

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ACTS AND RESOLVES

AS PASSED BY THE

Ninety-sixth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with subsection VI of section 26 of chapter 9 of the Revised Statutes of 1944.

KENNEBEC JOURNAL
AUGUSTA, MAINE
1953

PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Ninety-sixth Legislature

1953

CHAP. 67

PUBLIC LAWS, 1953

commissioner, may assist in enforcing gypsy and brown-tail moth quarantine laws using such funds in the division of entomology as may be available.

Sec. 16-H. Control of gypsy moth and brown-tail moth. Whenever any city or town shall appropriate or raise a sum of money and shall pay the same into the state treasury for the purpose of controlling the gypsy and brown-tail moths within its borders, the forest commissioner shall cause such amount to be expended in such city or town as herein provided, together with such sum as may be determined by the forest commissioner from the state appropriation made therefor. However, if the forest commissioner finds it to be unnecessary or impracticable to expend such entire amount or any part thereof during the year following such payment to the treasurer of state, the unexpended proportion shall be reimbursed to such city or town.'

Effective August 8, 1953

Chapter 66

AN ACT to Clarify the Exemption from Sales and Use Tax of Prescribed Medicines.

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

R. S., c. 14-A, § 10, sub-§ IV, amended. Subsection IV of section 10 of chapter 14-A of the revised statutes, as enacted by section 1 of chapter 250 of the public laws of 1951, is hereby amended to read as follows:

'IV. Medicines. Sales of medicines for human beings sold on doctor's prescription.'

Effective August 8, 1953

Chapter 67

AN ACT Relating to Financial Responsibility.

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

Sec. 1. R. S., c. 19, § 64, sub-§ II, amended. Subsection II of section 64 of chapter 19 of the revised statutes is hereby amended to read as follows:

'II. Secretary to administer §§ 64 to 71; court review. The secretary shall administer and enforce the provisions of sections 64 to 71, inclusive,

and he is authorized to adopt and enforce such regulations as may be necessary for their administration. He is hereby authorized to remove and destroy all records and papers in his office pertaining to the financial responsibility law which are more than 3 years old, are not in use and which in his judgment are no longer of value. Any person aggrieved by an order or act of the secretary under the provisions of said sections may, within 10 days after notice thereof, file a petition for a review thereof in the superior court of the county in which one of the parties resides, and if both plaintiff and defendant are non-residents, then in the county where the accident occurred; but the filing of such petition shall not suspend the order or act unless a stay thereof shall be allowed by a judge of said court pending final determination of the review. The court shall summarily hear the petition and may make any appropriate order or decree.'

Sec. 2. R. S., c. 19, § 65, sub-§ I, amended. Subsection I of section 65 of chapter 19 of the revised statutes is hereby amended to read as follows:

'I. Suspension of licenses. Upon receipt of an abstract of the record in case of conviction of any person for a violation of ~~such of~~ the provisions of any state law relative to motor vehicles ~~as the secretary shall determine~~, the secretary in his discretion may forthwith suspend the license of the person so convicted and the registration certificates and registration plates issued for any motor vehicle, trailer or semi-trailer registered in the name of such person unless and until such person gives and thereafter maintains for a period of 3 years proof of his financial responsibility. The secretary shall take action as required in this section upon receiving proper evidence of any such conviction of any person in another state.'

Sec. 3. R. S., c. 19, § 66, sub-§ II, ¶¶ A, B and C, amended. Paragraphs A, B and C of subsection II of section 66 of chapter 19 of the revised statutes, as amended, are hereby further amended to read as follows:

'A. Upon receipt by the secretary of the report of an accident which has resulted in death, the secretary shall forthwith suspend the license of any person operating, and the registration certificates and registration plates if said person be the owner of the motor vehicle, trailer or semi-trailer involved in such accident, unless and until such operator shall have previously furnished or immediately furnishes sufficient security and thereafter maintains proof of financial responsibility ~~in the future~~ for 3 years next following the date of filing the proof as provided under the provisions of subsection II of section 70, as specified in the following paragraph.

