

# MAINE STATE LEGISLATURE

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SEVENTH REVISION

THE  
REVISED STATUTES

OF THE  
STATE OF MAINE

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## CHAPTER 29.

### The Motor Vehicle Law.

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#### Definitions.

**Sec. 1. Terms defined.** 1921, c. 211, § 1. As used in this chapter, unless the context otherwise indicates, the word "way" includes all kinds of public ways; the word "team" and the word "vehicle" shall each include all kinds of conveyances on such ways for persons and for property, except those propelled or drawn by human power, or used exclusively on tracks; the word "trailer" any vehicle for transportation of passengers or commodities without motive power, not operated on tracks, drawn or propelled by a motor vehicle, except a pair of wheels commonly used for other purposes than transportation; the term "solid tires" shall include tires of rubber or other material that do not depend on confined air for the support of the load; the term "motor vehicle," any self-propelled vehicle not operated exclusively on tracks, except tractors; the word "tractor," any self-propelled vehicle not used on fixed rails, designed or used as a traveling power plant for drawing vehicles, but having no provision for carrying loads independently; the word "owner," any person, firm, corporation, or association owning a vehicle or having exclusive right to the use thereof under contract, lease, hiring, or otherwise; the word "curb," the outer edge of a defined sidewalk, or either edge of the wrought and usually traveled part of a way; the word "section" shall refer to this chapter unless otherwise indicated; and words in the context indicating operation or use of a vehicle refer to its operation or use upon any way or bridge in this state, including public parks and parkways.

See c. 1, § 6; c. 27, § 101. \*124 Me. 198.

Public laws of 1921, c. 211, which codifies the motor vehicle law and law of the road, supersedes R. S. 1916, c. 26 and the following acts amendatory thereof: 1917, c. 53, 54, 171, 213, 234, 256, 272, 287; 1919, c. 24, 123, 211, 242, 250, § 1, and the present chapter is based on the codification of chapter 211 of the public laws of 1921 and acts amendatory thereof and additional thereto.

#### Law of the Road.

**Sec. 2. Teams approaching to meet shall turn to right; shall stop a reasonable length of time at some convenient passing place if requested.** 1921, c. 211, § 2. When persons traveling with a team are approaching to meet on a way, they shall seasonably turn to the right of the middle of the traveled part of it, so that they can pass each other without interference. When it is unsafe, or difficult on account of weight of load to do so, a person about to be met or

overtaken, if requested, shall stop a reasonable time, at a convenient place, to enable the other to pass.

\*11 Me. 339; 25 Me. 46; 66 Me. 376; 71 Me. 347; \*98 Me. 73; \*118 Me. 42, 74;  
\*124 Me. 240; 125 Me. 399.

**Sec. 3.** Teams stationary or traveling slowly shall turn to right to allow another approaching from rear to pass. 1921, c. 211, § 3. When a person with a team is stationary, or traveling slowly, on a way at a place unsafe or inconvenient for passing him with a team, he shall, if requested, drive to the right, or stop a reasonable time at a convenient place, to allow the other to pass.

\*25 Me. 46; 71 Me. 347.

**Sec. 4.** Stationary vehicles shall not obstruct way; animal drawn vehicles shall not be left on a way unless fastened. 1921, c. 211, § 4. No person shall leave his vehicle stationary on a way so as to obstruct the free passage of other vehicles; or allow an animal drawn team to be in the way unattended unless it is reasonably fastened.

**Sec. 5.** Vehicles shall keep to right boundary of way so as to allow swifter vehicles approaching from rear passage to left. 1921, c. 211, § 5. A person in control of any vehicle moving slowly along a way shall keep said vehicle as closely as practicable to the right-hand boundary of the way, allowing more swiftly moving vehicles reasonably free passage to the left.

**Sec. 6.** Bells shall be attached to horse or animal drawn vehicles when snow is on ground. 1921, c. 211, § 6. One or more bells shall be either attached to one of the foremost horses drawing vehicles without wheels on snow, or attached to the shafts of the vehicle.

**Sec. 7.** Right of way at intersecting ways and at entrances of private roads to public ways. 1923, c. 9. 1929, c. 327, § 24 (b). All vehicles shall have the right of way over other vehicles approaching at intersecting public ways from the left, and shall give the right of way to those approaching from the right; except that traffic officers stationed at such intersections may otherwise regulate traffic thereat. The driver of a vehicle entering a public way from a private road shall yield the right of way to all vehicles approaching on such public way.

125 Me. 72; 127 Me. 75; 128 Me. 261.

**Sec. 8.** Highway commission may designate "through" ways; vehicles on through ways have right of way; vehicles to stop before entering a through way. 1927, c. 138, § 1. 1929, c. 172. For the purposes of this and the succeeding section, the state highway commission of Maine may from time to time designate certain state and state aid highways and county and town ways connecting such state and state aid highways as through ways, and may after notice revoke any such designation; provided, however, that within the compact or built-up portion of any city, town or village as defined in section sixty-nine of this chapter such designation of through ways shall be made by the state highway commission only with the approval of the municipal officers thereof, and further provided that the state highway commission after notice shall revoke such designation upon the petition of the said municipal officers. Every vehicle approaching on a through way to point of its intersection with a way other than a through way so as to arrive at such point at approximately the same instant as a vehicle approaching on such other way shall as against such other vehicle have the right of way, and every vehicle immediately before entering or crossing a through way at its point of intersection with another way shall first come to a full stop, provided that whenever a traffic

officer is stationed at such point, he shall have the right to regulate traffic thereat. No such designation of a through way shall become effective as to regulation of traffic at such a point of intersection until said commission shall have caused suitable warning signs or signals to be erected at or near such point. For the purposes of this and the succeeding section, a way joining a through way at an angle, whether or not it crosses the same, shall be deemed to intersect it, and the word "way," unless the context otherwise requires, shall include a through or other way.

**Sec. 9. Penalties for violations.** 1927, c. 138, § 2. Any person who violates the provisions of the preceding section, and any person who removes, destroys, damages, or defaces any sign or signal erected by or under the direction of the state highway commission as herein provided shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than ten dollars nor more than fifty dollars, or by imprisonment for not more than sixty days or by both such fine and imprisonment.

**Sec. 10. Street crossings and safety zones for pedestrians may be created by municipal ordinance.** 1921, c. 211, § 8. Cities and towns may enact ordinances or by-laws providing for the establishment of street crossings and safety zones for pedestrians, and restrict or prohibit the crossing of streets by pedestrians except within the limits of crossings or zones so established.

**Sec. 11. Solicitation of transportation in motor vehicles forbidden; penalty.** 1929, c. 317. It shall be unlawful for any person while upon any public highway, or the right-of-way of any public highway, to endeavor by words, gestures or otherwise, to beg, invite or secure transportation in any motor vehicle not engaged in passenger carrying for hire, unless said person knows the driver thereof or any passenger therein. Provided, nothing in this section shall prohibit the solicitation of aid in the event of accidents or by persons who are sick or seeking assistance for the sick; and provided furthermore, that the exception for sickness shall apply only in cases of bona fide sickness in which an emergency exists.

Any person violating any of the provisions of this section shall be punished by a fine of not more than fifty dollars, or by imprisonment for not more than thirty days, or by both fine and imprisonment.

**Sec. 12. Vehicles approaching stationary street car from rear.** 1921, c. 211, § 9. An operator of a vehicle shall bring it to a full stop not less than five feet from the rear of any street car headed in the same direction which has stopped for the purpose of taking on or discharging passengers, and shall remain stationary until such car has taken on or discharged its passengers; provided, however, that such operator may pass such car where a safety zone is established or where he may pass such car at a distance of at least eight feet from the running board or lowest step thereof; and provided, further, that he shall slow down and proceed cautiously. He may also pass to the left of such car when there is a clear view and a clear way for at least one hundred feet in advance of such car on its left; provided he shall slow down and proceed cautiously.

125 Me. 328.

**Sec. 13. Police and fire department vehicles and ambulances have right of way.** 1921, c. 211, § 10. Police, fire department, traffic emergency repair vehicles, and ambulances, when operated in response to calls, shall have the right of way; and on the approach of any such vehicle the driver of every other vehicle shall immediately draw his vehicle as near as practicable to the right hand curb and parallel thereto and bring it to a standstill until such public

service vehicles have passed. The person in control of a street car shall also immediately stop said car upon the approach of fire apparatus and keep it stationary until such apparatus has passed.

**Sec. 14. Teams conveying passengers not to be left unattended; brakes to be set on stationary motor vehicles.** 1921, c. 211, § 11. No driver of a team having passengers therein conveyed for hire shall leave it without a person in charge or without fastening it securely; and no person having control or charge of a motor vehicle shall allow such vehicle to stand upon any way and remain unattended without effectively setting its brakes.

**Sec. 15. Height and width of motor vehicles and trailers limited.** 1921, c. 211, § 12. No motor vehicle or trailer which, with or without load, is wider than eight feet over all, or is over twelve feet, six inches high, shall be operated upon any way or bridge. No portion of any such vehicle or load, except the reflecting mirror required by this chapter, shall project beyond the side of said vehicle to make a total width greater than herein specified.

**Sec. 16. Injurious substances not to be placed on any way or bridge.** 1921, c. 211, § 13. No person shall throw or place, or cause to be thrown or placed upon any way or bridge, any tacks, nails, wire, scrap metal, glass, crockery, or other substance injurious to the feet of persons or animals or to tires or wheels of vehicles. Whoever accidentally, or by reason of an accident, drops from his hand or a vehicle any such substance upon any way or bridge shall forthwith make all reasonable efforts to clear such way or bridge of the same.

**Sec. 17. Speed on bridges regulated.** 1921, c. 211, § 14. No animal drawn team shall travel faster than a walk on a bridge erected wholly or partly by the state, or on any bridge covered with plank and fifty feet long composing part of a way, or on any bridge owned by a corporation; and no motor vehicle shall travel over any such bridge faster than twelve miles an hour, provided, that heavy vehicles may be further restricted, as hereinafter provided.

**Sec. 18. Penalty for violation of speed limit over bridge.** 1921, c. 211, § 15. Whoever wilfully violates the preceding section forfeits three dollars to the owners of the bridge or to the state or municipal corporation required to keep it in repair, to be recovered on complaint made by any owner of said bridge, or by any municipal officer of the town in which it is located.

**Sec. 19. Certain vehicles not to be operated on roads and bridges without special permit.** 1921, c. 211, § 16. No vehicle, engine, contrivance, or object shall be moved upon or over any way or bridge upon wheels, rollers, or otherwise in excess of the weights prescribed in this chapter or without obtaining a permit in accordance with section twenty-one; nor shall any vehicle, engine, team, or contrivance of whatever weight be moved upon or over any way or bridge which has any flange, rib, clamp, or other object attached to its wheels, or made a part thereof, likely to bruise or injure the surface of such way or bridge, without permit obtained as provided in this chapter. Mowing machines, light farm tractors, not customarily operated over public ways, and other light-weight farming vehicles, are exempted from the provisions of this section. This section shall not be construed to prohibit the use of tire chains of reasonable proportions on vehicles when required for safety because of snow, ice, or other conditions tending to cause such vehicle to slide or skid. Provided, however, that this section shall not apply to ways open to the public, privately owned or maintained, or to the use of such ways by those owning or maintaining them.

**Sec. 20. Speed limit on bridges of four ton vehicles; of six ton vehicles.** 1921, c. 211, § 17. No tractor, with or without trailers, and no motor vehicle

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having a gross weight in excess of four tons shall be operated upon any bridge at a rate of speed greater than fifteen miles per hour; and no such vehicle having a gross weight in excess of six tons shall be operated upon any bridge at a rate of speed greater than six miles per hour.

**Sec. 21. Permits for moving heavy objects over ways and bridges; jurisdiction; permits limited.** 1921, c. 211, § 18. Jurisdiction is hereby vested in the state highway commission to grant emergency permits upon proper application in writing to move objects having a weight or width greater than specified in the two preceding sections over any way or bridge upon which the money of the state has been expended or over which said commission has assumed control; and like permits may be granted by county commissioners, municipal officers, superintendents of streets, or other road officials having charge of the repair and maintenance of any other way or bridge.

Said permits shall be issued to cover the emergency or purpose stated in the application and shall be limited as to the particular objects to be moved and the particular ways and bridges which may be used.

