

Senate File No. 508.

BY COMMITTEE ON MOTOR VEHICLES.

Passed on file.

March 29, 1919.

## A BILL FOR AN ACT

To repeal chapter two-b (2-b) of title VIII of the supplement to the code, 1913, relating to the licensing and regulation of motor vehicles and to enact a substitute therefor.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 Section 1. That chapter two-b (2-b) of title VIII of the  
2 supplement to the code; 1913, be and is hereby repealed and the  
3 following enacted in lieu thereof.

1 Sec. 2. The words and phrases used in this act shall  
2 for the purposes of this act, unless the same be contrary to or  
3 inconsistent with the context, be construed as follows: (1)  
4 "motor vehicles" shall include all vehicles propelled otherwise  
5 than by muscular power, except trailers and such vehicles as run  
6 upon stationary rails or tracks; (2) "automobile" shall include  
7 all motor vehicles excepting motorcycles; (3) "motorcycle"  
8 shall include all motor vehicles designed to travel on not more  
9 than three wheels in contact with the ground, and of not ex-  
10 ceeding ten horsepower, and of not exceeding the weight of five  
11 hundred pounds unladen; provided, however, that any motor ve-  
12 hicle which shall be operated on the public highway drawing a  
13 trailer shall be deemed to be an automobile for all purposes of  
14 this act; and provided further, that for the purposes of this  
15 act, a trailer shall be deemed to be any vehicle, which is at any time  
15½ drawn upon the public highway by a motor vehicle excepting any

16 implements of husbandry temporarily drawn, propelled or moved  
17 upon such highway; (4) "highway" shall include any public high-  
18 way, county road, state highway or state road, public street,  
19 avenue, alley, park, parkway, driveway, square or place, bridge,  
20 viaduct, trestle, or any other territory or structure, whether  
21 public or private designed, intended or used by or for the  
22 general public for the passage of vehicles, in any county, or  
23 incorporated city or town within the state of Iowa; (5)  
24 "local authorities" shall include all boards of supervisors,  
25 trustees or councils, commissions, committees, and other public  
26 officials of counties, incorporated cities or towns; (6)  
27 "chaffuer" shall mean any person who operates an automobile in  
28 the transportation of persons or freight and who receives any  
29 compensation for such service in wages, commission or otherwise,  
30 paid directly or indirectly, or who as owner or employee operates  
31 an automobile carrying passengers or freight for hire; provided,  
32 however, that this definition shall not include manufacturers'  
33 agents, proprietors of garages and dealers, salesmen, mechanics,  
34 or demonstrators of automobiles in the ordinary course of their  
35 business; (7) "nonresidents" shall mean residents of states or  
36 countries other than the state of Iowa and of countries other  
37 than the United States whose sojourn in this state, or whose  
38 occupation or their regular place of abode or business in this  
39 state, if any, covers a total period of less than three months  
40 in the calendar year; (8) "owner" shall include any person,  
41 firm, association, or corporation, having the lawful ownership,

42 use or control, or the right to the use or control, of a motor  
43 vehicle, under a lease or otherwise, for a period of ten or more  
44 successive days; (9) "manufacturer" or "dealer" shall signify a  
45 person, firm, association, or corporation regularly in the business  
46 of having in his, its or their possession motor vehicles for sale  
47 or trade and for use and operation pursuant thereto, and shall be  
48 considered owners of motor vehicles manufactured or dealt in by  
49 them for the purposes of this act, prior to sale and delivery  
50 thereof, and of all motor vehicles in their possession and operated  
51 or driven by them or by their agents or employees; provided, however,  
52 that anything to the contrary herein notwithstanding, the determin-  
53 ation of the department shall be final and conclusive upon the  
54 question whether or not an applicant for registration shall be a  
55 manufacturer or dealer within the meaning and intent of this act;  
56 (10) "garage" shall mean every place of business where motor  
57 vehicles are received for housing, storage or repair, for com-  
58 pensation; (11) "intersecting highway" shall mean any highway  
59 which joint another at any angle, whether or not it crosses the  
60 other; (12) "person" shall include any corporation, association,  
61 copartnership, company, firm, or other aggregation of individuals  
62 and where the term "person" is used in connection with the regis-  
63 tration of a motor vehicle, it shall include any corporation,  
64 association, copartnership, company, firm, or other aggregation of  
65 individuals which owns or controls such motor vehicle as actual  
66 owner, or for the purpose of sale or for renting, whether as agent,  
67 salesman, or otherwise; (13) "department" as used in this act

68 shall mean the treasurer of state; (14) "specially constructed"  
69 motor vehicle shall mean a motor vehicle which shall not have been  
70 originally constructed under a distinctive name, make, model or  
71 type of a generally recognized manufacturer of motor vehicles;  
72 provided, that in case of dispute the determination of the department  
73 as to the character of construction of any such motor vehicle shall  
74 be conclusive; (15) "reconstructed motor vehicle" shall mean a  
75 motor vehicle which shall have been assembled or constructed largely  
76 by means of essential parts, new or used, derived from other motor  
77 vehicles or makes of motor vehicles of various names, models or  
78 types, or which, if originally otherwise constructed, shall have been  
79 materially altered by the removal of essential parts, or by addition  
80 or substitution of essential parts, new or used, derived from other  
81 motor vehicles or makes of motor vehicles, provided, that for the  
82 purpose of this act the term "essential parts" shall include, not  
83 only integral parts but also body parts such as fenders, hood, cowl,  
84 and other parts, the removal, alteration or substitution of which will  
85 tend to conceal the identity or substantially alter the appearance  
86 of the motor vehicle; and provided, further, that in case of dispute  
87 the determination of the department as to the character of such  
88 assembly, reconstruction or alteration shall be conclusive; (16)  
89 "imported motor vehicle" shall mean any motor vehicle which shall  
90 be brought into this state from another country or state otherwise  
91 than in the ordinary course of business by or through a manufacturer  
92 or dealer, and which has not been registered in this state, except  
93 such motor vehicles, owned by non-residents, as are provided for

94 by section twenty-one (21) of this act.

1     Sec. 3. Every owner of motor vehicle which shall be oper-  
2 ated or driven upon the public highways shall, except as herein  
3 otherwise expressly provided, have filed in the office of the  
4 county treasurer of the county in which he resides, an application  
5 for registration or re-registration on a blank to be furnished  
6 by the department for that purpose, containing:

7     (a) The name, post-office address, with street and  
8 number, if any, of the owner.

9     (b) The last previous registration number.

10    (c) The manufacturer's retail price as fixed by the  
11 executive council.

12    (d) If a motor truck, the manufacturer's rated load-  
13 carrying capacity, weight of truck and tire equipment, whether solid,  
14 pneumatic, or both.

15    (e) A brief description of the vehicle to be registered,  
16 including the name of the manufacturer, type of vehicle, model,  
17 engine number and factory number.

18    (f) Such other information as the department may re-  
19 quire for the efficient administration of this act.

1     Sec. 4. Upon receipt of the application and fee for registration  
2 or re-registration of a motor vehicle, as provided in this act,  
3 the county treasurer shall file such applications in his office  
4 and register such motor vehicle with the name, post-office address  
5 and business address of the owner, together with the facts stated in  
6 such application, in a book or index to be kept for the purpose,

7 under the distinctive number assigned to such motor vehicle by the  
8 county treasurer, which book or index shall be open to public inspec-  
9 tion during reasonable business hours, and shall give to the owner  
10 a receipt for the fee paid, and shall forthwith assign to such motor  
11 vehicle a distinctive number, and, without expense to the applicant,  
12 shall issue and deliver, or forward by mail or express to the owner,  
13 a certificate of registration in such form as the department may  
14 prescribe, and duplicate number plates bearing a number corresponding  
15 to the number assigned to such motor vehicle. Upon receipt of the  
16 application and fee for the registration or re-registration of a  
17 trailer, as provided in this act, the county treasurer shall issue  
18 a receipt for the fee paid and shall at once forward the application  
19 and fee to the department. The department shall register and assign  
20 to the trailer a distinctive number and shall forward to the owner  
21 a certificate of registration and a single number plate bearing the  
22 number corresponding to the number assigned to the trailer. In the  
23 event of the loss, mutilation or destruction of any number plate, the  
24 owner of the registered motor vehicle, or manufacturer, or dealer,  
25 as the case may be, may obtain from the department a duplicate  
26 thereof upon filing in the office of the department an affidavit  
27 showing such facts and the payment of a fee of fifty cents (\$.50)  
28 for each plate. Duplicate certificates of registration may be issued  
29 by the county treasurer in like cases, without the payment of any  
30 fee therefor.

