

# MAINE STATE LEGISLATURE

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SEVENTH REVISION

THE  
REVISED STATUTES

OF THE  
STATE OF MAINE

PASSED AUGUST 5, 1930, AND TAKING  
EFFECT NOVEMBER 10, 1930



By the Authority of the Legislature

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within the state, unless such car shall be equipped with a safety device commonly known and called a fender. The term fender as herein before used shall be deemed to mean an attachment devised to prevent accidents, and shall be of such form and be attached to the car or cars in a manner approved by the public utilities commission.

**Sec. 40. Penalty.** R. S. c. 58, § 40. Any person, company, corporation, or association failing to equip cars operated as aforesaid shall be punished by a fine of not more than ten dollars a day for each and every car in service without said equipment.

Provisions for weekly payment of wages apply to street railroads, c. 54, § 39.  
 Crossings of other railroads regulated, c. 63, §§ 75, 76.  
 Construction and maintenance of bridges over which railroad passes, c. 63, §§ 77, 78.  
 Evasion of fare, c. 64, § 8.  
 Disorderly conduct or intoxication on street-car, c. 64, §§ 70, 71.  
 Intoxication of conductor or motorman, penalty, c. 64, § 64.  
 Conditional sale of railroad equipment, c. 64, §§ 99, 102.  
 Fraudulent issue and use of transfers prohibited, c. 138, § 11.  
 Injuries to fixtures of electric power line, c. 139, §§ 11, 12.

## CHAPTER 66.

### Motor Vehicles Carrying Passengers for Hire.

**Sec. 1. Motor vehicles carrying passengers for hire over regular routes under jurisdiction of public utilities commission.** 1921, c. 184, § 1. 1923, c. 211, § 1. The public utilities commission shall have jurisdiction over every person, firm, or corporation operating any motor vehicle upon any public street or highway for the carrying of passengers for hire, provided the same are operated over regular routes between points in this state. The words "regular routes" as used in this chapter mean those routes over which any person, firm, or corporation is usually or ordinarily operating any motor vehicle, even though there may be departures from said routes, whether such departure be periodic or irregular. Whether or not any motor vehicle is being operated over regular routes within the meaning of this chapter shall be a question of fact, and the finding of the public utilities commission thereon shall be final and shall not be subject to review, except that questions of law may be raised in the manner provided in sections sixty-three and sixty-four of chapter sixty-two.

**Sec. 2. Commission to make rules and regulations governing use of said motor vehicles.** 1921, c. 184, § 2. Said commission is hereby authorized to make from time to time rules and regulations governing the operation of said motor vehicles, which shall include provisions concerning the route of operation, schedule to be operated and maintained, rates of fare to be charged for the carriage of passengers, the safeguarding of passengers and other persons using the streets and highways, and such other reasonable regulations as may be deemed necessary for the safety or convenience of the public.

**Sec. 3. Existing statutes relative to use and operation of motor vehicles not affected.** 1921, c. 184, § 3. Nothing herein contained shall exempt any person, firm, or corporation owning or operating said motor vehicle or vehicles from complying with existing statutes relating to the ownership, registration, and operation of motor vehicles in this state as defined in chapter twenty-nine.

**Sec. 4. Such motor vehicles not to be operated without certificate from commission.** 1921, c. 184, § 4. 1923, c. 211, § 2. No person, firm, or corpora-

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tion shall operate such motor vehicle or vehicles on any street or highway in any city or town of this state, without obtaining from the public utilities commission, a certificate permitting such operation.

125 Me. 63.

**Sec. 5. Commission may revoke certificates.** 1923, c. 211, § 3. The public utilities commission shall have the right to revoke a certificate of any person, firm, or corporation who shall fail to comply with the rules and regulations as provided in section two.