Provided, however, that the state highway commission, in respect to state and state aid highways and bridges within city or compact village limits, and municipal officers in respect to all other ways and bridges within such city and compact village limits, may grant permits to operate vehicles having a gross weight exceeding the limit of gross weight in this chapter prescribed, and all such permits may contain any special conditions or provisions which in the opinion of the grantors are necessary.

**Sec. 22. Special restrictions relating to heavy objects passing over bridges.** 1921, c. 211, § 19. Notwithstanding any loads authorized in this chapter upon any bridge, officials charged with the repair and maintenance thereof may limit the load permitted on any bridge to such weight as they deem necessary for the safety of life or property, or the maintenance of such bridge. Upon the failure or neglect of local officials to prescribe such weights for any bridge, the state highway commission may fix such limit of weight as it deems proper. Such regulations shall be in effect when notice thereof is conspicuously posted at each end of the bridge affected.

**Sec. 23. Ways may be closed to certain vehicles during certain seasons of the year; notices to be posted; jurisdiction.** 1921, c. 211, § 20. 1927, c. 198. The state highway commission shall designate state and state aid highways and improved third class highways and bridges, or sections thereof, over which, during such periods of each year as may be determined by the commission, it shall be unlawful for any motor truck or other vehicle or team to pass having a weight, with or without load, exceeding that prescribed by said commission; or to pass except according to restrictions as to weight, speed, operation, and equipment prescribed by the commission and pursuant to its written license. County commissioners and municipal officers may make similar designations of any other ways and bridges within their respective jurisdictions, and impose similar restrictions upon vehicles passing over the same. Provided always that a notice specifying the designated sections of a way or bridge, the periods of closing, and prescribed restrictions, or exclusion, shall be conspicuously posted at each end thereof. The municipal officers of each city, town, and plantation shall, within their respective municipalities, have the same power as the chief and members of the state highway police in the enforcement of the provisions of this section and of all rules and regulations promulgated by the state highway commission, the county commissioners, and the municipal officers of towns per-

taining thereto, and in arresting all violators thereof and in prosecuting all offenders against the same; such municipal officers shall, in such cases, serve without compensation.

**Sec. 24. Penalties for violating five preceding sections; bond may be required for permits.** 1921, c. 211, § 21. Whoever as owner, driver, operator, or mover of any engine, team, vehicle, or contrivance mentioned in the five preceding sections violates any provision of said sections or the regulations made or permits granted under authority thereof shall be liable to a fine of not less than ten dollars nor more than five hundred dollars for each offense; and he shall also be responsible for all damage which said way or bridge may sustain as a result thereof, and the amount may be recovered in an action on the case brought by the municipality, when any way or bridge is injured which is under the care of said municipality; by the county commissioners in behalf of any unincorporated township injured, and by the state when any state or state aid way or bridge is injured; and shall be used for the repair of the ways and bridges so injured. Highway officials in granting permits under the preceding sections may require from owners or operators a bond satisfactory to them running to the state or the municipal corporation affected, conditioned to reimburse it for any expenses necessarily incurred in repairing all damage caused to the way or bridge by the use thereon of such vehicle, load, contrivance, or other object.

**Sec. 25. Log-haulers and traction engines to obtain permits.** 1921, c. 211, § 22. Log-haulers, traction engines, or other motive power to be used in drawing heavily loaded sledges, carts, drays, or vans may be operated upon ways; provided the owners or operators thereof shall apply for and obtain a permit as provided in the preceding sections and shall deposit a bond as provided in said sections.

**Sec. 26. Appeal may be taken to state highway commission from decision of local highway officers.** 1921, c. 211, § 46. An appeal in writing may be taken from any order or decision of local highway officials made under the provisions of sections nineteen to twenty-five inclusive, to the state highway commission, and the state highway commission may hear and decide the matter in a summary manner, modifying, affirming, or vacating the action of such officials and may issue any order necessary to carry its decision into effect. No appeal shall suspend the order or decision of said highway officials, pending the decision of the state highway commission.

**Sec. 27. Movable track tractors not subject to weight provisions of § 51.** 1921, c. 211, § 23. Tractors, the propulsive power of which is exerted not through wheels resting upon the ground but by means of a flexible band or chain known as a movable track, shall not be subject to the limitation upon permissible weight per inch width of tire as provided in section fifty-six if the portions of the movable track in contact with the surface of the way present plane surfaces.

**Sec. 28. Roads closed for repairs; notices.** 1921, c. 211, § 24. No person shall remove, injure, or tamper with any sign placed by authority of the state highway commission, or by any local official having charge of the repair and maintenance of ways and bridges; nor shall any person operate any vehicle over a way or bridge which is lawfully closed for construction or repairs, and contrary to posted notice whether the work thereon is being done by the state, county, or municipality, or by a contractor, unless permit to pass is expressly granted by some person in charge of the work.

Registration of Vehicles. Licensing of Operators. Suspension of Licenses.  
Fees.

**Sec. 29. Secretary of state to register motor vehicles; reports.** 1921, c. 211, § 26. The secretary of state shall collect all fees required for licensing and registering all vehicles and operators, and shall forthwith transmit the same to the treasurer of state. He shall from time to time as required by the governor and council, make report of his doings and of the fees received from vehicle registrations, licenses issued, and from other sources, with such recommendations as he may consider appropriate.

**Sec. 30. Deputies.** 1921, c. 211, § 27. 1929, c. 327, § 6. The secretary of state may appoint and deputize agents, examiners and inspectors, stationed at convenient places in the state, to receive applications for registration and licenses, and to conduct examinations when ordered by the secretary of state.

**Sec. 31. Secretary of state may conduct hearings to aid in enforcement of motor vehicle laws; fees of witnesses; justice superior court may issue summary process to enforce orders.** 1921, c. 211, § 28. 1925, c. 144, § 6. In the administration of the laws relative to motor vehicles and to the operators and the operation thereof, the secretary of state may conduct hearings, subpoena witnesses, administer oaths, take testimony, and order the production of books and papers, and for the purposes mentioned in this chapter may issue all processes necessary for the performance of his duties. The fees for travel and attendance of witnesses shall be the same as for witnesses before the superior court and shall be paid by the state out of motor vehicle registration fees upon certificates of the secretary of state filed with the auditor. Any justice of the superior court, on the petition of the secretary of state, may issue summary process to enforce the lawful orders of the secretary of state in any matter.

**Sec. 32. Records of secretary of state open to public inspection; complaint may be regarded as confidential.** 1921, c. 211, § 29. All records of the secretary of state pertaining to the applications and registration of motor vehicles and to operators' licenses shall be open to public inspection during office hours. Complaints in writing may be regarded as confidential.

**Sec. 33. Applications for operators' licenses; licensee may operate any registered vehicle unless specifically limited.** 1921, c. 211, § 30. Applications to operate motor vehicles shall be presented by mail or otherwise to the secretary of state upon blanks prepared under his authority, and which shall therein call for specific answers to questions of a character designed to show the experience and competency of the applicant to operate a motor vehicle; a fee of two dollars shall accompany the application. Before the license is granted, an applicant may be required to pass such examination by actual demonstration or otherwise as to his qualifications to operate a motor vehicle as the said secretary shall require; and no license shall be issued until the said secretary is satisfied that the applicant is a proper person to receive it; no license shall be issued to any person under fifteen years of age. A record of all applications for license and of all licenses issued shall be kept by the said secretary. Each license shall state the name, age, place of residence of the licensee and the distinguishing numbers or marks assigned to him and may contain a brief description of the licensee for the purpose of identification and such other information as the said secretary shall deem necessary. A person to whom a license to operate a motor vehicle has been issued, unless such license contains a special limitation or restriction, may operate any registered motor vehicle.

Every licensee shall endorse his usual signature upon the margin of the license before using it, and no license shall be valid until so endorsed.

**Sec. 34. Operator's license granted to minors under eighteen; conditions.** 1929, c. 327, § 9. The secretary of state shall not grant the application of any minor under the age of eighteen years for an operator's license unless such application is signed by the father of the applicant, if the father is living, and has custody of the applicant, otherwise by the mother or guardian having the custody of such minor, or in the event a minor under the age of eighteen years has no father, mother or guardian, then an operator's license shall not be granted to the minor unless his application therefor is signed by his employer.

**Sec. 35. Owner of motor vehicle liable for damages caused by minor under eighteen operating with his authority.** 1929, c. 327, § 10. Every owner of a motor vehicle causing or knowingly permitting a minor under the age of eighteen years to operate such vehicle upon a highway, and any person who gives or furnishes a motor vehicle to such minor, shall be jointly and severally liable with such minor for any damages caused by the negligence of such minor in operating such vehicles.

**Sec. 36. Chauffeurs; special license; badge; fee; definition of term.** 1921, c. 211, § 31. 1929, c. 327, § 7. Special licenses to operate motor vehicles shall be issued to chauffeurs subject to the same general requirements governing the issuance of an operator's license as is provided in section thirty-three; but no such license shall be issued to any person less than eighteen years of age. An operator's license shall not entitle a person to operate a motor vehicle as a chauffeur as defined in this section.

The secretary of state shall furnish every licensed chauffeur with a suitable metal badge with distinguishing number or mark assigned to him thereon without extra charge therefor. Said badge shall thereafter be worn by such chauffeur affixed to his clothing at all times while he is operating or driving a motor vehicle, and shall be valid only during the term of the license of the chauffeur to whom it is issued.

Every application for a chauffeur's license shall be accompanied by a fee of five dollars; provided, however, that if such applicant already holds an operator's license the accompanying fee shall be three dollars.

Failure of an operator or chauffeur to exhibit his license to any magistrate, motor vehicle inspector, police officer, sheriff, or other authorized official, on demand, shall be prima facie evidence that such person is not duly licensed.

A chauffeur who is registered under the provisions of law of the state or country of his residence shall be exempt from license under this section, provided he shall wear a badge or carry a license certificate assigned to him by the jurisdiction of his residence.

The word "chauffeur" as herein used shall mean any person who operates a motor vehicle other than his own, and who, directly or indirectly, receives compensation for any work or services in connection therewith; but as used elsewhere generally in this chapter with respect to the use and operation of motor vehicles, the word "operator" and "driver" shall include the word "chauffeur."

Temporary licenses without fees may be issued to chauffeurs in the employ of the state or any municipal corporation, to terminate when their employment ends.

**Sec. 37. Duplicate license may be issued on proof of loss of original and payment of fees.** 1929, c. 327, § 11. In the event that an operator's or chauffeur's license or a chauffeur's badge issued under the provisions of this chap-

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ter shall be lost or destroyed, the person to whom the same was issued may obtain a duplicate or substitute thereof upon furnishing proof satisfactory to the secretary of state that such license or badge has been lost or destroyed and upon payment of the fees required by law.

**Sec. 38. Special license for operation of motor cycle.** 1921, c. 211, § 32. The secretary of state shall also prepare suitable blanks for applicants for a license to operate motor cycles and he shall issue licenses to competent persons to operate motor cycles, subject to the same general requirements obtaining with respect to a license to operate a motor vehicle.

A license to operate a motor vehicle shall not authorize the licensee to operate a motor cycle, unless the license shall so specify; but licensees to operate a motor vehicle may on application be granted a license to operate a motor cycle without paying an additional fee.

**Sec. 39. Unlicensed persons not to operate motor vehicles; exception.** 1921, c. 211, § 33. No person shall operate a motor vehicle upon any way in this state unless licensed according to the provisions of this chapter; but the provisions of this section shall not prevent the operation of a motor vehicle by an unlicensed person, not less than fifteen years of age, if riding beside a licensed operator in said vehicle for the purpose of becoming familiar with the use and handling of a motor vehicle preparatory to taking out license for driving; and provided, further, that such unlicensed person has not theretofore had a license revoked, suspended, or finally refused.

115 Me. 134; 120 Me. 142.

**Sec. 40. Non-resident cars and operators licensed in home state may operate; exceptions; non-resident trucks of over one ton to be registered.** 1921, c. 211, § 34. 1925, c. 214. 1927, c. 161, § 1; c. 200. 1929, c. 327, § 8. (a) The provisions of this chapter relative to the registration of motor vehicles, tractors and trailers, and the granting of operators' licenses shall not apply to a motor vehicle, tractor or trailer owned by a non-resident, other than a foreign corporation doing business in this state, or to a non-resident operator other than the operator of any such vehicle belonging to a foreign corporation doing business in this state, provided that the owner of such vehicle has complied with the provisions of law of the state or country of his residence relative to the registration of such vehicle and provided said operator has complied with the provisions of law of the state or country of his residence relative to operators' licenses. But this exemption regarding operators' licenses shall not apply to any operator resident in any other state or country whose laws do not require such operators' licenses. Nothing in this chapter shall be construed to permit a non-resident vehicle having a weight in excess of or equipped contrary to that allowed a similar resident vehicle, to be operated on the ways of this state.

