

# HOUSE . . . . . No. 1522.

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## Commonwealth of Massachusetts.

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HOUSE OF REPRESENTATIVES, April 7, 1903.

The committee on Roads and Bridges, to whom was referred the petition (with accompanying bill, House, No. 493) of Henry L. Higginson and others for legislation to regulate the licensing of automobiles and similar vehicles and persons operating the same, and to regulate the speed of such vehicles; the petition of Morton Prince and others for legislation to regulate the speed and operation of automobiles and motor vehicles, and to provide for the registration of such vehicles; the petition (with accompanying bill, House, No. 933) of Thomas J. Grady for legislation to regulate the use of motor vehicles, to provide for the registration or licensing of said vehicles and for the licensing of chauffeurs; the petition (with accompanying bill, House, No. 934) of Robert Clement for legislation to regulate the use and speed of automobiles and other motor vehicles, and to limit the right of municipalities to control such speed and use; the petition (with accompanying bill, House, No. 935) of James T. Soutter for legislation to authorize the use of automobiles and similar vehicles with certain restrictions, and to forbid any control over such vehicles by municipalities or local authorities; the petition (with accompanying bill, House, No. 936) of Robert M. Shaw for legislation to provide for regulating by license the operation

of automobiles and motor vehicles; and the petition (with accompanying bill, House, No. 937) of Frank J. Stanley for legislation to regulate further the speed of automobiles and similar vehicles, report the accompanying bill.

For the committee,

D. W. DAVIS.

Mr. WEATHERBEE of Westwood, of the House, dissents.

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HOUSE OF REPRESENTATIVES, May 29, 1903.

The committee on Ways and Means, to whom was referred the bill to provide for registering automobiles and motor cycles, and for licensing operators thereof (House, No. 1325), report that the same ought to pass in a new draft herewith submitted.

For the committee,

ARTHUR W. HATCH.

## Commonwealth of Massachusetts.

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In the Year One Thousand Nine Hundred and Three.

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### AN ACT

To provide for registering Automobiles and Motor Cycles  
and for licensing Operators thereof.

*Be it enacted by the Senate and House of Representatives  
in General Court assembled, and by the authority of the  
same, as follows:*

1 SECTION 1. All automobiles and motor cycles shall  
2 be registered by the owner or person in control thereof  
3 in accordance with the provisions of this act. Applica-  
4 tion for such registration may be made, by mail or  
5 otherwise, to the Massachusetts highway commission or  
6 any agent thereof appointed for this purpose, upon  
7 blanks prepared under its authority. The application  
8 shall, in addition to such other particulars as may be  
9 required by said commission, contain a statement of the  
10 name, place of residence and address of the applicant,  
11 with a brief description of the character of the automo-  
12 bile or motor cycle, including the name of the maker,  
13 the number, if any, affixed by the maker, the character  
14 of the motor power, and the amount of such motor  
15 power stated in figures of horse power; and with such

16 application shall be deposited a registration fee of five  
17 dollars, except that the fee for motor cycles shall be two  
18 dollars. The said commission or its duly authorized  
19 agent shall then register the automobile or motor cycle  
20 described in the application in a book to be kept for the  
21 purpose, giving to said automobile or motor cycle a  
22 distinguishing number or other mark, and shall there-  
23 upon issue to the applicant a certificate of registration.  
24 Said certificate shall contain the name, place of residence  
25 and address of the applicant, the registered number or  
26 mark, shall prescribe the manner in which said regis-  
27 tered number or mark shall be inscribed or displayed  
28 upon the automobile or motor cycle, and shall otherwise  
29 be in such form and contain such further provisions as  
30 the commission may determine. A proper record of all  
31 applications and of all certificates issued shall be kept  
32 by the commission at its main office, and shall be open  
33 to the inspection of any person during reasonable busi-  
34 ness hours. Said certificate of registration shall always  
35 be carried in some easily accessible place in the auto-  
36 mobile or motor cycle described therein.