1 Sec. 5. The executive council shall purchase all number  
2 plates, containers and other supplies required by this act after

3 receiving competitive bids under open specifications. The bidders  
4 shall be required to furnish samples of such supplies and in  
5 awarding the contract the council may consider the quality and  
6 suitability of the samples submitted as well as the prices quoted.  
7 A record of all bids submitted shall be kept and the samples  
8 submitted shall be preserved until the next subsequent letting.  
9 The successful bidder shall be required to execute to the state  
10 a good and sufficient bond in such amount as the executive council  
11 shall require, conditioned upon the plates furnished  
12 being in accordance with the samples and specifications, and  
13 providing for liquidated damages for failure to deliver  
14 plates at the time specified in the contract. In lieu of  
15 purchasing under competitive bids the council shall have  
16 authority to arrange with the board of control to furnish  
17 such supplies as may be made at the state institutions.

1 Sec. 6. On or before the first day of December of  
2 each year, the department shall deliver, or cause to be de-  
3 livered to the county treasurer of each county, approximately as  
4 many duplicate number plates as there are motor vehicles registered  
5 in such county during the preceding year, the plates so delivered  
6 to each county treasurer to be in numerical sequence. There-  
7 after, during the year, the department, upon requisition of the  
8 county treasurer, shall deliver additional number plates. The  
9 department shall keep an accurate record of all number plates  
10 issued at each county, and shall also keep a record showing the  
11 assignment thereof by the county treasurer to motor vehicles.

12 Such number plates shall be of metal, at least six (6) inches wide  
13 and not less than fifteen (15) inches in length, on which there  
14 shall be the initials "Ia" and numerals indicating the year for  
15 which it is issued; and of a distinctively different color each  
16 year, and there shall be at all times a marked contrast between the  
17 colors of the number plates and that of the numerals or letters  
18 thereon, said colors to be designated by the department. The  
19 distinctive number assigned to the vehicle shall be set forth in nu-  
20 merals four (4) inches long, each stroke of which shall be at least  
21 five-eighths ( $\frac{5}{8}$ ) of an inch in width. In the case of a motor  
22 vehicle registered by a manufacturer or dealer, there shall be on such  
23 plate, in addition to the foregoing, the letter "D", each stroke  
24 of such letter to be at least four (4) inches long and five-  
25 eighths ( $\frac{5}{8}$ ) of an inch in width. The number plates for use  
26 on a motor bicycle or a motorcycle shall be one-half ( $\frac{1}{2}$ ) the  
27 size above stated. All number plates issued shall be and re-  
28 main the property of the state of Iowa.

1 Sec. 7. Registration shall be renewed annually in the  
2 same manner as provided in section nine (9) for registration,  
3 to take effect on the first day of January of each year; pro-  
4 vided, that the county treasurer shall withhold the registra-  
5 tion of any motor vehicle the owner of which shall have failed  
6 to register the same for any previous period or periods  
7 for which it appears that registration should have been made, un-  
8 til the fee for such previous period or periods shall be paid.  
9 All certificates of registration issued under provisions of

10 this act shall expire on the last day of the calendar year  
11 in which they were issued.

1     Sec. 8. When a motor vehicle is permanently dismantled  
2 or no longer used on the public highway, the owner thereof  
3 shall detach the license plates and container for certificate of  
4 registration and surrender them to the county treasurer, who  
5 shall cancel the registration of record and report such can-  
6 cellation forthwith to the department upon blanks provided for  
7 that purpose.

1     Sec. 9. An annual license fee of fifteen dollars (\$15.00)  
2 shall be paid upon the registration or re-registration of all  
3 motor vehicles except motor trucks, motorcycles and motor bi-  
4 cycles and in addition thereto a license fee of one and one-half  
5 ( $1\frac{1}{2}$ ) per cent shall be paid on value in excess of one thousand  
6 dollars (\$1000.00), determined as provided in this act. Pro-  
7 vided, that the fee for registering any theretofore unregis-  
8 tered motor vehicle purchased on or after July first and prior  
9 to December first of any year, shall be one-half ( $\frac{1}{2}$ ) of the annual  
10 fee therefor, and, that a motor vehicle purchased in December shall  
11 be registered for one-tenth ( $\frac{1}{10}$ ) of the annual fee for the re-  
12 mainder of the calendar year. Provided, further, that each manu-  
13 facturer or dealer selling or otherwise disposing of motor ve-  
14 hicles theretofore unregistered in this state, to a resident of  
15 this state, shall forthwith report to the county treasurer of the  
16 county in which the purchaser resides, each such sale, stating  
17 the date of such sale made on or after July 1st of each calendar

18 year; such report shall be made on blanks to be furnished by the  
19 department upon request, and shall be made in such a manner as he  
20 shall direct; and, provided further, that no motor ve-  
21 hicle shall be registered for less than the annual fee because of  
22 its having been purchased on or after July 1st until such manu-  
23 facturers' or dealers' report shall have been filed as herein pro-  
24 vided, and provided, that the annual fee for the registration or  
25 re-registration of a motor bicycle or motorcycle shall be five  
26 dollars (\$5.00).

27 An annual license fee for the registration or re-registration  
28 of all motor trucks and trailers shall be paid on the manufacturers'  
29 rating of load capacity, in accordance with the following rates:

30 Motor trucks equipped with all pneumatic tires:

31	1	ton or less capacity	\$15.00 per annum
32	1½	" "	25.00 " "
33	2	" "	45.00 " "
34	2½	" "	60.00 " "
35	3	" "	75.00 " "
36	3½	" "	95.00 " "
37	4	" "	115.00 " "
38	4½	" "	140.00 " "
39	5	" "	165.00 " "

40 For each additional ton capacity above five tons add \$150.00  
41 to five-ton rate.

42 Motor trucks equipped with two or more solid rubber tires:

43	1	ton or less capacity	\$25.00
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44	1½	“	“	35.00
45	2	“	“	65.00
46	2½	“	“	80.00
47	3	ton capacity		\$95.00
48	3½	“	“	120.00
49	4	“	“	145.00
50	4½	“	“	170.00
51	5	“	“	200.00

52 For each additional ton capacity above five tons add \$150.00  
53 to five-ton rate.

54 Motor trucks equipped with iron, steel or hard tires:

55	1	ton or less capacity		\$40.00
56	1½	“	“	50.00

57 No license to be issued for heavier load capacities.

58 Trailers equipped with all pneumatic tires:

59	1	ton or less capacity		\$10.00
60	2	“	“	20.00
61	3	“	“	30.00
62	4	“	“	40.00
63	5	“	“	50.00
64	6	“	“	60.00

65 Trailers equipped with two or more solid rubber tires:

66	1	ton or less capacity		\$15.00
67	2	“	“	25.00
68	3	“	“	40.00
69	4	“	“	55.00

70	5	"	"	65.00
71	6	"	"	75.00
72	Trailers equipped with iron, steel or hard tires:			
73	Under 1/2 ton capacity			\$3.00
74	1	"	"	15.00
75	2	"	"	30.00
76	3	"	"	50.00
77	4	"	"	65.00
78	5	"	"	80.00
79	6	"	"	95.00

80 All motor trucks, trailers, and motor vehicles used for other  
81 than the conveyance of passengers shall have attached thereto a  
82 conspicuous metal plate giving the actual weight of the vehicle  
83 as equipped and weight of loading capacity as specified by the  
84 manufacturer or make and no license shall be issued until the  
85 vehicle is so equipped. No greater weight or load shall be al-  
86 lowed than specified on the load capacity plate. Any person  
87 violating any of the provisions of this section shall be deemed  
88 guilty of a misdemeanor, and upon conviction, subject to a fine  
89 of not less than five dollars (\$5.00) nor more than fifty dollars  
90 (\$50.00) for the first and second offenses. Upon a third con-  
91 viction, the department shall have authority to cancel the cer-  
92 tificate of registration and call in the number plates and a new  
93 license shall not be issued for any such motor vehicle for a period  
94 of one year.

