherwise or unless commission, after hearing may determine otherwise.** If any motor vehicle is so driven in a reckless manner or by a person apparently under the influence of intoxicating liquor or drugs, it shall be the duty of every officer who is charged with the enforcement of law and of every citizen, to forthwith report the same to the commission, giving the register number of the vehicle, the state registering the same, and the name and residence of the operator or owner, if known. Upon receipt of such complaint the commission shall forthwith investigate the case and may suspend or revoke the license of such operator, or, if a non-resident, his right to operate in this state, and annul the registration of any vehicle so operated, for such time as it shall deem advisable. No person whose license to operate a motor vehicle has been revoked upon conviction of violating sections seventy-two, seventy-three and seventy-four of this act, shall again be licensed or permitted to operate a motor vehicle in this state for three years; provided, however, that after one year if the commission on petition and after hearing shall determine that public safety will not be endangered by issuing a new license or permit, with or without conditions attached thereto, a new license or permit may then be so issued. If any person convicted of any violation of the provisions of this act shall appeal from the judgment and sentence of the trial court, his license and right to operate a motor vehicle in this state shall be suspended during the time his appeal is pending in the appellate court, unless the trial court shall otherwise order, or unless the commission, after a hearing, shall restore the license or permit pending decision on the appeal.

**Sec. 74. Penalty for operating motor vehicle while under the influence of intoxicating liquor or drug; license to be revoked upon**

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**attested copy of court record, without further hearing; not to be reissued for three years; copies of certain sections to be printed on operator's license.** No person shall operate or attempt to operate a motor vehicle when intoxicated or at all under the influence of intoxicating liquor or drugs. Whoever violates the foregoing provision shall be punished upon conviction by a fine of not less than one hundred dollars nor more than one thousand dollars or by imprisonment for not less than thirty days nor more than one year, or by both fine and imprisonment. The license of any person convicted of violating the provisions of this section shall be immediately revoked by the commission upon receipt of an attested copy of the court records, without further hearing. Any person convicted of a second or subsequent offense shall be punished by imprisonment for not less than three months nor more than one year and his license to operate shall be revoked by the commission. A copy of sections seventy-two, seventy-three and seventy-four shall be printed on every operator's license.

**Sec. 75. Neutral zone; permitting operation of motor vehicle, except a truck, tractor or trailer, by resident of adjoining state living within 15 miles of the border, under a special permit.** Any motor vehicle, except a truck, tractor or trailer, used for commercial purposes as specified in section thirty-four, owned by a non-resident of this state who has complied with the laws of the state of his residence relating to registration and licensing of motor vehicles, and who has a bona fide actual residence in a state granting like privileges to residents of this state, which residence is located within fifteen miles by highway of the border line of this state, may be operated upon any highways of this state distant not more than fifteen miles from said border line, if such motor vehicle is duly registered in the state of its owner's residence and the fee required therefor is paid and such motor vehicle is duly registered by the secretary. The secretary shall furnish, upon payment of two dollars, to every person whose motor vehicle is registered as aforesaid, a metal tag of such design and shape as the secretary may prescribe, having displayed upon it the number assigned to such motor vehicle, the letters "Me." and figures showing the year of issue; but no such tag shall be furnished for motor cycles. Such tag shall at all times be conspicuously displayed on the front of such motor vehicle, in addition to its register number plates. Application for registration under the provision of this section shall be verified by the oath of the applicant and shall be made upon blanks furnished by the secretary. The application shall, in addition to such other particulars as may be required by said secretary, contain a statement of the name, place or residence and address, together with a brief description of the motor vehicle, which shall include the maker's number and the registra-



tion number which has been assigned to it in the state of the owner's residence. The secretary, upon granting the application, shall register in a book or upon suitable index cards to be kept for that purpose, the motor vehicle described in the application and thereupon shall issue to the applicant a certificate of registration, which shall contain such facts and which shall be in such form as the secretary may determine. Every registration under the provisions of this section shall expire with each calendar year.

