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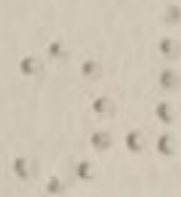
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FOREWORD

Automobilists are conclusively presumed to know the law, not only in their own communities, but wherever they may be. Ignorance is no excuse. Yet it may be said with confidence that of the tens of thousands of motorists, comparatively few are thoroughly familiar with the fundamental rules of road conduct, to say nothing of the provisions of the motor vehicle laws. So many motorists among my friends have expressed a want for a book of this kind, that I have enjoyed taking from a summer vacation the time required for its preparation. If it shall prove useful I shall feel amply repaid.

N. D. B.

NEW YORK,

October, 1910.

Road Rules and the Law of Automobiles

CHAPTER I

OPERATION OF MOTOR VEHICLES ON PUBLIC HIGHWAYS

§ 1. In General; Duty of Reasonable Care

Drivers of every kind of vehicle on public highways are required by the law always to use reasonable care. This is independent of speed limits. Reasonable care is that caution and foresight which persons of ordinary prudence are accustomed to employ. The test in a particular case whether a driver has used reasonable care is: Did he exhibit such caution as a person of ordinary prudence might be expected to use under exactly similar circumstances.

Accordingly, what is reasonable care varies with the particular case in proportion to the danger involved; for example, a speed that would be reasonable and safe in daylight might be imprudent in the dark. A rate of forty miles an hour on a straight open country road might not be unreasonable, while a speed of twelve miles an hour on a sharp turn might indicate a want of due care.

In *New York* state by statute of 1910¹ the maintaining

¹Section 287 of the Highway Law, popularly known as the Callan Automobile Law.

of a rate of speed in excess of thirty miles an hour for a distance of one fourth of a mile, is *presumptive* evidence of driving at a rate of speed which is not careful and prudent. This does not mean that a rate of fifty miles an hour would necessarily be unreasonable under certain circumstances. But if the motorist is proved in court to have driven at a rate in excess of thirty miles an hour for a distance of one fourth of a mile, the burden is placed upon him affirmatively to prove that his rate was not unreasonable or dangerous.

From the fact that a driver is proceeding at a rate well within the speed limit it in no wise follows that he is using reasonable care. For instance, on a crowded or busy street ordinary prudence requires usually that the speed be much below the maximum allowed by the law, with frequent stops to avoid collision.

Failure to use due care constitutes *negligence*, and any person guilty of negligence is liable for damages to any person injured in person or property by or through the negligent conduct.

Every driver is at his peril to use reasonable care. Failure to proceed in a careful and prudent manner, and at a rate not likely to endanger the life and limb or property of another, is not only negligence, subjecting the driver to liability for any damage he may do, but it is often a crime. In *New York*, for instance, it is a misdemeanor punishable by a fine not exceeding \$100; and in any case where a driver by wanton recklessness injures or kills another, he may be convicted of manslaughter or assault, as the case may require.

The more dangerous the character of the vehicle, the greater is the degree of care required in its operation.

Where a person complains of being damaged by an-

other's failure to use due care, and it appears that the complainant himself was careless and that his own lack of care contributed to the injury, the complainant is said to be guilty of *contributory negligence*, and he cannot ordinarily recover.

However, where a party who has the last clear chance to avoid the accident fails to do so, he will be held responsible for it, even though the person damaged was himself negligent.

ILLUSTRATIONS OF RULE REQUIRING REASONABLE CARE

It has been held: that the fact that a driver sounded his horn does not excuse him for colliding with another vehicle;

That a motorist is bound to anticipate that he may meet persons at any point in a public street, and must have his car under control, must slow down and even stop if necessary to avoid collision, a particularly strict duty being upon him in crowded streets, at corners, and in places where children are in the highway;

That a person who seeing another seated on a park bench, drives a vehicle so near as to pass over his foot, is negligent;

That it is not required of an automobile driver to slow up in passing a moving trolley car in the country, lest a passenger leap from the car in the path of the automobile;

That it is not the duty of a driver to keep a look-out behind to see if children are climbing on the rear of his vehicle;

That the ordinary noises attendant upon the operation

of a car do not of themselves indicate negligence on the part of the operator.

§ 2. Rights in the Highway

A highway is a road which every citizen has the right to use. Automobiles properly registered and licensed have equal rights in the highway with other vehicles (including bicycles) and with pedestrians, but have no rights superior either to other vehicles or to pedestrians.

The rules by which travel on highways is governed are called the "Law of the Road." They were established by custom, which, after being generally observed by travelers for a long time, came to be regarded as law and have been enforced by the courts as such. It has since been concisely expressed, or sometimes modified, by enactments of the legislatures of various states, which enactments or statutes, taken in connection with local ordinances, make what might be termed the statutory rules of the road.

In a community where no statutes have been passed the law of custom is in full force; and where statutes or ordinances have been passed the law of custom still exists, perhaps modified more or less by the statutes.

§ 3. Meeting and Passing

In the *United States* vehicles approaching and meeting should each turn out to the right in seasonable time, so as not to delay the other, and should keep to the right of the center of the highway, so as to pass without interference. The phrase "center of the highway" has ordinarily been construed to mean the center of the *traveled* part of the road.

Example: Where the road was obscured by snow, it was held by the court that the center of the road was the beaten or traveled track. It has further been held that the traveled portion of the road means the part worked for traveling, and not merely the most traveled wheel track.

Although in *New York* failure of a driver of a motor vehicle to pass to the right is by statute a misdemeanor, and although in *Massachusetts* and *New Jersey*, by statute, such failure may subject the driver to a penalty, still in general it may be said that the rule is not absolutely rigid. In crowded streets and where light vehicles pass heavily loaded ones, deviations are frequently necessary. Indeed it has been said that a driver by too rigid adherence to the rule may become liable for damages where he might have avoided accident by different conduct. The law expects drivers to use common sense; and it behooves every driver not to be small-minded or captious.

If a driver is traveling on the wrong side of the road and a collision occur, that is usually considered *prima facie* evidence of that driver's negligence. He may, however, relieve himself by showing that the collision did not result from his being out of place, or that his presence on the wrong side was due to an obstruction, or other cause.

In *England* and *Canada* the rule of the road requires turning out to the left instead of to the right.

§ 4. Overtaking and Passing

Some confusion has existed in this country as to whether there is any rule of custom providing on which

side of the road an overtaking vehicle should pass the one in front. The reasonable conclusion seems to be that there is a rule irrespective of statute requiring the overtaking vehicle to pass to the left. In most jurisdictions the matter is now settled by statute.

In *New Jersey*, *Connecticut* and *Massachusetts* the driver of the overtaking vehicle must pass to the left under penalty. In *New York* and *New Jersey* the driver of a motor vehicle who overtakes and passes otherwise than to the left is guilty of a misdemeanor and punishable by a fine of twenty-five dollars, and in *Connecticut* a violation is punishable by a fine of fifty dollars.

The driver of the vehicle being passed must not unreasonably obstruct the passer, and if he can do so without danger to himself, should seasonably turn to the right to give the other half of the road and a fair and free opportunity to pass.

If the driver of an overtaking vehicle desires to pass, he should sound his horn or other signal in such a way as to apprise the driver of the preceding vehicle of his presence. The driver of the leading vehicle should then pull out to the right sufficiently to allow a passage by without interference.

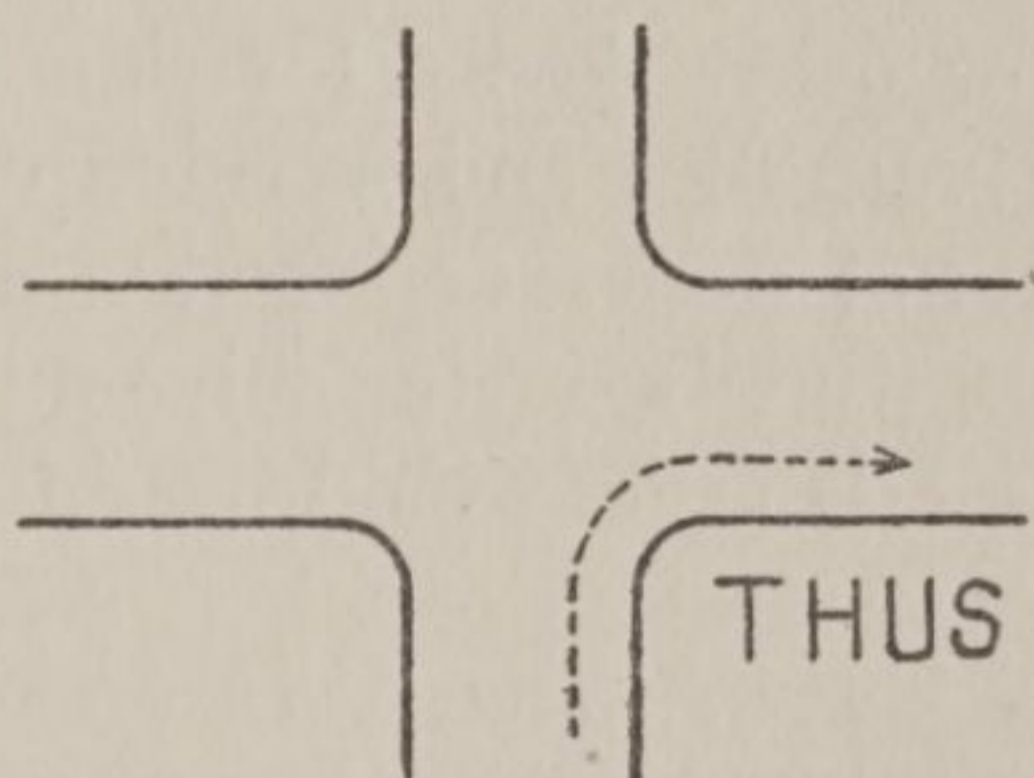
§ 5. Duty to Avoid Collision

Because one driver is on the wrong side of the road, or encroaches on the part to which he is not entitled, another cannot for that reason cease to use due care to avoid collision. He must delay if necessary, and can seek redress if damage results to him therefrom. Having a clear opportunity to avoid collision himself, he cannot fail to use reasonable care to do so and be considered free from negligence.

