

MAINE STATE LEGISLATURE

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REPORT

TO

**THE 90TH LEGISLATURE
STATE OF MAINE**

BY THE

**RECESS COMMITTEE ON
MOTOR VEHICLE
LEGISLATION**

January 23, 1941

To The Members of the 90th Legislature:

The calling of the 89th Legislature into special session with the resulting action by that body in the repeal of the so-called "Title Law," together with the creation of the special committees on "Investigation" and "Administrative Code" curtailed somewhat the work of the "Recess Committee on Motor Vehicle Legislation". The recommendation of the "Legislative Investigating Committee" that a separate department of Motor Vehicles be established, and that proper consideration be given, and legislation prepared, by the committee on "Administrative Code" relieved our committee of detailed consideration of this subject.

Under the resolve establishing the "Recess Committee on Motor Vehicle Legislation", particular emphasis was placed first: on a general study of motor vehicle laws with regard to public safety, and second: on the advisability of codifying present legislation. In an attempt to approach the subject from a practical standpoint the committee invited representatives of state departments and private organizations within the state, to attend a meeting for the purpose of presenting their problems and making recommendations. From the resulting discussion, it developed that there are matters of import to the membership of associations of automobile and truck operators that should be given serious consideration. There should be as well, careful preparation of additional legislation for the promotion of safety on the highways. Your recess committee, however, takes the attitude that the "Committee on Motor Vehicles" of the 90th Legislature will wish to make its own examination of these subjects, and therefore limits its report to an outline of some of the major topics suggested.

Separate Department of Motor Vehicles

Members of your committee had the opportunity to discuss the topic of motor vehicle administration with members of the committee on "Administrative Code," and were fur-

ther privileged to examine the data prepared by the attorney for this latter committee. Examination discloses that previous legislative committees had made various recommendations in regard to this department.

The "Cole Committee" of 1923 recommended that the enforcement of the motor vehicle laws be transferred from the highway department to the office of the Secretary of State, and that branch offices for the registration of automobiles be abolished.

The "Gardner Code Committee" of 1930 advocated that the registration of motor vehicles should be transferred to and become a bureau in the Department of Finance with a single directing head. Also that the need for the extension of branch offices might be questioned at that time.

The July 22nd, 1940 report of the "Legislative Investigating Committee" stated that "in view of the committee's findings that the business of the Motor Vehicle Registration Division has grown beyond the limits within which it is properly constituted as a subdivision of the Department of State, it is recommended that a separate Department of Motor Vehicle Registration be established which shall be constituted separate and apart from the Department of State."

After a careful analysis of the growth, functions, and demands on this department the "Committee on Administrative Code" has recommended to you the creation of a separate department of Motor Vehicles.

At the present time the head of our Motor Vehicle Registration Department is a constitutional officer. In addition to his constitutional duties he has many statutory duties to perform. It is the opinion of this committee that an appointive official charged with the sole duty of administering the motor vehicle laws, could develop a more efficient department. Even with increasing registrations, expenses would not increase if no new duties were imposed on the department or its administrative head. This committee therefore endorses the recommendation of the "Committee on Administrative Code," and recommends affirmative action be taken by the legislature on "The Act Creating A Department of Motor Vehicles".

With regard to earlier recommendations that branch offices be curtailed, it is the opinion of this committee that altho registrations could be completed more economically through the central office, branches are justified on the basis of public convenience. It seems probable that present branch office expense can be slightly reduced because of the new dixigraph system. The committee wishes to point out, however, that since public convenience is the justification for increased expense in maintaining branch offices, care should be taken in the location of the same. One notable improvement in location on this basis might well be made in the city of Portland.

Operators License to Run One Year from Date of Issue

In advocating this measure individuals, and at least one major association, point out that in many states drivers' licenses run one year from date of issuance. They further point out that this practice would spread the work of the licensing department more or less evenly over the twelve months of the year, and would thereby eliminate congestion. The committee finds that at present there is a decided "bottleneck" or "peak" from the middle of December to the middle of February which both slows up the department and requires additional temporary help.