1 Sec. 10. It shall be unlawful for any person known as a

2 chauffeur, and employed for hire therefor, to operate or drive a  
3 motor vehicle upon the public highways, or streets, of cities or  
4 towns of this state, unless licensed by the department as here-  
5 in provided.

6 Any person desiring a chauffeur's license shall file with  
7 the department an application under oath stating his name, resi-  
8 dence, business address, if any, age, color, single or married,  
9 whether he has ever been convicted of a violation of the motor  
10 vehicle laws of this state or any other state, or has been con-  
11 victed within one year of intoxication, and such other information  
12 as the department may require. Such license shall not be issued un-  
13 til the department is satisfied that the applicant is over eighteen  
14 (18) years of age and is a fit and proper person to receive such  
15 license. The fee for chauffeur's license shall be two dollars  
16 (\$2.00) payable annually and shall expire on the last day of the  
17 year in which it is issued.

18 To each person shall be assigned a distinguishing number and the  
19 department shall issue to the licensee a certificate contain-  
20 ing the distinguishing number or mark assigned to the license,  
21 his name, age, place of residence, business address, if any, and  
22 a brief description of the licensee for purpose of identification,  
23 and such other information as the department shall deem necessary.

24 Every person licensed as a chauffeur, shall endorse his usual  
25 signature on the license certificate and his license shall not  
26 be valid until the certificate is so endorsed.

27 The department shall also furnish, without extra charge

28 therefor, to each chauffeur licensed, a suitable metal badge with  
29 the number assigned to him stamped thereon, such badge to have  
30 stamped thereon the words "Registered Chauffeur No. ...., Iowa,"  
31 and year of issue.

32 This badge shall thereafter be worn by such chauffeur,  
33 affixed to his clothing in a conspicuous place, at all times when  
34 he is operating a motor vehicle upon the public highway, and the  
35 license certificate shall be carried at all times when he is  
36 operating a motor vehicle upon the public highway and shall be pro-  
37 duced for inspection upon request by any peace officer. In case of  
38 the loss of such badge or certificate a duplicate will be issued  
39 by the department on the filing of an affidavit showing the fact of loss,  
40 and on payment of a fee of one dollar (\$1.00) to the department in  
41 the case of a badge, and fifty cents (\$.50) in case of a certifi-  
42 cate. Applications for the annual renewal of licenses by chauffeurs  
43 shall be accompanied by the fee required by this section. No chauffeur's  
44 license or badge shall be issued to any applicant under the age of  
45 eighteen (18) years; PROVIDED, that it shall be unlawful for any  
46 person to cause, or knowingly to permit his or her child, ward or  
47 employee to operate a motor vehicle upon the public highway, as a  
48 chauffeur without first having obtained such license as is herein-  
49 before specified; and the application to the department of a minor  
50 to operate a motor vehicle, as chauffeur, shall not be granted by the  
51 department unless the parent or parents having the custody of such  
52 applicant or the guardian of such applicant shall have joined in  
53 said application by signing the

54 same; AND PROVIDED FURTHER, that any negligence of a minor, so  
55 licensed, in operating a motor vehicle upon the public highway,  
56 as chauffeur, shall be imputed to the person, persons or cor-  
57 poration, who shall employ said chauffeur, which person, persons  
58 or corporation shall be jointly and severally liable with such minor  
59 for any damage caused by such negligence.

60 Upon the receipt of an application, the department shall reg-  
61 ister the applicant in a book or on index cards which shall be  
62 kept in the same manner as the books or index cards for the  
63 registration of motor vehicles.

64 No person shall use a fictitious name in applying for such  
65 chauffeur's license, nor shall any chauffeur voluntarily permit  
66 any other person to possess or use his license certificate or  
67 badge; nor shall any person, while operating a motor vehicle, use  
68 or possess any license certificate or badge belonging to another  
69 person.

70 No person shall display or cause or permit to be displayed,  
71 or have in his possession, any canceled, revoked, altered or  
72 fictitious registration number plate, registration certificate,  
73 chauffeur's license certificate or chauffeur's badge, as the same are  
74 respectively provided for in this act.

75 The official head of the department may, after due hearing,  
76 upon not less than five (5) days' notice to be sent by registered  
77 letter to the address given by the person seeking a chauffeur's  
78 license, which shall constitute a sufficient service of notice,  
79 suspend or revoke the chauffeur's license issued to any person.

80 under this act, for any cause which he may deem sufficient, or he  
81 may, when a chauffeur has been convicted a third time of a violation  
82 of any of the provisions of this act, revoke or suspend the license  
83 of the chauffeur so convicted and no new license shall be issued to such  
84 person for at least one (1) year after the date of revocation of such  
85 license nor thereafter except in the discretion of the said officer.

86 Any certificate of license issued to any chauffeur to operate  
87 motor vehicles upon an application or state-  
88 ment which is untrue as to any material fact, shall be void from  
89 the date of issue.

90 Any chauffeur whose license shall be revoked by the de-  
91 partment, or shall be found to be void, shall forthwith return his  
92 license certificate and badge to the department.

93 The license fees received from chauffeurs and any other fees  
94 which may be received by the department under this act shall be  
95 a part of the motor vehicle fund.

1. Sec. 11. No person under fifteen (15) years of age shall  
2 operate or drive a motor vehicle by permission from the  
3 owner of the car and unless such person be accompanied by a per-  
4 son of mature years and in all cases where damage is done by any  
5 car driven by any person under fifteen (15) years of age and in  
6 all cases where damage is done by the car, driven by consent of  
7 the owner, by reason of negligence of the driver, the owner of  
8 the car shall be liable for such damage.

1 Sec. 12. Every manufacturer of a motor vehicle sold or  
2 offered for sale within this state, either by the manufacturer,

3 distributor, dealer or any other person, shall, on or before the  
4 first day of June, 1919, and annually thereafter, file in the of-  
5 fice of the department, a sworn statement showing the various models  
6 manufactured by him, and the retail list price of each model as of  
7 June first of that year. No motor vehicle shall be registered in  
8 this state unless the manufacturers thereof have furnished to the  
9 department the sworn statement herein provided, giving the list  
10 price of the model of the motor vehicle that is offered for regis-  
11 tration, except that the county treasurer shall have authority to  
12 fix the value of any rebuilt or foreign car or any cars on which  
13 the list price is not available, provided the department shall have  
14 authority to review the action of the county treasurer in such cases  
15 establish the correct value and revoke the findings of the county  
16 treasurer, if found incorrect.

1 Sec. 13. All motor vehicles owner, and used in the trans-  
2 action of official business, by the representatives of foreign  
3 powers or by officers, boards or departments of the government  
4 of the United States, and by the state of Iowa, counties, muni-  
5 cipalities and other sub-divisions of government, and such self-  
6 propelling vehicles as are used neither for the conveyance of per-  
7 sons for hire, pleasure or business, nor for the transportation  
8 of freight, and small trailers under one thousand (1000) pounds  
9 capacity, equipped with rubber tires, used and attached to pleasure  
10 motor vehicles and used for carrying personal baggage or effects,  
11 are hereby exempted from the payment of the fees in this act  
12 prescribed. The department shall furnish, on application, free

13 of charge, distinguishing plates for motor vehicles thus exempted  
14 and keep a separate record thereof.

1 Sec. 14. The department shall prepare, prior to the  
2 second day of July, 1919, and annually thereafter, a statement  
3 showing all the different makes and models of motor vehicles pre-  
4 viously registered in his department, and all the different makes  
5 and models of motor vehicles, statements of which have been filed  
6 in his office as provided in section twelve (12) hereof, together  
7 with the retail list price of the same, and the executive council  
8 shall, on or before the 15th day of July of each year, and at such  
9 other times as they may deem necessary, fix a value of each of the  
10 different makes and models of motor vehicles so reported to them  
11 by the department, or which are sold or offered for sale within  
12 the state. The value thus fixed shall be based on the retail list  
13 price of such vehicles as compared with the value of a new motor  
14 vehicle of the same make and model, provided, however, that for  
15 each year for which such motor vehicle has been registered, a re-  
16 duction of ten (10) per cent shall be made from the retail list  
17 price, new, of such vehicle after the first registration; and, pro-  
18 vided further, that no reduction shall be made for a greater period  
19 than five (5) years, provided further, that the value thus fixed  
20 shall be only for the purpose of determining the license fee to be  
21 charged for the registration of such motor vehicle, and provided  
22 further, that the license fee in no case shall be less than fifteen  
23 dollars (\$15.00).