37 Upon the sale of any automobile or motor cycle, its  
38 registration shall expire, and the vendor shall immedi-  
39 ately return the certificate of registration to the high-  
40 way commission, with notice of the sale, and of the  
41 name, place of residence and address of the vendee.

42 Every manufacturer of or dealer in automobiles or  
43 motor cycles may, instead of registering each automobile  
44 or motor cycle owned or controlled by him, make applica-  
45 tion upon a blank provided by said commission for a general  
46 distinguishing number or mark, and said commission may,  
47 if satisfied of the facts stated in said application, grant  
48 said application, and issue to the applicant a certificate  
49 of registration containing the name, place of residence

50 and address of the applicant, the general distinguishing  
51 number or mark assigned to him, and otherwise in such  
52 form and containing such further provisions as said  
53 commission may determine; and all automobiles and  
54 motor cycles owned or controlled by such manufacturer  
55 or dealer shall, until sold or let for hire or loaned for a  
56 period of more than five successive days, be regarded as  
57 registered under such general distinguishing number or  
58 mark. The fee for each such license shall be ten dollars.

59 No automobile or motor cycle shall, except as herein-  
60 after provided, after the first day of August in the  
61 year nineteen hundred and three, be operated upon  
62 any public highway or private way laid out under  
63 authority of statute, unless registered as above pro-  
64 vided, and the registered number or mark of every  
65 automobile and motor cycle operated as aforesaid shall  
66 at all times be plainly displayed upon both sides and  
67 the back thereof in Arabic numerals not less than four  
68 inches long, and conforming in this and other details  
69 to the requirements prescribed by the highway com-  
70 mission in its certificate of registration.

1 SECTION 2. Licenses for operating automobiles and  
2 motor cycles shall be issued by the Massachusetts high-  
3 way commission or duly authorized agents thereof. Ap-  
4 plication shall be made upon blanks prepared by the  
5 commission for this purpose, and the licenses issued  
6 shall be in such form and shall contain such provisions  
7 as said commission deem desirable. Each licensee shall  
8 be assigned some distinguishing number or mark, and a  
9 proper record of all applications for license and of all  
10 licenses issued shall be kept by the commission at its  
11 main office, and shall be open to the inspection of any  
12 person during reasonable business hours. Each license

13 shall state the name, place of residence and address of  
14 the licensee and the distinguishing number or mark  
15 assigned to him.

16 Special licenses for operating automobiles or motor  
17 cycles for hire shall be issued by the commission, but no  
18 such license shall be issued until the commission or its  
19 agent duly authorized shall have satisfied itself or him-  
20 self that the applicant is a proper person to be granted  
21 such license. Such licenses shall be granted for one  
22 year only.

23 The fee for each license to operate shall be two dol-  
24 lars. All fees shall be deposited at the time of making  
25 the application.

26 The commission may at any time suspend or revoke  
27 any license for any misconduct of the licensee.

1 SECTION 3. No person shall, except as hereinafter  
2 provided, on or after the first day of August in the year  
3 nineteen hundred and three, operate an automobile or  
4 motor cycle upon any public highway or private way  
5 laid out under authority of statute, unless licensed so  
6 to do under the provisions of this act. No person shall  
7 operate an automobile or motor cycle for hire, unless  
8 specially licensed by the commission so to do. No per-  
9 son shall employ for hire as chauffeur or operator of an  
10 automobile or motor cycle any person not specially  
11 licensed as aforesaid, and every chauffeur or operator for  
12 hire shall, while so acting, display the distinguishing  
13 number or mark assigned to him, in such manner as may  
14 be prescribed by the commission.

15 Automobiles or motor cycles owned by non-residents  
16 of this state and driven by a person residing and licensed  
17 in some other state may be operated on the roads and  
18 highways of this state, subject however to the speed

19 limitations contained in section four, and any local regu-  
20 lations permitted under section eight, and to such further  
21 regulations as the highway commission may make.

