

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

AS PASSED BY THE

## Ninety-fifth Legislature

OF THE

# STATE OF MAINE

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**PUBLIC LAWS**

OF THE

**STATE OF MAINE**

As Passed by the Ninety-fifth Legislature

**1951**

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cease immediately if he acts as attorney or counsellor in any action or legal proceeding in which the state is an adverse party or has any interest adverse to the person or persons in whose behalf he acts.'

Effective August 20, 1951

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## Chapter 235

### AN ACT to Clarify Certain Provisions of Motor Vehicle Law.

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

**Sec. 1. R. S., c. 19, § 13, amended.** The next to the last paragraph of section 13 of chapter 19 of the revised statutes, as enacted by section 1 of chapter 65 of the public laws of 1949, is hereby amended to read as follows:

'Provided, however, that ~~the secretary of state~~ on application to the secretary of state for registration of any motor vehicle of any amputee veteran who has been the recipient of an automobile from the United States government under authority of P. L. 663, 79th Congress, as amended, or of any amputee veteran receiving compensation from the Veterans Administration for service connected disability who shall have a specially designed motor vehicle, and who is otherwise qualified to operate a motor vehicle in this state, such veteran shall be entitled to have said automobile duly registered and a registration certificate delivered to him without the requirement of the payment of any fee.'

**Sec. 2. R. S., c. 19, § 15, sub-§ I, ¶ D, additional.** Subsection I of section 15 of chapter 19 of the revised statutes is hereby amended by adding thereto a new paragraph to be lettered D, to read as follows:

'D. Used interchangeably for conveyance of passengers or property shall pay either the fee provided by paragraph A of this subsection or by section 18, whichever is the greater. Such vehicles shall be designated as "convertibles."

Director's note: Reallocated to be paragraph E.

**Sec. 3. R. S., c. 19, § 18, amended.** The last sentence of section 18 of chapter 19 of the revised statutes is hereby amended to read as follows:

'The fee shall be a percentage of the difference between the owner's present

annual registration fee and the annual fee for the desired tonnage and shall be computed according to the following table:

1-month permit .....	20%
2-month permit .....	30%
3-month permit .....	40%
4-month permit .....	50%
5-month permit .....	60%
6-month permit .....	70%
7-month permit .....	75%
8-month permit .....	80%
9-month permit .....	85%
10-month permit .....	90%
11-month permit .....	95%.'

Sec. 4. R. S., c. 19, § 19, amended. The 1st paragraph of section 19 of chapter 19 of the revised statutes, as amended by chapter 222 of the public laws of 1949, is hereby further amended by adding at the end thereof a new sentence to read as follows:

'A vehicle loaned by a dealer to a customer for demonstration or emergency purposes may be operated on the dealer's registration plates for not more than 7 consecutive days.'

Sec. 5. R. S., c. 19, § 19, amended. Section 19 of chapter 19 of the revised statutes, as amended, is hereby further amended by adding after the 1st paragraph thereof a new paragraph, to read as follows:

'A dealer, to demonstrate a loaded truck bearing dealer's registration plates, must first obtain a written permit from the secretary of state and either the dealer or one of his employees must accompany the vehicle.'

Sec. 6. R. S., c. 19, § 28, amended. The 1st paragraph of section 28 of chapter 19 of the revised statutes is hereby amended by adding at the end thereof the following sentence:

'Temporary number plates may not be used on loaded trucks without a written permit from the secretary of state.'

Sec. 7. R. S., c. 19, § 28, amended. The 2nd paragraph of section 28 of chapter 19 of the revised statutes is hereby amended by adding at the end thereof the following sentence:

'The markings required by this paragraph to be placed on temporary number plates shall be made not less than 1 inch in height, with indelible or waterproof ink.'

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**Sec. 8. R. S., c. 19, § 30, amended.** The 1st sentence of the 2nd paragraph of section 30 of chapter 19 of the revised statutes is hereby amended to read as follows:

'The term "safety glass" as used in this section shall be construed to mean any product composed of glass or of ~~glass combined with~~ other materials, so manufactured, fabricated or treated as substantially to prevent shattering and flying of the glass when broken.'

**Sec. 9. R. S., c. 19, § 30, amended.** The last paragraph of section 30 of chapter 19 of the revised statutes is hereby amended by repealing all but the last sentence thereof.