24 The statement prepared by the department shall also include

25 the loading capacities of the various makes and models of motor  
26 trucks and trailers and the proper license fee to be paid for the  
27 registration of each.

1 Sec. 15. All registration fees herein or heretofore pro-  
2 vided for shall be and continue a lien against the motor vehicle  
3 for which said fees are payable until such time as they are paid  
4 as provided by law, with any accrued penalties. The lien of the  
5 original registration fee shall attach, at the time the same is  
6 first payable, as provided by law, and the lien of all renewals of  
7 registration shall attach on January 1st of each year thereafter.  
8 The collection of same may be enforced against any motor vehicle  
9 or it may be collected by suit against the owner who shall remain  
10 personally liable therefor until such time as the transfer thereof  
11 shall be reported to the county treasurer or until such time as  
12 said vehicle ceases to be in use and all fees and penalties to such  
13 date shall be paid. On April first of each year, a penalty of one  
14 dollar (\$1.00) shall be added to all fees not paid by that date,  
15 and one dollar (\$1.00) shall be added to such fees on May 1st and  
16 on the first day of each month thereafter that the same remains  
17 unpaid, until paid.

18 On June first of the year 1921, and annually thereafter, the  
19 department shall forward to the county treasurer of each county,  
20 a list of all motor vehicles in said county on which the registra-  
21 tion fee has not been paid, showing the amount of the delinquent  
22 fee and penalties, registration number, make and factory number,  
23 together with the name and address of the owner of each car as de-

24 scribed by the records. In the first week of July of each year the  
25 county treasurer shall cause to be published in each of the offi-  
26 cial newspapers in his county, a list of all motor vehicles owned  
27 within his county upon which the license fee has not been paid for  
28 that year. Such list shall show the factory number, make and model  
29 of the vehicle together with the name and post-office address of the  
30 owner thereof as shown by the records of his office and the amount  
31 of the license fee and penalty due upon the vehicle. Immediately  
32 after the publication of the list as herein provided, it shall be  
33 the duty of the county treasurer to collect the license and pen-  
34 alty as shown by the published list.

35 The county treasurer shall collect from each delinquent, fifty  
36 cents (\$.50) on each vehicle on which the fee is delinquent to  
37 cover cost of publication. The cost of publication provided for in  
38 this section shall be paid as other bills for the maintenance of  
39 this department, but shall first be certified by the county treasurer  
40 of the county in which the publication was made, and approved by  
41 the department. He shall in all cases collect and remit to the de-  
42 partment the correct license fee on each motor vehicle registered  
43 by him and shall be responsible on his bond for such amount. All  
44 fees and penalties collected by the county treasurer shall be remit-  
45 ted to the department on the first and fifteenth day of each month  
46 following their collections.

47 It shall be the duty of the county treasurer to deliver to the  
48 sheriff of the county, fifteen (15) days from date of publication  
49 of the delinquent motor list, a certified list of the motor vehicles

50 on which the fees are delinquent, as shown by record of his office,  
51 which list shall show name and address of owner, make of car, li-  
52 cense number, factory and engine number, amount of fees and pen-  
53 alty due, together with a writ of seizure for such motor vehicle  
54 upon which the fees and penalties are unpaid.

55 It shall be the duty of the sheriff of the county to forthwith  
56 proceed to the collection of the unpaid fees and penalties as cer-  
57 tified to him by county treasurer by taking possession of the motor  
58 vehicle described in said list and writ of seizure for said motor  
59 vehicle, and proceed to advertise and sell same upon ten (10) days  
60 notice for the purpose of collecting fees, penalties and costs, pro-  
61 vided however, that should a motor vehicle on which the fee is del-  
62 inquent be removed from the county in which it was originally  
63 registered, either by transfer or removal by owner to another  
64 county, without having notified the county treasurer or department  
65 of such removal and the sheriff knowing to which county same was  
66 removed, may forward the warrant to the sheriff of the county where  
67 such motor vehicle is at that time, when he shall proceed to  
68 collect the same as though the vehicle had been originally  
69 registered in his county, and make return to the county treasurer  
70 of the county from which he received the writ.

71 The sheriff shall be entitled to receive as costs, the sum  
72 of two dollars (\$2.00) for serving writ of seizure and ten cents  
73 (\$.10) for each mile actually traveled by him in collecting the  
74 fee and penalties, and one dollar (\$1.00) per day for care of the  
75 motor vehicle while in his possession, which shall be collected

76 from the owner of such delinquent motor vehicle, such costs and  
77 mileage, and costs of care while in his possession, shall be  
78 retained by him in full for his services.

79 When the fee and penalties have been collected the same  
80 shall forthwith be returned to the county treasurer, together  
81 with a report showing the name and address of the owner and  
82 description of car upon which such fee was collected. Thereupon  
83 the county treasurer shall issue to the owner number plates and  
84 a receipt showing payment of fees and penalties.

1 Sec. 16. It is hereby made the duty of the department  
2 to prepare and furnish the treasurer of each county all bank books,  
3 blank forms and all supplies required for the administration of  
4 this act, including applications for registration and transfer of  
5 vehicles, triplicate receipts, one of which shall be returned to  
6 the department on the day the license was issued, one delivered  
7 to the owner of the motor vehicle, and one retained by the  
8 treasurer of the county, and including duplicate remittance sheets  
9 to be used in remitting fees to the department, which shall contain  
10 the license number, name and address of owner, price or load capacity  
11 of the vehicle, and the fee collected. All receipts for fees paid, cer-  
12 tificates of registration, notices of transfer, and other blanks  
13 required for the administration of this act shall contain the li-  
14 sence number, and manufacturer's number, factory number, name of  
15 owner, and such other matters as the department may deem necessary  
16 for the efficient administration of this act.

17 It shall be the duty of the department to install and main-

18 tain a numerical and county card index, both of which shall contain,  
19 the following information; viz., name and address of owner, license  
20 number, make, factory number, model, style, engine number, date of  
21 purchase, registration certificate number, number of cylinders,  
22 rated load carrying capacity, list price or value of car fixed by the  
23 executive council, fees paid and date of payment. The card index to  
24 be ruled so as to show the value fixed by the executive council each  
25 year, the fees paid and date of payment, for at least ten (10) years.

26 The certificate of registration provided for herein shall con-  
27 tain on its face the name of the owner of the motor vehicle, his post-  
28 office address, date of issue, fee paid, license number, make of car,  
29 year built, style of car, model, engine number, number of cylinders,  
30 factory number, value and signature of owner. The reverse side of  
31 the certificate of registration shall contain notice of sale and  
32 transfer of the motor vehicle by the owner to the purchaser with a  
33 description of the car as set out in the certificate of registration  
34 which shall have blank spaces for the signature of both the owner and  
35 purchaser.

1 Sec. 17. The registration fees imposed by this act upon  
2 motor vehicles, other than those of manufacture and dealers, shall be  
3 in lieu of all taxes, general or local, to which motor vehicles may be  
4 subject.

1 Sec. 18. Upon the transfer of ownership of any  
2 registered motor vehicle, the owner shall immediately give notice to  
3 the county treasurer upon the form attached to the certificate of  
4 registration, containing the date of such transfer, the name and post-

5 office address, with street number if in a city, of the person to whom  
6 transferred, the license number, and such other information as the depart-  
7 ment may require. The purchaser of the motor vehicle shall join  
8 in the notice of transfer to the county treasurer and shall at the  
9 same time make application for the transfer of the motor vehicle  
10 and for a new certificate of registration. Upon filing the appli-  
11 cation for transfer, the applicant shall pay a fee of one dollar  
12 (\$1.00) for the transfer, thereupon the county treasurer, if satis-  
13 fied of the genuineness and regularity of such transfer, shall reg-  
14 ister said motor vehicle in the name of the transferee and issue  
15 a new certificate of registration as provided in this act. Until  
16 said transferee has received said certificate of registration and  
17 has written his name upon the face thereof, delivery and title to  
18 said motor vehicle shall be deemed not to have been made and passed.  
19 The county treasurer shall forthwith notify the department  
20 of such transfer and upon receipt of such statement and fee, the  
21 department shall file such statement in his office and note upon  
22 the registration book or index, such change of ownership.

23 The provisions provided for herein for the transfer of  
24 motor vehicles shall apply to the sale and transfer of all motor  
25 vehicles to manufacturers or dealers.