1 SECTION 4. Every person having control or charge  
2 of an automobile or motor cycle shall, whenever upon  
3 any public street or way and approaching any vehicle  
4 drawn by a horse or horses, or any horse upon which  
5 any person is riding, operate, manage and control such  
6 automobile or motor cycle in such manner as to exercise  
7 every reasonable precaution to prevent the frightening  
8 of any such horse or horses, and to insure the safety and  
9 protection of any person riding or driving the same.  
10 And if such horse or horses appear frightened, the per-  
11 son in control of such automobile or motor cycle shall  
12 reduce its speed, and if requested by signal or otherwise  
13 by the driver of such horse or horses, shall not proceed  
14 farther towards such animal unless such movement  
15 be necessary to avoid accident or injury, or until such  
16 animal appears to be under the control of its rider or  
17 driver.

18 No automobile or motor cycle shall be run on any  
19 public way or private way laid out under the authority  
20 of statute outside the limits of a city or the thickly set-  
21 tled or business portion of a town or fire district at a  
22 speed exceeding fifteen miles an hour, or within a city  
23 or the thickly settled or business portion of a town or  
24 fire district at a speed exceeding ten miles an hour.  
25 Upon approaching a crossing of intersecting ways, also  
26 in traversing a crossing or intersection, and in going  
27 around a corner, every person operating an automobile  
28 or motor cycle shall run it at a rate of speed less than  
29 that hereinbefore specified and at no time greater than is  
30 reasonable and proper, having regard to traffic and the  
31 use of the way and the safety of the public.

1 SECTION 5. The commission may suspend or revoke  
2 the certificate issued to an automobile or motor cycle  
3 under section one of this act, or the license issued to any  
4 person under section three of this act, for any cause  
5 which it may deem sufficient; and any person convicted  
6 of violating any of the provisions of this act shall be  
7 punished for each offence by a fine not exceeding two  
8 hundred dollars. Any person convicted of operating or  
9 causing or permitting any other person to operate an  
10 automobile or motor cycle after a revocation or suspen-  
11 sion of the certificate or license granted under this act for  
12 such vehicle shall be punished by a fine not exceeding  
13 two hundred dollars, or by imprisonment for a term of  
14 ten days, or by both such fine and imprisonment.

1 SECTION 6. Every automobile or motor cycle oper-  
2 ated in this Commonwealth shall be provided with ad-  
3 equate brakes and with a suitable bell, horn or other  
4 means of signalling, and shall, during the period from  
5 one hour after sunset to one hour before sunrise, dis-  
6 play lights as prescribed by the highway commission.

1 SECTION 7. The fees received under the provisions  
2 of this act shall be paid over monthly by the secretary  
3 of the highway commission into the treasury of the  
4 Commonwealth; and such expenses as may be necessary  
5 to carry out the provisions of this act shall be paid out  
6 of the treasury of the Commonwealth.

1 SECTION 8. The term automobile and motor cycle as  
2 used in this act shall include all vehicles propelled by  
3 other power than muscular power, excepting railroad  
4 and railway cars and motor vehicles running only upon  
5 rails or tracks, and steam road rollers.



6 Nothing herein contained shall be so construed as to  
7 affect the rights of boards of park commissioners as  
8 authorized by law.

9 Boards of aldermen of cities or the selectmen of towns  
10 may make special regulations as to the speed of auto-  
11 mobiles and motor cycles; they may make special regu-  
12 lations as to the use of particular roads or ways including  
13 the right to exclude them altogether therefrom, such  
14 exclusion, however, to be subject to an appeal to the  
15 Massachusetts highway commission, which decision in  
16 such case shall be final; but no such special regulation  
17 shall be effective unless notice of the same is posted  
18 conspicuously at the points where any road affected  
19 thereby joins other roads.

1 SECTION 9. Chapter three hundred and fifteen of the  
2 acts of the year nineteen hundred and two is hereby  
3 repealed.

1 SECTION 10. Except as otherwise provided herein,  
2 this act shall take effect upon its passage.