**Sec. 76. Secretary to cause list of registrations to be published in pamphlet form monthly; shall also publish abstract of laws and rules of commission.** The secretary shall publish or cause to be published in pamphlet form each calendar month, a list of all certificates of registration issued during the previous month, together with the registration numbers assigned and, if motor vehicles, any other information he deems to be of public interest. He shall furnish such lists, free of charge, to such public officials of the state as make written application therefor; and to all other persons applying, at a price per copy calculated by him to approximately cover the cost of publication. He shall also publish an abstract of statutes pertaining to motor vehicles and the law of the road and rules and regulations made by the commission pertaining to the administration of its duties and the duties of the secretary under this act, together with such other information as he deems helpful to public safety and the better regulation of traffic.

**Sec. 77. Secretary to reserve number plates for pleasure cars from 2—3000 and for commercial cars from 1—500 for persons holding them previous years; shall allow person to retain same number plates in case of re-registration.** Whenever the owner has once registered a motor vehicle, under the provisions of this act, the secretary shall, at the request of such owner, allow him to keep and use the same number plates for the entire calendar year for which the plates were issued, provided he complies with the other provisions of the motor vehicle law. The secretary shall reserve until December first of each year the same registration number for the succeeding year for persons having registration numbers two to three thousand for pleasure vehicles, and numbers one to five hundred for commercial vehicles, if such person shall, previous to the first day of December of the current year, pay for the registration of his vehicle for the succeeding year and otherwise comply with the provisions of the motor vehicle law.

**Sec. 78. Inspectors and police officers in uniform may stop motor vehicles for examination; may impound the vehicle; may examine vehicles in parking place, garage or stationary on public way, when officer is wearing a badge.** The inspectors of the commis-

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sion, when in uniform, and all police officers in uniform may at all times, with or without process, stop any motor vehicle to examine identification numbers and marks thereon, raising the hood or engine cover if necessary to accomplish this purpose, and may demand and inspect the driver's license, registration certificate and permits. Whenever a motor vehicle is being operated by a person not having upon his person or in such vehicle the registration certificate covering such vehicle, or if it be operated by a person other than the person in whose name it is registered, and such operator is unable to present evidence of his authority to operate such motor vehicle, such inspector or police officer, or any sheriff or his deputy, may impound such vehicle and hold it until the same is claimed and taken by the registered owner thereof, who shall be forthwith notified of the impounding. Said officers if wearing a badge may also at all times, with or without process, and with or without uniform, enter public garages, parking places and buildings where motor vehicles are stored or kept for the purpose of examining identification numbers and marks thereon and may also examine any vehicle standing in any public way or place.

Any such officer may in like manner and under like circumstances examine any vehicle to ascertain whether its equipment complies with the requirements of this act.

**Sec. 79. Reports of thefts of motor vehicles made to secretary shall be recorded; shall make a report to motor vehicle departments of other states.** Whenever the secretary shall receive report of the theft of a motor vehicle, whether the same be registered or not, and whether owned in this or any other state, together with a description of the same, he shall make a distinctive record thereof and cause the same to be properly filed, and shall promptly report by mail or otherwise the theft of said vehicle to the motor vehicle commissioner or departments of such states of the United States and provinces of the Dominion of Canada as he deems needful, giving a complete description of the vehicle, including the name and post office address of the person reporting the theft.

**Sec. 80. In case motor vehicle is recovered owner shall notify secretary, who shall in turn notify motor vehicle departments of other states.** Whenever the owner of a vehicle previously reported as stolen shall recover it, he shall notify the secretary that the vehicle has been recovered, and the secretary shall remove or cancel his record of theft and notify each of said foreign motor vehicle departments of such recovery.

**Sec. 81. When application for registration of motor vehicle reported stolen is received secretary may notify owner and may withhold registration.** Whenever the secretary shall receive an application for registration of a vehicle previously reported as stolen, he shall

notify the owner of such vehicle as shown by the records of his office; and unless registration has already been issued, he may withhold registration until further investigation.

