

REPORT

OF THE

^{NJ}
Commissioner of Motor Vehicles

TO THE

Legislature of the State of New Jersey

FOR THE

Year Ending December 31st, 1906

TRENTON, N. J.:

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Report.

To the Legislature of the State of New Jersey:

In pursuance with the provisions of chapter 110 of the laws of 1906, known as the "Motor Vehicle Act," I take pleasure in herewith transmitting to the Legislature, under the direction of the Secretary of State, the report of the operations of the Department of Motor Vehicles from the time the act creating the department was signed by the Governor, on the twelfth of April last, until the thirty-first of December, inclusive.

For the purpose of registration, it went into effect immediately. Accordingly, the department was formed forthwith, and the preliminary work of providing for registration and licensing was begun.

Department
formed.

To facilitate this work, the law provided for the appointment of agents throughout the different parts of the State. Agencies were immediately established in Jersey City, Newark and Camden, and the department was ready on the sixth of May to issue registration certificates and licenses. Subsequently, additional agencies were located in the following places: Phillipsburg, Asbury Park, Seabright, Freehold, Lakewood, Plainfield, Bridgeton, Rahway, Edgewater, Hackensack, Branchville, Morristown, Atlantic City, Ringwood, Lambertville. The agencies in Jersey City, Newark and Camden were placed in charge of men who have devoted their whole time to the work, while those at the other places were located in offices of agents who were able to attend to this along with their private duties.

Agencies
established.

Since that time we have registered 13,759 vehicles, and issued 15,269 licenses to drivers. We have collected in fees \$62,233.91, distributed throughout the different agencies as follows:

Vehicles
registered.
Fees
received.

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Trenton	\$12,854 00
Camden	9,586 36
Jersey City	15,995 00
Newark	11,860 00
Phillipsburg	948 75
Morristown	1,347 05
Hackensack	3,069 50
Rahway	465 00
Asbury Park	1,615 50
Bridgeton	483 75
Seabright	1,006 00
Plainfield	1,222 75
Freehold	239 00
Edgewater	369 50
Atlantic City	909 50
Lakewood	42 00
Branchville	220 25

Receipts
from fines
imposed.

We have, besides this, received from magistrates in payment of fines imposed, \$991, as follows:

Robert Bond, Union, September 5th, 1906.....	\$25 00
Charles W. Borgar, Waterford, September 10th, 1906....	10 00
Edmund Condit, West Orange, August 14th, 1906.....	10 00
Edmund Condit, West Orange, November 6th, 1906.....	25 00
Milo H. Crego, Belmar, August 31st, 1906.....	20 00
Cyrus E. Cook, Mount Arlington, December 1st, 1906....	40 00
Elijah Doremus, East Orange, August 14th, 1906.....	50 00
E. F. Ferris, Chatham, December 7th, 1906.....	45 00
Jos. H. Garton, Hammonton, August 7th, 1906.....	5 00
M. W. Heath, Hackensack, August 20th, 1906.....	200 00
P. J. Howard, Morristown, August 6th, 1906.....	20 00
P. J. Howard, Morristown, October 3d, 1906.....	5 00
William A. Hackleton, Millburn, October 3d, 1906.....	10 00
C. F. Klein, Magnolia, August 25th, 1906.....	50 00
C. F. Klein, Magnolia, August 13th, 1906.....	40 00
C. F. Klein, Magnolia, July 21, 1906.....	75 00
C. F. Klein, Magnolia, September 17th, 1906.....	50 00
John R. Lindaberry, Washington, August 16th, 1906....	5 00
John R. Lindaberry, Washington, August 13th, 1906....	10 00
George L. Neipling, Clementon, September 19th, 1906....	10 00
H. E. Pickersgill, Perth Amboy, July 21st, 1906.....	50 00
Harold E. Rogers, Haddon Heights, August 15th, 1906....	10 00
H. L. Robinson, Princeton, December 10th, 1906.....	10 00
W. E. Smith, Glen Ridge, July 23d, 1906.....	5 00
Recorder Stanton, Hoboken, October 31st, 1906.....	141 00
Recorder Stanton, Hoboken, December 1st, 1906.....	20 00
James H. Sickles, Red Bank, November 9th, 1906.....	15 00
Oliver Van Billiard, Phillipsburg, August 28th, 1906....	10 00
Wm. Woodruff, New Providence, August 23d, 1906.....	20 00
John W. Young, Dover, July 16th, 1906.....	5 00

Making a total of \$63,224.91, which is now in the State treasury, and, according to the provisions of the act, is designed to be used for the repair of the improved roads of the State, although it will require the affirma-

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tive action of the Legislature, making the necessary appropriation, to make this sum available for that purpose. On this basis it is fair to estimate that the net receipts from all sources for the fiscal year, which will end on May 1st, will be at least \$80,000. Estimate of receipts for fiscal year.