**Sec. 10. R. S., c. 19, § 32, amended.** Section 32 of chapter 19 of the revised statutes, as amended, is hereby further amended by adding after the 1st sentence thereof a new sentence, to read as follows:

'Every such motor vehicle shall have brakes adjusted so as to stop 2-wheel brake vehicles at a speed of 20 miles per hour within a distance of 45 feet and 4-wheel brake vehicles within 30 feet and, in addition thereto, shall have a hand brake sufficient to hold the vehicle while out of gear on a 10% grade.'

**Sec. 11. R. S., c. 19, § 34, amended.** The 2nd sentence of the 1st paragraph of section 34 of chapter 19 of the revised statutes, as enacted by section 4 of chapter 38 of the public laws of 1949, is hereby amended to read as follows:

'Every headlamp, upon every motor vehicle, including every motorcycle and motor driven cycle, shall be located at a height measured from the center of the headlamp of not more than 54 inches nor less than ~~28~~ 26 inches above the level surface upon which said vehicle stands; **provided, however, that headlamps on snow plows may be located at a height greater than 54 inches above said level surface.**

**Sec. 12. R. S., c. 19, § 34, amended.** The 1st paragraph of section 34 of chapter 19 of the revised statutes, as amended by section 4 of chapter 38 of the public laws of 1949, is hereby further amended by adding after the 2nd sentence thereof a new sentence, to read as follows:

'All such headlamps shall be equipped with lenses or reflectors that emit only a white beam of light.'

**Sec. 13. R. S., c. 19, § 34, amended.** The 1st sentence of the 3rd paragraph of section 34 of chapter 19 of the revised statutes, as amended, is hereby further amended to read as follows:

'Every such motor vehicle, motor driven cycle, tractor and trailer shall have on the rear thereof, ~~in the center and~~ or to the left of the axis thereof,

1 lamp capable of displaying a red light visible for a distance of at least 100 feet behind such 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.'

Sec. 14. R. S., c. 19, § 34, amended. The 1st 2 sentences of the 4th paragraph of section 34 of chapter 19 of the revised statutes are hereby amended to read as follows:

'All motor vehicles, trailers and semi-trailers of 7 feet or over in width shall have thereon, in addition to the lights required by law for vehicles of less width, a green or amber light attached to the extreme left of the front of such vehicle, so attached and adjusted as to indicate the extreme left lateral extension of the vehicle or load which shall in all cases aforesaid be visible not less than 200 feet in the direction towards which the vehicle is proceeding or facing; provided, however, that any such vehicle having a closed body 8 feet or more in height shall display 2 such green or amber lights attached to the extreme left of the front of its body as above provided, one at the top and the other at the bottom of said body; and every such motor vehicle, trailer and semi-trailer shall display at least 1 red light on the extreme left lateral extension of the vehicle or load on the rear of said vehicle; provided, however, that any such vehicle having a closed body 8 feet or more in height shall display a red light on the extreme upper left lateral extension of its body. Motor vehicles, trailers and semi-trailers requiring a light hereunder may, in lieu of such light, be equipped with an adequate reflector conforming as to color and marginal location to the requirements for such light.'

Sec. 15. R. S., c. 19, § 35, amended. The 4th paragraph of section 35 of chapter 19 of the revised statutes is hereby amended to read as follows:

'Said inspection shall not apply to motor vehicles owned and registered in another state ~~provided proper proof is shown of an inspection of such motor vehicle within the period of 6 months prior thereto~~ nor to new motor vehicles being driven by a dealer or his authorized representative from the point of distribution to his place of business.'

Sec. 16. R. S., c. 19, § 35, amended. Section 35 of chapter 19 of the revised statutes, as amended by chapter 63 of the public laws of 1947, is hereby further amended by adding at the end thereof a new paragraph, to read as follows:

'The provisions of this section shall not apply to farm tractors which are manufactured as such.'