1 Sec. 19. It shall be unlawful for any person, firm,  
2 association, or corporation to buy any second hand or used automobile,  
3 or motor vehicle without requiring and receiving from the vendor  
4 thereof, a certificate of registration and transfer from the officer  
5 whose duty it is to register or license motor vehicles in the state

6 in which said motor vehicle is registered or licensed, showing the  
7 factory number, license number, description, and ownership of said  
8 automobile or motor vehicle or to sell or offer for sale any second  
9 hand or used automobile or motor vehicle without furnishing to the  
10 vendee of said automobile or motor vehicle, a certificate of  
11 registration and transfer from the officer whose duty it is to  
12 register or license automobiles and motor vehicles in the state in  
13 which said automobile or motor vehicle is registered or licensed,  
14 showing the factory number, description, license number and  
15 ownership of said automobile or motor vehicle.

16 It shall also be unlawful for any person, firm, association  
17 or corporation to deface, change or transfer any serial number,  
18 engine number, or assembling number of a motor vehicle or regis-  
19 tration number or certificate of registration or to have in his  
20 or its possession an automobile or motor vehicle, the serial num-  
21 ber or engine number of which is defaced, changed or tampered with  
22 unless said person, firm, association or corporation has in his or  
23 its possession a certificate of registration and transfer from the  
24 officer whose duty it is to register or license automobiles and  
25 motor vehicles in the state in which said automobile or motor  
26 vehicle is registered, showing good and sufficient reason why  
27 numbers are defaced, changed or tampered with; and also showing  
28 the original serial or engine number, and also showing the owner-  
29 ship of said automobile.

30 Any person, firm, association or corporation found guilty,  
31 personally or by agent, of violating any of the provisions of.

32 this section shall be imprisoned in the penitentiary not more than  
33 five (5) years or be fined not more than one thousand dollars  
34 (\$1,000.00) and be imprisoned in the county jail not more than one  
35 (1) year.

1 Sec. 20. Upon the sale of a motor vehicle by manufacturers  
2 or dealers, the vendee shall at once make application by mail or  
3 otherwise, for registration thereof, after which he may operate the  
4 same upon the public highway without its individual number thereon  
5 for a period of not more than fifteen (15) days, provided, that  
6 during such period the motor vehicle shall have attached thereto, in  
7 accordance with the provision hereof, both on the front and rear of  
8 such vehicle, pasteboard cards bearing the words, "License Applied  
9 For", and the registration number of the dealer from whom the  
10 car was purchased together with the date of purchase plainly  
11 stamped or stenciled thereon. The letters and figures upon  
12 such cards shall not be less than one (1) inch in height  
13 except that the letters in the words "License Applied For", shall  
14 not be less than two (2) inches in height, provided, that no  
15 manufacturer or dealer shall issue or permit the use of such card  
16 until application for a license has been made, as herein provided,  
17 by the person to whom it is issued. The department shall, upon  
18 the application of any manufacturer or dealer, furnish such cards  
19 free of charge with the words "License Applied For" printed  
20 thereon and sufficient blank space to permit the printing, stamping  
21 or stenciling thereon of the dealers' number and the date. Provided,  
22 further, that a motor vehicle that is being brought into this state

23 from another state either for use or for sale herein, may be driven  
24 upon the public highway for a period of not to exceed ten (10)  
25 days provided it shall carry, both on the front and rear a paste-  
26 board card bearing the words, "Car in Transit", and the date of  
27 purchase. The words, letters and figures upon said car shall  
28 be of the same size and general character as those required in this  
29 section for the cards showing that application has been made for  
30 a license. Nothing in this section, however, shall be construed  
31 so as to interfere with the use of motor vehicles upon the public  
32 highways of this state that are owned by persons living in another  
33 state, regulation of which is provided for elsewhere in this act.

1 Sec. 21. Except as otherwise provided in this act, no  
2 person shall operate or drive a motor vehicle on the public highways  
3 of this state unless such motor vehicle shall have a distinctive  
4 number assigned to it and two number plates with numbers corre-  
5 sponding to that of the certificate of registration, conspicuously  
6 displayed—one on the front and one on the rear of such vehicle,  
7 each securely fastened so as to prevent the same from swinging.

8 The certificate of registration issued by the county treasurer,  
9 shall be displayed in a proper holder that will protect the same,  
10 of a kind approved by the executive council, which holder shall be  
11 placed in plain view in the driver's compartment of the motor vehicle.  
12 The executive council may, at its discretion, approve devices for  
13 holding and displaying certificates of registration. It shall be un-  
14 lawful to change the license numbers assigned by the county treasurer  
15 to any motor vehicle, unless for some cause a new number may be

16 assigned according to law, or to use or display on any motor vehicle  
17 any number plates or certificate of registration, other than those  
18 issued licensing such vehicle, or to intentionally use or display  
19 such certificate of registration on which the names, numbers, or date  
20 started, are not true or do not correspond to the vehicle licensed.

1 Sec. 22. Every person, firm, association or corporation  
2 manufacturing or dealing in motor vehicles, may instead of register-  
3 ing each motor vehicle, make an application for a general distinctive  
4 number for all the motor vehicles owned or controlled by such manu-  
5 facturer or dealer. On the payment of a registration fee of twenty-  
6 five dollars (\$25.00), such application shall be registered in the  
7 office of the department. The department shall thereupon assign and  
8 issue to such manufacturer or dealer a general distinctive number, and  
9 without expense to the applicant, issue and promptly deliver to such  
10 manufacturer or dealer, a certificate of registration and two number  
11 plates with a number corresponding to the number of such certificate  
12 of registration.

13 Such number plates shall be displayed by each motor vehicle of  
14 such manufacturer or dealer when the same is operated or driven on  
15 the public highways. Such manufacturer or dealer may obtain as many  
16 duplicates of such number plates as may be desired upon the payment  
17 to the department of twenty-five dollars (\$25.00) for each duplicate  
18 set, provided that if a manufacturer or dealer has an established  
19 place of business in more than one city or town, such manufacturer  
20 or dealer shall secure a separate and distinct certificate of regis-  
21 tration and number plates for each such place of business. Nothing

22 in this section shall be construed to apply to a motor vehicle oper-  
23 ated by a manufacturer or dealer for private use or for hire, which  
24 said motor vehicle shall be individually registered as provided in  
25 this act.

1     Sec. 23. The provisions of the foregoing sections relative  
2 to registration and display of registration numbers shall not apply  
3 to a motor vehicle owned by a nonresident of this state,  
4 other than a foreign corporation, manufacturer or dealer doing busi-  
5 ness in this state, provided that the owner shall have complied with  
6 the provisions of the law of the foreign country, state, territory  
7 or federal district of his residence relative to registration of  
8 motor vehicles and the display of registration numbers thereon, and  
9 shall conspicuously display his registration numbers as required  
10 thereby. The provisions of this section shall be operative as to a  
11 motor vehicle owned by a nonresident of this state to the extent that  
12 under the laws of the foreign country, state, territory or federal  
13 district of his residence like exemptions and privileges are granted  
14 to motor vehicles duly registered under the laws, and owned by the  
15 residents of this state.