Besides this, the sum of \$4,738.09 was retained by the agents as fees under the provisions of the tenth section of the ~~act~~. The maintenance of the registration and licensing department, which, according to the provisions of the law, became a charge on the Department of State, has amounted to \$1,853.33 for clerical services and \$2,422.67 for printing, blanks, stationery and other equipment expenses. Expenses of department.

REGULATION.

For the purpose of regulating the motor vehicle traffic, the act went into effect on July 1st, and since that time the department has addressed its best efforts to securing a rational and efficient enforcement of the law and the collection of "such data with respect to the proper restrictions to be laid upon motor vehicles and the use thereof" as provided for in the twelfth section of the act. The law's provisions were as broadly proclaimed as the means at our hands would permit. The peace authorities and the general public were asked to lend their official and moral support, and law-loving motorists were especially urged to co-operate by both precept and example. It soon became apparent, however, that there remained much popular misunderstanding regarding its provisions. Law-abiding motorists in large numbers did, indeed, accept it in its true spirit as the law of the land, and though they frequently questioned the wisdom of one or another of its provisions, they used their best endeavors to secure safety and equity in the use of the roads. Valuable services have also been received from many private citizens and peace officers, though it is to be regretted that far too large a number have apparently thought that the law should enforce itself. And further, there exist both among motorists and certain non- Act in effect July 1st.

motorists various opinions regarding the efficiency of the law. Some of each class believed that the law would prove, as its predecessors had proved, insufficient for accomplishing material good, while others went to the opposite extreme and expected that not only the abuses of motor vehicles, but their uses as well, would be practically eradicated.

True spirit
of law.

The department endeavored to point out the true spirit and intent of the law; namely, the promotion of the legitimate and proper use of motor vehicles and the punishment of those who willfully violated its reasonable provisions, or, while using such vehicles, in other ways transgressed the very easily understood laws of right and wrong. It endeavored to show motorists wherein the present law was not harsher, but rather, more favorable to the careful user of motor vehicles than was either of its predecessors, or, in fact, than were similar laws of other states and countries, and that its principal difference from these other laws was found in the provision of a somewhat adequate means of enforcing the penalties for violations. The department announced that its policy would be to enforce, with all the means at its disposal, the reasonable penalties against violations, while it would afford every possible aid to the promotion of what it believed to be the law's true spirit with regard to the rights and privileges of the motorist. It also endeavored to secure such enforcement of the law, without malice or vindictiveness, and in such a way as to promote progress and the best interests of the law-abiding public, including motorists and all other users of the roads.

Inspectors.

For the accomplishment of this work the law provided the department with a chief inspector of motor vehicles and seven assistants, each of whom should have the power of arrest without warrant for offenses against the law, and who were especially charged with co-operating with the peace authorities of the different municipalities. The Legislature, however, deemed it unwise to make an appropriation sufficient to pay the salaries and expenses of the assistant inspectors for the full time, wisely acting

Law not
harsher
than other
laws.

on the theory that this feature of the law was in the nature of an experiment and that a large salary account should not be provided until its necessity was clearly demonstrated. It accordingly appropriated \$750 to pay the salaries and equipment of the inspectors for the fiscal year, ending October 31st last, and \$2,000 for the present year. Results, however, have clearly shown the wisdom of the inspector feature of the law.

Salary appropriation.

Four inspectors were appointed without compensation. They were gentlemen who were interested in the proper use of motor vehicles and in the enforcement of the law. Their services, so freely given, have been of the greatest value. The three remaining inspectors were allowed the statutory fee, namely, \$3 per day, until December 1st, when their services were dispensed with (except for an occasional day) for the winter. One of these three was stationed in New Brunswick, another on the Rumson road, and the third, after the first few weeks, was equipped with a motor cycle, and did general patrol duty throughout the State, in addition to visiting many different police departments for the purpose of endeavoring to establish uniform rules and methods of procedure in the regulation of the traffic. The work of this inspector has proved that much more efficient service can be obtained with the aid of the motor cycle than without such assistance. The work of the inspectors has been most valuable.