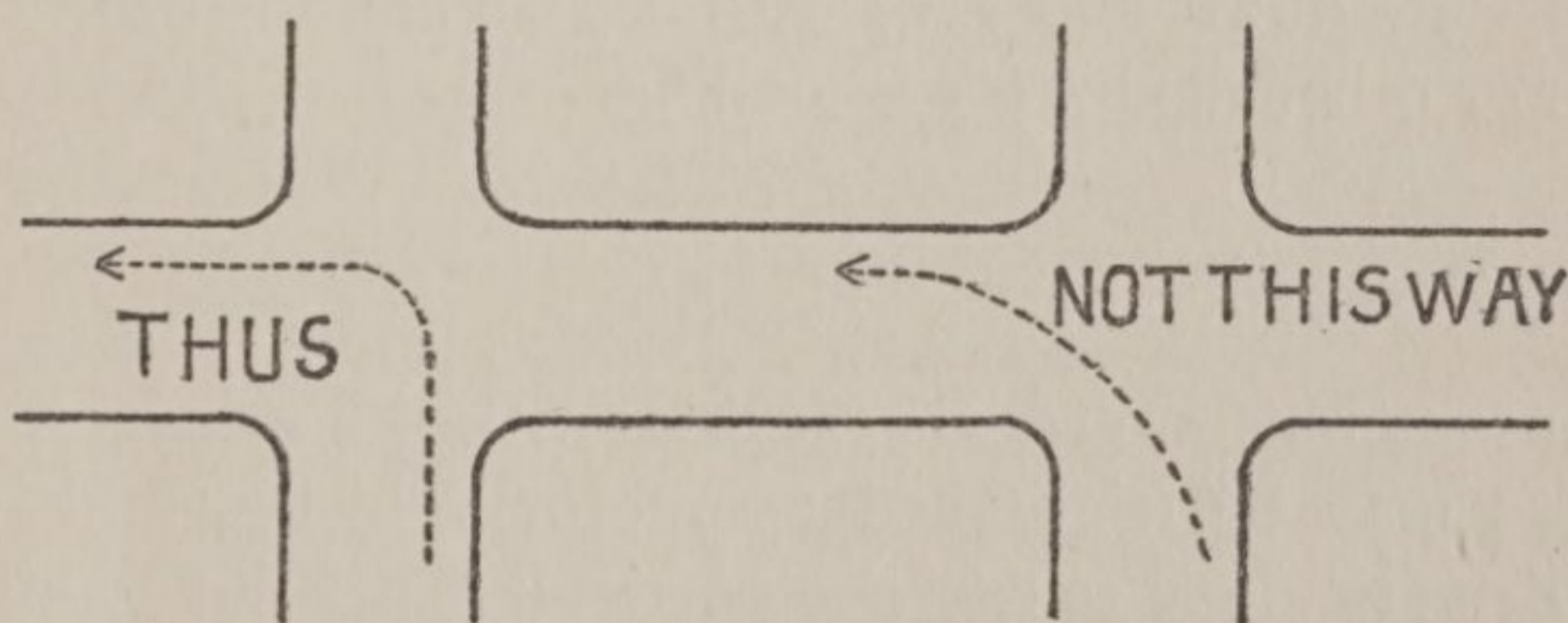
§ 6. Turning Corners

At an intersection of public highways a driver should always keep to the right of the intersection of the highways.

When turning to the right he should keep as near the right hand side of the road as is practicable, thus:



When turning to the left, the driver should turn around the intersection, thus:



In many states, including *New York*, failure to observe this rule renders a driver liable to fine as a misdemeanor; and most large cities have traffic ordinances to that effect.

§ 7. Crossings and Cross-roads

The rights of persons approaching at right angles are equal, and each must take care not to injure the other.

Nearly all the states have laws requiring the driver of a motor vehicle on approaching an intersecting highway, to reduce his speed to a low rate and give a signal. The requirement in *New York* state is that every person operating or driving a motor vehicle shall, when approaching a cross-road outside the limits of a city or incorporated village, slow down the speed and shall sound his bell, horn or other device for signalling in such a manner as to give notice and warning of his approach. Inside the limits of a city or incorporated villages the local ordinances usually make substantially the same requirement; and due care would seem to make it necessary irrespective of statute.

It is also the law in *New York* and quite generally elsewhere that approaching an intersecting highway or a curve or corner in a highway where the operator's view is obstructed, every person operating a motor vehicle shall slow down and give a timely signal with his bell, horn or other device for signalling.

§ 8. Horses

Automobilists are chargeable with knowledge that horses may be frightened by motor vehicles, and it is the drivers' duty to exercise particular care not to alarm them. It is always the duty of the driver of a motor vehicle to stop when he sees he is frightening a horse by proceeding, and if the engine is apparently frightening the horse, the motorist should stop the engine.

It is now a common statutory provision that every motorist shall stop upon signal of the driver of a horse.

The *New York* statute, a fair example, provides that a person operating or driving a motor vehicle shall, on

signal by a raising of the hand, given by a person riding, leading or driving a horse or horses or other draft animals, bring the motor vehicle immediately to a stop. If traveling in the opposite direction from the horse, the motor vehicle shall remain stationary so long as may be reasonable to allow the horse or animal to pass. If traveling in the same direction, and he passes the horse, the motorist must use reasonable caution in passing. If the horse appears badly frightened, or the horse's driver requests or signals the driver of the motor car to stop the engine, that must be done, and it must be kept still as long as shall be necessary to prevent accident and insure the safety of others.

The amount of care which a motorist must exercise in the case of horses, will of course, depend somewhat on the surrounding circumstances, such as whether automobiles are common in the particular vicinity, whether the car and its noises are more than ordinarily likely to cause fright, and whether a horse appears to be of restive temperament.

Examples: It has been held where there was no statute regarding horses that the driver of a motor vehicle is not bound to stop the engine unless it appears that the horse is actually being frightened. But in *New York* the driver of the motor car must stop on signal whether or not the horse is actually afraid. Conversely, it may be said that in every jurisdiction where the horse does appear to be actually frightened by the engine, it is the motorist's duty to stop it.

In *Kentucky* it has been held that where a restive horse is frightened by an automobile, it is the duty of the motorist to stop and to take such other steps for the safety of the driver of the horse "as ordinary prudence

might suggest." Such would likely be held to be the rule in all states as between the two drivers in an action for damages.

§ 9. Pedestrians

A pedestrian and a motor car have equal rights in the highway. The pedestrian is not, as is so often assumed by motorists, restricted to the use of cross-walks. Being unprotected the pedestrian will usually hasten to get out of the way, even though he has the legal right to hold his ground. This has perhaps led many motorists to assume that it is the pedestrian's business to keep out of the way. When the pedestrian's rights are not respected by the motorists, the courts are inclined to view the cases seriously.

Example: In *New Jersey* it was held that a pedestrian standing in the roadway conversing with a friend who had stopped his wagon to talk, when struck by an automobile, was not guilty of contributory negligence. "He was lawfully there," said the court, "and any person using the highway was bound to take notice of him."

In *New York* it is provided by statute that upon approaching a pedestrian who is upon the traveled part of any highway, and not upon a sidewalk, a motorist must slow down and give a timely warning with his bell, horn or other signaling device.

When approaching a street car which has stopped to give passengers a chance to get off or on, due care requires that a motorist shall slow down. In *New York*, it is a misdemeanor not to do so, or not to stop completely if necessary for the safety of the public.

The pedestrian himself must, of course, always use reasonable care to avoid accident.

§ 10. Standing Vehicles

Owners of vehicles have the right to let them stand on the highway for a reasonable time, provided they are so located as not unduly to interfere with the use of the road by others. It is unlawful for another to run into such a standing vehicle. On the other hand, the owner of any kind of standing vehicle must be careful that no injury result to others from it. If a vehicle is left in the highway at night, due care would seem to require ordinarily that it be lighted in such a way as to make it easily visible to other persons using the highway, and that the brakes, if any, be applied.

§ 11. Status of Guest

A person riding in an automobile who has nothing to say as to its operation and no control as to where or how it shall be run, is not responsible for the operator's acts. On the other hand, where an automobile owner invites another person to ride and then drives with such gross lack of care that the guest is injured, the guest having no ability to influence the method of driving, it is probable that the guest may hold his host responsible. One, by accepting an invitation to ride, could hardly be said to waive his right to protection for personal injury.

§ 12. Public Parks

Motor vehicles operating properly on highways may lawfully be debarred from public parks, provided all vehicles of the same class are so barred; for example, heavy trucks, or cars with chains on the tires, or cars emitting noxious smells. Such matters are subject to

regulation by local ordinance. In *New York City* no motor vehicle which "emits from the exhaust or muffler thereof offensive quantities of smoke or gas or disagreeable odors" may lawfully be operated in the public parks.

§ 13. Special Road Rules in Cities

In large cities the heaviness of the traffic has commonly made necessary further rules for the conduct of vehicles on the public streets. In such cities the local ordinances usually codify the general rules of the road and make such other requirements as the local needs seem to make necessary.

For instance, in *New York City*, there are the following provisions:

1. A driver before turning a corner, or before turning out from or starting from the curb line or stopping at the curb line of any street, must first see that there is sufficient space free from other vehicles so that the turn may be safely made, and must then "give a plainly visible or audible signal." The signal in common use is a holding out of the hand. In slowing up or stopping a signal of the hand raised vertically must always be given to those behind.

2. A vehicle crossing from one side of the street to another shall do so by turning to the left, so as to head in the same direction as the traffic on that side of the street.

3. No vehicle shall stop with its left side to the curb.

4. Except in emergencies or to allow other vehicles to cross its path, no vehicle shall stop except close to the curb line, and no stop shall be made in such a way as

to obstruct a crossing, nor within the intersection of any street, nor within ten feet of any street corner.

5. Vehicles going north or south have right of way over vehicles going east or west.

6. Vehicles moving slowly shall keep as close as possible to the curb on the right, so as to allow faster moving vehicles free passage to the left.

§ 14. Speed

The speed at which a motor vehicle may be lawfully propelled is regulated entirely by statute, the driver's only duty by common law, or custom, being to use reasonable care (see § 1 above).

Until recently the states left the regulation of speed to the authorities of the various communities; so that in an afternoon's journey a motorist might pass under the jurisdiction of many different speed laws, without knowing when the law changed or what it was in any particular place. Some of the local ordinances were calculated more for the trapping of unwary motorists and for the increase of the local public treasury than for the protection of the public.

Of late, however, the legislatures have been taking from the local authorities the general power to regulate the speed of motor vehicles. For instance, the last motor vehicle law of *Connecticut* (1909) provides that no city, town or borough shall have power to make any ordinance, respecting the speed of motor vehicles, except that local authorities may regulate such things as street parades and the uses of public parks.

(a) *Speed in New York*

1. *In the State of New York.* Outside of cities and incorporated villages, the only requirement is that speed must not be unreasonable; but proof of a rate of speed in excess of thirty miles an hour maintained for a distance of one fourth of a mile is presumptive evidence of driving at a rate not careful and prudent.

Cities of the first class, (*i. e.*, having a population of over 175,000) may make their own speed laws. Such cities, according to the census of 1910, are *New York* (4,766,883), *Buffalo* (423,715) and *Rochester* (218,149). But other cities and incorporated villages cannot limit the speed of motor vehicles to less than fifteen miles an hour, and they can do that only when they shall have placed conspicuously on each main public highway where the city or village line crosses it, and on every main highway where the rate of speed changes, signs of sufficient size to be easily read by a person using the highway, and bearing the words "City of—," or "Incorporated Village of —," "Slow down to — miles" (the rate being inserted), and also an arrow pointing in the direction where the speed is to be reduced or changed.