1     Sec. 24. (a) Every motor vehicle, while in use on the  
2 public highways of this state, shall be provided with adequate brakes.  
3 (b) Every motor vehicle shall be equipped with a suitable bell, horn,  
4 or other signalling device producing an abrupt sound sufficiently  
5 loud to serve as an adequate warning of danger, but no persons operat-  
6 ing any motor vehicle shall make or cause to be made any unnecessary  
7 noise with such bell, horn, or signalling device, or use the same ex-

8 cept as a warning of danger. Loud signalling devices shall not be  
9 used during the period of from one hour after sunset to one hour be-  
10 fore sunrise, unless absolutely necessary to avoid accidents. An  
11 adequate signalling device shall in all cases be sounded on approach-  
12 ing curves, tops of hills, and interesting highways in the country  
13 where the operator's view is obscured. (c) All motor vehicles in  
14 use on the public highways excepting motorcycles, motor bicycles,  
15 and such motor vehicles as are properly equipped with one light in  
16 the forward center of such motor vehicle, shall, during the period of  
17 from one-half hour after sunset to one-half hour before sunrise, dis-  
18 play two or more white or tinted lights, other than red, on the for-  
19 ward part of said vehicle, so placed as to be seen from the front, and  
20 of sufficient illuminating power to be visible at a distance of five  
21 hundred (500) feet in the direction in which displayed, and to re-  
22 veal any persons, vehicle, or substantial object seventy-five (75)  
23 feet ahead of the lamps. Such motor vehicle when in use shall also  
24 display on the rear a lamp so constructed and placed as to show a  
25 red light from the rear and throw a white light directed upon the  
26 rear registration marker and render the numerals thereon visible for  
27 at least fifty (50) feet in the direction from which the vehicle is  
28 proceeding. Motorcycles, motor bicycles and motor vehicles equipped  
29 with one light as herein provided, shall display on the forward part  
30 one white or tinted light, as aforesaid, and a red light to the rear,  
31 so constructed and placed as to throw a white light directly upon the  
32 registration marker as prescribed in the case of any other motor ve-  
33 hicles, provided that the operator of any motor vehicle may proceed

34 in a cautious and careful manner, in the event of a failure of one  
35 or more of his lights to operate, toward his destination, but he  
36 shall take the first reasonable opportunity to put his lights in  
37 order, otherwise to be deemed guilty of violation of this provision.  
38 the provision as to the rear light shall also apply to vehicles  
39 which are trailed or towed by motor vehicles. It shall be unlawful  
40 to use on a vehicle of any kind operated on the public highways of  
41 this state, including motorcycles, any lighting device of over four  
42 (4) candle power, equipped with a reflector, unless the same shall  
43 be so designed, or arranged that the directly reflected and undif-  
44 fused beam of such light when measured seventy-five (75) feet or  
45 more ahead of the light shall not rise above forty-two (42) inches  
46 from the level surface on which the vehicle stands under all con-  
47 ditions of load. If, in addition to headlights, any such vehicle  
48 is equipped with any auxiliary light, projecting lights, or devices  
49 other than the rear lamp, such auxiliary light or lights shall be  
50 subject to all the restrictions of this section, regarding direction  
51 of the beam. If a spotlight is used on a motor vehicle it shall be  
52 unlawful for any person to direct its rays toward the eyes of the  
53 driver or occupants of an approaching vehicle, or to the left of  
54 the center of the traveled way when meeting another vehicle. No per-  
55 son shall operate a motor vehicle on any highway of this state equipped  
56 with an electric bulb or other lighting device of a greater  
57 capacity than thirty-two (32) candle power, no matter how the  
58 same may be shaded, covered or obscured. Any person who shall turn  
59 all or any of his motor vehicle's lights off for the purpose of

60 avoiding arrest or identification, shall be deemed guilty of a mis-  
61 demeanor and, upon conviction, subject to a fine of one hundred  
62 dollars (\$100.00) or imprisonment for a period of not to exceed  
63 thirty (30) days, or both fine and imprisonment. (d) It shall  
64 be unlawful for any operator of any motor car, taxicab, automo-  
65 bile, motor truck or motorcycle, while on the public highway, to  
66 use any cutout fitting or other apparatus or device which will al-  
67 low the exhaust gases from the engine of the motor vehicle to es-  
68 cape into the atmosphere without first passing through a silencer,  
69 expansion chamber, or other contrivance suitable and sufficient for  
70 reducing as far as may be reasonably practicable, the noise which  
71 would otherwise be caused by the escape of the said gases, provided  
72 further, that it shall be unlawful for any person to drive or to  
73 permit to be driven on the streets of any city or town, any motor  
74 vehicle at any time with the muffler cut out or not in operation.  
75 Any violation of this section shall constitute a misdemeanor, and  
76 upon conviction, shall be punishable by a fine of not less than  
77 five dollars (\$5.00) nor more than twenty-five dollars (\$25.00) for  
78 the first and second offense, provided further that for the third  
79 conviction the department shall revoke the license and certificate  
80 of registration of the person so convicted and no new license or  
81 certificate shall be granted to the person for a period of one (1)  
82 year.

83 It shall be the duty of the mayor of cities and towns, the  
84 police, sheriff, and all peace officers to enforce provisions of this  
85 act.

1     Sec. 25. Upon approaching any person walking in the traveled  
2 portion of any public highway or a horse or any animal being led,  
3 ridden or driven thereon, or a crossing or intersection of public  
4 highways, or a bridge, or a sharp turn, or a curve, or a steep de-  
5 scent, and also in passing such person or such horse or other  
6 animal, and in traversing such crossing, bridge, turn, curve or  
7 descent, the person operating a motor vehicle or motorcycle shall  
8 have the same under control and shall reduce the speed to a rea-  
9 sonable and proper rate.

10    Except where safety cones are provided, and the highway is  
11 of sufficient width to admit of safe passage, the driver or opera-  
12 tor of every vehicle shall bring the same to a full stop not less  
13 than five (5) feet from the rear of any street car headed in the  
14 same direction which has stopped for the purpose of taking on and  
15 discharging passengers, and remain standing until such car has  
16 taken on or discharged its passengers. Any person violating any  
17 requirement of this section shall be deemed guilty of a misde-  
18 meanor and subject upon conviction to a fine of not less than  
19 ten dollars (\$10.00) nor more than one hundred dollars (\$100.00)  
20 for the first offense. The provisions of this section shall apply  
21 to the operator who causes his motor vehicle to be operated in  
22 violation of this section.

23    (a) The operator of a motor vehicle shall turn to the right  
24 when meeting another vehicle, and in cities and towns shall at all  
25 times travel on the right hand side of the center of the street.

26    (b) The operator of a motor vehicle, when overtaking and

27 passing another vehicle, shall pass to the left and shall not drive.  
28 to the right until clear of such vehicle.

29 (c) The operator of a motor vehicle shall, before stopping,  
30 turning or changing the course of such vehicle, first see that  
31 there is sufficient space to make such movement in safety and shall  
32 give a visible or audible signal to the crossing officer, if there  
33 be such, or to the drivers of vehicles following, of his intention  
34 to make such movement, by raising and extending the hand and indi-  
35 cating with it the direction in which he wishes to turn.

36 (d) The operator of a motor vehicle, in turning to the right  
37 from one street or highway into another, shall turn the corner as  
38 near the right hand as practicable, and, in turning to the left  
39 from one street or highway into another, shall pass to the right  
40 of and beyond the center before turning.

41 (e) The operator of a motor vehicle, in crossing from one  
42 side of the street, or highway, to the other side thereof, shall  
43 turn to the left, so as to head in the direction in which vehicles  
44 are moving.

45 (f) In cities and towns it shall be unlawful to stop a motor  
46 vehicle on the street unless the right side thereof is next to and  
47 parallel with the curb and as near thereto as the condition of the  
48 street will permit; provided, that this rule shall not apply in  
49 cases of emergency, when the stop is made to avoid accident or to  
50 allow pedestrians or vehicles to cross in front of such motor vehicle,  
51 or when made in obedience to the signal of a police officer.

52 (g) In cities and towns it shall be unlawful for the opera-

53 tor of any motor vehicle to overtake and pass another vehicle at  
54 street intersections in the business districts.

55 (h) It shall be unlawful for the operator of a motor ve-  
56 hicle to permit the motor of same to operate in such a manner as  
57 to visibly emit an unduly great amount of steam, smoke or prod-  
58 ucts of combustion from exhaust pipes or openings.

59 (i) Where two vehicles are approaching on any public  
60 street or highway so that their paths will intersect and there is  
61 danger of collision, the vehicle approaching the other from the  
62 right shall have the right of way.

63 (j) In cities and towns, it shall be unlawful for the opera-  
64 tor of any motor vehicle to leave any such vehicle standing upon  
65 any street in the business district thereof within fifteen (15)  
66 feet of the corner or within fifteen (15) feet of any hydrant.

67 (k) In cities and towns no motor vehicle shall be left  
68 standing in front of or within fifteen (15) feet of either side  
69 of the entrance of any theatre, auditorium or other building where  
70 large assemblages of people are being held, except in taking on  
71 or discharging passengers or freight, and then only for such length  
72 of time as is necessary for such purpose.

73 At theatres and public gatherings in cities or towns,  
74 or under unusual circumstances, motor vehicles shall stand or  
75 move as directed by the police.

76 (m) It shall be unlawful for the operator of any motor  
77 vehicle or person in charge thereof to leave unattended upon any  
78 street or highway a motor vehicle with the engine running.