(b) No vehicle owned or operated by a non-resident shall be operated on the public ways of this state as a vehicle engaged in the business of livery or for hire, or as a jitney, within this state, and no motor truck or trailer owned or operated by a non-resident, shall be operated on the highways of this state, except and until it has been registered under the laws of this state and made to comply with the by-laws and ordinances of municipalities wherein it is operated, in the same manner as may be required of like vehicles owned, operated and registered in this state. Provided, however, that any truck or trailer having a rated carrying capacity of one and one-half tons or less, which is duly registered according to the laws of another state or country

which grants like privileges to such truck and trailer registered in this state, and to the operators thereof, shall not be required to be registered in this state.

(c) The secretary of state may issue to public utilities operating in this state for a nominal fee, a special permit for vehicles engaged in emergency repair work in this state provided such vehicles are registered in some other state and have attached thereto registration plates and are driven by persons licensed to operate in this or some other state.

**Sec. 41. Exemption from registration fees of certain vehicles owned by non-residents.** 1929, c. 322, §§ 1, 2. The following vehicles, owned and operated by non-residents, which would be otherwise required by this chapter to pay a registration fee, shall, if duly registered in the state of their ownership, be exempt from registration in this state for a period of thirty days while operated in this state under the conditions and limitations hereinafter provided:

First. Any motor truck, tractor, or trailer brought into the state and used exclusively herein for display purposes in agricultural or industrial fairs, or in motor vehicle exhibitions. Provided, however, that the state or country under which said vehicle, or tractor, is registered grants like privileges to like vehicles, or tractors, registered in this state, and to operators thereof.

Second. Any apparatus and trucks conveying apparatus brought into the state and while used herein exclusively for exhibition or demonstration at firemen's musters.

Third. Any passenger bus bringing into the state persons as a single organized group or party for whose exclusive use such bus has been chartered and is so used, and which is chartered and intended to be used solely as a continuous means of conveyance for such group of persons for one round trip only per year while they are touring in the state. No owner or lessee of any such bus shall be entitled to so use or operate another such bus in this state during the same year except on payment of the registration fees required in other cases for like vehicles. But upon entering the state the operator of each such bus shall obtain from the secretary of state, or some of his agents or inspectors, a permit describing and identifying the vehicle; and he shall pay therefor a fee of ten dollars. Said permit shall state the date of issuance, and thereon shall be printed a copy of this paragraph.

Nothing in this section shall be construed to authorize the operation of any vehicle herein described in any manner contrary to the provisions of this chapter relating to the operation of other similar vehicles upon ways and bridges of this state, except as herein modified. Whoever violates or fails to comply with the provisions of this section shall be subject to the penalty provided by section one hundred nineteen, and any vehicle used in violation hereof shall be subject to the fees provided for registration of like vehicles which are not exempted from the provisions of this section.

**Sec. 42. Secretary of state may suspend or revoke operator's license or certificate of registration.** 1921, c. 211, § 35. 1925, c. 144, § 6. The secretary of state may suspend or revoke any certificate of registration or any license issued to any person to operate a motor vehicle after hearing for any cause which he deems sufficient. Pending a speedy hearing he may also summarily suspend a license of any motor vehicle operator in his discretion and may order the license or registration certificate to be surrendered to him whenever he has reason to believe that the holder thereof is an improper person or incompetent to operate a motor vehicle, or is operating so as to endanger the public; and neither the

certificate nor the license shall be reissued unless upon examination or investigation the said secretary or the appellate court determines that the operator shall again be permitted to operate.

Sec. 43. Notice of revocation or suspension of right of non-residents to operate or have operated motor vehicle to be sent to department of state from which it was issued. 1921, c. 211, § 36. 1925, c. 144, § 6. Notice of the revocation or suspension of the right of a non-resident owner or operator of a vehicle to operate or to have operated said vehicle in this state shall forthwith be sent by the secretary of state to the motor vehicle department of the state or country which issued his license or registration.

Sec. 44. Notice of hearings; service of notice. 1921, c. 211, § 37. 1925, c. 144, § 6. Notice of any hearing held by the secretary of state, or by his authority, under 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 of such notice shall be sufficient if sent by registered mail to the address given by the licensee or registrant, five days at least before the day set for the hearing.

Sec. 45. Non-resident's right to operate motor vehicle or have same operated may be revoked or suspended by secretary of state; in case non-resident's license has been revoked by state of issue, right to operate in this state may be suspended or revoked. 1921, c. 211, § 38. 1925, c. 144, § 6. The secretary of state may suspend or revoke the right of any non-resident operator to operate in this state and may suspend or revoke the license or right of any non-resident owner to operate or have operated in this state any vehicle for the same causes and under the same conditions and in the same manner that he could take such action regarding any resident owner or operator, or vehicle owned in this state; and thereupon the right of such non-resident owner or operator to operate or have operated any such vehicle in this state shall terminate, and he shall be subject to the same penalties as any resident owner or operator who operates without license or registration.

Whenever the secretary of state is notified by the licensing or registration department of another state or country that any licensee or registrant resident therein has had his license or registration suspended, revoked, or annulled, the secretary of state may forthwith suspend, revoke, or terminate any right, license, or registration granted to such person in this state.

Sec. 46. Appeal may be taken from decision or ruling of secretary of state to justice of superior court. 1921, c. 211, § 39. 1925, c. 144, § 6. If any person is aggrieved by the decision of the secretary of state in revoking or suspending a license or certificate of registration or by the refusal of the secretary of state to issue a license or certificate of registration, he may within ten 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 secretary of state; and after hearing such justice may affirm or reverse the decision of the secretary of state and the decision of such justice shall be final. Pending judgment of the court, the decision of the secretary of state in revoking or suspending any license or certificate of registration shall remain in full force and effect.

Sec. 47. Certificate of registration of motor vehicle which is a menace to public or so constructed as to cause unnecessary damage to highways may be

revoked or suspended. 1921, c. 211, § 40. 1925, c. 144, § 6. Subject to the same conditions as to appeal, the secretary of state may revoke or suspend the certificate of registration of any vehicle which is so constructed as to be, when in operation, a menace to the safety of its occupants or to the public, or is so constructed or operated as to cause unreasonable damage to ways or bridges.

**Sec. 48. Court record of conviction of violation of statute relative to motor vehicles to be sent to secretary of state; to be held as a public record; magistrate may make recommendation.** 1921, c. 211, § 41. 1925, c. 144, § 6. Every court and trial justice in every case wherein a person is convicted of the violation of any statute relative to motor vehicles or to the operation of any vehicle shall forthwith transmit to the secretary of state an abstract, duly certified, setting forth therein the names of the parties, the nature of the offense, the date of hearing, the plea, the judgment, and the result; and they shall be open to public inspection during reasonable hours. Said magistrates may make such recommendations to the secretary of state as to suspension or revocation of licenses and certificates of registration of respondents as they deem to be in furtherance of justice.

**Sec. 49. Court may temporarily suspend operator's license.** 1921, c. 211, § 42. 1925, c. 144, § 6. In addition to any other penalty provided in this chapter and imposed by any court or trial justice upon any person for violation of any provision of this chapter, the court or trial justice may suspend an operator's license for a period not exceeding ten days, in which case the magistrate shall take up the license certificate of such person, who shall forthwith surrender the same, and forward it by registered mail to the secretary of state. The secretary of state may thereupon grant a hearing and take such further action relative to suspending, revoking, or restoring such license or the registration of the vehicle operated thereunder as he deems necessary.

**Sec. 50. Motor vehicles and trailers to be registered; applications; secretary of state may refuse registration.** 1921, c. 211, § 43. 1925, c. 144, § 6. 1929, c. 327, § 13. No motor vehicle or trailer shall be operated, or remain, upon any way unless the same is registered and equipped in accordance with the provisions of this chapter. Application for such registration may be made by mail or otherwise to the secretary of state upon blanks prepared under his authority. The application shall be signed by the owner and shall contain such particulars as may be required by the secretary of state, including the name, residence and address of the owner, with a brief description of the vehicle, the name of its maker, the motor and serial numbers, the character of the motive power and the amount of such power, stated in figures of horse-power, and the actual weight of the vehicle, and its load capacity, if intended for commercial use. The applicant shall state in his application the kind of lens used in the headlights upon his motor vehicle, and shall specify whether he has complied with the rules and regulations of the commission, framed, published and in effect. In case said applicant has not given satisfactory answers, the secretary of state shall refuse to register such vehicle, or to issue a license for its operation.

\*115 Me. 134; \*116 Me. 202, 275; \*117 Me. 117, 455; 120 Me. 142.

**Sec. 51. Penalty for misstatement in application.** 1929, c. 327, § 28. Whoever shall make any material misstatement of fact upon his application for license to operate a motor vehicle or for registration thereof, shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than ninety days or by both fine and imprisonment.

**Sec. 52. Rate of speed of commercial vehicles.** 1921, c. 211, § 44. No commercial vehicle equipped with pneumatic tires shall be operated on open country ways at a rate of speed exceeding twenty miles per hour, or within the compact built-up portions of any city, town, or village at a rate of speed exceeding twelve miles per hour; said ways and built-up portions being defined in section sixty-nine. 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 fifteen miles per hour, or within said compact built-up portions at a rate of speed exceeding ten miles per hour.

**Sec. 53. Authority delegated to state highway commission to correct abuse of highways by all vehicles.** 1921, c. 211, § 45. The rights and powers of the state highway commission to exclude, or restrict the weight or equipment, or to regulate the speed of, vehicles enumerated in section fifty-two, when in their judgment the passage of any such vehicle over any way or bridge would be unsafe or likely to cause excessive damage to the same, is hereby expressly conferred on said commission and nothing in any section of this chapter shall be construed to restrict or abridge any of said rights and powers; the intent of this chapter being to confer upon the state highway commission, and upon the appropriate highway officials, broad regulative authority to encourage reasonable use of the ways and bridges and to correct abuse thereof; such delegated authority being necessary in the opinion of the legislature for the reasonable use and proper protection and continued maintenance of the ways and bridges of this state.

**Sec. 54. Fees for registration of vehicles.** 1921, c. 211, § 47. 1925, cc. 58, 123. 1927, c. 151. The annual fees for the registration and licensing of vehicles shall be in accordance with the following schedule, and shall accompany the application for registration:

a. Motor vehicles used for the conveyance of passengers.

Equipped with	Per H. P.	Per 100 lbs. weight
Pneumatic tires .....	25 cents	25 cents
Solid tires (two or more) .....	25 cents	50 cents

Motor vehicles used for livery or hire shall pay double the above fees, provided, however, that private automobiles occasionally employed for use at funerals by a duly registered or licensed undertaker, and not otherwise used for hire, shall not be subject to such double fees, and provided further, that motor vehicles used for no other passenger service or hire than for the transportation of school children to and from school are not subject to the double registration fee. Motor vehicles used for the carrying of passengers for hire and operating under the provisions of chapter sixty-six, shall pay registration fees as follows: motor vehicles of not over seven persons seating capacity shall pay the fees as provided in the foregoing part of this section; motor vehicles of over seven persons seating capacity shall pay in addition to the above fees an additional sum of two dollars and fifty cents for each seat in addition to seven.

b. Tractors.

Equipped with	Per H. P.	Per 100 lbs. weight
Pneumatic tires .....	25 cents	25 cents
Solid rubber tires .....	25 cents	50 cents
Iron, steel or other hard tires .....	25 cents	80 cents

Tractors used for agricultural purposes or not customarily used on public ways shall pay one-tenth of the above rates; caterpillar tractors, so-called, except as above provided, shall pay a registration fee of fifteen dollars. Tractors not used for hauling or carrying loads on the highways shall be exempt from registration and license.

c. Trailers.

	Per 100 lbs. gross weight of vehicle and load
Equipped with	
Pneumatic tires .....	15 cents
Solid tires .....	40 cents
Iron, steel or other hard tires .....	75 cents

d. Motorcycles ..... \$5.00 each

e. Motorcycle side-cars ..... \$5.00 each

In computations under this section minor fractions of horse-power and weight shall carry the lower rating, and major fractions shall carry the next higher rating.

Horse-power specified in this chapter shall be based on the "A. L. A. M." standard, so-called.