Where a limit of speed is established by a city not of the first class, or by an incorporated village, proof of a greater rate of speed maintained for one-eighth of a mile is presumptive evidence of driving at a rate which is not careful and prudent. The punishment prescribed by such a city or incorporated village for violation of such a local ordinance cannot lawfully exceed a fine of \$100.

In the state of *New York* therefore, outside of cities of 175,000 inhabitants, a motorist may drive at any

speed he chooses, so long as he uses reasonable care; *except* that in smaller cities and in incorporated villages, if signs are properly posted the lawful speed may be limited to not less than fifteen miles an hour. If in the country no signs are posted, the motorist may safely assume that he is not within the jurisdiction of a valid local ordinance; and signs stating that the lawful speed is less than fifteen miles an hour are erroneous.

Speed in parks may, in all cases, properly be regulated by local ordinances, even in the smaller cities and incorporated villages, parks being the property of the municipalities and not of the state. Signs showing the speed limits are usually posted.

2. *In the City of New York.* In New York City the speed limit prescribed by ordinance is eight miles an hour, except that in the portions of the city not built up, where the buildings are at least one hundred feet apart, a speed of fifteen miles an hour is permitted. However, it is prescribed that no vehicle shall cross any street or avenue running north and south, or make any turn, at a speed rate exceeding one-half its legal speed limit. That is, in the built up portions of the city the lawful rate of speed in turning corners or crossing north and south streets is four miles an hour, and in portions of the city not built up is seven and one-half miles an hour.

In addition, it is a misdemeanor to drive any vehicle at a speed "greater than reasonable and proper, having regard to the traffic and use of the highways, or so as to endanger the life or limb of any person."

(b) *Speed in New Jersey*

In *New Jersey* the legislature has prescribed the fol-

lowing rates of speed for motor vehicles, which may be maintained, but which may not lawfully be exceeded:

1. On sharp curves or turning a corner, one mile in seven minutes.

2. On junctions or intersections of "prominent" cross-roads, where houses are on an average of more than a hundred feet apart, fifteen miles an hour.

3. Where the houses are on an average of less than one hundred feet apart, twelve miles an hour.

4. Within two hundred feet of any horse, or other beast of burden or draft, upon the same street or highway, fifteen miles an hour, except that in the open country a speed not exceeding twenty-five miles an hour is lawful where necessary to pass a vehicle going in the same direction, where such speed will not otherwise be in conflict with the law.

5. Elsewhere, a speed of twenty-five miles an hour is permissible, provided reasonable care is used.

Violation of the New Jersey speed laws is punishable for a first offense by a fine not exceeding \$100 and in default of payment imprisonment for a period not to exceed ten days; and for a second offense by \$200 fine or imprisonment for not more than twenty days, together with a revocation of the offender's license.

(c) *Speed in Connecticut*

In *Connecticut* there is no rate of speed of a motor vehicle absolutely unlawful, but it is by statute unlawful to drive at a greater speed than is reasonable and proper, having regard to the width, traffic and use of the highway, or so as to endanger the life or limb of any person.

If anywhere in *Connecticut* the rate of speed of a motor vehicle exceeds twenty-five miles an hour for more than

one-eighth of a mile, that rate is *prima facie* evidence that the driver is proceeding at a rate not reasonable and proper.

The statute further provides that "if the rate of speed of a motor vehicle, excepting within the limits of an incorporated city," where the operator's view of the road and traffic is obstructed when approaching a crossing or intersecting highway, or when traversing a bridge, sharp turn, steep descent or curve, exceeds ten miles an hour, such rate shall be *prima facie* evidence that the person operating the car is driving at a speed greater than is reasonable and proper. When passing a street car which has stopped or is about to stop, on the side where passengers ordinarily get on and off, a speed greater than three miles an hour is *prima facie* unreasonable.

Violations of the Connecticut speed laws are punishable by a fine of \$500, or imprisonment for one year, or both; and any person driving while intoxicated, or on a bet, or in a race, or to make a record, may be similarly punished.

(d) *Speed in Massachusetts*

In *Massachusetts* no particular rate of speed is unlawful if it is reasonable. But inside the thickly settled part of a city or town a rate of speed exceeding fifteen miles an hour is *prima facie* unreasonable. Outside the thickly settled parts a rate exceeding twenty miles an hour is presumptively unreasonable. And on any highway where the chauffeur's view of the road traffic is obstructed, either upon approaching an intersecting way, or in traversing a crossing or intersection of roads, or on a curve or corner, a rate exceeding eight miles an hour is *prima facie* unreasonable.

Driving in *Massachusetts* at an unreasonable rate is punishable for a first offense by a fine of not less than \$10 nor more than \$25; for a second offense by a fine of not less than \$25 nor more than \$50, and for subsequent offenses committed during any period of twelve months, not less than \$50 nor more than \$100. Upon the third conviction in the same calendar year the license of the convicted person must be revoked and no new license shall be issued for at least thirty days and then only at the discretion of the state highway commission.

For other speed laws see Appendix B.

§ 15. Driving by Intoxicated Person

The driving of a motor car by a person intoxicated is commonly a serious offense. In *New York*, for example, a first offense is a misdemeanor punishable by a maximum fine of \$500, or by imprisonment for not more than two years or both, and a second offense is a felony punishable by imprisonment for not less than one year nor more than five, the offender's license to be revoked upon recommendation of the trial judge, to be renewed only in the discretion of the Secretary of State.

§ 16. Duty in Case of Accident

So many motorists involved in accidents have fled from the scene thereof to avoid consequences, that doing so is coming to be made generally a crime.

In *New York* it is provided by statute that any person operating a motor vehicle who, knowing that injury has been caused to a person or to property, due either to the operator's culpability or to accident, leaves the place

of injury or accident without stopping and giving his name, residence (including street and number), and operator's license number to the injured party, or to a police officer, or in case no police officer is in the vicinity, then reporting the same to the nearest police station or judicial officer—is guilty of a felony, and punishable by a fine of not more than \$500 or by imprisonment for a term not exceeding two years, or by both; and a second offense is a felony punishable by imprisonment for a term of not less than one year nor more than five years. Further, the offender's license shall on recommendation of the trial judge be revoked, to be renewed only in the discretion of the Secretary of State.

In *New Jersey* where the driver of a motor vehicle has knowingly caused an accident by collision, or has otherwise knowingly injured any person, horse or vehicle, must return to the scene of the accident and give to any person demanding them his name, the number of his driver's license, the registration number of the motor vehicle and the names and residences of each male occupant of the car.

In *Massachusetts* a driver who "knowingly goes away without stopping and making himself known after causing injury to any person or property," may be fined two hundred dollars or imprisoned six months, or both.

CHAPTER II

THE EQUIPMENT OF AUTOMOBILES

§ 17. In General

The law imposes upon the driver of every vehicle the duty of seeing that his conveyance is so equipped as not to be nor to become dangerous to others. As applied before the use of motor vehicles, it meant that one's harness, shafts, bolts, etc., had to be of such a character and in such condition that they would not break and cause collisions.

As applied to motor vehicles, the law makes it the duty of every driver to see that his machine is inspected from time to time so that it contains no defect such as would make it a menace to the safety of others. Hidden defects, of course, it could not reasonably be expected of the motorist to find. But an operator will be held responsible for damages caused as a result of any defect that a reasonable inspection would show.

Further, motor vehicle laws generally require all automobiles to be equipped with certain prescribed paraphernalia, and make it a misdemeanor for any person to drive a car not so equipped. Such paraphernalia usually include lights, signalling devices, license or registration numbers, brakes, etc.

For the particular equipment of automobiles required in the several states and the eastern provinces of Canada, see Appendix B.

§ 18. Responsibility of Driver

If a car not equipped according to law is operated on the highways, the driver is the person whom the law makes responsible, since an improperly equipped car is dangerous only while in operation on the public streets. The driver cannot escape responsibility by contending that he did not know the legal requirements, or did not know that the particular car was not legally equipped, since the law makes it the driver's business to know those things.

§ 19. Responsibility of Owner

It not being a crime to own an improperly equipped car, an owner cannot be held responsible for illegal equipment unless he happens to be driving. If he is driving, however, he cannot avoid responsibility by showing that he left such matters to the chauffeur or to the manufacturer or garage keeper.

§ 20. Responsibility of Manufacturer

A manufacturer cannot be penalized for selling a car not equipped with all the paraphernalia required by law. Nor can a driver convicted of operating a car with illegal equipment look to the manufacturer or salesman for redress. The duty of maintaining the necessary paraphernalia is on the driver.

A question of the manufacturer's liability may arise, however, where the manufacturer has sold a machine having in it latent defects. If the manufacturer actually knew that the machine contained a concealed danger to persons using it with ordinary care, he would be liable

to such a user for damages resulting. If, however, the manufacturer himself knew of no defect, it is doubtful if he could be held liable for damages, even though a careful inspection would probably have revealed the defect—automobiles not being regarded by the law as instruments inherently dangerous.

CHAPTER III

REGISTRATION OF MOTOR VEHICLES

§ 21. In General

The states in their supervision of the highways may properly require that no automobiles shall be operated on the public streets without first being duly registered and licensed. Each jurisdiction has its peculiar system, the requirements of which must be conformed to by resident motorists. Registration under such laws is, moreover, personal and not transferable.

§ 22. Registration of Motor Vehicles in New York

In *New York* the registration of motor vehicles is in charge of the Secretary of State, Albany, N. Y. Resident owners must make application for registration of their cars on blanks furnished by the Secretary, and the applications must be sworn to. The information required includes a description of the motor vehicle, including the name of the manufacturer and factory number, the character and amount of motive power, stated in figures of horse power in accordance with the rating established by the Association of Licensed Automobile Manufacturers; the name, residence (including the county) and business address, of the owner.

In *New York* motor cycles are not classed as motor vehicles, motor vehicles being defined as "vehicles propelled by any power other than muscular power, except

motor bicycles, motor cycles, traction engines, road rollers, fire wagons and engines, police patrol wagons, ambulances and such vehicles as run only upon rails or tracks."

The registration fees in *New York* are \$5 for cars of 25 horse power or less; \$10 for cars of more than 25 but less than 35 horse power; \$15 for cars of more than 35 but less than 50 horse power; \$25 for a car of 50 horse power or more. For vehicles to be used solely for commercial purposes, however, the registration fee is but \$5; and when a car has been registered and the fees paid for four separate years, the annual registration fees are reduced one-half. These fees are, except in cases of manufacturers and of vehicles used solely for commercial purposes, in lieu of all taxes on the motor vehicles.¹

Upon the filing of the application and payment of the fee, the Secretary of State assigns to the vehicle a distinctive number, and, without expense to the applicant, gives him a certificate of registration and two number plates, which in case of loss or mutilation can be duplicated for \$1. The certificate is authority to the motorist to use the public highways.