79 (n) The driver of any vehicle driven or propelled upon  
80 the public highways shall, when overtaken by a faster moving ve-  
81 hicle proceeding in the same direction, upon a signal, either  
82 by the sounding of a bell, horn or other signalling device, given  
83 by the driver of the overtaking vehicle, cause his vehicle to be  
84 driven to the right of the center of the traveled way if he can  
85 do so with safety and remain to the right of the center of such  
86 traveled way until the overtaking vehicle shall have safely passed.  
87 Any driver of a vehicle that is overtaken by a faster mov-  
88 ing vehicle who fails to heed the signal of the overtaking vehicle  
89 when it is given under such circumstances that he could, by the  
90 exercise of ordinary care and observation and precaution, hear  
91 such signal and who fails to yield that part of the traveled way  
92 as herein provided, shall be guilty of a misdemeanor and upon  
93 conviction shall be punished by a fine of not to exceed one hun-  
94 dred dollars (\$100.00) or by imprisonment not exceeding thirty  
95 (30) days and if upon the trial of the case the person charged with  
96 the violation of this provision shall claim that he did not hear the  
97 signal of the overtaking vehicle, the burden of proof shall rest  
98 upon him to show that he did not hear such signal provided that  
99 it shall first be proven that the overtaking vehicle gave a sig-  
100 nal by the use of a bell, horn or other signalling device.

101 (o) It shall be unlawful for the operator of any motor ve-  
102 hicle to leave it standing, while showing a red light, parallel to,  
103 and within twenty-five (25) feet of the tracks of any railroad in  
104 cities and towns.

1     Sec. 26. Every person operating a motor vehicle on the  
2 public highway of this state shall drive the same in a careful  
3 and prudent manner, and at a rate of speed that will not endan-  
4 ger the property of another, or the life or limb of any person,  
5 and shall in no event drive the same at a greater rate of speed  
6 than as follows:

7     (a) Thirty (30) miles per hour if the weight of vehicle  
8 and load is less than three (3) tons and the vehicle  
9 is equipped with pneumatic tires, and twenty-five  
10 (25) miles per hour if such vehicle is equipped with  
11 solid rubber tires.

12     (b) Twenty-five (25) miles per hour if the weight of the  
13 vehicle and load is more than three (3) tons and  
14 less than six (6) tons and the vehicle is equipped  
15 with pneumatic tires, and twenty (20) miles per hour  
16 if such vehicle is equipped with solid rubber tires.

17     (c) Sixteen (16) miles per hour if the weight of the  
18 vehicle and load is more than six (6) tons and the  
19 vehicle is equipped with pneumatic tires, and twelve  
20 (12) miles per hour if such vehicle is equipped with  
21 solid tires.

22     (d) Ten (10) miles per hour if the vehicle or any trail-  
23 er is equipped with two (2) or more metal tires.

24     Provided, that the local authorities of any city or town may estab-  
25 lish a suburban district in which the maximum speed of any vehicle  
26 shall not exceed twenty (20) miles per hour, and a business dis-

27 trict in which the maximum speed of any vehicle shall not exceed  
28 fifteen (15) miles per hour, provided that such city or town shall  
29 have placed conspicuously on each main public highway where the  
30 city or town line crosses the same, and on every main highway where  
31 the rate of speed changes, signs of sufficient size to be easily  
32 readable by a person using the highway, bearing the words: "City  
33 of ~~Admission~~," "Town of ~~Admission~~" "Slow down to ~~Admission~~  
34 miles" (the rate being inserted), and also an arrow pointing in the  
35 direction where the speed is to be reduced or changed, and also  
36 on further condition that such ordinance, rule or regulation  
37 shall fix the punishment for violation thereof, which punishment  
38 shall, during the existence of such ordinance, rule or regula-  
39 tion, supersede those specified in this act.

40 The total maximum load on any one wheel of any motor vehicle  
41 including the weight of the vehicle and the load it carries, shall  
42 be four tons, provided the total maximum weight of the vehicle  
43 and load shall not in any event exceed fourteen tons. The total  
44 load on any wheel of any vehicle shall be limited to eight hun-  
45 dred pounds per inch width of tire in actual contact with the  
46 road surface, measured at the narrowest point of the tire, on all  
47 highways improved with a rigid surface such as concrete, brick  
48 or bituminous pavements on a concrete base; and, four hundred  
49 pounds per inch width of tire in actual contact with the surface,  
50 measured at the narrowest point of the tire, on all highways  
51 having earth, gravel or similar surfaces.

52 The maximum width of any motor in its load shall be limited

53 to eight feet, excepting loads of loose hay, straw and similar  
54 farm products.

55 No motor vehicle shall operate over any highway, improved  
56 with a gravel or paved surface, which has projections of metal  
57 or wood beyond the tread or traffic surface of the tire, excepting  
58 vehicles equipped with caterpillar tread; provided that tractors,  
59 traction engines or similar motor vehicles may be operated which  
60 have "V" shaped or diagonal cleats arranged in such a manner that  
61 two or more cleats are continuously in contact with the road sur-  
62 face and that the weight per inch width of such cleats in continu-  
63 ous contact with the road surface measured in the direction of  
64 the movement of the vehicle does not exceed eight hundred pounds  
65 per inch width of tire.

1 Sec. 27. Limitations as to the rate of speed herein fixed  
2 shall be exclusive of all other limitations fixed by law of this  
3 state or any political subdivision thereof. Local authorities shall  
4 have no power to enact, enforce or maintain any ordinance, rule or  
5 regulation in any way in conflict with, contrary to or inconsistent  
6 with the provisions of this act, or of any section or other subdivi-  
7 sion thereof, and no such ordinance, rule or regulation of said local  
8 authorities heretofore or hereafter enacted shall have any force or  
9 effect, excepting, however, that (1) such powers as are now or may  
10 hereafter be vested in local authorities to enact ordinances and regu-  
11 lations, applicable equally and generally to all vehicles and other  
12 users of the highways, and providing for traffic or crossing officers  
13 or semaphores, to bring about the orderly passage of vehicles and other

14 users of the public highways on certain portions thereof, where the  
15 traffic is heavy and continuous, as well as (2) the powers now or here-  
16 after vested in local authorities to license and to regulate the opera-  
17 tion of vehicles offered to the public for hire, and to regulate the  
18 use of the highways for processions or essemblages, shall remain in  
19 full force and effect, and all ordinances, rules and regulations which  
20 may have been or which may be hereafter enacted in pursuance of such  
21 powers, shall remain in full force and effect; and provided, further,  
22 that local authorities may by general rule, ordinance or regulation,  
23 exclude vehicles from any cemetery or ground used for the burial of  
24 the dead, or exclude vehicles used solely or principally for commer-  
25 cial purposes, from any park or part of a park system where such  
26 general rule, ordinance, or regulation is applicable equally and gener-  
27 ally to all other vehicles used for the same purpose; provided, that at  
28 the entrance, or at each entrance if there be more than one, to such  
29 cemetery or park from which vehicles are so excluded, there shall have  
30 been posted a sign plainly legible from the middle of the public high-  
31 way on which such cemetery or park opens, plainly indicating such ex-  
32 clusion and prohibition; and provided, further, that the local authori-  
33 ties of any city, town, or city and county may impose additional re-  
34 strictions to those herein contained applicable to vehicles exclusively  
35 used in the carrying of merchandise or articles of freight and of a  
36 capacity in excess of one ton in weight and may designate certain  
37 streets whereon heavy laden vehicles may be excluded or declared to  
38 be "one way" streets, may further, restrict, or prohibit, the use of  
39 trailers. Provided, further, that where local authorities of other

40 state shall, by adoption of rules and regulations or otherwise, pro-  
41 hibit motor vehicles from operating upon highways in any subdivision  
42 of such other state which motor vehicles are duly licensed under the  
43 laws of this state, then in such cases the local authorities of this  
44 state may, by ordinance or otherwise, require the motor vehicles of  
45 the subdivisions of such other state while operating by their own  
46 power in this state to be licensed under the laws of this state.

1 Sec. 28. The violation of any of the provisions herein  
2 shall constitute a misdemeanor punishable by a fine of  
3 not to exceed one hundred dollars, except as otherwise  
4 provided in this act.

