

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-second Legislature

OF THE

STATE OF MAINE

1925

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eighty-second Legislature

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stenographer to report the proceedings thereof, who shall be an officer of the court and be sworn to a faithful discharge of his duty, and who shall perform the duties prescribed and be subject to the provisions of the revised statutes, chapter eighty-seven, sections one hundred and sixty-seven to one hundred and seventy-two inclusive, so far as the same may be applicable. The salary of said stenographer shall be twenty-one hundred dollars annually, to be paid quarterly from the treasury of the county.'

Approved April 7, 1925.

Chapter 166.

An Act Relating to the Salary of Stenographer of Kennebec Superior Court.

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

R. S., c. 117, sec. 11; P. L., 1917, c. 249; 1919, c. 198; 1921, c. 104; relating to salaries of stenographers in superior courts, amended. Section eleven of chapter one hundred seventeen of the revised statutes as amended by chapter two hundred forty-nine of the public laws of nineteen hundred seventeen and chapter one hundred ninety-eight of the public laws of nineteen hundred nineteen and as further amended by chapter one hundred four of the public laws of nineteen hundred twenty-one is hereby amended by striking out in the fifth line the words "Kennebec, eighteen hundred dollars" and inserting in the place thereof the words 'Kennebec, twenty-one hundred dollars,' so that said section, as amended, shall read as follows:

'Sec. 11. Kennebec county increased. The salaries of the stenographers of the superior courts to be paid quarterly from the treasuries of their counties, in full for all services formerly chargeable to the counties are as follows: Cumberland, twenty-five hundred dollars a year: Kennebec, twenty-one hundred dollars a year. They shall also receive from the county in which the court is held, their expenses when in attendance upon court away from their places of residence, but not otherwise; a detailed statement of such expense actually and reasonably incurred shall be approved by the presiding justice.'

Approved April 7, 1925.

Chapter 167.

An Act Relating to the Supervision, Regulation and Conduct of the Transportation of Persons over the Public Highways of the State of Maine by Automobiles, Jitney Buses and Auto Stages by the Public Utilities Commission.

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

P. L., 1921, c. 184; 1923, c. 211; relating to operation of jitney busses

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and auto stages, amended. Chapter one hundred and eighty-four of the public laws of nineteen hundred and twenty-one, as amended by chapter two hundred and eleven of the public laws of nineteen hundred and twenty-three, is hereby amended by striking out section six thereof and adding a new section six and additional sections as follows:

'Sec. 6. Record of mileage, trips, passengers carried, receipts, etc., to be kept and report filed with public utilities commission. Every person, firm or corporation operating any motor vehicle or trailer under the provisions of this chapter shall keep an accurate record of the mileage, of the number of trips made, number of passengers carried, of the receipts from operation, operating and other expenses, etc., and shall file with the commission at such times and in such form as it may prescribe, reports duly verified, covering the period fixed by the commission. The commission shall prescribe the character of the information to be embodied in such reports and furnish a blank form therefor.

'Sec. 7. Motor vehicles and trailers subject to supervision of public utilities commission not to be registered or certificate issued until owner has procured insurance or bond against personal injury and property damage. The secretary of state shall not register any motor vehicle or trailer subject to the supervision and control of the public utilities commission, and the public utilities commission shall not issue a certificate permitting the operation of such motor vehicle or trailer, and no person or persons shall operate or cause to be operated upon any public highway any such motor vehicle or trailer until the owner or owners thereof shall have procured insurance or a bond having a surety company authorized to transact business in this state as surety thereon, which insurance or surety bond shall indemnify the insured against any legal liability for personal injury, the death of any person or property damage, which injury, death or damage may result from or have been caused by the use or operation of the motor vehicle or trailer described in the contract of insurance or such bond.

'Sec. 8. Amount of insurance or bond, how determined; minimum and maximum amounts provided for. The amount of insurance or of such bond which each motor vehicle or trailer owner shall carry as insurance or indemnity against claims for personal injury or death shall be determined upon the basis of five hundred dollars for each passenger which each motor vehicle or trailer described in the contract of insurance or such bond, as the case may be, may carry under the provisions of the general statutes; provided no such policy or bond shall indemnify the insured in an amount less than five thousand dollars in the event the carrying capacity of such motor vehicle or trailer as prescribed by law shall be sixteen or

less, provided the maximum indemnity of such policy or bond need not be more than ten thousand dollars and provided that in the event such carrying capacity shall exceed sixteen passengers, the maximum indemnity need not exceed twenty thousand dollars, and such policy or such bond shall indemnify the assured against legal liability resulting from property damage to the amount of one thousand dollars.