All registrations expire on January 31st of each year.

When a registered car changes ownership, the vendor must immediately inform the Secretary of State, giving the vendee's name and address; whereupon the Secretary of State will send to the vendee a blank to be filled out and sworn to, to be filed in the Secretary's office. The fee charged is \$1, to be paid by the vendee.

The purchaser of a car from a manufacturer may operate the car for fifteen days after taking possession,

¹One-half these fees only are required on registrations applied for prior to January 31, 1911.

or until he receives his certificate of registration, provided application for registration shall previously be made, and provided that the dealer's registration number remains attached.

Manufacturers and dealers, instead of having each car registered separately, are allowed a general distinctive number for all the motor vehicles owned or controlled by any manufacturer or dealer. The fee is \$15, and the letter M must be displayed in addition to the registration number. This does not apply, however, to cars operated for private use or for hire.

§ 23. Registration of Motor Vehicles in New Jersey

In *New Jersey*, the Assistant Secretary of State is ex officio commissioner of motor vehicles, having personal charge and supervision of the enforcement of the motor vehicle law.

Registration of an automobile may be made by filing with the Commissioner a written statement containing the owner's name and address, with a brief description of the character of automobile, including the rated horse power, the maker's name and the manufacturer's number. The fee is \$3 for cars of 10 horse power or less; \$5 for cars of 11 to 29 horse power, and \$10 for cars of 30 horse power or more.

The Commissioner, upon proper application, issues a certificate of registration and license. He has discretion to decline to register any car not complying with the law or which is in his opinion unsuitable for use on the highways.

The license fee for motor cycles is \$2 a year.

Manufacturers and dealers may obtain one certificate

to cover not more than five automobiles, the fee being \$5 a year for each car, and the letter "M" to be displayed in addition to the registration number.

Every registration expires on December 31st of each year, but it is lawful to operate any duly registered automobile thirty-one days after the expiration of the certificate.

Upon a transfer of title to a registered automobile, the registration becomes void, but is renewed by indorsement of the certificate by the Commissioner of Motor Vehicles, the purchaser having made written application therefor and having paid a transfer fee of \$1.

§ 24. Registration of Motor Vehicles in Connecticut

In *Connecticut*, the registration and licensing of a car is accomplished in the same manner as in *New York* and *New Jersey*, the application being made to the Secretary of State upon blanks furnished by him.

The law provides that the registration certificate shall at all times be carried upon such motor vehicle and shall be subject to examination upon demand by any proper officer.

The registration fee is sixty cents per horse power for motor vehicles of 25 horse power or more, and fifty cents per horse power for those under 25 horse power; except that special rates are made for motor cycles, commercial vehicles and manufacturers' and dealers' vehicles. Persons not filing their applications before July 1st are entitled to a pro rata rebate.

All registrations expire December 31st of each year. Upon transfer of ownership of any motor vehicle, its registration expires, and it is the duty of the person in

whose name the vehicle is registered to return the certificate to the Secretary of State with a notice of the date of transfer and the name and address of the new owner.

§ 25. Motor Vehicles of Non-Residents

Automobile legislation is still so young that in regard to it the various states have not yet come to that degree of comity where one who has his car duly registered in his home state can without becoming a law-breaker, use the highways of all other states with his automobile without obtaining a license.

For instance, in *New Jersey*, non-residents, before they can lawfully use the highways with motor vehicles, must regularly apply to the Commissioner of Motor Vehicles for registration, and must, in addition, appoint the Secretary of State his attorney upon whom may be served papers in any legal proceeding growing out of the operation of the non-resident's automobile. If, however, the non-resident is duly registered in his home state or territory the Commissioner of Motor Vehicles may upon formal application and payment of \$1 license fee, issue a license which shall be valid for any eight days or for four periods of two days each, during the balance of the calendar year. But only one such license will be issued to the owner of any motor vehicle in any one year.

By the *New York* law, reciprocity is extended to a non-resident whose car is duly registered in his home state and the registration numbers are properly displayed. *New York's* registration requirements are waived as to the non-resident in the same extent that the laws of his own state grant a similar privilege to residents of *New York*.

This does not mean that *New York* will grant to residents of other states the identical courtesies that those states extend to citizens of *New York*. It is the registration only that is waived, wholly or in a limited way. *New York* does not, for instance, issue temporary licenses. So that a resident of *New Jersey* wishing to motor in *New York*, must be regularly registered in *New York* the same as any *New York* citizen, even though the laws of *New Jersey* give to residents of *New York* the privilege of a temporary license—since *New Jersey* requires every *New York* car to be duly registered before using the *New Jersey* highways.

The laws of *Connecticut* illustrate another form of restriction. A non-resident's car duly registered in his home state, may be operated in *Connecticut* "not exceeding ten days in any one year" without registration. If the owner is convicted of violating the speed laws, however, the privilege is withdrawn.

Some states, as for instance *Maine*, give use of their highways, without restriction, to a non-resident whose car is properly registered at home, provided that the registration number of the home state is shown on front and back.

The provisions of the other states as to registration requirements are shown in Appendix A.

In those states granting reciprocity to non-residents, the practical enforcement of the laws is such that motorists are actually little concerned about the registration requirements, and come and go as they please. No record is kept of the entrance or exit of non-residents, so that the reciprocal time limits are actually not altogether respected.

A motorist not observing the law in regard to registration is nevertheless liable to punishment if apprehended. And the fact that one was driving unlawfully would not only militate against him if he were liable for damages arising from an accident, but would likely defeat his own recovery for damages from defective highways.

§ 26. Motorists Must Obey Local Laws

Every state, county and community has jurisdiction over such acts of persons within its borders as affect public safety, and the motorist must obey the laws of the community where he is. Exemption from registration requirements furnishes no exemption from full obedience to the local laws in all other respects.

§ 27. Revocation of Registration and License

The motor vehicle laws of nearly all states provide that the registrations and licenses of cars shall be revoked when the owners are convicted of certain offenses. For instance, in *New York* the registration of any person convicted of driving while in an intoxicated condition will be revoked on recommendation of the trial court. The states have the right to revoke registrations, and the motorist has often to suffer that penalty for violations of the law.

Many states extending courtesies to non-residents provide in their motor vehicle laws that infractions of the rules against fast driving must be penalized by forfeiture of the courtesies extended.

One's registration or license is not affected by the loss of one's certificate or other evidence of the registration. In case of such loss application for a duplicate certificate should be made promptly to the officer from whom the original was obtained.

CHAPTER IV

WHO MAY LAWFULLY OPERATE MOTOR VEHICLES ON PUBLIC HIGHWAYS

§ 28. In General

The registration of a motor vehicle by its owner does not always give the owner the right to operate it on the public highways. Some states require *any* person who wishes to operate a car to take out an operator's license.

Motor vehicle legislation being comparatively young, the requirements of the states are not as uniform in this respect as in the general requirements for registration of cars.

For instance, in *New York* there is no restriction upon the owner's right to drive his car, although chauffeurs or persons who drive "as employees or for hire" cannot lawfully operate motor vehicles without being duly licensed. And as far as the statute requires, there seems to be no limitation upon persons driving in *New York* who do not do it "as employees or for hire." In some other states no unlicensed persons may lawfully drive except under certain limitations, as, for instance, while learning to operate, being accompanied by a licensed operator.

Wherever operators' licenses are issued, it is generally the duty of any person driving and having such a license to carry it with him and to exhibit it to any peace officer who may demand to see it.

§ 29. Age of Operator

The states are coming now to provide that persons below certain ages may not lawfully drive a motor car, except under certain limitations.

In *New York*, for example, driving by a person under eighteen is a misdemeanor, unless the person is accompanied by a duly licensed chauffeur or the owner of the vehicle being operated.

In *New Jersey* no person under sixteen may lawfully be licensed.

In *Connecticut* and *Massachusetts* no person under sixteen can lawfully operate a machine.

As the motor vehicle laws become more comprehensive, statutory provisions of this sort are more numerous and more stringent.

§ 30. Chauffeur's License in New York

By the New York motor vehicle law a chauffeur is any person operating a motor vehicle as an employee or for hire. Chauffeurs must be examined and licensed as indicated in the first section of this chapter, before they can lawfully drive motor vehicles on the highways. Their annual fee for license is \$5.

Applications for license must be made upon blanks furnished by the Secretary of State, and must be accompanied by the applicant's photograph. To each licensed chauffeur is issued a distinctive number, with a metal badge, which must be worn pinned to the clothing in a conspicuous place at all times while the chauffeur is operating a car.

A non-resident chauffeur who has registered under pro-

visions of the law of his home jurisdiction is exempt from license requirements in *New York*, provided the laws of his home jurisdiction are substantially equivalent to the New York requirements, and provided he shall display his foreign badge in the same manner as required of resident chauffeurs.

Whether the law of the foreign state was substantially similar to the New York law could be determined only by the Court in a proceeding which would test the chauffeur's right to drive in *New York*. If the court held the foreign statute not substantially equivalent, the chauffeur could not lawfully drive in *New York* without a New York license.

Licenses must be renewed annually, the renewal to take effect February 1st in each year.

§ 31. Operator's License in New Jersey

In *New Jersey* no person may lawfully drive a motor vehicle in highways without being duly licensed by the Commissioner of Motor Vehicles, except that a beginner may obtain from that Commissioner a fifteen day permit which will allow him to drive while accompanied by and under control of a duly licensed New Jersey operator. No person is licensed without being subjected to an examination which includes, besides a practical demonstration, a knowledge of automobile mechanics as applied to the type of machine which the applicant desires to operate.

Automobiles are rated according to their horse power, and the licenses specify the height of horse power which the licensee may lawfully operate. The annual fee is \$1 for operators of cars less than 30 horse power and \$2 for cars of 30 horse power and above.

§ 32. Operator's License in Connecticut

In *Connecticut* a license is necessary to lawful operation of a motor vehicle by any person, except that one sixteen years or over may lawfully drive a motor vehicle when accompanied by a duly licensed operator.

Licenses are issued by the Secretary of State, and applications must be made upon blanks furnished by him. The annual fee is \$2. The license must be carried by the licensee while operating, and held ready for the inspection of peace officers.

§ 33. Status of Non-Residents as to Operators' Licenses

In general it may be said that the same courtesies are extended to non-residents as regards operating cars, as in the cases of exemption from registration requirements. Sometimes, however, this will be an indirect result, as in *Connecticut*, where the law provides that non-resident *owners* shall be exempted ten days from the requirements of registration and of the licensing of operators, but does not mention chauffeurs. The owner, however, would under his exemption be a duly qualified operator in *Connecticut*, in whose presence an unlicensed person doubtless might lawfully drive.