1 Sec. 29. Whoever operates a motor vehicles while in an  
2 intoxicated condition shall be guilty of a misdemeanor, and shall  
3 be punished as provided by section 4906 of the Code. Any per-  
4 son operating a motor vehicle, who, knowing that injury has been  
5 caused to a person, due to the culpability of said operator, or  
6 to accident, leaves the place of said injury or accident without  
7 stopping and giving his name, postoffice address, including  
8 street number, and registration number of said motor vehicle, to  
9 the injured party, and give such aid to the injured person as  
10 the circumstances may require, shall be guilty of a felony pun-  
11 ishable by fine of not more than five hundred dollars (\$500.00)  
12 or by imprisonment for a term not exceeding two (2) years, or by  
13 both such fine and imprisonment; and if any person be convicted  
14 the second time of either of the foregoing offenses, he shall be  
15 guilty of a felony punishable by imprisonment for a term of not

16 less than one (1) year and not more than five (5) years. A  
17 conviction of a violation of this section shall be reported forth-  
18 with by the trial court or the clerk thereof, to the department,  
19 who shall, upon recommendation of the trial court, suspend the  
20 certificate of registration of the motor vehicle operated by the  
21 person violating this section, or if he be an owner, the cer-  
22 tificate of registration of his motor vehicle; and if no appeal  
23 therefrom is taken, or if an appeal duly taken be dismissed or  
24 the judgment affirmed, and upon notice thereof by said clerk,  
25 the department shall revoke the certificate of registration of  
26 said motor vehicle, and shall order the certificate of reg-  
27 istration delivered to the department, and shall not re-issue  
28 said certificate of registration or any other certificate of  
29 registration to such person unless the department, in its dis-  
30 cretion, after an investigation, or upon rehearing, decided  
31 to re-issue or issue a certificate.

1 Sec. 30. Any person who operates any motor vehicle while  
2 a certificate of registration of a motor vehicle issued to  
3 him is suspended or revoked, shall be guilty of a misdemean-  
4 or.

1 Sec. 31. Any person making a false statement in the  
2 verified application for registration shall be guilty of  
3 a misdemeanor punishable by a fine not exceeding fifty  
4 dollars.

1 Sec. 32. Upon conviction of any person for the violation  
2 of any of the provisions of this act, the trial court or

3 clerk thereof shall immediately certify the facts of the  
4 case, including the name and address of the offender, the  
5 judgment of the court and the sentence imposed, to the de-  
6 partment, who shall enter the same in the book or index of  
7 registration of owners of motor vehicles, opposite the name  
8 of the person so convicted, and in case of any other person  
9 in a book or index of offenders, to be kept for such purpose.  
10 If any conviction shall be reversed upon appeal therefrom,  
11 the person whose conviction has been reversed may serve on  
12 the department, a certified copy of the order of reversal,  
13 whereupon, the department shall enter the same in the proper  
14 book or index in connection with the record of such con-  
15 viction.

1 Sec. 33. In case any person shall be taken into custody  
2 charged with a violation of any of the provisions of this act, he  
3 shall forthwith be taken before the nearest magistrate or police  
4 judge and be entitled to an immediate hearing or admission to bail,  
5 and if such hearing cannot then be had, be released from custody  
6 on giving bond executed by a fidelity or surety company authoriz-  
7 ed to do business in this state, or other bail in the form provided  
8 by law, such bond to be in amount not exceeding One Hundred Dollars  
9 (\$100.00), if the charge be for misdemeanor, for his appearance to  
10 answer for such violation at such time and place as shall then be  
11 indicated. In case a person is taken into custody charged with  
12 a felony, in violation of any of the provisions of this act,  
13 such bond shall be in amount not less than One Thousand Dollars

14 (\$1000.00).

1 • Sec. 34. A conviction of the violation of any of the  
2 provisions of this act shall not be a bar to a prosecution for an  
3 assault or for a homicide committed by any person in operating  
4 motor vehicles.

1 Sec. 35. Ninety-five (95) per cent of all moneys paid  
2 into the state treasury pursuant to the provisions of this act,  
3 shall be apportioned among the several counties in the same ratio  
4 that the area of each county bears to the total area of the state,  
5 said apportionment to be made by the treasurer of state. Two and  
6 one-half ( $2\frac{1}{2}$ ) per cent of all moneys paid into the state trea-  
7 sury on and after the taking effect of this act pursuant to its  
8 provisions, shall be set aside and shall constitute a mainte-  
9 nance fund for the state highway commission, and two and one-  
10 half ( $2\frac{1}{2}$ ) per cent of all of said money paid to the treasurer  
11 of state shall constitute a fund for the payment of salaries  
12 as provided by law for the motor vehicle department, the ex-  
13 penses for plates, blanks, etc., and maintenance of the automo-  
14 bile department. The maintenance fund for said state high-  
15 way commission, shall be drawn out only on warrants drawn by the  
16 auditor of state on itemized vouchers approved by the state high-  
17 way commission, the expenditures of which commission shall be  
18 audited by the state board of audit, and a full and complete  
19 report of all said expenditures shall be published in the an-  
20 nual report under the act creating the state highway commission.

21 Any money remaining in the state highway commission mainte-

22 nance fund at the end of a calendar year, as well as any portion  
23 of the remaining two and one-half ( $2\frac{1}{2}$ ) per centum of the moneys  
24 paid into the state treasury not required for payment of sal-  
25 aries, expenses and maintenance of the automobile department,  
26 shall be apportioned among the several counties in the same  
27 manner as the ninety-five (95) per cent of said funds is appor-  
28 tioned.

1     Sec. 36. It is hereby made the duty of each and every  
2 person, firm, association, corporation, co-partnership operat-  
3 ing a public garage in this state to keep for public inspection  
4 a record of the license number and engine number of all motor  
5 vehicles taken in or held in charge by said garage for the pur-  
6 pose of selling, rental, livery, storage or repair. Said rec-  
7 ord shall contain the name and address of the owner of the motor  
8 vehicle, the name and address of the person delivering or taking  
9 the motor vehicle to the garage, and the license number and the  
10 number of the engine thereof. The alteration or obliteration  
11 of said engine number shall be prima facie evidence of larceny  
12 of said motor vehicle, and the proprietor, agents, servants or  
13 employes, immediately upon the discovery of such obliteration  
14 or alteration, shall notify the sheriff and police officers of the  
15 proper county, and shall hold the said motor vehicle for a period  
16 of twenty-four (24) hours, or until investigation shall have been  
17 made by the sheriff or police officers. Provided, however, such  
18 record need not be made when a motor vehicle is taken in or held  
19 in charge a second time, when the owner or driver is personally

20 known to the proprietor of such garage, his agent or employe.

21 Any person, firm, association, corporation or co-partner-  
22 ship found guilty, personally or by agent, of violating any of  
23 the provisions of this section shall be fined in a sum not to  
24 exceed one hundred dollars. (\$100.00).

1 Sec. 37. The department shall issue this act in  
2 pamphlet form, together with such rules, instruction and ex-  
3 planatory matter as may seem advisable, copies of such pamphlet  
4 shall be given as wide distribution as the department shall  
5 determine and a supply shall be furnished each county treasurer.

6 The department shall have full authority to make such  
7 rules and issue such instructions as may be necessary to insure  
8 and obtain uniformity in the administration and full enforcement  
9 of the provisions of this act. All local officials charged with  
10 the administration and enforcement of this act shall act and be  
11 governed in their official acts herein required by the rules prom-  
12 ulgated by the department.

13 The department is authorized and directed to employ such  
14 assistants and clerks that may be required by the department in  
15 the administration of this act, provided, the salaries and  
16 number of any such assistants and clerks shall be authorized by  
17 the executive council.

1 Sec. 38. All acts or parts of acts inconsistent with  
2 this act or contrary thereto are hereby repealed.

1 Sec. 39. This act shall take effect January first,  
2 nineteen hundred twenty, except that application for registration

3 may be had and number plates and licenses issued at any time within  
4 sixty (60) days prior to said date, to be effective thereafter.  
5 Provided further, that those parts of this act relating to the  
6 filing of price lists by the manufacturers of motor vehicles, fix-  
7 ing a valuation upon the different kinds, makes and models of  
8 motor vehicles by the executive council as a basis for fixing a  
9 license fee, the preparation of blanks, books, indexes, the letting  
10 of contracts for number plates, chauffeurs' badges, and all prep-  
11 arations for putting into effect of this act not inconsistent with  
12 the existing law shall become effective immediately upon the pas-  
13 sage of this act.

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