Inspectors
without pay.

Inspectors
on motor
cycles.

The department also undertook to investigate every complaint of violation reported either through the mails or personally to the office. This entailed a large amount of work and gave the department an opportunity of placing itself in very close touch with both motorists and non-motorists, enabling it to make observations and investigations perhaps otherwise impossible. Since the middle of November, the work in this connection has become so reduced that we have been able not only to consider and digest the information obtained during the earlier months, but to compare the provisions and working of our own law with those of other states and countries. We have also considered reports of several com-

Mail complaints.

missions appointed to investigate the subject, particularly that of the royal commission of England, probably the most intelligent and comprehensive work on motor vehicle regulation yet published.

Data on file.

All the records of the department, together with the various copies of foreign and domestic laws, also reports and other data pertaining to the subject, are now on file in the department, open to the inspection of those interested in the subject. It did not seem wise, however, to burden this report with the publication of this matter, or any considerable part of it, particularly as the act does not in specific terms so direct. For this reason, also, it did not appear our duty to make recommendations suggesting possible amendments to the law. We have, however, made an effort to digest the information so far obtained, and present it in as condensed a form as possible, together with certain personal observations and suggestions.

Recommendations not a part of this report.

It must not, however, be understood that the department believes that the public is at present ready to accept all, or perhaps any, of the suggestions, or that they were in any way designed to take the place or be regarded as recommendations for immediate legislation. Our only purpose in making them is to indicate the inevitable trend of thought and action on the subject more clearly and briefly than seemed otherwise possible.

THE FRELINGHUYSEN LAW.

Law meets expectations.

While it cannot be said that the Frelinghuysen law is by any means the last legislative word to be spoken on the subject—nor did its framers have any idea that it would be—it is probably true that the law has more nearly fulfilled the expectations of those who have desired a measure which would secure an adequate enforcement of the provisions against abuses of the motor vehicle traffic than any other law yet enacted. It was not the purpose of the act unnecessarily to interfere with or retard the development of the motor vehicle, but

rather to protect the rights and privileges of those persons who use such vehicles in a lawful and proper manner, as well as the rights of the public at large. To this end the rights and privileges of the motorist were more properly conserved by this law than by any previous legislation on the same subject in this State, or, in fact, by the laws of most of the other states.

The most important features of the act, however, were those providing for the enforcement of the provisions against violations of the law and the rights of others.

Important features of act.

It is not claimed that the law has either given absolute security to the rights and privileges of motorists, or that it has entirely eradicated the abuses attending the use of motor vehicles, but the best information at our hands leads to the conclusion that there is undoubtedly a much clearer and more charitable understanding of the proper place and function of the motor vehicle; while the reports from the different localities of this State warrant us in believing that the abuses have been reduced in some places as much as seventy-five per cent. In others a much smaller percentage of gain has probably been made. Such results for the first six months of its operation would seem to establish the wisdom of its framers; and it is not too much to say that New Jersey has taken its place in the vanguard of states for progressive legislation upon this subject. With certain changes, as their need becomes apparent, we may confidently hope to have in the near future a practically perfect law.

Large reduction in number of violations.

IN GENERAL.

The broad principles of equal rights should underlie all attempts at regulation on this as well as on any other subject, and all legislation should only be made with such principles in view. A person is neither more nor less a law-abiding citizen because he is in a motor car, and a vehicle is neither more nor less "a vehicle" because it is propelled by its own power. Any legislative or executive discrimination, either in favor of or against the motor

Principles of equity should control.

car or its occupant, is in direct violation of the fundamental principles of liberty, and our courts could rightfully nullify such discrimination. The motor vehicle, the beast of burden, the pedestrian and all other lawful users of the road have equal rights each with the other, and any infringement of these rights by any user, by legislation, or by a misguided conception of the proper method of the law's enforcement, is wrong. Regulation of the use of the motor vehicle should be directed only to the elimination of abuses connected therewith. Its recent advent and rapid increase, its great power, its novelty, the many abuses as well as uses of which it is capable, have served to perplex the user, the legislator, the policeman, and the public alike, and because of this, none of these should be hastily censured. The great majority of each class is desirous of doing right, but time is necessary to comprehend it all clearly. The well-meaning motorist is liable to over-estimate his rights, and the tendency of older users is to resent the trouble caused in making a place for the new arrival, while the defiant and selfish motorist disgusts and annoys all alike. The whole question will eventually adjust itself to reason and justice, and that desirable end will be hastened or retarded according to the zeal and sincerity with which all persons interested endeavor to learn and to apply the principles of right and equity to others as well as to themselves. Statute laws can then be framed which will unerringly set out the rights and privileges not only of motorists, but of all who use the roads, and will also provide the proper punishments for those who transgress, while the executive officers will understand their duty clearly in protecting these rights and in punishing those who offend against them.