§ 34. Revocation of Operator's License

Operators' licenses are commonly revocable for any serious misconduct.

In *New York*, for instance, upon a third or subsequent conviction of a chauffeur for violation of the speed laws, his license shall, upon recommendation of the trial court,

be revoked, and no new license shall be issued him for at least six months, and even then only in the discretion of the Secretary of State.

In *Connecticut* the Secretary of State may suspend the license without a hearing, and may revoke it in his discretion after a hearing, for any cause he may deem sufficient.

In *New Jersey* the magistrates have authority to revoke licenses of any operators when, in the magistrate's opinion, the operator has been guilty of such willful violation of the motor vehicle law as warrants a penalty of such revocation.

CHAPTER V

EMPLOYER AND CHAUFFEUR

§ 35. Operation of the Car

The owner of an automobile is liable for any act of his chauffeur done within the scope of the employment. If a chauffeur, while acting in the exercise of his employer's orders, negligently causes injury to a third person, even though the particular act the chauffeur was engaged in was not actually necessary to proper performance of his duty, the employer is liable to the person injured, for damages.

Example: Where an owner told his chauffeur to go downstairs in the hotel for oil, and instead he ran the car to a garage, colliding negligently with a wagon on the way, the owner was liable for the resulting damage.

§ 36. When Chauffeur is Acting within Scope of Employment

Whether the chauffeur is at a given time acting within the scope of his employment, depends upon the particular facts of each case. In general the chauffeur is employed to operate and drive his employer's car only at such times and to such places as designated by his employer personally, or by his employer's agent, and otherwise he is not acting for his employer.

Thus, if the chauffeur is driving for his own pleasure and business, even with the owner's consent, the owner

is not responsible for negligent conduct of the chauffeur in such driving. So that an owner who loans his car to his chauffeur or to any other person who knows how to operate it, is himself not liable for the act of the person to whom the car is loaned. Or if the chauffeur has become for the time being the servant of another in the operation of the car, and does the driving at that other's direction, his original employer is not liable for his negligence.

A father is not liable for his child's negligent acts unless they are rendered while the child is also acting as the parent's servant.

ILLUSTRATIONS OF RESPONSIBILITY IN CASE OF ACCIDENT

Where a chauffeur was directed to drive the automobile to a hotel, but instead went a mile down the road in an opposite direction to make a call, then injured a person on the way to the hotel after the call, it was held that the chauffeur was on his own business, and the owner was not liable.

Where a son took his father's automobile from the garage without the father's knowledge, and gave a young woman a ride, the father was held not liable for the results of the son's negligent driving.

Where the owner's brother had control of the automobile and employed a chauffeur to run it, the owner was held not liable for the chauffeur's negligent act.

Where an owner allowed his chauffeur to take the car "to go up to Harlem" and the chauffeur took some of his friends riding, the owner was held not liable for the negligent running down of another person.

In general, it may be said that the test of the employer's liability is whether the chauffeur at the time of

the accident was driving by direction of the employer or of his authorized agent. If not, the owner cannot be held liable.

The chauffeur is, of course, always liable for damages resulting from his own negligence.

A passenger in a taxicab does not employ the chauffeur in such sense as to make him a servant. Accordingly the passenger is not liable for the chauffeur's negligent acts. However, if the passenger employs the chauffeur to violate the speed laws, the passenger is equally guilty with the chauffeur.

§ 37. Chauffeur's Authority to Purchase Supplies

An employer who authorizes his chauffeur to purchase supplies for the car is, of course, liable for the value of the goods. It would seem also, that wherever the employer has ordered the chauffeur to make a journey, incidental supplies purchased by him which were reasonably necessary for the trip might be charged to the master and the price collected. However, the chauffeur has no other implied authority to order repairs, and he very clearly has no authority to order permanent repairs or improvements on the employer's credit.

However, where a course of dealing has been indulged in by which the chauffeur has been accustomed to order whatever he thought necessary for the car as though he were the owner, and the owner has paid the bills, the chauffeur's authority is undoubtedly broadened considerably by that custom of dealing and where the employer has held the chauffeur out as purchasing agent, even though there was no explicit authority, the employer would be estopped from denying the chauffeur's authority.

§ 38. Commissions to Chauffeur

In *New York* state any person who is authorized to procure supplies for his employer, either by purchase or contract, and who receives directly or indirectly a commission, discount or bonus from the seller or contractor, is guilty of a misdemeanor. The person giving or offering the commission, discount or bonus is also equally guilty, and both, upon conviction, may be fined \$500 and imprisoned for one year, and must be fined at least \$10.

It has been held that where a seller paid secret commissions to the purchaser's agent, the seller cannot recover for the price of the goods sold.

§ 39. Unauthorized Use of Car by Chauffeur

In *New York*, any chauffeur or other person who, without the consent of the owner shall take, or cause to be taken, from a garage, stable, or other building or place, an automobile or motor vehicle, and operate or drive or cause the same to be operated or driven for his own profit, use or purpose, is guilty of larceny and punishable accordingly.

CHAPTER VI

RELATIONS OF AUTOMOBILE OWNER WITH GARAGE KEEPER AND REPAIR MAN

§ 40. In General

The great majority of automobilists keep their machines in public garages, the garage keeper being usually a repair man. Friction not infrequently results between the garage keeper and the owner, or between the repair man and the owner, and it is important to all of these persons that they know generally their rights and liabilities in their relations.

§ 41. Garage Keeper's Rights

The relation between the owner and the garage keeper is called in law that of bailor and bailee, a definite legal status giving each party certain rights and liabilities. If the parties agree upon a price that is to be paid for the storage, the garage keeper is, of course, entitled to that price. If there is no agreement, the garage keeper can recover from the owner the reasonable value of the storage.

The reasonable value would depend upon the location of the garage—that is, whether it was located in a section where the garage keeper has himself to pay high rent—and the general conditions of the storage, viz., whether the car was kept easily accessible so that the owner could get it quickly, etc. The reasonable value would be

established in court by the testimony of persons familiar with the prices usually charged for similar storage in or near the same community.

The garage keeper has a lien on the car for his storage charges. But at common law a lien of this sort depends upon continued possession, terminating with the surrender of the article bailed; so that in absence of statute if a garage keeper allows a car to be taken from his garage, his lien terminates, although, of course, the debt remains.

The lien law of *New York* has now been so amended that a garage keeper by letting a motor vehicle go out of his possession does not lose his lien; and he has a lien on the machine not only for storage but for any repairing he may have done or supplies he may have furnished for it. The law now gives him the right to "detain such motor vehicle at any time it may be lawfully in his possession until the sum due is paid."

This does not mean (as has sometimes been supposed) that the garage keeper may go into the street and seize an automobile upon which he has a lien, even though the owner may have left it unattended in the highway; for it is not then lawfully in the garage keeper's possession. Once the garage keeper allows the car to go out, he cannot again detain it until it has been put into the garage-keeper's charge by the owner or with his consent.

If the garage keeper wishes to enforce his lien and get possession of the machine while it is out of his possession, he must pursue the regular legal process of bringing an action in which a warrant to seize the chattel may be issued by the court.

If the debt is not paid, a lien may be enforced by following the legal requirements necessary.

§ 42. Liabilities of Garage Keeper

The garage keeper is bound to exercise reasonable care and prudence in keeping the machine safely, and must furnish accommodations that are reasonably safe, both for the machine itself and for the entry and egress of the owner. Any failure on the part of the garage keeper to use due care, resulting in injury to the machine, is a breach of the contract on the garage keeper's part, and he is liable to the owner for any injuries sustained.

The garage keeper is also liable for the loss of any of the accoutrements of the car while in his possession; and it has even been held that he was liable for the loss of a rug from a locker which he furnished. He is not, however, liable for the destruction of a car by fire, unless he has failed to use due care.

§ 43. Rights and Liabilities of Repair Man

The rights of the repair man under the lien law are the same as those of the garage keeper, explained in the preceding section. But whereas the charges for storage and for supplies furnished are usually either fixed by agreement or are standard, the value of the repair man's work is frequently the subject of dispute and often the cause of litigation.

If a repair man claims a lien on a car and refuses to surrender it, when the owner denies the existence of the lien, claiming, for instance, that there was no work done, or that it is paid for, or that it was not well done or not done according to agreement, the owner may bring an action in replevin for the recovery of the car, and have it seized by legal process. In that action the court will determine the rights of the respective parties.

Where there is no special agreement as to the amount of charges for repairs, the repair man must make his charges reasonable; that is, he must not charge more than the time, skill and materials put into the job are worth. The owner of a car is not legally bound to pay more than a reasonable fee.

The repair man may lawfully run an automobile left with him for repairs in order to ascertain what repairs are necessary, or to ascertain whether repairs made are effective. But he cannot lawfully use the machine for his own purposes, or permit its use by others for their purposes.

In case of any difference between owner and either garage keeper or repair man that cannot be amicably adjusted, neither party should neglect to secure and be guided by competent legal advice based upon the facts of his particular case.

CHAPTER VII

CRIMES OF AUTOMOBILISTS, AND WHAT TO DO IN CASE OF ARREST

§ 44. In General

Most of the arrests of automobile drivers are on charges of violating the laws against fast driving; and although in general automobilists are law-abiding citizens, so difficult is it to keep always within the speed limits that it has been said that hardly a car goes out of a garage without the driver becoming somewhere on the trip a law-breaker. Even though considerable latitude is usually allowed by the officers of the law in permitting motorists to go faster than the legal limit, still the periodical spells of fairly strict enforcement of the law come with sufficient frequency to make it the part of discretion for drivers always to be careful.

Nearly all infractions of motor vehicle laws are misdemeanors. Misdemeanors are crimes, and differ from felonies only in the character of the punishment inflicted. In *New York* the maximum punishment for any misdemeanor is a fine of \$500 and imprisonment in a penitentiary for one year. For the lesser crimes a lesser maximum is prescribed. For felonies the punishment may be much more severe, including confinement in a state's prison.

The common felonies of which a motorist may be guilty are, driving while in an intoxicated condition after one conviction for that offense, fleeing from the scene of

an accident without making oneself known (see § 16), assault and manslaughter.

The legal procedure in cases of all crimes is much the same, the only substantial difference being that in the usual course misdemeanors are disposed of in the inferior courts, without juries, while the felonies are attended to by the courts of unlimited jurisdiction, with juries.

§ 45. The Arrest

It is not necessary for an officer to have a warrant in order to make a legal arrest for a crime committed in his presence. Indeed in some jurisdictions, as for example, *New York*, a private citizen has the right to arrest a person committing a crime in his presence—which gives any citizen the power to arrest an offender whom he sees violating the motor vehicle law. This privilege of the citizen is however not generally known and not frequently exercised.

A person making an arrest has no right to use more force than is necessary to effect the arrest. Any excess renders the person using it liable for assault.