**Sec. 82. Motor vehicle, the registration of which has been annulled not to be operated; person whose license has been revoked or suspended not to operate motor vehicle; number plate assigned to a motor vehicle not to be used on another; numbers not to be defaced; plates to be displayed on motor vehicle.** No person shall operate a motor vehicle after his license to operate has been suspended or revoked, or operate or permit any other person to operate a vehicle while the certificate of registration of such vehicle is suspended or after it has been terminated or cancelled, or attach or permit to be attached to a vehicle a number plate assigned to another vehicle, or obscure or permit to be obscured the figures of any number plate attached to any vehicle, or fail to properly display on a vehicle the number plates and registration number duly issued therefor.

**Sec. 83. Registration plates to be surrendered on demand of secretary when certificate is suspended or revoked; penalty taking registration plates without right.** All registration number plates, issued by the secretary, shall continue to be the property of the state, and the person to whom the same are issued shall surrender the same, on demand of the secretary, whenever his registration certificate is suspended or revoked. Whoever steals, takes or carries away any register number plate from any person entitled to its possession shall be liable to the penalty provided in section ninety-five.

**Sec. 84. Penalty for deception or false statements on application for license or registration.** Whoever shall deceive or substitute, or cause another to deceive or substitute in connection with any examination required hereunder, or shall knowingly make use of any registration certificate, number plate or operator's license or badge issued upon an application containing any material false statement of fact, shall be liable to the penalty provided in section ninety-five of this act; and every such certificate, license plate or badge shall be void from the date of its issue, and shall be surrendered to the secretary upon demand, and any moneys paid for the same shall be forfeited to the state.

**Sec. 85. Truck, tractor or trailer with a load more than 20 per cent greater than specified in application not to be operated on highway.** No person shall operate or cause to be operated any truck, tractor or trailer with a load that is more than twenty per cent above that specified in the registration certificate issued for such vehicle.

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**Sec. 86. Penalty for refusing to give name to officer when requested.** Whoever while operating a vehicle not lighted or equipped as required by any of the provisions of this act, shall fail or refuse when requested by an officer authorized to make arrests to give his correct name and address, shall be liable to the penalty provided in section ninety-five.

**Sec. 87. Penalty for selling or having in possession motor vehicle from which identification marks have been removed.** Whoever knowingly buys, sells, receives, disposes of, aids in the disposal of, conceals or has in his possession any motor vehicle from which the manufacturer's serial number or any other distinguishing number or identification mark has been removed, defaced, covered, altered or destroyed for the purpose of concealment or misrepresenting the identity of said vehicle, shall be fined not more than one thousand dollars or imprisoned not more than one year, or both.

**Sec. 88. Mirror must be attached to motor vehicles which are so constructed or loaded that operator does not have a clear view to rear.** No person shall operate upon any public way any taxicab, commercial motor vehicle, motor truck or trailer so constructed, equipped, loaded or used 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, for a distance of at least fifty feet. Such mirror or reflector shall measure at least six inches in diameter or length.

**Sec. 89. Spot lights, rays of not to shine more than two feet from road at a distance of thirty feet ahead; may be used for reading signs and as an auxiliary light when regular light fails.** 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 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. 90. Use of highways by vehicles authorized unless specifically prohibited.** Subject to the provisions of the several sections of this act, vehicles of every kind or description may be operated on the ways of this state unless prohibited or restricted by special law or town ordinance duly authorized by legislative act prohibiting or restricting the use of motor vehicles in certain towns, or by the rules, orders and regulations promulgated by the commission under authority of this act.

**Sec. 91. Assessors to make return to secretary of state of all vehicles in their municipality.** Assessors of cities, towns and planta-

tions shall annually, on or before the first day of June, make return to the secretary of all persons owning vehicles subject to registration as appears on their assessment books.

