

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Ninety-seventh Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Ninety-seventh Legislature

1955

Chapter 370

AN ACT Relating to Definition and Duties of "Owner" in Motor Vehicle Laws.

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

Sec. 1. R. S., c. 22, § 1, amended. The 8th paragraph of section 1 of chapter 22 of the revised statutes, which relates to the definition of "owner," is hereby amended to read as follows:

"Owner" for the purposes of registration only shall mean any person, firm, corporation or association owning a vehicle or the mortgagor or the vendee in a conditional sales contract, and shall mean any person, firm, corporation or association owning a motor vehicle, or having the right to use the same, under contract, lease or hiring; except, however, the aforesaid definition shall not apply when said vehicle is engaged exclusively for the use set forth in paragraph E of subsection I of section 29 of chapter 48, or acts amendatory thereto; it shall not mean or include a person engaged in the business of renting Maine registered motor vehicles without drivers, as provided for in section 158; provided, however, that nothing contained in this definition shall require an owner or a common or contract carrier by motor vehicle operating under permit or certificate of the Interstate Commerce Commission or the Public Utilities Commission to register a motor vehicle leased by such owner or carrier for the purpose of augmenting such owner's or carrier's equipment, if such motor vehicle is properly registered by the owner or carrier in this or some other state;

Sec. 2. R. S., c. 22, § 13, amended. The 1st paragraph of section 13 of chapter 22 of the revised statutes is hereby repealed and the following paragraph enacted in place thereof:

'All residents of this State and all such owners as defined in section 1 shall register the same in this State if such motor vehicle is to be operated or remain on any way in this State, unless the said vehicle is currently registered in this State.'

Sec. 3. R. S., c. 22, § 157, amended. Section 157 of chapter 22 of the revised statutes is hereby amended to read as follows:

'Sec. 157. Owner and renter of motor vehicles to be jointly and severally liable for damages. The owner of a motor vehicle engaged in the business of renting motor vehicles, with or without drivers, who rents any such vehicle, with or without a driver, to another, otherwise than as a part of a bona fide transaction involving the sale of such motor vehicle, permitting the renter to operate the vehicle upon the public ways, shall be jointly and severally liable with the renter for any damages caused by the negligence of the latter in operating the vehicle and for any damages caused by the negligence of any person operating the vehicle by or with the permission of the person so renting the vehicle from the owner, except that the foregoing provisions shall not confer any right of action upon any passenger in any such rented vehicle as against the owner, but nothing herein contained shall be construed to prevent the introduction as a defense of contributory negligence to the extent to which such defense is allowed in other cases.'

Sec. 4. R. S., c. 22, § 158, amended. Section 158 of chapter 22 of the revised statutes is hereby amended to read as follows:

'Sec. 158. Owner of rented motor vehicles to keep a record of the renter. Every person engaged in the business of renting motor vehicles with or without

drivers who shall rent any such vehicle with or without a driver, otherwise than as a part of a bona fide transaction involving the sale of such motor vehicle, shall maintain a record of the identity of the person to whom the vehicle is rented, including a record of his license, and the exact time the vehicle is the subject to such rental or in possession of the person renting and having the use of the vehicle, and every such record shall be a public record and open to inspection by any officer, and it shall be a misdemeanor for any such owner to fail to make or have in possession or to refuse an inspection of the record required in this section. If the Secretary of State prescribes a form for the keeping of the record provided for in this section, the owner shall use said form, which shall be carried in the vehicle at all times during the period of lease or hire as aforesaid and while being used on the highways in this State.'

Effective August 20, 1955

Chapter 371

AN ACT Relating to Compulsory Commitment of Persons Infected with Tuberculosis.

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

Sec. 1. R. S., c. 25, § 105, amended. The last sentence of the 1st paragraph of section 105 of chapter 25 of the revised statutes is hereby repealed, as follows:

~~'Upon receipt of said report the court may issue such order as the circumstances of the case warrant.'~~

Sec. 2. R. S., c. 25, § 105, amended. Section 105 of chapter 25 of the revised statutes is hereby amended by repealing the last 2 paragraphs thereof and inserting in place thereof, the following:

'If the Board finds and reports that the alleged tuberculous infected person does not have active infectious tuberculosis and is not dangerous to the public health the court shall enter an order dismissing the petition. If the Board finds and reports that the alleged tuberculous infected person has active infectious tuberculosis and is dangerous to the public health, the justice shall hold a hearing at the time fixed. If the justice determines that such person has active infectious tuberculosis and is dangerous to the public health he may commit such person to a sanatorium for such period of time as shall in the opinion of the superintendent of the sanatorium be necessary to remove the danger of infection to the public health and improve the health of the person, so that he will not have active infectious tuberculosis. The justice, in his order committing a person to a sanatorium, may direct the sheriff to take such person into his custody and forthwith deliver him to the sanatorium.'

Sec. 3. R. S., c. 25, § 105-A, additional. Chapter 25 of the revised statutes is hereby amended by adding thereto a new section to be numbered 105-A, to read as follows:

'Sec. 105-A. Return of person to sanatorium. Any person committed under section 105 who leaves the sanatorium to which he has been committed without having been discharged by the superintendent shall be recommitted to the sanatorium by a Justice of the Superior Court in the county from which the person was originally committed upon an affidavit being filed before such justice by the superintendent of the sanatorium from which the person left, said affidavit shall