REGISTRATION.

Nearly all laws attempting to regulate the use of motor vehicles have at their foundation some system of registration. The system employed, as well as its purpose, varies

in different states, and twenty-nine states of America having motor vehicle laws, as well as most European countries, have adopted one or another of these systems.

They seem to have three principal uses. First, to provide a means of producing public revenue; second, a means of identifying motor vehicles in cases of injury or for violations of the laws; and third, furnishing a method of punishment for violations, which is accomplished principally through the power of revocation of registration certificates. Some laws seek to accomplish one, some, another of these objects. In our own State, under the two previous acts, the principal object was that of furnishing a means of identifying vehicles, while the Frelinghuysen law partakes nearly equally of each of these principal purposes.

Uses of registration.

Although the mode of registration in the different jurisdictions varies considerably, the most common practice is to file an application in the registry office, upon which the certificate issues, either as a matter of right or of grace, according to the law of the State of issue. This may ordinarily be done by mail. The application usually contains the name and address of the applicant, a brief description of the kind of car, the name of the manufacturer, the manufacturer's number, and the rated horse-power. In some places, particularly in England, the weight of the car is also given. Some laws require that this statement be merely subscribed to by the applicant, while in our own case an affidavit of the truthfulness of the statement is also necessary. In our own State, under the Frelinghuysen law, we require from all non-resident applicants, in addition to the affidavit containing the statement above referred to, the execution of a power of attorney, running to the Secretary of State, authorizing him to accept service of process in any action or legal proceedings for damages caused by the operation of the registered car within the State. The constitutionality and efficiency of this provision is now being tested in the courts upon two principal grounds, the first being the right of a State to demand of a non-resident, requirements which are not exacted of a resi-

Common method of registration.

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dent; and, second, whether the law applies to actions brought on penalties for violations or only where the proceedings are for the recovery of actual damages caused by the motor car. This provision does not seem to be contained in the laws of other states. In the opinion of this department, however, it is a most valuable one; and if the present wording of the statute should be found at variance with our constitution, it should be so amended as to meet all constitutional objections, as there can be little doubt that in this provision is found one of the most efficient sanctions to our law.

Tourists' or short term registrations.

We also provided, in our present law, for an annual vehicle registration, and made no provision for tourists' or short-term registrations. This feature has worked great hardship, and some arrangement should be devised to give persons passing through or touring for a few days only in the State an opportunity to use our roads at a consideration bearing some proportion to the time they are within the State.

FOR THE PURPOSE OF REVENUE.

The proportion of public expenses to be borne by the users of motor vehicles has, for some time, been receiving the attention of several of the countries of Europe, and leading citizens of some of the American states are also beginning to give the subject thought.

The principal question arising in the minds of these investigators is whether the revenue should come by way of special tax, based either upon the value or the power of the vehicle, or as a license fee for the privilege of using the vehicle, and, of course, in each case, the most important question is what shall constitute the proper charge. In England, Germany and some other countries in Europe, the tendency is distinctively toward greatly increased taxes or license fees. It must be borne in mind, however, that in these places "equal taxation," as provided in our constitution, is the exception rather than the rule, and in many places a special tax on all

Equal taxation laws must govern.

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classes of vehicles has long prevailed. The "equal taxation" laws of our State will, of course, prevent any taxation either as a property tax or as a special vehicle tax, except that which is assessed on the "true value" of the vehicle by the local authorities; and a measure which would levy a tax on motor vehicles and exempt other classes of vehicles would be both illegal and inequitable. The only revenue that can be collected from motor vehicles under our laws in addition to the local property tax must come in the nature of a license fee. Under our previous laws the license fee was fixed at a rate regarded as sufficient only to pay the actual expenses of maintaining the registration office, while under the Frelinghuysen law (with the exception of the compensation of agents) the expenses of maintaining this office, together with the entire expenses for the maintenance of the inspectors and all other features of regulation, were borne by the State, and the entire revenue received by the department, from all sources, becomes a fund to be used by the road department for the repairs on the improved roads of the State.