Uniform Trust Receipt Act

There appears to be a demand from the automobile finance companies operating in the state, for a uniform trust receipt act such as is now in effect in the adjoining state of New Hampshire. Such an act is technical and cannot be adequately outlined in this report. It is indicated that such an act will be presented to the 90th Legislature, and we recommend your consideration of the same.

Reciprocity on Automobiles, Motor Trucks, Tractors, Trailers, and Semi-Trailers

Because of large mileage and heavy cost of maintenance in relation to population, Maine registration fees are higher than those in most other states. Maine requirements might

even be considered as an unfair barrier in interstate commerce. To relieve this condition, Maine trucking interests recommend that an act be introduced which would grant reciprocity to a non-resident owner on registrations, to the amount of the fee paid by the non-resident in his own state. For example, the registration fee in Massachusetts for a gross weight of 40,000 pounds is \$60.00. The fee for a like maximum weight in Maine is \$300.00. Therefore, the Massachusetts operator would receive credit for the \$60.00 paid in his state, and would pay for his Maine license the difference of \$240.00. Under the proposed system the initial loss of revenue to the state, would probably be made up by increased registrations. Maine operators then, could go into other states without penalty.

Transfer Zones

Due to the National Defense program, out-of-state trucks with heavy or special equipment have been routed for Maine but held up at the border of the state because of non-registration. The committee recommends that a special zone, or zones be designated within the state close to the border, for the purpose of transfer of such equipment or materials.

Safety Legislation

In a further attempt to safeguard lives on streets and highways, the Safety Department of the State Police recommend consideration of the following suggestions:

That it be unlawful to pass a vehicle proceeding in the same direction, between points, indicated by placing of temporary warning signs, showing that men are working on the highway.

That a complete stop be made before crossing a railway grade crossing by motor vehicles owned by, or on contract with town authorities or school districts, when such vehicles are carrying school children.

That no person shall hang onto, or ride on the outside or rear end of any vehicle, and that no person on a bicycle, roller skates, sled, or similar device shall hold fast to or hitch onto any moving vehicle.

That the operator of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard to speed, traffic and condition of the highway. The operator of any motor bus, motor omnibus or commercial motor vehicle outside of business or residence districts must not follow another such vehicle within 300 feet.

Drivers of vehicles proceeding in opposite directions must keep to the right, each allowing the other at least one-half of the main traveled portion of the highway.

That vehicles must be operated on the right side of the highway at all times except on one way streets or while passing another vehicle.

That no person under the age of twenty-one years may operate a motor vehicle of the bus type in the transportation of pupils to or from school; or may operate a motor bus in the transportation of passengers.

That on all highways where there are no sidewalks or paths provided for pedestrian use, the pedestrian shall walk only on the extreme left side of the road facing approaching traffic.

That the operator of any vehicle emerging from an alley, driveway or garage shall stop such vehicle immediately prior to driving upon the sidewalk.

That all bicycles when in use at night shall show a light visible in both directions — white light to the front, and red light to the rear — and must be equipped with an audible signal.

That in section 71 Ch. 29, the first paragraph be changed to read, "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 500 feet.

That no person shall drive any motor vehicle on any street or highway in the State of Maine in excess of 50 m.p.h. Also that it will be prima facie unlawful for the driver of any vehicle to drive at any speed, even though it does not exceed 50 m.p.h. if such speed would be unsafe.

Codification of Present Legislation

There has been no attempt to codify motor vehicle legislation since 1921, and it naturally follows that there is some "deadwood" in our Statutes that should be removed: Motor Vehicle laws in the minds of the general public are somewhat confused. A thorough codification is desirable we admit. In view of present efforts toward uniform laws in the states, and because of the attempt of the Interstate Commerce Commission to secure Federal Legislation regulating weights, measurements, etc. in connection with motor transportation, it does not seem advisable to attempt to make that codification at this time. This matter might well be investigated at a later date by the "Legislative Research Committee" with the idea of modernizing and condensing our existing Statutes.

Respectfully submitted,

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