**Sec. 6. Record of mileage, trips, passengers carried, receipts, etc., to be kept and report filed with public utilities commission.** 1925, c. 167. Every person, firm, or corporation operating any motor vehicle or trailer under the provisions of this chapter shall keep an accurate record of the mileage, of the number of trips made, number of passengers carried, of the receipts from operation, operating and other expenses, etc., and shall file with the commission at such times and in such form as it may prescribe, reports duly verified, covering the period fixed by the commission. The commission shall prescribe the character of the information to be embodied in such reports and furnish a blank form therefor.

**Sec. 7. Motor vehicles and trailers subject to supervision of commission not to be registered or certificate issued until owner has procured insurance or bond against personal injury or property damage.** 1925, c. 167. 1929, c. 301, § 1. The secretary of state shall not register any motor vehicle or trailer subject to the supervision and control of the public utilities commission, and the public utilities commission shall not issue a certificate permitting the operation of such motor vehicle or trailer, and no person or persons shall operate or cause to be operated upon any public highway any such motor vehicle or trailer until the owner or owners thereof shall have procured insurance or a bond having a surety company authorized to transact business in this state, or two individuals as sureties thereon, which bond shall be approved by the public utilities commission, which insurance or bond shall indemnify the insured against any legal liability for personal injury, the death of any person, or property damage, which injury, death, or damage may result from or have been caused by the use or operation of the motor vehicle or trailer described in the contract of insurance or such bond.

**Sec. 8. Amount of insurance or bond to be determined by commission.** 1925, c. 167. 1929, c. 301, § 2. The amount of insurance or of such bond which each motor vehicle or trailer owner shall carry as insurance or indemnity against claims for personal injury, death or property damage shall be determined by the public utilities commission.

**Sec. 9. Company to file a certificate with secretary of state and public utilities commission; insurance or bond not to be canceled without notice.** 1925, c. 167. 1929, c. 301, § 3. The original policy of insurance or the indemnity bond, or a certified copy thereof, or such certificate relative thereto as the public utilities commission may require, shall be filed with said commission before said motor vehicle is registered by the secretary of state as required by law, proper notice thereof being given by said commission to the secretary of state. No such insurance or bond shall lapse, expire or be canceled while the registration is in force until at least ten days' written notice shall have been given the public utilities commission and the secretary of state of an intention to cancel and until said public utilities commission shall have accepted other insurance or indemnity bond and shall have notified the person or company seeking to cancel such insurance or bond that such other insurance or bond has been accepted or that the public service registration of the motor

vehicle or trailer described in such insurance policy or bond has been canceled and the number plates of such motor vehicle or trailer described in such insurance or bond have been returned to the secretary of state.

**Sec. 10. Notice of injury or damage to be given company.** 1925, c. 167. 1929, c. 301, § 4. Any person sustaining bodily injuries, or injury to or destruction of his property, and the personal representatives of any person sustaining death by reason of an accident arising out of the ownership, operation, maintenance, or use upon the ways of the state of any motor vehicle or trailer subject to the supervision and control of the public utilities commission, shall within one year thereafter give to the company or individuals executing any motor vehicle liability bond as surety for the owner or the person responsible for the operation of such motor vehicle or trailer involved in such accident, or to the liability insurance company issuing the motor vehicle liability policy covering such owner or other person, a notice in writing of the time, place, and cause of the said injury, death, or damage.

**Sec. 11. Limitation of action.** 1925, c. 167. Actions of tort for injuries to the person or for death and for injuries to or destruction of property caused by the ownership, operation, maintenance or use on the ways of the state of motor vehicles or trailers subject to the supervision and control of the public utilities commission, shall be commenced only within one year next after the cause of action occurs.

See c. 95, § 90.

**Sec. 12. Action in name of state may be brought against surety company in case judgment is not satisfied; limitation.** 1925, c. 167. 1929, c. 301, § 5. If a judgment rendered against the principal of a motor vehicle liability bond or against the person responsible for the operation of the principal's motor vehicle or trailer is not satisfied within thirty days after its rendition, the judgment creditor may for his use and benefit and at his sole expense bring an action in the name of the state against the surety company or individuals executing the bond, but no action shall be brought later than four months from the date of the original execution.

