

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Ninety-ninth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with subsection VI of section 27 of chapter 10 of the Revised Statutes of 1954.

KENNEBEC JOURNAL

AUGUSTA, MAINE

1959

PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Ninety-ninth Legislature

1959

school days without loss of salary. Any other plan of sick leave which, in the opinion of the State Board of Education, provides at least equal benefits may be approved in lieu thereof.'

Effective September 12, 1959

Chapter 207

AN ACT Relating to Notification by Secretary of State in Motor Vehicle Cases.

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

Sec. 1. R. S., c. 22, § 6, amended. Section 6 of chapter 22 of the Revised Statutes, as amended by section 1 of chapter 10 of the public laws of 1955, is further amended by adding at the end 2 new paragraphs, to read as follows:

'The notification under this section of the suspension or revocation of any certificate of registration or any license issued to any person to operate a motor vehicle shall be sufficient if sent by registered or certified mail to the address given by the registrant or licensee.

Any person who, after notice of such suspension or revocation, fails or refuses to obey any order of the Secretary of State under this section shall be punished as provided in section 164.'

Sec. 2. R. S., c. 22, § 9, amended. Section 9 of chapter 22 of the Revised Statutes is amended to read as follows:

'Sec. 9. Hearings. Notice of any hearing held by the Secretary of State or by his authority under the provisions of this chapter shall state the place, day and hour thereof, and warn the licensee or registrant that he may then and there appear, in person or through counsel, to show cause why his license should not be suspended or revoked, or why the registration of the vehicle should not be annulled; ~~and service.~~ Service of such notice shall be sufficient if sent by registered or certified mail to the address given by the licensee or registrant, 5 days at least before the day set for the hearing.'

Effective September 12, 1959

Chapter 208

AN ACT Prohibiting Certain Lights Along Highways.

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

R. S., c. 141, § 17-A, additional. Chapter 141 of the Revised Statutes is amended by adding a new section 17-A, to read as follows:

'Sec. 17-A. Certain lights prohibited along highways. No person shall place or maintain upon or in view of any highway any light so that its beams or rays are directed at any portion of a public street or highway when the light is of

such brilliance and so positioned as to blind, dazzle or otherwise impair the vision of the driver of any motor vehicle upon said street or highway; or any rotating or flashing light or signal which imitates or simulates the flashing or rotating lights used on school buses, police, fire or highway vehicles, except safety signaling devices required by law. Whoever violates this section shall be punished by a fine of not more than \$100.'

Effective September 12, 1959

Chapter 209

AN ACT Relating to Waiver of Indictment.

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

R. S., c. 147, § 33, amended. Section 33 of chapter 147 of the Revised Statutes, as enacted by chapter 187 of the public laws of 1955, and as amended by chapter 3 of the public laws of 1957, is further amended to read as follows:

'Sec. 33. Waiver of indictment; petition; information; notification of rights; additional charges. Any person charged with an offense not punishable by life imprisonment, who has been bound over to await the action of a grand jury in any Superior Court, and who desires to waive indictment and have a prompt arraignment upon waiver of said indictment, may file a petition in writing with the clerk of said court requesting prompt arraignment by information.

After the filing of such petition, and after the accused in open court, or before any Justice of the Superior Court in vacation, has been advised of the nature of the offense and of his rights, said accused may waive in open court prosecution by indictment, which waiver shall be recorded. Thereupon the Attorney General or any of the deputy or assistant attorneys general or the county attorney or the assistant county attorney, hereinafter in this section referred to as the prosecuting officer, may proceed against the accused person by information.

The information shall be made under the oath of the prosecuting officer upon information and belief before a justice of the peace or a notary public. It shall be a plain, concise and definite written statement of the essential facts constituting the offense intended to be charged in the complaint. In preparing the information, errors and deficiencies, either in form or substance, appearing in said complaint may be corrected. The information may charge the accused with any lesser offense which is contained in the greater offense intended to be charged in the complaint. It shall be signed by the ~~county attorney or the assistant county attorney~~ prosecuting officer, and in such cases the Superior Court, or any Justice of the Superior Court in vacation, shall have jurisdiction, in term time or in vacation, as if an indictment had been found, and upon plea of nolo contendere or guilty shall thereupon impose sentence and order its execution or may dispose of the case as provided in chapter 27-A, section 6, and upon entry of any other plea shall continue the matter to the next term at which criminal trials are held. The court, or any justice thereof in vacation, under appropriate circumstances, shall have authority to place the case on file with or without plea, or to grant a motion made by the prosecuting officer to enter a nolle prosequi as to part or all of said information.