

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty - Third Legislature

OF THE

STATE OF MAINE

1927

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eighty-third Legislature

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[supplied from page 1 of volume]

Sec. 31. Definitions of terms used in act, defined. "Commission" means Maine commission of pharmacy.

"Board" means Maine board of pharmacy.

"Medicine" means a drug or preparation of drugs for use as a curative or remedial substance.

"Pharmacy" means the place registered by the board in which drugs, chemicals, medicines, prescriptions or poisons are compounded, dispensed, or retailed.

"Physician" means a practitioner of medicine duly registered under the laws of Maine or some other state.

"Dentist" means a practitioner of dentistry duly registered under the laws of Maine or some other state.

"Veterinarian" means a practitioner of veterinary duly registered under the laws of Maine or some other state.

"Poison" means any drug, chemical or preparation liable to be destructive to human life in quantities of sixty grains or less.

"Supervision" means under the direct charge or direction and does not contemplate any continued absence of such supervision.

"Proprietary Medicine" means remedies that certain individuals, firms, associations, or corporations have the exclusive right to manufacture or sell.

"Apothecary" or "Pharmacist" means a person who prepares, dispenses, or sells drugs or medicines and authorized by the commission to conduct the business of apothecary.

"Apothecary store" means a place where drugs or chemicals or medicines are compounded, dispensed or sold, and registered by the commission.

"Secretary" means the secretary of the Maine board of pharmacy.'

Approved April 15, 1927.

Chapter 210.

An Act Concerning Financial Responsibility for Damages Caused by the Operation of Motor Vehicles.

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

Sec. 1. Proof of financial responsibility required from persons convicted of operating while intoxicated or of reckless driving; amount; registra-

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tions of vehicles to be suspended until proof is furnished. The secretary of state shall require from any person who shall have been convicted of a violation of the law relative to operating or attempting to operate a motor vehicle while under the influence of intoxicating liquor or drugs or of a violation of the law relating to the operation of a motor vehicle upon any way recklessly, so that the lives or safety of the public are in danger, by reason of the operation of a motor vehicle, or from the person in whose name such motor vehicle is registered or from both, proof of financial responsibility to satisfy any claim for damages, by reason of personal injury to or the death of any person, of at least five thousand dollars, and for damage to property of at least one thousand dollars; and, if such person or persons shall fail to furnish such proof, said secretary of state may, until such proof shall be furnished, suspend the registration of such motor vehicle or refuse thereafter to register any motor vehicle owned by such person, or, if such person shall not be a resident of this state, withdraw from such person the privilege of operating any motor vehicle in this state and the privilege of operation within this state of any motor vehicle owned by him, or refuse to register any motor vehicle transferred by him if it shall not appear to said secretary of state's satisfaction that such transfer is a bona fide sale.

Sec. 2. Proof of responsibility to be satisfactory to secretary of state; how proof may be furnished; bond to be a lien against real estate; may deposit cash. Such proof of financial responsibility shall be furnished as shall be satisfactory to said secretary of state and may be evidence of the insuring of such person against public liability in said amount and property damage in said amount, provided the policy of insurance shall be non-cancellable except after ten days' notice to the secretary of state; or such proof may be the bond of a surety company or a bond with individual surety owning real estate, which bond shall be conditioned for the payment of said amounts. Such bond shall constitute a lien in favor of the state upon the real estate of any such surety, which lien shall exist in favor of any holder of a judgment on account of damage caused by the operation of such person's motor vehicle, upon the filing of notice to that effect by the secretary of state, in the registry of deeds in the county where such real estate shall be located. Such proof of financial responsibility may also be evidence presented to the secretary of state of a deposit by such person with the state treasurer of a sum in money or collateral, the amount of which money or collateral shall be determined by and shall be satisfactory to said secretary of state. The treasurer of the state shall accept any such deposit and issue a receipt therefor, and, if such deposit shall be a sum in money, the state shall pay interest thereon if so directed by the secretary of state at a rate not greater than five per centum per

annum. In case of a corporation subject to regulation by the public utilities commission the secretary of state may accept other proof of financial responsibility in lieu of the proofs hereinbefore enumerated. Additional evidence of financial responsibility shall be furnished the secretary of state at any time upon his request therefor.