'Sec. 9. Company to file a certificate with secretary of state and public utilities commission; insurance or bond not to be canceled without notice. Any company issuing any such insurance or indemnity bond shall file with the secretary of state and public utilities commission a certificate in such form as said secretary shall prescribe, and no such insurance or bond shall lapse, expire or be cancelled while the registration is in force until at least ten days' written notice shall have been given the secretary of state and public utilities commission of an intention to cancel, and until said secretary shall have accepted other insurance or indemnity bond and shall have notified the person or company seeking to cancel such insurance or bond that such other insurance or bond has been accepted or that the public service registration of the motor vehicle or trailer described in such insurance policy or bond has been cancelled and the number plates of such motor vehicle or trailer described in such insurance or bond have been returned to the secretary of state.

'Sec. 10. Notice of injury or damage to be given company. Any person sustaining bodily injuries, or injury to or destruction of his property, and the personal representatives of any person sustaining death by reason of an accident arising out of the ownership, operation, maintenance or use upon the ways of the state of any motor vehicle or trailer shall within thirty days thereafter give to the company executing any motor vehicle liability bond as surety for the owner or the person responsible for the operation of such motor vehicle or trailer involved in such accident, or to the liability insurance company issuing the motor vehicle liability policy covering such owner or other person, a notice in writing of the time, place and cause of the said injury, death or damage. If the person sustaining injury or damage or the personal representative of such person shall be unable to give such notice by reason of lack of knowledge of either the person, or the registered number of the motor vehicle or trailer causing such injury or damage, notice shall be given as aforesaid within thirty days of the time of acquiring such knowledge.

'Sec. 11. Limitation of action. Actions of tort for injuries to the person or for death and for injuries to or destruction of property caused by the ownership, operation, maintenance or use on the ways of the state of motor vehicles or trailers shall be commenced only within one year next after the cause of action occurs.

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'Sec. 12. Action in name of the state may be brought against surety company in case judgment is not satisfied; limitation. If a judgment rendered against the principal of a motor vehicle liability bond or against the person responsible for the operation of the principal's motor vehicle or trailer is not satisfied within thirty days after its rendition, the judgment creditor may for his use and benefit and at his sole expense bring an action in the name of the state against the surety company executing the bond, but no action shall be brought later than four months from the date of the original execution.

'Sec. 13. Insurance and surety companies prohibited from offering inducements not specified in policy or bond; rebates prohibited. No insurance or surety company, officer, agent or attorney thereof, and no insurance broker shall pay or allow, or offer to pay or allow any valuable consideration or inducement not specified in the policy or contract, in connection with placing or negotiating any motor liability bond or any motor liability policy, both as defined in section two. No such insurance or surety company, officer, agent or broker shall at any time pay or allow or offer to pay or allow any rebate of any premium paid or payable on any policy of insurance or bond.

'Sec. 14. Acceptance of rebates prohibited; no person to be excused from testifying on ground of self-incriminating evidence; immunity from prosecution. No person shall receive or accept from any insurance or surety company, or officer or agent thereof or any other person, any such rebate or premium paid or payable on any motor vehicle liability bond or any motor vehicle liability policy, at a rate less than that specified in the policy or contract. No person shall be excused from testifying, or from producing any books, papers, contracts, agreements, or documents, at the trial of any other person charged with violating any provision of this and the preceding section on the ground that such testimony or evidence may tend to incriminate himself. But no person shall be prosecuted for any act concerning which he shall be compelled so to testify or produce evidence, documentary or otherwise, except for perjury committed in so testifying.

'Sec. 15. Penalty for violation of provisions of act. Any person who shall violate any provision of this act shall be fined not less than ten dollars nor more than five hundred dollars or imprisoned not more than one year, or may be both fined and imprisoned.

'Sec. 16. Act to take effect in 1926. This act shall apply to registration of motor vehicles and trailers for the year nineteen hundred and twenty-six and for subsequent years, but not for the year nineteen hundred and twenty-five.'