"Steam Vehicles."—In the computation of fees for all vehicles propelled by steam, the horse-power rating shall be based on the system of rating adopted by the United States Government.

"Electric Vehicles."—For vehicles propelled by electricity the rating shall be the normal horse-power designated by the manufacturers of the electric motor or motors in the vehicle.

In the computation of fees based on gross weight, said gross weight, in the case of freight or merchandise vehicles, shall be the actual weight of the vehicle in pounds plus the manufacturer's rated load capacity, and in the case of passenger vehicles shall be the actual weight of the vehicles. In no case shall the registration fee be less than ten dollars.

On any application for registration applied for by an owner resident of this state, of a motor vehicle or trailer, not including a log hauler, or traction engine, during the period between the first day of October and the thirty-first day of December, one-half the registration fee shall be charged. The secretary of state upon granting the application shall register in a book or upon suitable index cards to be kept for the purpose, the vehicle described in the application, giving to its owner a distinguishing number or other mark, and shall thereupon issue a certificate of registration which shall contain the name, place of residence and address of the owner.

**Sec. 55.** Registration number plates; certificate of registration to be carried by operator or about the vehicle. 1921, c. 211, § 48. 1927, c. 3. The secretary of state shall furnish suitable number plates, seals, and other distinguishing marks, without charge, to every person whose vehicle is registered under this chapter. Such plates shall be of a distinctly different color or shade each year and shall be in such form as the secretary of state may determine; and shall bear the numerals of the year of issue, or the last two numerals of said year, the word "Maine" or the abbreviation "Me." in letters not less than one inch in height. The numerals of the register number thereon, except on motor cycle number plates, shall be substantially not less than four inches high.

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The secretary of state may select and issue a special distinguishing letter, mark, or design for number plates issued to manufacturers and dealers; also for any temporary or other special classes of registration and for use on motor cycles, trucks, trailers, tractors, and side-cars, which are required to be registered under this chapter.

Number plates so furnished shall be valid only for the calendar year for which they are issued, except that on and after December twenty-fifth of such calendar year, it shall be lawful to use and display on motor vehicles, the number plates issued for the next succeeding year. Each number plate displayed shall be horizontal and shall be so fastened as not to swing, and its lower edges shall be at least twelve inches from the ground. Not more than one set of number plates shall be displayed upon any vehicle, except as may be otherwise permitted by this chapter.

In the case of all motor vehicles and tractors, one number plate shall be attached to the front and the other to the rear of said vehicle, so that the plates and the registered number thereon shall always be plainly visible. In the case of trailers, semi-trailers, and side-cars, one such plate shall be attached to the rear thereof and shall be always plainly visible. All plates shall be kept reasonably clean and the numbers legible.

The certificate of registration shall always be carried on the person of the operator or occupant, or in some easily accessible place in or about the vehicle therein described, except that certificates of registration of dealers need not be so carried.

If any number plate is lost or the register number thereon becomes mutilated or illegible, the owner or person in control of the vehicle for which said number plate was furnished shall immediately place a temporary number plate bearing his register number upon said vehicle. Such temporary number plate shall conform to the register number plate and shall be displayed as nearly as possible as herein provided for said regular number plate, and such person shall within twenty-four hours after such loss or mutilation give notice thereof to the secretary of state and apply under oath for new number plates; and thereupon the secretary of state, if satisfied of the truth of the facts stated in the application, shall supply a new set of number plates upon payment of a fee of seventy-five cents for each plate.

If the secretary of state is unable to furnish immediately to any person entitled thereto any plate or marker provided in this chapter, he may issue a temporary certificate with temporary number plates, which certificate shall be carried and said plates shall be displayed upon said vehicle in the same manner as required for regular certificates and number plates. Whenever one of a set of number plates is lost and a new set is issued, as provided in this section, the remaining plate shall forthwith be returned to the secretary of state. In case plates are lost in transportation, and the applicant shall certify in the affidavit that the plates have not been received by him and agrees that if they shall be received at some later date to return them forthwith, the secretary of state, after a thorough investigation, may furnish the applicant with a second set of plates without additional charge.

**Sec. 56. Weight of commercial vehicles limited.** 1921, c. 211, § 49. 1923, c. 69. No truck, tractor on wheels, trailer, or other commercial vehicle having a gross weight of more than eighteen thousand pounds distributed by four wheels on a road surface or having a gross weight on any one axle exceeding thirteen thousand, five hundred pounds imparted to a road surface, shall be operated over any way or bridge; except that when the gross weight is distributed on

the road surface upon six or more wheels by the combined use of a trailer, or otherwise, so that the imparted weight from any one axle shall not exceed thirteen thousand, five hundred pounds, the permissible gross weight of a vehicle or vehicles thus combined may be increased not exceeding fifty per cent. But no vehicle having a load of over seven hundred pounds per inch width of tire upon any wheel concentrated upon the road surface, said width to be measured between the flanges of the rim, shall be operated upon any way or bridge; except in special cases under special permit to be granted by the state highway commission for greater weights as elsewhere provided in this chapter. Provided, however, that the gross weight of any such vehicle distributed on four wheels may be increased to twenty thousand pounds if the weight upon any wheel concentrated upon the road surface does not exceed six hundred pounds to an inch width of tire, measured between the flanges of the rim, and if the weight on any one axle imparted to the road surface does not exceed sixteen thousand pounds. The term "gross weight" shall mean the actual weight of the vehicle and load.

**Sec. 57. Schedule of fees for registration of motor trucks.** 1921, c. 211, § 50. 1927, c. 161, § 2. With each application for registration of a motor truck shall be deposited an annual registration fee graduated as follows when equipped with pneumatic tires:

For trucks having a rated carrying capacity of one thousand pounds or less .....	\$10.00
For trucks having a rated carrying capacity of over one thousand pounds and not over one ton.....	15.00
For trucks having a rated carrying capacity of over one ton and not over two tons.....	20.00
For trucks having a rated carrying capacity of over two tons and not over three tons.....	55.00
For trucks having a rated carrying capacity of over three tons and not over four tons.....	80.00
For trucks having a rated carrying capacity of over four tons and not over five tons.....	125.00
For trucks having a rated carrying capacity of over five tons .....	150.00

Provided, however, that every such vehicle equipped with two or more solid tires shall pay an additional fee of thirty-three and one-third per cent more than any such vehicle would be hereby required to pay if equipped with pneumatic tires. But no vehicle shall be operated on ways or bridges which, either loaded or without load, exceeds the limits prescribed in section fifty-six, or is contrary to the provisions of any other section of this chapter, or any other statute pertaining thereto.

**Sec. 58. State or municipal controlled motor vehicles to be registered free of charge.** 1921, c. 211, § 51. All motor vehicles owned and used by the state, or any municipal corporation therein, shall be registered, but shall be exempt from the provisions of this chapter as to payment of registration fees; but all such vehicles shall display registration plates as required by this chapter or approved by the secretary of state.

**Sec. 59. Weight of commercial vehicles to be plainly indicated on vehicle.** 1921, c. 211, § 52. Every vehicle intended for commercial use shall have attached thereto in some conspicuous place a plate giving its actual unloaded weight with the weight of its seating or loading capacity, as specified by the

manufacturer, or fixed by the secretary of state; or such seating or loading capacity shall be plainly marked or painted on said vehicle. The weight and capacity so appearing shall be prima facie evidence of their correctness.

**Sec. 60. Dealer's registration; fees for plates; vehicles under dealers' registration not to be operated for hire; limitation of use of commercial vehicle so registered.** 1921, c. 211, § 53. Every manufacturer or dealer in motor vehicles or trailers, may, instead of registering each vehicle owned or controlled by him, make application under oath upon a blank provided by the secretary of state for a general distinguishing number, color, or mark. The secretary of state may, if satisfied with the facts stated in the application, grant the application and issue to the applicant a certificate of registration, containing the name, place of residence, and address of the applicant, and the general distinguishing number, color, or mark assigned to him and made in such form as the secretary of state may determine; and all vehicles owned or controlled by such manufacturer or dealer shall be regarded as registered under such general distinguishing number, color, or mark until sold, exchanged, or operated for hire. The annual fee for every such certificate of registration shall be thirty dollars. The secretary of state shall furnish the manufacturer or dealer with three pairs of registration number plates free of cost; and there may be issued to any such applicant two similar pairs of plates, in addition to the three pairs so issued, upon payment of ten dollars for each such additional pair; and upon payment of five dollars per pair, additional plates shall be furnished. Extra registration plates shall be furnished to replace lost or mutilated plates for seventy-five cents each. Single plates shall be furnished for trailers. On applications for registration, or for additional plates applied for by said manufacturers or dealers during the period between the first day of October and the thirty-first day of December in any year, one-half of the registration fee shall be charged. No motor truck, tractor, or trailer registered under this section shall be used for other than demonstration or emergency purposes.

**Sec. 61. Motor cycle dealers' registration; fee.** 1921, c. 211, § 54. Every manufacturer or dealer in motor cycles shall annually pay a fee of fifteen dollars for a registration certificate to handle, demonstrate, sell and exchange motor cycles. The secretary of state shall furnish the manufacturer of, or dealer in, motor cycles with three sets of distinguishing plates free of cost, and additional sets for five dollars per set. For every plate in addition to the three originally furnished to the manufacturer or dealer in motor cycles, to replace lost or mutilated plates, fifty cents shall be charged.

**Sec. 62. Dealers' registration fee to be paid before December thirty-first of preceding year; proviso; "dealer" defined.** 1921, c. 211, § 55. 1927, c. 70. Every manufacturer or dealer in motor vehicles shall pay to the secretary of state the required registration fee for the succeeding year on or before the thirty-first day of December annually; provided, that any manufacturer or dealer commencing business after the first day of January of any year shall pay the fee at the time of commencing business. The word "dealer" as used in this chapter shall mean any person, firm or corporation which is actively engaged in the business of buying, selling, or exchanging motor vehicles and having an established place of business for such purpose, or which has a bona fide contract for buying, selling or exchanging motor vehicles with any wholesale dealer in or manufacturer of motor vehicles.

**Sec. 63. Special license for motor service station or repair shop for purpose of moving unregistered vehicles.** 1921, c. 211, § 56. Any person engaged in

the business of carrying on a motor vehicle service station or repair shop may make application under oath to the secretary of state for a special license to move and operate any unregistered motor vehicle or trailer, not his own, to and from any service station or repair shop for the purpose of making repairs or performing other labor on said vehicle, and delivering it to the owner. The said secretary may grant the application if satisfied of the facts therein stated, and upon payment of a fee of ten dollars, issue to the applicant an annual license containing the name and business address of the licensee, together with one set of number plates of a distinguishing color or design. Such plates when conspicuously attached to each end of any such vehicle shall authorize its operation by any licensed operator of motor vehicles over ways and bridges for the purposes herein specified. After the first day of October one-half of such fee shall be charged.

**Sec. 64. Dealers to notify secretary of sale or transfer of motor vehicles.** 1921, c. 211, § 57. 1929, c. 327, § 14. Whenever a manufacturer or dealer sells or exchanges a motor vehicle or trailer, he shall immediately notify the secretary of state that the vehicle has been sold or exchanged, giving a description of the vehicle, name of maker, motor and serial number, and name and address of the vendee.

**Sec. 65. Registration certificates and licenses terminate with calendar year.** 1921, c. 211, § 58. All registrations of vehicles, all certificates of registration and number plates, and all licenses to operate motor vehicles shall terminate and become void at midnight on the thirty-first day of December of each year; and no person shall operate any motor vehicle on or after the first day of January of any year unless then duly licensed to operate such vehicle for such year.

**Sec. 66. Registration certificate not transferable; vendor to notify secretary of transfer.** 1921, c. 211, § 59. 1929, c. 327, § 15. Upon the transfer of ownership of any motor vehicle or trailer, its registration shall expire and the person in whose name such vehicle or trailer is registered shall forthwith return the certificate of registration to the secretary of state with a written notice containing the date of the transfer of ownership and the name, place of residence, and address of the vendee and a description of the vehicle, including its motor and serial number.