**Sec. 13. Insurance and surety companies prohibited from offering inducements not specified in policy or bond; rebates prohibited.** 1925, c. 167. 1929, c. 301, § 6. No insurance or surety company, officer, agent, or attorney thereof, or individuals, and no insurance broker shall pay or allow, or offer to pay or allow any valuable consideration or inducement not specified in the policy or contract, in connection with placing or negotiating any motor liability bond or any motor liability policy, both as defined in section seven. No such insurance or surety company, officer, agent, broker, or individuals shall at any time pay or allow or offer to pay or allow any rebate of any premium paid or payable on any such policy of insurance or bond.

**Sec. 14. Acceptance of rebates prohibited; no person to be excused from testifying on ground of self-incriminating evidence; immunity from prosecution.** 1925, c. 167. No person shall receive or accept from any insurance or surety company, or officer or agent thereof or any other person, any such rebate or premium paid or payable on any such motor vehicle liability bond or any such motor vehicle liability policy, at a rate less than that specified in the policy or contract. No person shall be excused from testifying, or from producing any books, papers, contracts, agreements, or documents, at the trial of any other person charged with violating any provision of this and the preceding section on the ground that such testimony or evidence may tend to incriminate himself. But no person shall be prosecuted for any act concerning which he

shall be compelled so to testify or produce evidence, documentary or otherwise, except for perjury committed in so testifying.

Sec. 15. Penalty for violation of provisions of chapter. 1925, c. 167. 1929, c. 90. Any person who shall violate any provision of this chapter shall be punished by a fine of not less than ten dollars nor more than five hundred dollars or by imprisonment for not more than eleven months, or by both fine and imprisonment.

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## CHAPTER 67.

### Corporations for Navigation by Steam. Unclaimed Baggage and Merchandise.

Sections 1-3	Corporations for Navigation by Steam.
Sections 4-18	Provisions for Safety on Inland Steamers.
Sections 19-23	Unclaimed Baggage and Merchandise.
Section 24	Transportation of Property in Dispute.

### Corporations for Navigation by Steam.

Sec. 1. Treasurer's office. R. S. c. 59, § 1. Treasurers of corporations created for navigation by steam shall keep an office within the state.

Sec. 2. Liability for neglect and misconduct. R. S. c. 59, § 2. Such corporations are liable for breach of contracts, express or implied, made as common carriers; for their neglect and misconduct; and for that of their agents, to the same extent as owners of vessels are by the maritime law.

\*57 Me. 211.

Sec. 3. Boats liable for loss or damage of property transported, and may be attached. R. S. c. 59, § 3. For loss or damage of property transported on a river, stream, or bay, by boat for hire, the boat is liable, whether owned or not by the person undertaking such transportation, and may be attached on a writ against him, sued out within sixty days after such loss or damage, and sold like other personal property on an execution issued on the judgment recovered in such suit, and any surplus shall be paid to the owner of the boat. Such attachment is effectual against any conveyance or lien after such loss or injury, and prior to the attachment.

### Provisions for Safety on Inland Steamers.

Sec. 4. Inspection of vessels navigated on inland waters of state placed under jurisdiction of public utilities commission. 1923, c. 149, § 1. Every vessel subject to the provisions of this chapter and every person, firm, or corporation owning or operating the same is hereby placed under the jurisdiction of the public utilities commission, for the purposes enumerated in this chapter. The commission shall employ such inspectors, engineers, or other assistants as may be required to carry out the provisions of this chapter.

Sec. 5. Definitions. 1923, c. 149, § 2. The term "commission" when used in this chapter means the public utilities commission.

The term "vessel" when used in this chapter means any boat or vessel operated by machinery propelled by steam or other motive power.