

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-fourth Legislature

OF THE

STATE OF MAINE

1929

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eighty-fourth Legislature

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copy of the record of the supreme or any superior, municipal or police court in the state, showing the rendition of judgment against any person to whom has been issued a license to operate a motor vehicle, or against any person, firm or corporation in whose name has been issued a certificate of registration of such vehicle, showing that such judgment was rendered against such defendant by reason of an accident which takes place subsequent to the time when this act takes effect, in which such vehicle was involved, together with such further proof as may be required by the secretary to satisfy him that such judgment is unsatisfied in full, he shall suspend such license or certificate of registration, or both, until such judgment is fully satisfied of record; and until such satisfaction is made, such defendant shall be ineligible to receive a license to operate.'

Approved April 4, 1929.

Chapter 210.

An Act to Provide for the Inspection of Internal Combustion Engine Fuel and Lubricating Oils.

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

Sec. 1. Deception as to nature, quality and identity of engine fuels, lubricating oils, etc. It shall be unlawful for any person, firm, or corporation, within this state to store, sell, distribute, transport, expose for sale, or offer for sale, distribution or transportation, any internal combustion engine fuels, lubricating oils, or other similar products in any manner whatsoever so as to deceive or tend to deceive the purchaser as to the nature, quality and identity of the product so sold or offered for sale or which is adulterated or misbranded within the meaning of this act.

Sec. 2. Unlawful to sell engine fuels or oils differing from those indicated by trade name. It shall be unlawful for any person, firm, or corporation to store, keep, expose for sale, offer for sale, or sell from any tank or container or from any pump or other distributing device or equipment, any internal combustion engine fuels, lubricating oils, or other similar products than those indicated by the name, trade name, symbol, sign, or other distinguishing mark or device of the manufacturer or distributor appearing upon the tank, container, pump, or other distributing equipment from which the same are sold, offered for sale, or distributed.

Sec. 3. Disguising and camouflaging unlawful. It shall be unlawful for any person, firm, or corporation to disguise or camouflage his or their own equipment by imitating the design, symbol, trade name of the equipment under which recognized brands of internal combustion engine fuels, lubricating oils and similar products are generally marketed.

Sec. 4. Protection of trade mark or trade name. It shall be unlawful for any person, firm, or corporation to expose for sale, offer for sale, or sell under any trade mark or trade name in general use any internal combustion engine fuels, lubricating oils or other like products except those manufactured or distributed by the manufacturer or distributor marketing internal combustion engine fuels, lubricating oils, or other like products under such trade mark or trade name, or to substitute, mix or adulterate the internal combustion engine fuels, lubricating oils, or other similar products sold, offered for sale, or distributed under such trade mark or trade name.

Sec. 5. Depositing into any container other products than those intended to be stored there, unlawful. It shall be unlawful for any person, firm, or corporation to aid or assist any other person, firm, or corporation in the violation of the provisions of this act by depositing or delivering into any tank, receptacle, or other container, any other internal combustion engine fuels, lubricating oils, or like products than those intended to be stored therein and distributed therefrom as indicated by the name of the manufacturer or distributor, or the trade mark or trade name of the product displayed on the container itself, or on the pump, or other distributing device used in connection therewith.

Sec. 6. Terms defined. For the purposes of this act the term "internal combustion engine fuel" shall mean motor fuel, commonly called and known as gasoline, benzol, or other product to be used in the operation of an internal combustion engine. The term "misbranded" shall apply to all internal combustion engine fuel, the package, label, pump, tank, or container of which shall bear any statement, design, or device regarding such article or the ingredient or substance contained therein which shall be false or misleading in any particular or which is falsely branded in any particular. Gasoline shall be held to be adulterated:

1. If it contains water or tar-like matter.
2. If it contains more than four per cent by weight of residue after being distilled at a temperature of four hundred and thirty-seven degrees Fahrenheit.
3. If the maximum temperature of the vapor on distillation without pressure exceeds four hundred and thirty-seven degrees Fahrenheit.

The method of testing to be used shall be those in general use in the petroleum refining industry.

Sec. 7. Samples shall be analyzed; how obtained; care of expense. The director of the Maine agricultural experiment station shall analyze or cause to be analyzed such samples of internal combustion engine fuels, lubricating oils, and other like products at such time and to such extent

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as the state auditor may determine. It shall be the duty of the state auditor in person, or by deputy, to enforce the provisions of this act and for that purpose the state auditor in person, or by deputy, shall have full access, ingress, and egress at all reasonable hours to any place or building wherein internal combustion engine fuels, lubricating oils, and other like products are stored, transported, sold, offered or exposed for sale. He may also in person or by deputy open any case, package, or other container, tank, pump, tank car, storage tank, and enter upon any barge, vessel or other vehicle of transportation and may, upon tendering the market price, take samples for analysis. The expense of such analysis and of the administration of this act shall be included in the expense of the administration of the tax on gasoline provided for by chapter two hundred and twenty-four of the public laws of nineteen hundred and twenty-three, as amended, and shall be deducted from the proceeds of said tax under section eight of said chapter.

Sec. 8. Penalties for violation. Any person, firm, or corporation, or any officer, agent, servant, or employee thereof, who shall violate any provisions of this act shall be fined not exceeding one hundred dollars for the first offense and by a fine not exceeding two hundred dollars for each subsequent offense, or be imprisoned ninety days, or shall suffer both such fine and imprisonment, and each separate sale or attempt to sell in violation of the provisions of this act shall be deemed a separate offense.

Approved April 4, 1929.

Chapter 211.

An Act Relating to Lobster Licenses.

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

R. S., c. 45, sec. 17; P. L., 1921, c. 98, sec. 1; P. L., 1917, c. 182; P. L., 1919, c. 184; relating to licensing of persons engaged in the lobster fisheries, amended. Section one of chapter ninety-eight of the public laws of nineteen hundred and twenty-one, amending section seventeen of chapter forty-five of the revised statutes; chapter one hundred and eighty-two of the public laws of nineteen hundred and seventeen, and chapter one hundred and eighty-four of the public laws of nineteen hundred and nineteen, is hereby amended by striking out the last paragraph and inserting in place thereof the following: 'No person, firm or corporation convicted of the violation of any law relating to lobsters or to the lobster industry, either by themselves, their servants or agents, be entitled to any renewal of said license until after the lapse of six months from the time of such conviction, and on second conviction such renewal shall not be permitted until after the lapse of one year, and upon a third conviction, any application for