**Sec. 67. Registration in same calendar year; fees and procedure; special certificate permitting use of same plates.** 1921, c. 211, § 60. Whoever transfers the ownership or discontinues the use of a registered motor vehicle or trailer and applies to the secretary of state for registration of another motor vehicle or trailer in the same calendar year, shall be entitled to a certificate of registration permitting the use of the same number plates thereon upon payment of a fee of two dollars, provided the horse-power or rating is the same as that of the former vehicle; but if the horse-power or rating of the vehicle to be registered is greater he shall pay the difference between the fee paid by him for the vehicle first registered and the fee for the vehicle of greater horse-power or rating. Whoever exchanges or discontinues the use of a motor vehicle or trailer before the first day of August in any year and procures a certificate of registration, paying therefor a fee of two dollars, shall if the vehicle registered in its stead is of less horse-power or rating than the former vehicle, be entitled to a rebate of one-half the difference between the registration fee of said former vehicle and the registration fee for such vehicle received in exchange. Whoever transfers the ownership or discontinues the use of a motor cycle and applies for the registration of another motor cycle within the same calendar year, shall pay for the registration certificate thereof a fee of one

dollar, which fee shall include the number plate. The certificate issued for the registration of the former vehicle shall be returned to the said secretary, who shall cause an endorsement to be stamped upon the original certificate and also upon the duplicate certificate upon file in his office, showing that the ownership of such vehicle has been transferred or its use discontinued and that the registration has been canceled.

#### Operation of Vehicles. Speed Regulations. Penalties. Financial Responsibility.

Sec. 68. Secretary of state to promulgate rules and regulations relative to lights and adjustment of brakes; sale and use of certain lighting devices forbidden; other rules and regulations. 1921, c. 211, § 61. 1925, c. 144, § 6. The secretary of state shall prepare rules and regulations from time to time governing the adjustment, use, and operation of lights on vehicles and governing the sufficiency and adjustment of brakes; and may from time to time alter, rescind, or add to any rules and regulations previously made.

No person shall equip his vehicle with, use, or sell any lens, reflector, or lighting device designed for use on vehicles on public ways contrary to this chapter or contrary to the rules and regulations of the secretary of state. The rules and regulations of the secretary of state and any changes therein shall take effect when approved by the governor and council and published at least once in each daily newspaper in the state. The certificate of the secretary of state shall be received as prima facie evidence in any court of law to prove that such rules and regulations have been enacted as herein provided. The secretary of state may also make rules and regulations not inconsistent with this chapter or other laws of the state, found needful to administer the provisions of this chapter. Such rules and regulations shall be approved and published, and may be proved in court, as above provided.

Sec. 69. Speed regulations. 1921, c. 211, § 62. 1929, c. 327, § 16. (a) Any person driving a vehicle on a way shall drive the same at a careful and prudent speed not greater than is reasonable and proper, having due regard to the traffic, surface and width of the highway and of any other conditions then existing, and no person shall drive any vehicle upon a way at such a speed as to endanger any person or property.

(b) Subject to the provisions of subdivision (a) of this section and except in those instances where a lower speed is specified in this chapter, it shall be prima facie lawful for the driver of a vehicle to drive the same at a speed not exceeding the following, but in any case when such speed would be unsafe it shall not be lawful.

1. Fifteen miles an hour when passing a school during school recess or while children are going to or leaving school during opening or closing hours;
2. Fifteen miles an hour when approaching within fifty feet and in traversing an intersection of ways when the driver's view is obstructed. A driver's view shall be deemed to be obstructed when at any time during the last fifty feet of his approach to such intersection he does not have a clear and uninterrupted view of such intersection and of the traffic upon all of the ways entering such intersection for a distance of two hundred feet from such intersection;
3. Twenty-five miles an hour on any way in a business district or built-up portion, as defined herein, when traffic on such way is controlled at intersections by traffic officers or stop-and-go signals;
4. Twenty miles an hour on all other ways in a business district or built-up portion, as defined herein.

5. Twenty-five miles an hour in a residence district or built-up portion, as defined herein, and in public parks unless a different speed is fixed by the municipal officers and approved by the state highway commission and duly posted;

6. Thirty-five miles an hour under all other conditions.

It shall be prima facie unlawful for any person to exceed any of the foregoing speed limitations, except as provided in subdivision (c) of this section. In every charge of violation of this section the complaint shall specify the speed at which the defendant is alleged to have driven, also the speed which this section declares shall be prima facie lawful at the time and place of such alleged violation.

(c) Municipal officers in their respective jurisdictions are hereby authorized in their discretion, but subject to the approval of the state highway commission, to increase the speed which shall be prima facie lawful upon through ways at the entrances to which vehicles are required to stop before entering or crossing such through ways. Municipal officials shall place and maintain upon all through ways upon which the permissible speed is increased adequate signs giving notice of such special regulations. There shall also be placed and maintained upon each and every way intersecting any said through way, appropriate stop signs as required by section eight.

(d) The compact or built-up portions of any city, town or village, shall be the territory of any city, town or village contiguous to any way which is built up with structures devoted to business or where the dwelling-houses are situated less than one hundred fifty feet apart for a distance of at least one-quarter of a mile. Municipal officers may designate such compact or built-up portions by appropriate signs.

122 Me. 127; 126 Me. 558.

**Sec. 70. Overtaking vehicle to pass at left; driver to give warning.** 1929, c. 327, § 19. The driver of any vehicle overtaking another vehicle proceeding in the same direction shall pass at a safe distance to the left thereof, and shall not again drive to the right side of the highway until safely clear of such overtaken vehicle.

The driver of an overtaking motor vehicle not within a business or residence district as herein defined shall give audible warning with his horn or other warning device before passing or attempting to pass a vehicle proceeding in the same direction.

**Sec. 71. Overtaking vehicle not to pass another under certain conditions.** 1929, c. 327, § 20. The driver of a vehicle shall not overtake and pass another vehicle proceeding in the same direction, upon the crest of a grade or upon a curve in the way, where the driver's view along the way is obstructed within a distance of three hundred feet.

The driver of a vehicle shall not overtake and pass any other vehicle proceeding in the same direction at any steam or electric railway grade crossing nor at any intersection of ways unless permitted so to do by a traffic or police officer.

**Sec. 72. Overtaken vehicle to give right of way.** 1929, c. 327, § 21, (a). The driver of a vehicle upon a way about to be overtaken and passed by another vehicle approaching from the rear shall give way to the right in favor of the overtaking vehicle on suitable and audible signal being given by the driver of the overtaking vehicle, and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.

Sec. 73. Trucks to travel one hundred and fifty feet apart. 1929, c. 327, § 21, (b). The driver of any motor truck when traveling upon a way outside of a business or residence district shall not follow another motor truck within one hundred and fifty feet, but this shall not be construed to prevent one motor truck overtaking and passing another.

Sec. 74. Method of turning vehicles at intersections; municipal officers may modify. 1929, c. 327, § 22. Except as otherwise provided in this section, the driver of a vehicle intending to turn to the right at an intersection shall approach such intersection in the lane for traffic nearest to the right-hand side of the way, and in turning shall keep as closely as practicable to the right-hand curb and when intending to turn to the left shall approach such intersection in the lane for traffic to the right of and nearest to the center line of the way, and in turning shall pass beyond the center of the intersection, passing as closely as practicable to the right thereof before turning such vehicle to the left.

For the purpose of this section the center of the intersection shall mean the meeting point of the medial lines of the ways intersecting one another.

Municipal officers in their respective jurisdictions may modify the foregoing method of turning at intersections by clearly indicating by buttons, markers or other direction signs within an intersection the course to be followed by vehicles turning thereat; and it shall be unlawful for any driver to fail to turn other than in a manner as directed when such signs are so installed.

Sec. 75. No parking upon paved or improved portion of ways; exceptions. 1929, c. 327, § 23. No person shall park or leave standing any vehicle, whether attended or unattended, upon the paved or improved or main traveled portion of any way, outside of a business or residence district, when it is practicable to park or leave such vehicle standing off of the paved or improved or main traveled portion of such way; provided in no event shall any person park or leave standing any vehicle, whether attended or unattended, upon any way unless a clear and unobstructed width of not less than ten feet upon the main traveled portion of said way opposite such standing vehicle shall be left for free passage of other vehicles thereon, nor unless a clear view of such vehicle may be obtained from a distance of three hundred feet in each direction upon such way.

Sec. 76. No coasting on down grade with gears in neutral. 1929, c. 327, § 24, (a). The driver of a motor vehicle when traveling upon a down grade upon any way shall not coast with the gears of such vehicle in neutral.

Sec. 77. Municipalities may not alter speed limitations; may enact ordinances to regulate traffic by signal devices; may regulate speed in parks. 1929, c. 327, § 25. Municipalities shall have no power to alter any speed limitations or to enact or enforce any regulations contrary to the provisions of this chapter; except that they may by ordinances or by-laws regulate traffic by means of signal devices or other appropriate methods on any portion of the way where traffic is heavy or continuous, and prohibit other than one-way traffic upon certain ways. The speed of vehicles in public parks may be regulated in like manner provided there shall be erected at all entrances to such parks adequate signs giving notice of any such special speed regulations.

Sec. 78. Persons arrested to be given immediate trial; exceptions; bail; penalty for failure to appear. 1921, c. 211, § 63. 1925, c. 144, § 6. 1927, c. 161, § 3. Whoever is arrested for violation of any provisions of this chapter, except those of sections eighty-seven, eighty-eight, one hundred nine, and one hundred twelve, shall be given an immediate trial if he shall so demand of the

officer making the arrest, but if for any reason it is impracticable to do so, the officer making the arrest shall immediately take the prisoner before some bail commissioner, who before admitting him to bail, shall require him to give his name, his place of residence, the number of his license to operate a motor vehicle, and the registration number of the motor vehicle operated at the time of his arrest, and shall make a record thereof on the bail bond, and may take his personal recognizance for his appearance in court on a specified day, not less than two days thereafter if requested by the person arrested; or such officer in like cases may accept the personal recognizance of such person for his appearance as aforesaid. If such person fails to appear in court on the day specified, either in person or by counsel, the court shall notify the secretary of state, who shall immediately suspend or revoke his license, if licensed in this state, or suspend or revoke his right to operate motor vehicles in this state, if a non-resident and not licensed in this state, and also suspend or annul the registration of the motor vehicle driven by such person when arrested, if said motor vehicle is registered in this state.

**Sec. 79. When approaching frightened animal, vehicles to be stopped if signal is made; passing animal or vehicle from rear.** 1921, c. 211, § 65. Whoever, driving or operating a motor vehicle upon any way, when approaching from the opposite direction a person riding, driving, or leading a horse or other animal which appears to be frightened, is signalled by putting up of the hand or by other visible sign by such person, shall cause such motor vehicle to come to a stop as soon as possible and remain stationary as long as it may be necessary and reasonable to allow such horse or animal to pass. Whenever traveling in the same direction, the person operating a motor vehicle shall use reasonable caution in passing horses or other animals and vehicles.

**Sec. 80. Adequate brakes; signalling device; unnecessary noise to be avoided.** 1921, c. 211, § 66. Every motor vehicle shall be provided with adequate brakes in good working order and sufficient to control such vehicle at all times when the same is in use, and a suitable and adequate horn or other device for signalling. No signalling device shall be unnecessarily sounded in the thickly settled part of a city or town so as to make a harsh, objectionable, or unreasonable noise; except in the case of fire and police department vehicles and ambulances. All motor vehicles shall be equipped with a muffler of such construction and device as to prevent excessive noise. No person operating a motor vehicle shall at any time open the muffler cut-out, or permit the exhaust to make any unnecessary noise.

**Sec. 81. Speed controller or governor not to be tampered with.** 1921, c. 211, § 67. No equipment in the nature of a speed controller or governor attached to a motor vehicle shall be removed therefrom or tampered with so that such vehicle may be operated at a greater rate of speed than is allowed by such equipment; nor shall any vehicle whose equipment is so tampered with or removed be operated on any way or bridge.

**Sec. 82. Motor vehicles to be equipped with lights conforming to rules of secretary of state; to be lighted during certain periods; specifications; fire-trucks excepted.** 1921, c. 211, § 68. 1923, c. 141. 1925, c. 144, § 6. 1927, c. 195. 1929, c. 285. Every motor vehicle and tractor on wheels shall be equipped with lamps and lights as provided in this chapter, of sufficient power and so adjusted and operated as to enable its operator to proceed with safety to himself and to other users of the ways under all ordinary conditions of highway and weather. Said lamps and lights shall conform to and operate in accordance with the rules and regulations promulgated from time to time

by the secretary of state, as provided in this chapter, and shall be lighted during the period from one-half hour after sunset to one-half hour before sunrise; except as provided in section eighty-four.