**Sec. 92. Disposition of motor vehicle fees.** All fees and moneys received by the secretary under the preceding sections shall be turned over to the treasurer of state as provided in section twenty-six of this act and shall be appropriated and used for the administration of the office and duties of the commission as provided by general law, including the expenses of administering the motor vehicle department and the licensing of operators and registration of vehicles, and for the repair and maintenance of state aid highways under the direction of the commission and to meet all provisions of the bond issues for highway construction as heretofore provided by statute.

**Sec. 93. Court jurisdiction of violations; fines to be transmitted to commission.** Municipal and police courts and trial justices in their respective counties shall have concurrent jurisdiction with the supreme judicial and superior courts over all prosecutions for all violations of the provisions of this act. All fines imposed and collected under this act shall be transmitted to the commission and applied as provided in section ninety-two.

**Sec. 94. Unconstitutionality of any part not to affect act as a whole.** In case any section or provision of this act shall be questioned in any court and shall be held to be unconstitutional or invalid, the same shall not be held to affect any other provision or section of this act.

**Sec. 95. General penalty for violation where a specific penalty is not provided.** Whoever violates or fails to comply with the provisions of any section of this act, or any rules or regulations established thereunder, except when such section therein specifies the penalty, shall be subject to a fine not exceeding one hundred dollars or to imprisonment not exceeding ninety days, or both.

**Sec. 96. Certificates, licenses, etc. of secretary and orders, rules, etc. of all officers to remain in force unless suspended or altered by appropriate officials created under this act.** All lawful registrations, licenses, orders and acts of the secretary of state and of the public utilities commission existing when this act takes effect, shall be and remain effective for the full term for which they were granted or made, and shall be considered of the same legal force and effect and duration as if granted or made under the provisions of this act; subject, however, to suspension, revocation, change or repeal by the appropriate officials created or existing under authority of this act, for any violation of law.

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**Sec. 97. Secretary authorized to destroy records more than five years old.** The secretary of state is hereby authorized to remove and destroy all records and papers in his office pertaining to the registration of motor vehicles and the issuance of operators' licenses which are more than five years old and are not now in use, and which in his judgment are no longer of value.

**Sec. 98. R. S. c. 25; 1917, c. 53, 54, 171, 213, 234, 256, 272, 287; 1919, c. 211, 242 repealed; fees and form of applications to remain unchanged until Jan. 1st, 1921.** Chapters fifty-three, fifty-four, one hundred and seventy-one, two hundred and thirteen, two hundred and thirty-four, two hundred and fifty-six, two hundred and seventy-two and two hundred and eighty-seven of the public laws of nineteen hundred and seventeen, chapter two hundred and eleven of the public laws of nineteen hundred and nineteen, chapter two hundred and forty-two of the public laws of the special session of the seventy-ninth legislature for the year nineteen hundred and nineteen, and chapter twenty-six of the revised statutes and all acts and parts of acts inconsistent therewith, are all hereby repealed. Provided, however, that all fees for the registration of motor vehicles and for licensing operators including the form of applications, certificates and licenses therefor, now provided by said laws shall continue unchanged until the first day of January, nineteen hundred and twenty-two; and the fees established for vehicles and operators under this act shall become effective on said first day of January.

**Sec. 99. Inconsistent statutes repealed.** All acts and parts of acts inconsistent herewith are hereby repealed.

Approved April 9, 1921.

## Chapter 212.

An Act to Amend Section Fifteen of Chapter One Hundred and Seventeen of the Revised Statutes  
Relative to the Salary of the Secretary of State.

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

**R. S., c. 117, § 15; 1919, c. 215; relating to the salary of the secretary of state, amended.** Section fifteen of chapter one hundred and seventeen of the revised statutes, as amended by chapter two hundred and fifteen of the public laws of nineteen hundred and nineteen, is hereby further amended by striking out the word "three" in the second line of said section and by inserting in place thereof the words 'thirty-five hundred'; also by striking out the period after the word "dollars" in the second line, inserting in place thereof a comma and adding the following: 'beginning January first, nineteen hundred and twenty-one.