Sec. 3. Bond or collateral to be held to satisfy judgments; fee for investigating surety's title to real estate. Such bond, money or collateral shall be held by the secretary of state or treasurer, as the case may be, to satisfy any execution issued against such person in any cause arising out of damage caused by the operation of any motor vehicle owned by such person. Such policy or bond shall be in such terms as the secretary of state shall deem adequate. A reasonable sum, not exceeding ten dollars, shall be charged for such investigation of the title of any surety's real estate or of collateral so deposited and of the value of the same and for the filing fee to be paid to the register of deeds.

Sec. 4. Operating record to be furnished insurance companies; fee. Upon the request of any insurance company, any person furnishing any financial responsibility or any surety on any bond herein provided for the secretary of state shall furnish such company, person or surety a certified abstract of the operating record of any person subject to the provisions of this act, and, if there shall be no record of any conviction of such person of a violation of any provision of any statute relating to the operation of motor vehicles or of any injury or damage caused by such person as herein provided, the secretary of state shall so certify. The secretary of state shall collect for each such certificate the sum of one dollar.

Sec. 5. Number plates to be returned to secretary on suspension of registration; penalty for failure. Any registrant whose certificate of registration shall have been suspended as herein provided shall immediately return to the secretary of state his certificate of registration and the number plates issued thereunder. If any person shall fail to return to the secretary of state the certificate of registration and the number plates issued thereunder as provided herein, the secretary of state shall forthwith direct any state highway police officer to secure possession thereof and to return the same to the office of the secretary of state. Any person failing to return such certificate and number plates shall be fined not more than twenty-five dollars, and to the fine imposed the trial court shall add the expense of securing such registration and number plates. The amount of such fine and expense shall be paid to the state highway commission in the manner provided for the payment of fines for violation of the motor vehicle laws.

Sec. 6. Bond or insurance may be cancelled after three years from a

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conviction; condition. The secretary of state may cancel such bond or return such evidence of insurance, or the treasurer may, with the consent of the secretary of state, return such money or collateral to the person furnishing the same, provided three years shall have elapsed since such deposit during which such person shall not have violated any provision of the motor vehicle laws and provided no right of action or judgment arising out of the operation of a motor vehicle shall then be outstanding against such person.

Sec. 7. Secretary of state may make regulations. The secretary of state shall make rules and regulations necessary for the administration of this act.

Sec. 8. Effective date. This act shall take effect January first, nineteen hundred twenty-eight.

Approved April 15, 1927.

Chapter 211.

An Act Relating to Pecuniary Interest of Public Officers in Public Contracts.

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

R. S., c. 122, sec. 11; relating to public officials having pecuniary interest in public contracts, amended. Section eleven of chapter one hundred twenty-two of the revised statutes is hereby amended by inserting after the word "state" in the third line of said section the words 'or any officer of a quasi municipal corporation,' so that said section, as amended, shall read as follows:

'Sec. 11. Made applicable to officers of quasi municipal corporations. No trustee, superintendent, treasurer or other person holding a place of trust in any state office or public institution of the state, or any officer of a quasi municipal corporation, shall be pecuniarily interested directly or indirectly in any contracts made in behalf of the state or of the institution or of the quasi municipal corporation in which he holds such place of trust, and any contract made in violation hereof is void; and if such officer or person receives any drawbacks, presents, gratuities or secret discounts to his own use on account of such contracts, or from the profits in any materials, supplies or labor, furnished or done for the state or such institution or such quasi municipal corporation, he shall be punished by imprisonment for not more than a year, or by fine not exceeding five hundred dollars.'

Approved April 16, 1927.