Sec. 17. R. S., c. 19, § 36, amended. The last 2 sentences of the 1st paragraph of section 36 of chapter 19 of the revised statutes, as amended

by section 10 of chapter 104 of the public laws of 1949, are hereby repealed and the following 2 paragraphs enacted in place thereof:

'Before a license as an official inspection station is granted, the premises shall be examined by a member of the state police and the operator investigated as to his reliability and fitness for such appointment. If any person is aggrieved by the decision of a member of the state police in refusing approval, he may within 10 days thereafter appeal to any justice of the 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 chief of the state police; and after hearing such justice may affirm or reverse the decision of the member of the state police and the decision of such justice shall be final. Pending judgment of the court, the decision of the member of the state police shall remain in full force and effect.

Upon approval of an inspection station, the secretary of state shall issue a license and sign, for which he shall charge an annual fee of \$2.'

Sec. 18. R. S., c. 19, § 36, amended. The last paragraph of section 36 of chapter 19 of the revised statutes, as enacted by chapter 59 of the public laws of 1945 and amended by chapter 106 of the public laws of 1947, is hereby further amended to read as follows:

'After hearing and determination, the secretary of state may suspend or revoke the license issued to any official inspection station ~~which has placed a certificate of inspection on any motor vehicle without a proper inspection having been made.~~

Sec. 19. R. S., c. 19, § 37-A, additional. Chapter 19 of the revised statutes is hereby amended by adding thereto a new section to be numbered 37-A, to read as follows:

#### 'School Buses

Sec. 37-A. Term "school bus" defined; descriptive sign to be attached; standards for school buses; buses to stop before crossing railroad track. The term "school bus" includes every motor vehicle owned by a public or governmental agency and operated for the transportation of children to or from school, or privately owned and operated for compensation for the transportation of children to or from school. Buses operated by a motor carrier having a certificate of public convenience and necessity issued by the public utilities commission under the provisions of sections 1-16 of chapter 44, as amended, which comply with the requirements of the commission, within a city in which such carrier is so authorized to operate, shall not be regarded as "school buses."



All school buses, as above defined, shall bear upon the front and rear thereof a plainly visible sign "school bus" in letters not less than 4 inches in height which can be removed or covered when the vehicle is not in use as a school bus; but this provision shall not apply to public buses while transporting school children together with regular passengers. Such standard "descriptive signs" shall be furnished at cost by the department of education.

No municipality and no person or corporation employed by a municipality to convey children to and from school may use a conveyance which provides less than one linear foot of seating space for each such child.

All motor vehicles used as school buses, except the pleasure car type, so called, shall be equipped with 2 doors, one on the right side near the front of the bus to be used for all ordinary exits and entrances; the other at the rear to be equipped with a spring lock on the inside to be used only in case of emergency.

Any such motor vehicle shall be so constructed that the operator has access to the passenger compartment without leaving the vehicle, and that the exhaust pipe shall extend beyond the external rear of the body of the bus, but not beyond the bumper, and shall be entirely outside of the body, and that the gasoline tank filler, vent, and drain openings shall be outside of the bus body.

All school buses as defined in this section shall be equipped with a fire extinguisher of a type and size approved by the laboratories of the National Board of Fire Underwriters. In addition to other lights required by law on each such bus, its front and rear shall be equipped with a stop light of a type approved by the secretary of state. Such light shall be clearly displayed whenever the bus stops to receive or discharge its passengers. The provisions of this section with reference to lights shall apply only to school buses with a carrying capacity of 10 or more pupils.

All school buses when carrying children shall come to a full stop before crossing any railroad track or tracks, such stop to be made at a point not more than 50 feet and not less than 10 feet from the nearest rail; and the driver thereof shall take such steps as are necessary to ascertain beyond reasonable doubt that no train, engine or car is approaching the crossing before he shall proceed to drive such bus across the track or tracks. The operator of any school bus failing to so stop shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$200; and his driver's license shall be suspended by the secretary of state for a period of not less than 2 years.

School buses with a carrying capacity of over 20 passengers must comply with the Uniform School Bus Standards.'

Sec. 20. R. S., c. 19, § 48, amended. The last paragraph of section 48 of chapter 19 of the revised statutes, as enacted by section 1 of chapter 79 of the public laws of 1949, is hereby amended to read as follows:

'Provided, however, that ~~the secretary of state~~ on application to the secretary of state, of any amputee veteran who has been the recipient of an automobile from the United States government under authority of P. L. 663, 79th congress, as amended, or any amputee veteran receiving compensation from the Veterans Administration for service connected disability who shall have a specially designed motor vehicle, and who is otherwise qualified to operate a motor vehicle in this state, such veteran shall receive a license to operate such automobile without the requirement of the payment of any fee.'