§ 46. Admissions

Anything said by an accused person at the time of his arrest may later be used against him in court. For that reason it is usually considered excellent advice to a person accused of law-breaking to make no statement to the officer, or to anybody other than his own advisers, except to put in the necessary plea, or at the trial, acting under advice. Many a guileless automobilist has effected his own conviction by protesting that he was not going more

than fifteen miles an hour, and then learning that the speed limit in force at the place of his arrest was, say, eight miles an hour.

It is advisable for the accused motorist to remember that the prosecution must prove its case beyond a reasonable doubt, and that the person accused cannot be made to testify against himself.

§ 47. Proceedings Immediately Following Arrest

A person arrested is required by law to be taken forthwith before the nearest magistrate, or, if a magistrate is not available, before the nearest other official having authority to admit to bail.

If the accused is taken before a magistrate, he is entitled to an immediate hearing in case it can conveniently be had. The prisoner is asked whether he pleads guilty or not guilty. If the plea is guilty and the magistrate has jurisdiction to pass upon offenses of the character charged, disposition of the matter will ordinarily be made immediately. If the plea is not guilty and a hearing is not then had, it is the duty of the magistrate to admit the defendant to bail, pending examination or trial. If a hearing is had and the magistrate finds he has not jurisdiction, he must hold the defendant to answer before a court of competent jurisdiction.

If the accused is not taken before a magistrate but before an inferior officer, the latter's only function, if he has the power, is to admit to bail pending appearance before a magistrate.

§ 48. Bail

Bail consists of an undertaking that the defendant will appear as required for examination or trial. The inde-

pendent undertaking of a surety company of approved standing is usually pronounced sufficient. If the undertaking is that of the defendant himself, it must be secured by approved sureties, by cash or an equivalent allowed by law. In *New York* state, for instance, it is permitted in cases of motor vehicle law violations that the owner may leave his car as security. Officers admitting to bail have also been known to accept as the equivalent of cash other things such as jewelry of unquestioned value.

Bail must be in a definite amount, not exceeding a certain sum. Within the legal limits the amount demanded may vary according to the gravity of the offense charged. The amount must not be excessive, and it is common for statutes to limit the amount. For instance, in *New York*, for a misdemeanor, the usual crime of violation of the motor vehicle law, the bail may not exceed \$100. For felonies, however, such as knowingly fleeing from the scene of an accident where injury has been caused, without giving one's name, address, etc., the bail must be not less than \$1000.

An ingenious method of having bail always handy has been put into practice by some of the large surety companies. To the automobilist who is its customer, the surety company issues its power of attorney, authorizing the motorist to execute and deliver in the name of the company such bail bonds as may be required from time to time by any magistrate or other officer authorized to accept bail. With such a power of attorney in his pocket, an operator is saved the necessity of carrying sufficient cash bail to release him in case of arrest, and can avoid the inconvenience so frequently attendant upon producing proper sureties.

After the disposition of the case, any money or goods

deposited as security for bail, is returned to the defendant, upon an order issued by the court.

§ 49. Special Provision in Lieu of Arrest in New York City

In *New York City* persons of good character and satisfactory identification may obtain from the Police Department, upon filing an application accompanied by two photographs of the applicant, an identification card upon which will be mounted one of the motorist's photographs. The bearer of such an identification card may not lawfully be arrested in the city of New York for any violation of the motor vehicle law or of any ordinance except where persons "are unable to take care of themselves or are charged with conduct tending to a breach of the peace."

In case a person bearing such a card is apprehended by an officer and charged with a violation of an ordinance or of the motor vehicle law, subject to the limitation above stated, the officer will, upon production of the card, take the name and address of the accused and thereupon serve upon him a summons requiring him to appear at a certain time and place before a magistrate's court. The summons must be returnable not more than 48 hours after it is issued.

If a person receiving such a summons fails to obey it, he is liable to a fine of \$25 for contempt of court, in addition to punishment for the offense, if proved, for which he was originally apprehended.

Persons not residing in New York City may secure such identification cards, although the cards are not, of course, serviceable outside the New York City limits.

§ 50. Defense of Speed Cases

Where the arrest is for violation of the speed laws and there was an undoubted infraction, most motorists deem it the part of wisdom to plead guilty, show any mitigating circumstances that may have attended the violation, and escape with as low a fine as possible.

However, there is frequently a fair question as to the defendant's guilt, making a definite issue for trial. Where a defense is made by a person accused, the prosecution's case is usually made out by the officer who effected the arrest; and such officers may often upon cross-examination be proved to be so inaccurate as to make their evidence incredible.

Among the particular matters that should be subjected to analysis are these:

(a) If the officer swears that the machine went a given distance in a given time, was he merely estimating or guessing at the distance, or had he measured it himself? If he had measured it, was his measuring done with accurate apparatus? The fact that some one told him the distance was such-and-such does not make legal proof.

(b) Is the officer's stop watch accurate? This may be ascertained by comparison with other stop watches.

(c) If the time was taken from a standing position by the officer, was not the distance covered shorter than that testified to, for the reason that the officer's line of vision was not at right angles to the highway, but diagonal?

(d) Is the officer's eyesight sufficiently good to have enabled him to time the car as testified? This point may be especially pertinent in cases of arrest for speeding at night.

(e) If the arrest was made by a bicycle policeman, who claims to have overtaken the car while it was going at a high rate of speed, is he able to ride that fast, particularly in the locality where the arrest was made?

(f) Can the officer swear positively and honestly that the person accused in court was the driver of the car? The officer's attention is usually not at all on the person driving, but on the speed of the car. It by no means conclusively follows that the person at the wheel at the time of the arrest is the one who drove the car when the officer was taking the time.

(g) If the vehicle was not timed, but was merely observed, has the person testifying had sufficient experience in making such observations to judge with accuracy? What are the facts upon which he bases his opinion?

The prosecution must make out its case beyond a reasonable doubt, proving not only that the car was propelled at an unlawful rate, but that the person accused is the one who did the driving. It is not necessary for the defendant to testify or introduce any evidence.

Accordingly, testimony which shows merely that a car bearing the defendant's registration number was going at an illegal rate is not sufficient for a conviction.

Negligent driving is not necessarily criminal. It is only when the motorist is proceeding with wanton recklessness and gross lack of care that criminal charges for assault may be entertained. In such a case substantially the only inquiry is whether the accused was driving carefully.

Where the accused was driving with gross lack of care, the fact that a person struck may not himself have been

using due care is not a defense, although it may, of course, have a mitigating effect.

§ 51. Guilt of Passenger

Proof that the owner of a car was riding in it when the chauffeur was driving at an unlawful rate, has been held to establish *prima facie* that the owner having power to control the machine either knew, directed or allowed it to be illegally run, and is himself guilty of a crime. The same ruling would apply to one who hires a taxicab driver to violate the law.

As to a passenger having no power to control or direct the movement of the car, it could not be said that he was a party to the crime.

§ 52. Ignorance of the Law No Excuse

Ignorance of the law is never an excuse for breaking it. This applies to local ordinances as well as to statutes and the common law, local ordinances being as much law in the locality to which they apply as any other statutory enactment. Every man is presumed to know the law of the community in which he at any given time happens to be.

CHAPTER VIII

RIGHTS OF MOTOR VEHICLES ON FERRIES AND VESSELS

§ 53. On Navigable Waters

Navigable waters and transportation thereon are under the control of the federal government. The United States statutes at one time forbade passenger vessels carrying explosives except under certain stringent conditions. But the law has now been amended so that nothing in it prevents the transportation by steam vessels of gasolene or any of the products of petroleum in automobiles using it as a source of motive power, provided that all fire in the vehicles, if any, be extinguished immediately after the embarkation, and not be relighted until immediately before leaving the vessel.

However, any person having charge of passenger steam vessels may lawfully refuse to transport automobiles which have gasolene, naphtha or other dangerous burning fluids in their tanks, and many passenger steamship lines decline to transport motor cars until all the gasolene or other explosive fluid is completely removed.

CHAPTER IX

AUTOMOBILE INSURANCE

§ 54. In General

Automobile owners can obtain insurance on their cars which will, in one policy, cover loss from:

1. Damage by fire from whatever cause, including self-ignition, explosion and lightning.

2. Damage resulting while the car is on board a railroad car, caused by derailment of the car, or collision of the railroad car with another railroad car.

3. Damage resulting while the car is on board a steamer, caused by stranding, sinking, burning or collision with another vessel.

4. Damage from theft of parts of the car or of the whole car by persons other than those in the employment, service or household of the insured.

By accident policies an owner can be insured against loss through:

(a) Damage to his own car in collision.

(b) Damage which he is required to pay for injuries to another person or damage to another's property injured in collision with his car.

The general experience is that the best results are obtained by insurance against loss from collision with strictly accident companies, and against fire by insurance with fire insurance companies. The accident policies

usually provide that the insurer shall have the option of defending any suit brought against the insured by a person injured.

The rates usually run about 2 to 4 per cent. a year on the amount of the insurance, according to the age, value and horse power of the automobile.

§ 55. Notice to Insurance Company

A matter of prime importance to one who has been insured is to give prompt notice to the insurance company of loss or damage when it has occurred. It is common for policies to contain provisions that such notice must be *immediate*. In such cases any unreasonable delay will terminate the insured's right to collect any insurance. The insured should not neglect to make himself familiar with the provisions of his policy not only in this respect, but in regard as well to the other matters contained therein, and conform to them strictly.

APPENDIX A

RECIPROCAL LAWS AFFECTING NON-RESIDENTS

Registration and Licensing of Non-Residents' Motor Vehicles and of Non-Resident Chauffeurs

(See § 25 *ante.*)

ALABAMA

No mention is made of non-residents in the motor vehicle law, which requires owners to register cars in the office of the Probate Judge of the county of the *owner's residence*. No driver's license required.

ARIZONA

No general motor vehicle law.

ARKANSAS

No general motor vehicle law.

CALIFORNIA

Cars of non-residents temporarily within the state are exempt from registration requirements, provided the cars are properly registered in their home jurisdiction and display the home registration number on the rear. There is no special provision for the exemption of non-resident chauffeurs.

COLORADO

No registration requirements.

CONNECTICUT

See § 25 *ante*. Chauffeur exempt ten days.

DELAWARE

A non-resident is granted the same exemptions as are granted to citizens of Delaware by the laws of the state in which the non-resident lives.

DISTRICT OF COLUMBIA

Non-residents exempt, provided registered in home state and home registration number displayed. The police, however, are directed by law to require the registration with the Secretary of the Automobile Board, of cars of non-residents, within 24 hours after arrival in the District of Columbia, this registration to warrant operation of the vehicle in the District of Columbia for not more than ten days. Not more than three registration numbers shall be displayed. Temporary permits are granted to chauffeurs.

FLORIDA

Non-resident owners are exempt from registration requirements 30 days. No exemption is provided for chauffeurs, although no examination is necessary.