Every motor vehicle and tractor on wheels, other than a motorcycle, shall have mounted on the front thereof a pair of lamps, one on the right side and one on the left side, each of approximately equal candle-power; and every motorcycle shall have mounted on the front thereof one lamp. If any such vehicle is so mechanically constructed, governed, or controlled that it cannot exceed a speed of fifteen miles per hour, it shall have front lamps capable of furnishing light of sufficient candle-power to render any substantial object clearly discernible on a level way at least fifty feet directly ahead and at the same time at least seven feet to the right of the axis of such vehicle for a distance of at least twenty-five feet. If said vehicles can exceed a speed of fifteen miles per hour, then they shall have front lamps capable of furnishing light of sufficient candle-power to render any substantial object clearly discernible on a level way at least two hundred feet directly ahead and at the same time at least seven feet to the right of the axis of such vehicle for a distance of at least one hundred feet; provided that no front lamp capable of furnishing more than four candle-power light shall be used if equipped with a reflector, unless so designed, equipped, or mounted that no portion of the beam of light when projected seventy-five feet or more ahead of the lamps shall rise above a plane forty-two inches higher than and parallel with the level surface on which the vehicle stands; and provided, further, that, at no time, shall the top of any main beam of light be higher than the headlight centers; and provided, further, that no electric bulb or other lighting device of a greater capacity than thirty-two candle-power shall be used, no matter how the same may be shaded, covered, or obscured. For the purpose of enforcing the provisions of this section, it shall be deemed to be a violation of its provisions if a front light or front lights of a motor vehicle projects the top of any main beam, at a distance of twenty-five feet ahead of the motor vehicle, on an approximately level stretch of highway, onto the body of a person or on a motor vehicle or any object, at a height greater than the distance of the centers of the front lights from the highway.

Every trailer, when operated at night shall carry at the front of its left side one lamp capable of throwing a white light visible from both sides of such vehicle; excepting, however, small two-wheel trailers of one thousand pounds capacity or less, towed closely behind a motor vehicle, whose overall length, including towing vehicle and load, does not exceed thirty feet.

Every such motor vehicle, tractor, and trailer shall have on the rear thereof, and to the left of the axis thereof, one lamp capable of displaying a red light visible for a distance of at least one hundred 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. Every such motor vehicle, tractor, and trailer shall carry a lamp illuminating with white light the rear registration plate of such vehicle so that the characters thereon shall be visible for a distance of at least fifty feet.

Every motor vehicle of seven feet or over in width shall have thereon at the extreme left on the body, one amber lamp visible for a distance of at least two hundred feet ahead of such vehicle. Motor vehicles 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.

The provisions of this chapter governing the equipment or use of front lights on motor vehicles shall not apply to motor vehicles owned or controlled by municipalities or village corporations, and used for fire fighting purposes.

**Sec. 83. Every vehicle to display lights; certain exceptions.** 1921, c. 211, § 69. 1929, c. 163. Every vehicle, whether stationary or in motion, on any way or bridge shall have attached to it a light or lights so displayed as to be visible from the front and rear thereof during the period from one-half hour after sunset to one-half hour before sunrise; provided, however, that this section shall not apply to any vehicle which is designed to be propelled by hand, nor to any vehicle not in motion and parked or beside a curb in a place and under conditions where there is sufficient artificial light to make such vehicle clearly visible from a distance not less than one hundred feet in each direction.

**Sec. 84. Vehicles carrying objects extending five feet from rear to be equipped with danger signals both day and night; trailers to be securely fastened.** 1921, c. 211, § 70. Every vehicle carrying objects which project more than five feet from the rear shall, during the period of one-half hour after sunset to one-half hour before sunrise, carry a red light at or near the rear end of the objects so projecting, and at all other times such vehicle shall carry a danger signal at or near the end of the object so projecting. Trailers having more than two wheels shall be connected to the towing vehicle or preceding trailer by at least one chain, in addition to the hitch bar, of sufficient strength to hold the trailer on a hill if the hitch bar becomes disconnected, or shall be provided with some other adequate holding device.

**Sec. 85. Municipal officers may limit speed in dangerous places.** 1921, c. 211, § 71. Municipal officers may designate places on any way where in their judgment by reason of cliffs, embankments, or other exceptional natural conditions, the meeting of motor vehicles and horses or other animals would be attended with unusual danger, by causing the words "Automobiles go slow" to be conspicuously displayed on signs on each approach to such place not less than one hundred and fifty feet distant therefrom. No motor vehicle shall pass any place so designated at a greater speed than ten miles an hour.

**Sec. 86. Reckless driving; penalty.** 1929, c. 327, §§ 3, 12. Whoever upon any way, or in any place to which the public has a right of access, operates any vehicle recklessly or in a manner so as to endanger any person or property shall be guilty of reckless driving and upon conviction shall be punished by a fine of not more than two hundred dollars, or by imprisonment for a term of not more than three months, or by both fine and imprisonment; and whoever is convicted the second time for a violation of this section shall be punished by a fine of not less than two hundred dollars and not more than five hundred dollars, or by imprisonment for not more than eleven months, or by both fine and imprisonment.

**Sec. 87. Penalty for going away without stopping after an accident; using motor vehicle without authority.** 1921, c. 211, § 72. 1923, c. 14. 1925, c. 124. 1929, c. 327, § 17. Whoever goes away without stopping and making himself known after causing injury to any person or property, or uses a motor vehicle without authority from its owner, shall be punished by a fine of not more than two hundred dollars, or by imprisonment for a term of not more than three months, or by both fine and imprisonment; and if any person be convicted the second time for a violation of this section, he shall be punished by a fine of not less than two hundred dollars and not more than five hundred dollars, or by imprisonment for not more than eleven months, or both.

If any person drives a motor vehicle in a reckless manner or goes away without stopping and making himself known after causing injury to any other person or property, or operates a motor vehicle while apparently under the influence of intoxicating liquor or drugs, it shall be the duty of every officer who is charged with the enforcement of law and of every citizen, to forthwith report the same to the secretary of state, giving the register number of the vehicle, the state registering the same, and the name and residence of the operator, occupants, or owner if known. Upon receipt of such complaint the secretary of state shall forthwith investigate the case and may suspend or revoke the license of such operator, or, if a non-resident, his right to operate in this state, and annul the registration of any vehicle so operated, for such time as he shall deem advisable.

118 Me. 431.

**Sec. 88. Penalty for operating motor vehicle while under the influence of intoxicating liquor or drug.** 1921, c. 211, § 74. 1925, c. 211. 1929, c. 327, § 17. Whoever shall operate or attempt to operate a motor vehicle upon any way, or in any other place when intoxicated or at all under the influence of intoxicating liquor or drugs, upon conviction, shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars or by imprisonment for not less than thirty days nor more than eleven months, or by both fine and imprisonment. Any person convicted of a second or subsequent offense shall be punished by imprisonment for not less than three nor more than eleven months, and in addition thereto, the court may impose a fine as above provided.

Whoever shall operate or attempt to operate a motor vehicle upon any way, or in any other place when intoxicated or at all under the influence of intoxicating liquor or drugs, when such offense is of a high and aggravated nature shall be deemed guilty of a felony and on conviction thereof shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars, or by imprisonment for not less than sixty days nor more than two years, or by both fine and imprisonment. Any person convicted of a second or subsequent offense of the same gravity shall be punished by imprisonment for not less than three months nor more than three years, and in addition the court may impose a fine as above provided. The license of any person convicted of violating the provisions of this section shall be revoked immediately by the secretary of state upon receipt of an attested copy of the court records, without further hearing.

If any person convicted of any violation of the provisions of this section shall appeal from the judgment and sentence of the trial court, his license and right to operate a motor vehicle in this state shall be suspended during the time his appeal is pending in the appellate court, unless the trial court shall otherwise order, or unless the secretary of state, after a hearing, shall restore the license or permit pending decision on the appeal. The license of any person against whom probable cause is found and who is held under bail pending the action of the grand jury for the violation of the foregoing provision shall be suspended until the final disposition of the charge.

No person whose license or permit to operate a motor vehicle has been revoked upon conviction of violating the provisions of this section shall be licensed again or permitted to operate a motor vehicle for three years, except that, after the expiration of one year from the date of such revocation, he may petition the secretary of state for a license or permit, who, after hearing and after his determination that public safety will not be endangered by issuing

a new license may issue such license or permit with or without conditions thereto attached; upon a second conviction of a violation of the provisions of this section, such person, whose license or permit to operate a motor vehicle has been revoked again by reason of such conviction, shall not be licensed again or permitted to operate a motor vehicle in this state for five years from the date of conviction, provided however, that after two years from the date of such last revocation, he may petition the secretary of state for a license or permit and the secretary of state, after like hearing and determination, again may issue a license or permit to the petitioner, with or without conditions; upon any subsequent conviction for a similar offense, the license or permit shall terminate and no subsequent license or permit shall be granted to such person; for the purpose of this section, in case a person has been convicted one or more times prior to the thirteenth day of July, nineteen hundred twenty-nine, of a violation of the provisions of this section, such previous conviction or convictions shall be construed as one conviction. A copy of sections eighty-seven and eighty-eight shall be printed on every operator's license.

123 Me. 412, 566; \*124 Me. 198; 125 Me. 42.

**Sec. 89. Operating motor vehicle at grade crossings, caution to be observed; to stop if warning signal indicates approach of train.** 1917, c. 50, § 3. 1925, c. 168, § 1. Every person operating a motor vehicle upon passing any sign provided for in sections eighty-five and eighty-six of chapter twenty-eight which is located more than one hundred feet from a grade crossing shall, upon reaching a distance of one hundred feet from the nearest rail of such crossing, forthwith reduce the speed of the vehicle to a reasonable and proper rate and shall proceed cautiously over the crossing. Wherever such crossing is protected by gates, by a flagman, or by automatic signal, every such motor vehicle operator, or person in control of such vehicle, if the gates are lowered or are being lowered, or if the action of the flagman or the operation of the automatic signal shall indicate that a train is approaching, shall bring such vehicle to a full stop at a distance of not less than ten feet from the nearest rail of the crossing and shall not proceed on or across the railroad track or tracks until the gates shall have been raised, or until the action of the flagman shall indicate that no train is approaching such crossing, or if the crossing is protected by automatic signal, until such driver has ascertained that no train is approaching. This provision shall be deemed to require a precaution in addition to the duties and precautions imposed by law on persons approaching or crossing a railroad grade crossing.

**Sec. 90. Penalty for violation of § 89.** 1917, c. 50, § 4. 1925, c. 168, § 2. Whoever violates the provisions of the foregoing section shall, upon conviction, be punished as provided by section eighty-seven; and in addition thereto his license to operate shall be suspended or revoked. The state highway police shall enforce the provisions of the preceding section, and an abstract thereof shall be delivered or mailed by the secretary of state with each operator's license.

**Sec. 91. Proof of financial responsibility to be required in certain cases; amount; registration suspended until proof furnished.** 1927, c. 210, § 1. 1929, c. 209, § 1. The secretary of state shall require from any person who shall have been convicted of a violation of the law relative to operating or attempting to operate a motor vehicle while under the influence of intoxicating liquor or drugs, or a violation of law relating to going away without stopping and making himself known after causing injury to any person or property, or of a violation of the law relating to the operation of a motor vehicle upon any way

recklessly, so that the lives or safety of the public are in danger, by reason of the operation of a motor vehicle, or from the person in whose name such motor vehicle is registered or from both, proof of financial responsibility to satisfy any claim for damages, by reason of personal injury to or the death of any person, of at least five thousand dollars, and for damage to property of at least one thousand dollars; and, if such person or persons shall fail to furnish such proof, said secretary of state may, until such proof shall be furnished, suspend the registration of such motor vehicle or refuse thereafter to register any motor vehicle owned by such person, or, if such person shall not be a resident of this state, withdraw from such person the privilege of operating any motor vehicle in this state and the privilege of operation within this state of any motor vehicle owned by him, or refuse to register any motor vehicle transferred by him if it shall not appear to said secretary of state's satisfaction that such transfer is a bona fide sale.