Sec. 21. R. S., c. 19, § 98, amended. Section 98 of chapter 19 of the revised statutes, as amended by chapter 236 of the public laws of 1945, is hereby further amended to read as follows:

'Sec. 98. Commercial vehicles. No commercial vehicle equipped with pneumatic tires and registered ~~to carry a load in excess of 1 ton~~ for a gross weight of over 6,000 pounds shall be operated on open country ways at a rate of speed exceeding 40 miles per hour, or within the compact built-up portions of any city, town, or village at a rate of speed exceeding 20 miles per hour; said ways and built-up portions being defined in section 102; 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 25 miles per hour or within said compact built-up portions at a rate of speed exceeding 15 miles per hour.'

Sec. 22. R. S., c. 19, § 100, amended. Section 100 of chapter 19 of the revised statutes, as amended by section 1 of chapter 348 of the public laws of 1947, is hereby further amended to read as follows:

'Sec. 100. Weight of commercial vehicles limited. No motor truck, trailer, tractor, combination of truck tractor and semi-trailer, or other commercial vehicle shall be operated, or caused to be operated, on or over any way or bridge when the gross weight (actual weight of vehicle and load) exceeds 50,000 pounds. No vehicle having 2 axles shall be so operated, or caused to be operated, when the gross weight exceeds 32,000 pounds.

No group of axles shall carry a load in pounds in excess of the value

given in the following table corresponding to the distance in feet between the extreme axles of the group, measured longitudinally to the nearest foot:

Distance in feet between the extremes of any group of axles	Maximum load in pounds carried on any group of axles
4 .....	32,000
5 .....	32,000
6 .....	32,000
7 .....	32,000
4 to 7, inclusive .....	32,000
8 .....	32,610
9 .....	33,580
10 .....	34,550
11 .....	35,510
12 .....	36,470
13 .....	37,420
14 .....	38,360
15 .....	39,300
16 .....	40,230
17 .....	41,160
18 .....	42,080
19 .....	42,990
20 .....	43,900
21 .....	44,800
22 .....	45,700
23 .....	46,590
24 .....	47,470
25 .....	48,350
26 .....	49,220
27 and over .....	50,000

provided, however, that no vehicle shall have a gross weight imparted to any road surface of more than 22,000 pounds on any one axle, and no vehicle having two or more axles less than 10 feet apart shall be operated, or caused to be operated, with more than 16,000 pounds imparted to the road surface from either axle; provided further, that no vehicle shall be so operated, or caused to be operated, when the load imparted to the road surface is greater than 600 pounds per inch width of tire (manufacturer's rating); except that in special cases, special permits for the transportation

of individual shipments in loads of greater gross weights may be granted by the state highway commission or such appropriate commission or official as is duly authorized elsewhere in this chapter.'

Sec. 23. R. S., c. 19, § 131, amended. The 1st sentence of section 131 of chapter 19 of the revised statutes is hereby amended by adding at the end thereof the following:

'or has expired without renewal'

Sec. 24. R. S., c. 19, § 132, amended. Section 132 of chapter 19 of the revised statutes is hereby amended to read as follows:

'Sec. 132. When registration has been revoked, vehicle not to be operated; person whose license or right to operate has been revoked or suspended not to operate motor vehicles; number plates not transferable; plates to be properly displayed. No person shall operate a motor vehicle after his license or right 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 canceled, 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. 25. R. S., c. 37, § 9, repealed. Section 9 of chapter 37 of the revised statutes, as amended by chapter 232 of the public laws of 1949, is hereby repealed.

Effective August 20, 1951

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## Chapter 236

### AN ACT Relating to Town Ordinances for Junk Yards.

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

R. S., c. 80, § 83, sub-§ XX, additional. Section 83 of chapter 80 of the revised statutes is hereby amended by adding thereto a new subsection to be numbered XX, to read as follows:

'XX. To entertain applications for the establishment of junk yards, give notice thereof, hold hearings thereon, issue licenses or permits therefor, subject to such reasonable restrictions, conditions and limitations as may seem desirable; to fix the costs and fees that shall be paid by applicants for notice, hearing and license; to provide suitable penalties for