GEORGIA

Motor-cycles of non-residents are exempted but no mention of automobiles is made by the statute. No driver's license necessary.

IDAHO

No general motor vehicle law.

ILLINOIS

Full exemption is granted to cars of non-residents who have complied with any registration laws of their own state and who display their home registration number, with initial of the home

state thereon. Non-resident chauffeurs not specifically exempt from registration.

INDIANA

Non-resident cars properly registered in the home states are exempted, provided a registration number showing the initial of the home state is displayed. No driver's license required.

IOWA

Non-residents' cars need not be registered provided they are properly registered at home and the home registration number showing the initial of the state of registration is displayed. No driver's license is required.

KANSAS

No state registration law.

KENTUCKY

No state registration law.

LOUISIANA

No general motor vehicle law.

MAINE

See § 25 *ante*. Chauffeurs licensed in another state are exempt.

MARYLAND

Cars of non-residents duly licensed at home are exempt for not exceeding two periods of seven consecutive days in any calendar year, provided the non-resident obtains from the Commissioner of Motor Vehicles, and displays on the rear of his vehicle, a tag or marker. The Governor of the state has authority to extend full reciprocity to non-residents. Violation of the Maryland laws as to safe driving forfeits the privilege. There is no specific exemption for non-resident chauffeurs.

MASSACHUSETTS

A ten days' exemption from registration requirements is granted to cars of non-residents, provided the cars are properly registered in a state or country granting similar privileges to residents of Massachusetts. The registration number of the home state must be displayed. Operators of cars of non-residents are also exempt for ten days, provided they may legally operate cars in their home states.

MICHIGAN

Cars of non-residents are exempt (except of corporations doing business within the state), provided the owner shall have complied with the laws of his own state and shall display its registration number and provided also that the non-resident's home state extends similar privileges to residents of Michigan. Non-resident chauffeurs are also exempt from registration provided they are registered at home under a motor vehicle law substantially similar to that of Michigan, and which extends similar courtesies to Michigan chauffeurs. The home badge must be displayed.

MINNESOTA

Cars of non-residents temporarily within the state are exempt provided there is conspicuously displayed a number and tag which shall make the car and place from which it comes easily identified. Chauffeurs duly licensed in another state are also exempted from registration provided the badge of the home state is displayed.

MISSISSIPPI

No general motor vehicle law.

MISSOURI

Non-residents' cars are exempt 20 days, provided home law complied with and home badge displayed. Non-resident chauff-

feurs duly licensed in their home state are exempt 20 days, but may drive only cars duly registered in some jurisdiction.

MONTANA

No registration requirements.

NEBRASKA

Cars of non-residents which are duly registered at home are exempt. The home numbers must be displayed. No operator's license is required.

NEVADA

No general motor vehicle law.

NEW HAMPSHIRE

Non-residents' cars properly licensed at home are exempt from registration requirements for ten days. Chauffeurs licensed elsewhere are exempt, subject to revocation of such suspension by the Secretary of State, for cause.

NEW JERSEY

See § 25 *ante*. Operator's license necessary. See § 31 *ante*.

NEW MEXICO

No general motor vehicle law.

NEW YORK

See § 25 and § 30 *ante*.

NORTH CAROLINA

A non-resident passing through need not register. No time limit set. No driver's license required.

NORTH DAKOTA

No registration requirements.

OHIO

Cars of non-residents are exempted from registration, provided the motor vehicle law of the non-resident's home state is substantially similar to the Ohio statute, and has been complied with. Chauffeurs also exempt if properly registered at home and displays his badge.

OKLAHOMA

No general motor vehicle law.

OREGON

Non-residents' cars exempt, provided properly registered at home and the registration number showing initial of home state displayed. No driver's license required.

PENNSYLVANIA

To residents of states which extend similar privilege to residents of Pennsylvania an exemption of ten days from registration is given, provided the non-resident has complied with the laws of his own state and displays number tags indicating his home state and his registry number therein. Non-resident chauffeurs are not exempt.

RHODE ISLAND

Rhode Island exempts for ten days non-residents' cars duly registered in the home state, provided the home registration numbers and none other are displayed. After ten days' use in any one year of a motor car not registered in Rhode Island, full registration must be made. The chauffeur is exempt if accompanied by owner.

SOUTH CAROLINA

No state registration provisions. Registration of cars made with county clerks of counties of owner's residence.

SOUTH DAKOTA

Cars duly licensed at home and displaying the home number are exempt. No driver's license required.

TENNESSEE

No special provision as to non-residents. No driver's license required.

TEXAS

No special provision as to non-residents. No driver's license required.

UTAH

Cars of non-residents temporarily within the state are exempt, provided the cars are registered at home, and the home registration number is displayed, showing the initial letter of the state or territory. Chauffeurs are not specifically exempted from registration requirements.

VERMONT

Vermont grants a full exemption for ten days to cars of non-residents duly licensed at home, provided the non-resident's home state grants similar courtesy. After ten days a license fee must be paid, and after sixty days operation a full license must be obtained. Chauffeurs may operate without license if accompanied by the owner during the exemption period, or when accompanied by a duly licensed operator.

VIRGINIA

Non-residents' automobiles duly registered at home are exempt for not exceeding two periods of seven consecutive days in any calendar year, provided the owner obtains from the Commissioner of Motor Vehicles a tag or marker, and displays the same on the rear of the vehicle. The Governor of the state has power to extend full reciprocity to non-residents. There is no exemption of non-resident chauffeurs.

WASHINGTON

Non-residents' cars duly registered at home and displaying the home number are exempt. No driver's license is required.

WEST VIRGINIA

No exemptions, either of owners or of operators, are provided for.

WISCONSIN

Non-residents' cars are exempt if duly registered at home and the home numbers are displayed on the rear. No operator's license is necessary.

WYOMING

No general motor vehicle law.

CANADA**Nova Scotia**

Non-residents' cars are exempt, provided the laws of the home province or state have been complied with. Chauffeurs are also exempt.

New Brunswick

Non-residents' cars are exempt if properly registered in home state or province. Chauffeurs are also exempt.

Quebec

Only cars of Canadians are exempt.

Ontario

There is no exemption in favor of non-residents.

Prince Edward Island

No automobiles are allowed.

APPENDIX B

SPEED AND EQUIPMENT REGULATIONS

Speed Limits, and Statutory Provisions as to Registration,
Lights and General Equipment, in the Several
States and Canada

ALABAMA

Registration: Probate Judge of county of owner's residence.

Driver's License: None required.

Lights: No provision.

Equipment: "Suitable appliances to lessen noxious odors, diminish noise and bring such vehicle to a quick stop."

Speeds: 8 miles throughout state; 4 miles on dams or causeways less than 20 feet wide.

ARIZONA

No general motor vehicle law.

ARKANSAS

No general motor vehicle law.

CALIFORNIA

Registration: Secretary of State, Sacramento.

Driver's License: Necessary for chauffeurs but not for owners.

Lights: 2 white in front with numbers thereon 1 inch high;
1 red in rear.

Equipment: Brakes and signaling device. Numbers, not supplied by state.

Speeds: 10 miles in built up districts; 15 miles elsewhere in cities and villages; 4 miles on bridges, dams, curves and steep descents.

COLORADO

No provisions.

CONNECTICUT

Registration: Secretary of State, Hartford.

Driver's License: Required of owners as well as of chauffeurs.

Lights: 2 white front, 1 red rear.

Equipment: On cars more than 10 h. p., two separate brakes, one operated by feet, and one of which shall act directly on driving wheels or on connecting parts of them. Engine must be muffled in cities and boroughs, and throughout state at any time between 9 p. m. and 6 a. m. Bell, horn or whistle.

Speeds: See § 14 c, *ante*.

DELAWARE

Registration: Secretary of State, Dover.

Driver's License: Required of both owner and chauffeur.

Lights: One or more white in front; one red rear.

Equipment: Bell or horn, brakes. Chains prohibited on macadam roads except when covered by 1 inch of ice or snow.

Speeds: 12 miles in built up sections; 20 miles elsewhere, both speeds to be reduced on curves, at crossroads and on steep hills.

DISTRICT OF COLUMBIA

Registration: Automobile Board, Washington.

Driver's License: Required both for owner and chauffeur.

Lights: Two shining in front, one on each side of the machine. One at the rear which shall illuminate the machine number and show red at the rear. Dazzling lights are prohibited.

Equipment: A muffler such as is sufficient to prevent unnecessary, intense or prolonged noise is necessary, and it must not be cut out in any park or public grounds or built up section, nor as a signal.

Speeds: In fire limits 12 miles between intersecting streets and avenues; 15 miles in parks; 8 miles in crossing streets; 6 miles around corners; 4 miles in certain specified portions of Washington. Outside fire limits, 20 miles.

FLORIDA

Registration: Secretary of State, Tallahassee.

Driver's License: Required of chauffeur but not of owner.

Lights: Two lamps.

Equipment: Bell, horn or whistle.

Speeds: Proper and reasonable. 4 miles on sharp curves, bridges, fills and crossings.

GEORGIA

Registration: Secretary of State, Augusta.

Driver's License: None required.

Lights: At least one white in front. One red in rear.

Equipment: No special provisions.

Speed: Reasonable and proper. On sharp curves, intersecting highways, railroad crossings, bridges, dams, high embankments and descents, 4 miles.

IDAHO

No general motor vehicle law.

ILLINOIS

Registration: Secretary of State, Springfield.

Driver's License: None required by owner. Necessary for chauffeur.

Lights: Two white in front, one red in rear.

Equipment: Sufficient brakes and a signaling device.

Speeds: Reasonable and proper. *Prima facie* unreasonable, greater than: 10 miles for $\frac{1}{8}$ mile in business portions; 15 miles for $\frac{1}{8}$ mile in residence portions of cities or villages; 20 miles for $\frac{1}{4}$ mile outside cities or villages; 6 miles on curves where view is obstructed.

INDIANA

Registration: Secretary of State, Indianapolis.

Driver's License: None required.

Lights: "Lighted lamps after dark."

Equipment: Signalling device.

Speeds: 8 miles in business and closely built up portions; 15 miles elsewhere in municipalities; 20 miles outside municipalities.

IOWA

Registration: Secretary of State, Des Moines.

Driver's License: None required.

Lights: One or more white in front; red in rear.

Equipment: Brakes and signaling device.

Speeds: In closely built up portions of towns or villages 10 miles; elsewhere in cities, towns or villages 15 miles; outside municipalities 20 miles.

KANSAS

Registration: Secretary of State, Topeka.

Driver's License: None required.

Lights: One or more, white light, visible in front.

Equipment: Good and sufficient brakes; signaling device.

Speeds: 6 miles on bridges, curves, descents, etc.; 10 miles in built up sections; 20 miles elsewhere.

KENTUCKY

Registration: No state law; see local authorities.

Driver's License: None required.