**Sec. 92. Proof of responsibility to be satisfactory to secretary of state; how furnished; bond to be a lien against real estate; cash deposit.** 1927, c. 210, § 2. Such proof of financial responsibility shall be furnished as shall be satisfactory to said secretary of state and may be evidence of the insuring of such person against public liability in said amount and property damage in said amount, provided the policy of insurance shall be non-cancelable except after ten days' notice to the secretary of state; or such proof may be the bond of a surety company or a bond with individual surety owning real estate, which bond shall be conditioned for the payment of said amounts. Such bond shall constitute a lien in favor of the state upon the real estate of any such surety, which lien shall exist in favor of any holder of a judgment on account of damage caused by the operation of such person's motor vehicle, upon the filing of notice to that effect by the secretary of state, in the registry of deeds in the county where such real estate shall be located. Such proof of financial responsibility may also be evidence presented to the secretary of state of a deposit by such person with the treasurer of state of a sum in money or collateral, the amount of which money or collateral shall be determined by and shall be satisfactory to said secretary of state. The treasurer of the state shall accept any such deposit and issue a receipt therefor, and, if such deposit shall be a sum in money, the state shall pay interest thereon if so directed by the secretary of state at a rate not greater than five per cent per annum. In case of a corporation subject to regulation by the public utilities commission the secretary of state may accept other proof of financial responsibility in lieu of the proofs hereinbefore enumerated. Additional evidence of financial responsibility shall be furnished the secretary of state at any time upon his request therefor.

**Sec. 93. Bond or collateral to be held to satisfy judgments; fee for investigating surety's title to real estate.** 1927, c. 210, § 3. Such bond, money, or collateral shall be held by the secretary of state or treasurer, as the case may be, to satisfy any execution issued against such person in any cause arising out of damage caused by the operation of any motor vehicle owned by such person. Such policy or bond shall be in such terms as the secretary of state shall deem adequate. A reasonable sum, not exceeding ten dollars, shall be charged for such investigation of the title of any surety's real estate or of collateral so deposited and of the value of the same and for the filing fee to be paid to the register of deeds.

**Sec. 94. Operating record to be furnished insurance companies; fee.** 1927, c. 210, § 4. Upon the request of any insurance company, any person furnishing any financial responsibility, or any surety on any bond herein provided for, the

secretary of state shall furnish such company, person, or surety a certified abstract of the operating record of any person subject to the provisions of this chapter, and, if there shall be no record of any conviction of such person of a violation of any provision of this chapter relating to the operation of motor vehicles or of any injury or damage caused by such person as herein provided, the secretary of state shall so certify. The secretary of state shall collect for each such certificate the sum of one dollar.

**Sec. 95. Number plates to be returned to secretary of state on suspension of registration; penalty for failure.** 1927, c. 210, § 5. Any registrant whose certificate of registration shall have been suspended as provided in section ninety-one shall immediately return to the secretary of state his certificate of registration and the number plates issued thereunder. If any person shall fail to return to the secretary of state the certificate of registration and the number plates issued thereunder as provided in section ninety-one, the secretary of state shall forthwith direct any state highway police officer to secure possession thereof and to return the same to the office of the secretary of state. Any person failing to return such certificate and number plates shall be punished by a fine of not more than twenty-five dollars, and to the fine imposed the trial court shall add the expense of securing such registration and number plates. The amount of such fine and expense shall be paid to the state highway commission in the manner provided for the payment of fines for violation of the motor vehicle laws.

**Sec. 96. Bond or insurance may be canceled after three years from a conviction; condition.** 1927, c. 210, § 6. The secretary of state may cancel such bond or return such evidence of insurance, or the treasurer of state may, with the consent of the secretary of state, return such money or collateral to the person furnishing the same, provided three years shall have elapsed since such deposit during which such person shall not have violated any provision of the motor vehicle laws and provided no right of action or judgment arising out of the operation of a motor vehicle shall then be outstanding against such person.

**Sec. 97. Secretary of state may suspend license or certificate of registration if judgment is unsatisfied.** 1929, c. 209, § 2. Upon receipt by the secretary of state of an authenticated copy of the record of the superior court, or of any 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 took place subsequent to the thirteenth day of July, nineteen hundred twenty-nine, 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.

**Sec. 98. Secretary of state to make regulations.** 1927, c. 210, § 7. The secretary of state shall make rules and regulations necessary for the administration of the preceding seven sections.

**Sec. 99. Owner and renter of motor vehicles to be jointly and severally liable for damages.** 1929, c. 327, § 26. The owner of a motor vehicle engaged in the business of renting motor vehicles without drivers, who rents any such vehicle 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. 100. Owner of rented motor vehicles to keep a record of the renter.** 1929, c. 327, § 27. Every person engaged in the business of renting motor vehicles without drivers who shall rent any such vehicle 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.

**Sec. 101. Secretary of state to publish abstract of laws.** 1921, c. 211, § 76. 1923, c. 10. The secretary of state shall publish an abstract of statutes pertaining to motor vehicles and the law of the road and rules and regulations made by the state highway commission pertaining to the administration of its duties and the duties of the secretary of state under this chapter, together with such other information as he deems helpful to public safety and the better regulation of traffic.

**Sec. 102. Reservation of plates and numbers.** 1921, c. 211, § 77. 1927, c. 14. Whenever the owner has once registered a motor vehicle, under the provisions of this chapter, the secretary of state shall, at the request of such owner, allow him to keep and use the same number plates for the entire calendar year for which the plates were issued, provided he complies with the other provisions of the motor vehicle law. The secretary of state shall reserve until December first of each year the same registration number for the succeeding year for persons having registration numbers two to five thousand for pleasure vehicles, and numbers one to five hundred for commercial vehicles, if such person shall, previous to the first day of December of the current year, pay for the registration of his vehicle for the succeeding year and otherwise comply with the provisions of the motor vehicle law.

**Sec. 103. Inspectors and police officers in uniform may stop motor vehicles for examination; may examine stationary vehicles.** 1921, c. 211, § 78. 1925, c. 144, § 6. The inspectors of the state highway police, when in uniform, and all police officers in uniform may at all times, with or without process, stop any motor vehicle to examine identification numbers and marks thereon, raising the hood or engine cover if necessary to accomplish this purpose, and may demand and inspect the driver's license, registration certificate, and permits. Whenever a motor vehicle is being operated by a person not having upon his person or in such vehicle the registration certificate covering such vehicle, or if it be operated by a person other than the person in whose name it is registered, and such operator is unable to present evidence of his authority to operate such motor

vehicle, such inspector or police officer, or any sheriff or his deputy, may impound such vehicle and hold it until the same is claimed and taken by the registered owner thereof, who shall be forthwith notified of the impounding. Said officers if wearing a badge may also at all times, with or without process, and with or without uniform, enter public garages, parking places, and buildings where motor vehicles are stored or kept, for the purpose of examining identification numbers and marks thereon and may also examine any vehicle standing in any public way or place.

Any such officer may in like manner and under like circumstances examine any vehicle to ascertain whether its equipment complies with the requirements of this chapter.

**Sec. 104.** Reports of thefts of motor vehicles made to secretary of state to be recorded; to make a report to other states. 1921, c. 211, § 79. Whenever the secretary of state shall receive report of the theft of a motor vehicle, whether the same be registered or not, and whether owned in this or any other state, together with a description of the same, he shall make a distinctive record thereof and cause the same to be properly filed, and shall promptly report by mail or otherwise the theft of said vehicle to the motor vehicle commissioner or departments of such states of the United States and provinces of the Dominion of Canada as he deems needful, giving a complete description of the vehicle, including the name and post-office address of the person reporting the theft.

**Sec. 105.** In case motor vehicle is recovered owner to notify secretary of state who shall in turn notify other states. 1921, c. 211, § 80. Whenever the owner of a vehicle previously reported as stolen shall recover it, he shall notify the secretary of state that the vehicle has been recovered, and the said secretary shall remove or cancel his record of theft and notify each of said foreign motor vehicle departments of such recovery.

**Sec. 106.** Procedure when application for registration of motor vehicle reported stolen is received. 1921, c. 211, § 81. Whenever the secretary of state shall receive an application for registration of a vehicle previously reported as stolen, he shall notify the owner of such vehicle as shown by the records of his office; and unless registration has already been issued, he may withhold registration until further investigation.

**Sec. 107.** When registration has been revoked, vehicle not to be operated; person whose license has been revoked or suspended not to operate motor vehicle; number plates not transferable; plates to be properly displayed. 1921, c. 211, § 82. No person shall operate a motor vehicle after his license 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. 108.** Registration plates to be surrendered on demand of secretary of state; penalty taking registration plates without right. 1921, c. 211, § 83. All registration number plates, issued by the secretary of state, shall continue to be the property of the state, and the person to whom the same are issued shall surrender the same, on demand of the secretary of state, whenever his registration certificate is suspended or revoked. Whoever steals, takes, or carries away

any register number plate from any person entitled to its possession shall be liable to the penalty provided in section one hundred nineteen.

**Sec. 109. Penalty for deception or false statements on application for license or registration.** 1921, c. 211, § 84. Whoever shall deceive or substitute, or cause another to deceive or substitute in connection with any examination required hereunder, or shall knowingly make use of any registration certificate, number plate, or operator's license or badge issued upon an application containing any material false statement of fact shall be liable to the penalty provided in section one hundred nineteen; and every such certificate, license plate, or badge shall be void from the date of its issue, and shall be surrendered to the secretary of state upon demand, and any moneys paid for the same shall be forfeited to the state.

**Sec. 110. Truck, tractor, or trailer with a load more than 20 per cent greater than specified in application not to be operated on highway.** 1921, c. 211, § 85. No person shall operate or cause to be operated any truck, tractor, or trailer with a load that is more than twenty per cent above that specified in the registration certificate issued for such vehicle.

**Sec. 111. Penalty for refusing to give name to officer when requested.** 1921, c. 211, § 86. Whoever while operating a vehicle not lighted or equipped as required by any of the provisions of this chapter shall fail or refuse when requested by an officer authorized to make arrests to give his correct name and address shall be liable to the penalty provided in section one hundred nineteen.

**Sec. 112. Penalty for selling or having in possession motor vehicle from which identification marks have been removed.** 1921, c. 211, § 87. Whoever knowingly buys, sells, receives, disposes of, aids in the disposal of, conceals, or has in his possession any motor vehicle from which the manufacturer's serial number or any other distinguishing number or identification mark has been removed, defaced, covered, altered, or destroyed for the purpose of concealment or misrepresenting the identity of said vehicle shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than eleven months, or by both fine and imprisonment.

**Sec. 113. Mirror must be attached to motor vehicles which are so constructed or loaded that operator does not have a clear view to rear.** 1921, c. 211, § 88. No person shall operate upon any public way any taxicab, commercial motor vehicle, motor truck, or trailer so constructed, equipped, loaded, or used that the driver or operator is prevented from having a constantly free and unobstructed view of the highway immediately in the rear, unless there is attached to the vehicle a mirror or reflector so placed and adjusted as to afford the operator a clear, reflected view of the highway in the rear of the vehicle, for a distance of at least fifty feet. Such mirror or reflector shall measure at least six inches in diameter or length.

**Sec. 114. Regulation of spot lights.** 1921, c. 211, § 89. There shall not be used on or in connection with any motor vehicle a spot light, so-called, the rays from which shine more than two feet above the road at a distance of thirty feet from the vehicle, except that such spot light may be used for the purpose of reading signs, and as an auxiliary light in cases of necessity when the other lights required by law fail to operate.

**Sec. 115. Use of highways by vehicles authorized unless specifically prohibited.** 1921, c. 211, § 90. Subject to the provisions of the several sections of this chapter, vehicles of every kind or description may be operated on the ways of this state unless prohibited or restricted by special law or town ordinance duly authorized by legislative act prohibiting or restricting the use of

motor vehicles in certain towns, or by the rules, orders, and regulations promulgated by the state highway commission under authority of this chapter.

#### Administration.

**Sec. 116.** Assessors to make return to secretary of state of all vehicles in their municipality. 1921, c. 211, § 91. Assessors of cities, towns, and plantations shall annually, on or before the first day of June, make return to the secretary of state of all persons owning vehicles subject to registration as appears on their assessment books.

**Sec. 117.** Disposition of motor vehicle fees. 1921, c. 211, § 92. 1927, c. 122. 1929, cc. 149, 336. All moneys and fees received by the secretary of state under the preceding sections shall be turned over to the treasurer of state as provided by section twenty-nine, and shall be appropriated and an amount equivalent thereto used for the administration of the office and duties of the state highway commission as provided by general law, including the expenses of administering the motor vehicle department and licensing of operators and registration of vehicles, and to meet all provisions of bond issues for state highway construction; and any balance thereof then remaining shall be applied and used in the following order:

1. To fulfil the requirements of the joint fund for the construction and permanent improvement of state aid highways.

2. For the repair and maintenance of state and state aid highways.

See c. 28, § 41.