B. Upon receipt by him of the report of an accident other than as provided for in paragraphs A and C of this subsection, which has resulted in bodily injury, or property damage to an apparent extent of \$100 or more, the secretary shall, 30 days following the date of request for compliance with the 2 following requirements, suspend the license or revoke the right to operate of any person operating, and the registration certificates and registration plates of any person owning a motor vehicle, trailer or semi-trailer, in any manner involved in such accident, unless such operator or owner or both:

1. shall have secured a written release, duly authenticated, from the other party or parties involved in such accident, or shall have previously furnished or immediately furnishes sufficient security to satisfy any judgment or judgments for damages resulting from such accident as may be recovered against such owner or operator by or on behalf of the aggrieved person or his legal representative, and
2. shall immediately give and thereafter maintain proof of financial responsibility ~~in the future~~ as hereinbefore provided.

C. Upon receipt by him of the report that a person, while operating a motor vehicle, trailer or semi-trailer, had no license to operate, and was in any manner involved in an accident resulting in death, bodily injury, or in damage to property in any amount, the secretary shall forthwith enter an order prohibiting the issuance of an operator's license to said person, or the issuance of any registration certificate and registration plates to any motor vehicle, trailer or semi-trailer owned or controlled by said person, unless and until said person shall furnish sufficient security and thereafter maintain proof of financial responsibility ~~in the future~~ as hereinbefore provided.'

Sec. 4. R. S., c. 19, § 66, sub-§ II, ¶ F, additional. Subsection II of section 66 of chapter 19 of the revised statutes, as amended, is hereby further amended by adding thereto a new paragraph, to be lettered F, to read as follows:

'F. The secretary, upon any reasonable ground appearing on the records in his office, may suspend or revoke the operator's license of any person and may suspend or revoke any and all of the registration certificates and registration plates for any motor vehicle and may refuse to issue to any such person any license or to register in the name of such person any motor vehicle unless and until such person gives proof of his financial responsibility for such period as the secretary may require.'

Sec. 5. R. S., c. 19, § 66, sub-§ VI, amended. Subsection VI of section 66 of chapter 19 of the revised statutes is hereby amended to read as follows:

‘VI. Suspension; duration. The suspension required in subsection II of this section shall remain in effect, the motor vehicle, trailer or semi-trailer in any manner involved in such accident shall not be registered in the name of the person whose license or registration was so suspended, and no other motor vehicle, trailer or semi-trailer shall be registered in the name of such person nor any new licenses issued to such person unless and until he has obtained a release or a judgment in his favor in an action at law to recover damages for damage to property or the death of or bodily injury to any person resulting from such accident or unless he shall have satisfied in the manner hereinafter provided any judgment rendered against him in such an action, and at all events gives and thereafter maintains proof of his financial responsibility as **hereinbefore provided**. If the aggrieved or injured person or his legal representative shall not have brought suit within 1 year from the date of the accident then the secretary, upon receiving reasonable evidence of the fact, may, subject to the other requirements of the law, issue to such person a new license to operate and new registration certificates and registration plates provided he shall give and thereafter maintain proof of financial responsibility as **hereinbefore provided**. A discharge in bankruptcy shall not relieve the judgment debtor from any of the requirements of sections 64 to 71, inclusive.’

Sec. 6. R. S., c. 19, § 68, amended. The 1st sentence of section 68 of chapter 19 of the revised statutes is hereby amended to read as follows:

‘All of the provisions of sections 64 to 71, inclusive, shall apply to any person who is not a resident of this state, and if such non-resident has failed to furnish security or to give proof of his financial responsibility ~~in the future~~ as required hereunder, then and in such event such non-resident shall not operate any motor vehicle, trailer or semi-trailer in this state nor shall any motor vehicle, trailer or semi-trailer owned by him be operated within this state by any person, and the secretary shall not issue to such non-resident any operator’s license or register any motor vehicle, trailer or semi-trailer owned by such non-resident in the same manner as required with respect to a resident of this state.’

Sec. 7. **Effective date.** The provisions of this act shall be retroactive to July 26, 1941.