State bears expense of enforcing present law.

Whether such use of the license fee will be found a wise and satisfactory one will perhaps depend upon the degree of equity maintained in adjusting the scale of fees. Discrimination in favor of or against any class or size of vehicle propelled by muscular or motor power must, of course, result unfortunately, and great care should be taken to ascertain properly and apply correct rules and rates. Our present rates are an annual fee of three dollars for vehicles of a lower rating than thirty-horse power and five dollars for vehicles of thirty-horse power or more. The fee for motor cycles is one dollar per annum, and the driver's license fee is one dollar per annum for any vehicle below thirty-horse power and two dollars per annum for vehicles of thirty-horse power or more. It may be freely admitted that these rates have been subjected to criticism, but the best thought obtainable varies greatly on what the proper rates should be, and any changes in the present schedule should only be made with the idea of further changes as inequalities develop.

Present scale of fees.

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for Year Ending Dec. 31, 1906

All registrations should expire at same time of year.

If a new scale of fees should be provided this year, it would be very desirable if all the registration certificates could expire at the same time of the year, preferably on January 1st, and to do that, it would be well to have the fees regulated on some basis easily divisible by twelve, so that applicants for registrations coming in toward the end of the year would be compelled to pay only their proportion of the fees for that year.

IDENTIFICATION.

Size of "markers."

The proper identification of vehicles is perhaps the most perplexing and important question with which the department has so far had to deal. Our present law provides that the number of the registration certificate, which shall be in characters not less than four inches in height and of a stroke not less than one-half inch in width, shall be affixed to both the front and rear of each vehicle, in a stationary manner, at least fifteen inches and not more than thirty-six inches from the level of the ground. It also provides that these characters (which are generally called the "Numbers" or "Markers") shall at all times be kept distinct and clean from grease, dust, and other blurring matter, so as to be plainly visible at all times during daylight. There are many times when it is impossible to comply with this part of the law. The numbers cannot be kept free from dust for any considerable period of time, when the roads are ordinarily dusty, and still be displayed within thirty-six inches of the ground. Nor can they be seen, with any degree of certainty, if they are free and clear of dust, if the vehicle is moving at a rapid rate. The law also provides that, after dark (and this is perhaps the most important time of all), the registration number, in characters at least one inch in height, shall be displayed on the lamps. But experience has demonstrated that these numbers cannot be seen at all, and the rear light, which should be arranged to throw a light on the rear number, is, in almost every case, entirely inadequate to accomplish this pur-

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pose. The result is that a car exceeding the speed limit, or otherwise violating the law, can, if the driver sees fit, almost invariably evade identification, and the very purpose for which the identification marks are affixed is defeated.

These observations apply particularly to the large, high-speed cars. The slow-going vehicles are subjected to similar criticism, but it matters little whether these cars are more clearly identified than is now the case, as they seldom break the speed laws, and cannot get away rapidly in case of accidents.

Observations apply particularly to high speed cars.

The department has given the question of a proper identification much thought. It has been in communication with motorists and non-motorists in many parts of the State, and we are thoroughly convinced that a complete and reasonably certain identification of cars will go further to solve the many perplexing questions affecting motor vehicle regulation than any other thing. Drivers and owners of cars equipped with identification marks which can be speedily and accurately observed by any passerby, under any condition of speed or dust, light or darkness, could not long escape the consequence either of their injuries to others or of their abuses of the privileges on the roads. We would then be able to eliminate the abuses attending our policy of arrest without warrant, because it would not then be necessary to secure an immediate apprehension of the driver, the process being served at the convenience of the complainant. There would, of course, be certain exceptions (which will be noted at length in another section) where the apprehension would come under the statutes in any event.

Necessity for complete identification.

All who have considered the subject agree that a more comprehensive scheme of identification should be devised, but of just what it should consist there is a very great difference of opinion. The use of larger and more conspicuously displayed numbers is generally suggested, also that they be displayed in the same location on all cars, so that it would not be necessary for the eye of the observer to cast about over a large surface of the rear of the car for the purpose of finding the number. Others

suggest that there should be numbers on the side of the vehicles, as well as in the front and rear, and that they be uniform in appearance and perhaps furnished by the State. Those who have in mind the abuses after night-fall insist that something in the nature either of a transparency or of an otherwise illuminated number is necessary. The ideal identification would consist of some device that can be plainly seen, under any conditions of light or darkness, by the observer viewing the car from any reasonable distance or angle, and on moving vehicles, for a sufficient space of time to afford the ordinary, untrained person an opportunity to observe distinctly and fix in his mind the particular mark or number. There have been many suggestions, devices and models presented, all of which possess perhaps some degree of merit, and it is quite certain that the problem is capable of solution.