**Sec. 118.** Court jurisdiction of violations; transmission of fines. 1921, c. 211, § 93. 1925, c. 98. Municipal and police courts and trial justices in their respective counties shall have concurrent jurisdiction with the superior court over all prosecutions for all violations of the provisions of this chapter. All fines and forfeitures collected under this chapter shall be paid (1) to the commission and applied as provided in section one hundred seventeen, together with any part of the costs taxed by the court for a state highway police or inspector, when the prosecution or arrest is made by such police, or inspector, but (2) into the treasury of the county where the offense is prosecuted, when the prosecution or arrest is made by any other officer.

**Sec. 119.** General penalty for violation where specific penalty is not provided. 1921, c. 211, § 95. Whoever violates or fails to comply with the provisions of any section of this chapter, or any rules or regulations established thereunder, except when such section therein specifies the penalty, shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than ninety days, or by both fine and imprisonment.

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**Sec. 120.** Certificates, licenses, etc., of secretary and orders, rules, etc., of all officers to remain in force unless suspended or altered by appropriate officials created under this chapter. 1921, c. 211, § 96. All lawful registrations, licenses, orders and acts of the secretary of state and of the public utilities commission existing when chapter two hundred eleven of the public laws of nineteen hundred twenty-one took effect, shall be and remain effective for the full term for which they were granted or made, and shall be considered of the same legal force and effect and duration as if granted or made under the provisions of this chapter; subject, however, to suspension, revocation, change or repeal by the appropriate officials created or existing under authority of this chapter, for any violation of law.

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**Sec. 121. Secretary of state authorized to destroy records more than five years old.** 1921, c. 211, § 97. The secretary of state is hereby authorized to remove and destroy all records and papers in his office pertaining to the registration of motor vehicles and the issuance of operators' licenses which are more than five years old and are not in use, and which in his judgment are no longer of value.

**State Highway Police.**

**Sec. 122. State highway police and members of force; appointment; tenure.** 1925, c. 144, § 1. The governor, with the advice and consent of the council, shall appoint a chief of the state highway police, to serve during their pleasure. The chief shall be the executive head of the state highway police and shall execute the duties of his office under the direction and subject to the approval of the governor and council. The governor, with the advice and consent of the council, upon recommendation of the chief of the state highway police, may appoint suitable persons as members of the state highway police to enforce the provisions of this chapter, who shall hold office during the pleasure of said chief. Subject to the approval of the governor and council, the chief may designate a member of the state highway police to act as his deputy.

**Sec. 123. Powers and duties; duty of other officers to cooperate.** 1925, c. 144, § 2. 1929, c. 220, § 1. The specific powers and duties of the state highway police shall be to patrol the state highways and other important ways, especially outside the compact portion of cities and towns, for the purpose of enforcing the provisions of this chapter and all laws relating to motor driven and horse drawn vehicles and all rules and regulations in regard thereto, and of arresting all violators thereof and prosecuting all offenders against the same. In addition to such duties and powers, the chief and members of the state highway police hereby are vested with the same powers and duties throughout the several counties of the state as sheriffs have in their respective counties to serve criminal processes, to investigate and prosecute violators of any law of this state and to arrest the offenders thereof, and also the same power and duty as sheriffs have to arrest without warrant and detain persons found violating or attempting to violate any other penal law of the state until a legal warrant can be obtained. They shall have the same rights as sheriffs to require aid in executing the duties of their office. They may serve any subpoenas, notices and processes issued by the secretary of state or the state highway commission under authority of this chapter. They shall also at all times be subject to the call of the governor for emergency purposes at his discretion.

The state highway police, sheriffs and deputy sheriffs, constables, city marshals and deputy marshals and police officers of cities and towns shall so far as possible cooperate in the detection of crime, the arrest and prosecution of criminals, and the preservation of law and order throughout the state.

**Sec. 124. Uniform and equipment, when worn; to hold no other office.** 1925, c. 144, § 3. Members of the state highway police shall be provided at the expense of the state with a distinctive uniform and badge, and with suitable equipment, including motorcycles for use when requisite to the performance of their official duties, all of which shall remain the property of the state. When on duty to enforce the laws of the road, and at such other times as the chief may require, state highway policemen shall be in uniform. They shall hold no other office during their term of service.

**Sec. 125. May be assigned duty as inspectors; duties of inspectors.** 1925, c. 144, § 4. Members of the state highway police may be designated and assigned

to special duty as inspectors to enforce the laws, rules and regulations relating to the registration of motor vehicles and the licensing of operators of motor vehicles; but assignment to special duty shall not affect their powers as state highway police. Such inspectors shall cooperate with and assist the secretary of state in the collection of fees and penalties due the state under the laws relating to the registration of motor vehicles and the licensing of operators of such vehicles. They shall also aid the state highway commission in the enforcement of its rules and orders and permits pertaining to the use of highways.

**Sec. 126. Salary and compensation determined by governor and council; to be sworn and give bond; not to receive fees as witnesses or complainants; fees taxed to be transmitted to state.** 1925, c. 144, § 5. The governor and council shall determine the salary of the chief and the compensation of the other members of the state highway police. Before entering upon the duties of their office they shall be sworn and shall give bond to the treasurer of state with surety, or sureties approved by the treasurer of state conditioned for the faithful performance of the duties of their office, as follows: the chief shall give bond in the sum of five thousand dollars and each of the other members in the sum of two thousand dollars. No inspector or member of the state highway police shall receive any fee as a complainant or witness, or for making an arrest or for attendance at court, but shall be reimbursed by the state for his actual costs of arrest and actual expenses of travel and attendance. Whenever any fines or penalties are imposed by any court in any proceeding in which a member of the state highway police is a complainant or a witness, said court may tax costs for such complainant or witness in the usual manner. He shall receipt for same when paid and immediately transmit it to the chief, who shall pay forthwith the same to the treasurer of state.

**Sec. 127. Maintenance of state highway police provided for.** 1925, c. 144, § 7. Payment of the expense of maintenance of the state highway police shall be made as heretofore provided; but shall not exceed one hundred and twenty-five thousand dollars for each year.

**Sec. 128. Driver of any vehicle involved in accident to report.** 1929, c. 327, § 1. (a) The chief of the state highway police shall prepare and shall on request supply to police and sheriffs' offices and other suitable agencies forms of accident reports calling for sufficiently detailed information to disclose with reference to a highway accident the cause, conditions then existing and the persons and vehicles involved.

(b) The chief of the state highway police shall receive accident reports required to be made by law and shall tabulate and analyze such reports and may publish annually or at more frequent intervals statistical information based thereon as to the number, cause and location of highway accidents.

(c) The driver of any vehicle involved in an accident resulting in injuries or death to any person or property damage to an apparent extent of fifty dollars or more shall, immediately forward a report of such accident to the chief of the state highway police or forthwith deliver the same to some state highway police officer, who shall so forward the same to said chief. The chief may require drivers, involved in accidents, to file supplemental reports of accidents upon forms furnished by him whenever the original report is insufficient in the opinion of the chief. Such reports shall be without prejudice, and the fact that such reports have been so made shall be admissible in evidence solely to prove a compliance with this section, but no such report or any part thereof or statement contained therein shall be admissible in evidence for any other purpose in any trial, civil or criminal, arising out of such accident.

**Sec. 129. Garage proprietor to report any motor vehicle involved in a serious accident.** 1929, c. 327, § 4. The person in charge of any garage or repair shop to which is brought any motor vehicle which shows evidence of having been involved in a serious accident or struck by any bullet shall report to the nearest police station, to some one of the state highway police, or to some sheriff or his deputy, immediately after such motor vehicle is received, giving the serial and engine number, registration number and the name and address of the owner or operator of such vehicle.

#### Service of Process on Non-Residents Involved in Automobile Accidents.

**Sec. 130. Non-resident operating motor vehicle in this state to appoint secretary of state as attorney for service of process; how service is to be made.** 1929, c. 113, § 1. The acceptance by a person who is a resident of any other state or country of the rights and privileges conferred by this chapter as evidenced by the operation, by himself or agent, of a motor vehicle thereunder, or the operation by such a person, by himself or his agent, of a motor vehicle on a public way in this state otherwise than under said chapter, shall be deemed equivalent to an appointment by him of the secretary of state, or his successor in office, to be his true and lawful attorney upon whom may be served all lawful processes in any action or proceeding against him, growing out of any accident or collision in which such person or his agent may be involved, while operating a motor vehicle on such a way, and said acceptance or operation shall be a signification of his agreement that any such process against him which is so served shall be of the same legal force and validity as if served on him personally. Service of such process shall be made by leaving a copy thereof with a fee of two dollars in the hands of the secretary of state, or in his office, and such service shall be sufficient service upon such non-resident; provided, that notice of such service and a copy of the process are forthwith sent by registered mail by the plaintiff to the defendant, and the defendant's return receipt, and the plaintiff's affidavit of compliance herewith, are appended to the writ and are filed with the clerk of courts in which the action is pending, or that such notice and copy are served upon the defendant, if found within the state, by an officer duly qualified to serve legal process, or, if found without the state, by any duly constituted public officer qualified to serve like process in the state or jurisdiction where the defendant is found, and the officer's return showing such service to have been made is filed in the case on or before the return day of the process or within such further time as the court may allow. The court in which the action is pending may order such continuance as may be necessary to afford the defendant reasonable opportunity to defend the action.

**Sec. 131. Plaintiff in such action to give bond.** 1929, c. 113, § 2. The plaintiff in an action brought as prescribed in the preceding section shall file with his writ in the court to which such action is returnable, a bond to the defendant with two or more sureties to be approved by the judge or clerk of said court, or with a surety company authorized to do business in this state, as surety in the sum of one hundred dollars conditioned that in the event judgment is rendered against such plaintiff so much of the penalty of said bond as may be required to satisfy any judgment for costs awarded against him shall be applied thereto, and the attorney for the plaintiff in such action against a non-resident defendant shall be liable to the defendant for his costs in the action to an amount not exceeding fifty dollars unless and until such bond shall be filed as aforesaid.

**Sec. 132.** If plaintiff prevails, fee paid by him to secretary to be taxed in costs; secretary to keep record of such processes. 1929, c. 113, § 3. The fee of two dollars, paid by the plaintiff to the secretary of state at the time of the service, shall be taxed in his costs, if he prevails in the suit. The said secretary shall keep a record of such processes, which shall show the day and hour of service.

**Sec. 133.** Officers authorized to serve civil process to serve on secretary of state. 1929, c. 113, § 4. Officers authorized to serve civil processes by statutes of this state are hereby authorized and empowered to serve all processes and notices on the secretary of state required under section one hundred thirty.

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## CHAPTER 30.

### Uniform Air Licensing Act.

**Sec. 1. Terms defined.** 1929, c. 265, § 1. The term "aircraft" means any contrivance now known or hereafter invented, used, or designed for navigation of, or flight in the air, except a parachute or other contrivance designed for such navigation but used primarily as safety equipment.

The term "public aircraft" means an aircraft used exclusively in the governmental service of the United States or of any state or territory thereof.

The term "civil aircraft" means any aircraft other than a public aircraft.

The term "airman" means any individual, including the person in command, and any pilot, mechanic or member of the crew, who engages in the navigation of aircraft, while under way, and any individual who is in charge of the inspection, overhauling or repairing of aircraft.

The term "person" means an individual, a partnership, or two or more individuals having a joint or common interest, or a corporation.

**Sec. 2. United States air commerce act of 1926 to apply to air traffic in this state.** 1929, c. 265, § 2. It is hereby declared that the policy, principles and practices established by the United States air commerce act of nineteen hundred and twenty-six, and all amendments thereto, are hereby adopted and extended and made applicable, mutatis mutandis, to cover all air traffic in this state, so far as not covered by federal law at any time.

**Sec. 3. Secretary of state to administer air traffic laws; may make necessary regulations.** 1929, c. 265, § 3. The secretary of state shall administer the provisions of this chapter, and for such purpose is authorized to make such regulations as are necessary to execute the functions vested in him by this chapter, including air traffic rules, which regulations shall conform to and coincide with, so far as possible, the provisions of the air commerce act of nineteen hundred and twenty-six, and amendments thereto, passed by the congress of the United States and air commerce regulations and air traffic rules issued from time to time pursuant thereto.

**Sec. 4. Civil aircraft to be licensed either under state or federal law.** 1929, c. 265, § 4. No civil aircraft shall be flown in this state unless such aircraft either is licensed as provided by section six of this chapter, or shall have an appropriate existing license under federal law.