Lights: 1 white front, 1 red rear.

Equipment: Brakes and signaling device.

Speeds: 15 miles generally, 6 miles on curves, bridges and descents.

LOUISIANA

No general motor vehicle law.

MAINE

Registration: Secretary of State, Augusta.

Driver's License: Required of all operators.

Lights: "A lighted lamp."

Equipment: Signaling device.

Speeds: 8 miles in built up sections, unless local ordinances permit greater speed; 15 miles elsewhere. Bridges at walking speed (about 4 miles).

Note: In some sections of the state automobiles are prohibited, among the towns being Eden, Mt. Desert and Tremont.

MARYLAND

Registration: Commissioner of Motor Vehicles, Baltimore.

Driver's License: Required of all operators.

Lights: 2 white front, 1 red rear.

Equipment: Sufficient brakes and a signaling device.

Speeds: 6 miles on sharp curves and intersections of prominent crossroads in open country; 6 miles in built up portions, except of communities having 16,000 inhabitants or over; elsewhere 12 miles.

MASSACHUSETTS

Registration: Massachusetts Highway Commission, 15 Ashburton Place, Boston.

Driver's License: Required of all operators, including owner.

Lights: 2 white front, 1 red rear.

Equipment: On cars of more than 10 h. p., two brakes, separated from each other, powerful in action, one of which shall act on the driving wheels or on parts of the mechanism firmly connected with such wheels, one brake to be operated with foot power, and each alone sufficient to stop the vehicle within a proper distance.

Muffler suitable to prevent unnecessary noise.

Massachusetts continued.

A lock, a ratchet brake which can be set, a key or other contrivance to prevent such vehicle from being set in motion by unauthorized persons.

Speeds: See § 14 d, *ante*.

MICHIGAN

Registration: Secretary of State, Lansing.

Driver's License: None required by owner; necessary for chauffeur.

Lights: 2 white front; 1 red rear.

Equipment: Brakes and signaling device. Non-skidding devices, chains on tires partly of metal are forbidden except when highways are wet or covered with snow.

Speeds: 10 miles in built up sections; 15 miles elsewhere in cities and towns; 25 miles in open country.

MINNESOTA

Registration: Secretary of State, St. Paul.

Driver's License: Required only of chauffeurs.

Lights: 2 white front, 1 rear illuminating plate and showing a red light from the rear.

Equipment: Gasoline cars must have mufflers, which must not be disconnected within the limits of any city or village. Brakes and signaling device.

Speed: 7.5 miles over bridges, on curves and down hills; elsewhere 25 miles.

MISSISSIPPI

No general motor vehicle law.

MISSOURI

Registration: Secretary of State, Jefferson City.

Driver's License: Required only of chauffeurs.

Lights: 2 white front, 1 red rear.

Equipment: Suitable brakes; signaling device.

Speeds: 6 miles on corners and intersections; 8 miles in business portions; 15 miles in country.

MONTANA

Registration: No state requirement.

Driver's License: None required.

Lights: No state requirement.

Equipment: No state requirement.

Speeds: 8 miles in built up portions; 20 miles elsewhere.

NEBRASKA

Registration: Secretary of State, Lincoln.

Driver's License: None required.

Lights: 1 white front, 1 red rear.

Equipment: Brakes and signaling device.

Speeds: 10 miles built up sections; 15 miles elsewhere in cities or towns; 20 miles elsewhere.

NEVADA

No general motor vehicle law.

NEW HAMPSHIRE

Registration: Secretary of State, Concord.

Driver's License: Required both of owners and chauffeurs.

Lights: Lighted lamps upon the faces of which shall be displayed the distinguishing number of the machine in legible figures of not less than 1 inch in height.

Equipment: Adequate brake, muffler not to be cut out in built up sections; signaling device.

Speeds: Outside built up portions 25 miles; in built up portions 10 miles.

NEW JERSEY

Registration: Commissioner of Motor Vehicles, Trenton, or agent in locality. (New York agent at Automobile Club of America, New York City.)

Driver's License: Required both of owner and chauffeur.

Lights: 2 white front; 1 red rear.

Equipment: Signal trumpet; on cars of more than 10 h. p. 2 brakes, one a foot brake, and one working on the drive wheels or allied mechanism.

Devices to prevent excessive noise, and escaping gas or steam as well as falling out of embers or residue from fuel. Exhaust pipes must be directed parallel to ground or slightly upward. Chains are forbidden on gravel or macadam roads unless the roads are covered by at least an inch of ice or snow.

Speeds: See § 14 b, *ante*.

NEW MEXICO

No general motor vehicle law.

NEW YORK

Registration: Secretary of State, Albany.

Driver's License: Required of chauffeurs only.

Lights: 2 white front, 1 rear which shall illuminate the number plate and show red.

Equipment: Adequate brakes; signaling device.

Speeds: See § 14 a, *ante*.

NORTH CAROLINA

Registration: Secretary of State, Raleigh.

Driver's License: None required.

Lights: 2 white front, 1 red rear.

Equipment: No special provision.

Speeds: 8 miles in business parts of cities and towns, 12 miles in other parts; 25 miles outside; 5 miles on dams, bridges, intersections and curves.

NORTH DAKOTA

Registration: No state provision.

Driver's License: None required.

Lights: 2 white front.

Equipment: Mufflers to be used in cities, towns and villages and in meeting animal drawn vehicles.

Speeds: 8 miles in cities or villages; 25 miles in open country.

OHIO

Registration: Secretary of State, Columbus.

Driver's License: None required except for chauffeur.

Lights: 2 white front, 1 red rear.

Equipment: Brakes; signaling device.

Speed: 8 miles in business sections; 15 miles in other portions of cities or villages; 20 miles elsewhere.

OKLAHOMA

No general motor vehicle law.

OREGON

Registration: Secretary of State, Salem.

Driver's License: None required.

Lights: 1 white front, numbers thereon; 1 red rear.

Equipment: Mufflers, not to be disconnected in cities or villages; brakes; signaling device.

Speeds: 8 miles in built up portions; 24 miles outside. 4 miles on crosswalks on which pedestrians are.

PENNSYLVANIA

Registration: State Highway Department, Harrisburg.

Driver's License: Required both of owner and chauffeur.

Lights: 2 white front, 1 red rear.

Equipment: Brakes, signaling device.

Speeds: 12 miles cities and villages; 20 miles open country.

RHODE ISLAND

Registration: State Board of Public Roads, Providence.

Driver's License: Required of all operators.

Lights: 1 white front, 1 red rear.

Equipment: Brakes; muffler; lock and key which must be used when machine is left unattended in a public place; signaling device. Chains not allowed on gravel, macadam or other made roads, except natural dirt, cobble, Belgian block, or brick pavements, except when necessary for safety in case of slippery roads.

Speeds: 15 miles in built up sections; 25 miles elsewhere.

SOUTH CAROLINA

Registration: Clerk of county of owner's residence.

Driver's License: None necessary.

Lights: 1 white front, 1 red rear.

Equipment: Brakes, signaling device.

Speeds: 6 miles intersections, bridges, curves, descents; 15 miles elsewhere.

SOUTH DAKOTA

Registration: Secretary of State, Pierre.

Driver's License: None required.

Lights: 1 white front; 1 red rear with numbers thereon 1 inch high.

Equipment: Brakes, signaling device.

Speeds: 10 miles built up sections of cities or towns; elsewhere in municipalities 15 miles; outside 20 miles.

TENNESSEE

Registration: Secretary of State, Nashville.

Driver's License: None required.

Lights: No provision.

Equipment: No provision.

Speeds: 20 miles. Lower rates may be prescribed by local authorities.

TEXAS

Registration: Clerk of county of owner's residence.

Driver's License: None necessary.

Lights: 1 white.

Equipment: Signaling device.

Speeds: 8 miles in cities, towns or villages; 18 outside.

UTAH

Registration: Secretary of State, Salt Lake City.

Driver's License: Required only of chauffeurs.

Lights: 2 white front, 1 red rear.

Equipment: sufficient brakes; signaling device.

Speeds: 10 miles in closely built sections; 15 in cities, etc., outside closely built sections; 20 miles elsewhere; 6 miles on curves, bridges, etc.

VERMONT

Registration: Secretary of State, Montpelier.

Driver's License: Required of all operators.

Lights: 2 white front with numbers thereon; 1 red rear.

Equipment: Muffler, brake, signaling device.

Speeds: Excess of 10 miles in built up sections of cities or villages or crossing a bridge of 50 feet span or more, and 25 miles elsewhere, is *prima facie* evidence of careless and illegal driving. Local regulations allowed.

VIRGINIA

Registration: Secretary of the Commonwealth, Richmond.

Driver's License: None required.

Lights: 1 white front, 1 red rear.

Equipment: No special provision.

Speeds: 8 miles curves, crossroads, built up portions; 15 miles elsewhere.

WASHINGTON

Registration: Secretary of State, Olympia.

Driver's License: None necessary.

Lights: 1 white front with numbers; 1 red rear.

Equipment: Brakes, signaling device, muffler which shall not be disconnected inside cities or villages.

Speeds: 12 miles built up portions; 24 miles elsewhere; 4 miles on crosswalks if anyone crossing.

WEST VIRGINIA

Registration: State Auditor, Charleston.

Driver's License: None required.

Lights: No provision.

Equipment: No provision.

Speeds: No state provision. Regulated by local authorities.

WISCONSIN

Registration: Secretary of State, Madison.

Driver's License: None required.

Lights: 1 white front.

Equipment: No special provision.

Speeds: 12 miles corporate limits of cities or villages; 25 miles outside.

WYOMING

No general motor vehicle law.

CANADA**Nova Scotia**

Registration: Provincial Secretary, Halifax.

Driver's License: Required only of chauffeurs.

Lights: 1 white front with numbers 1 inch high.

Speeds: 7½ miles in built up sections, 12 miles elsewhere in cities and towns; 15 miles in open country; 4 miles on bridges, curves, descents and crossings.

New Brunswick

Registration: Secretary of Public Works, Fredericton.

Driver's License: None required by owner.

Lights: 1 white front with numbers, 1 inch high.

Speeds: 7½ miles in built up sections; 12 miles elsewhere in cities or towns; 15 miles in open country; 4 miles on bridges, curves, descents and crossings.

Quebec

Registration: Comptroller of Provincial Revenue, Quebec.

Driver's License: Required of all operators.

Lights: 2 white front with numbers one inch high; no swivel searchlight allowed.

Speeds: 9 miles in cities or villages; 15 miles elsewhere.

Ontario

Registration: Provincial Secretary, Ontario.

Driver's License: Required of chauffeurs only.

Lights: 1 or more white lights front with letters 2 inches high; 1 white rear. No searchlights allowed.

Speeds: Cities or towns 10 miles, outside 15 miles. Must not cross bridges faster than a walk.

Prince Edward Island

No automobiles allowed.

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