The ideal identification.

Compulsory acceptance by vehicles already registered not approved without compensation.

Compulsory acceptance of any new device should not perhaps be imposed upon cars that have already been registered under our law, unless some compensatory advantage is given. The State, in 1905, made necessary the purchase of new and more expensive "markers," when the change was made from the three to the four-inch characters. This change was made in the hope of accomplishing just what is now desired, but the new "numbers" were hardly more successful than the ones they succeeded. The suggestions for improved devices are much more radical, and the proposed devices are all, without doubt, much more scientific, yet it cannot be claimed that any of them would surely be found perfect, and the adoption of any one of them would possibly soon indicate the necessity for still further improvement. It would not be sound public policy to compel those who have acted in good faith to bear the expense of the State's experiments in perfecting a proper system of regulation. As an inducement, however, to the use of any improved device, it has been suggested that the drivers of cars bearing it should be exempt from the liability of arrest without warrant for certain violations. (See section on Penalties.)

A device of some kind should also be placed on the car

to designate the year in which the registration was issued, as well as a proper place to conveniently display the proof of registration, so that when inspection of such registration becomes necessary, little time would be lost either to the driver or the officer.

Perhaps the most unfortunate feature in connection with the system now in use with regard to identification of cars, especially in this country, is the necessity of obtaining new registrations and identification marks for every State through which a tourist may desire to pass. Some of our States have extended courtesies to tourists, by recognizing the registrations of other States, provided the identification marks indicate the State in which the registration was originally made. Others again extend this courtesy for a limited time, while New Jersey and Pennsylvania not only insist upon registration in their own State before the car can be driven, but insist that the identification marks of no other State shall be displayed while the car is driven within its territory. This latter plan involves much inconvenience, and yet, if the purpose of registration is either that of speedy and accurate identification, or of a method of providing adequate means of punishment for violations by way of revocation of certificates, it would seem necessary to retain the present practice, while if the purpose is that of public revenue, the reason seems to be all the more apparent. The observation of the department, however, has been that motorists are not so greatly opposed to the requirements for separate registration certificates in the different States, as to the trouble and annoyance which arises from the expense and necessity of changing the identification marks every time they pass into another State, and the additional trouble in obtaining prompt registration. The department has given this matter very serious consideration, and we are of the opinion that a great reform may be accomplished by establishing an interstate system of registration numbers, which could speedily be done, and at the same time retain to each State the jurisdiction and authority it obtains over the car by having a State registration.

Interstate identification.

Plan of
Interstate
"numbers."

The working of this plan would be something like this: Each State should first provide itself with a distinguishing mark, as for instance, New Jersey would naturally use the initial letters "N. J.," Pennsylvania; the letters "PA.;" New York, "N. Y.;" Connecticut, "CT.," and so on throughout the different states. When a car is first presented at a registry office for registration, in addition to the identification number assigned to it, there would be assigned, as well, the abbreviation of the name of the State issuing the certificate, so that if a car were registered in Pennsylvania under the number 5,000, the identification mark would not be simply 5,000, but 5,000 PA. When the owner made application for registration in New Jersey for this car, he should have the opportunity of doing so by mail under application blanks furnished for that purpose, and should, in addition to the description of the car now required, certify that it has heretofore been registered in Pennsylvania (or other State, as the case may be) under registration number 5,000 PA. (or as the case may be). The New Jersey authorities would then issue a certificate in the regular form, in which 5,000 PA. would be assigned as the New Jersey registration number as well. The State would then be in a position to assert all the jurisdiction which it now is enabled to do, and the registry of the State would show, as promptly as it now shows, the name of the owner of the car bearing that particular identification mark. No more confusion would be occasioned by the adoption of such a method as this than now exists by the methods in vogue, and the motorist would be subjected to the necessity of buying only one set of identification marks for use in all States using this interstate system.

New Jersey
may accept
plan.

Indeed, there seems to be no reason why our State should not undertake to register cars on her own account in this manner, whether other states co-operate or not. There would undoubtedly be much conflict at first with those states which prescribe particular "markers," but the plan would, we think, so generally commend itself to other states, that in a short time, a regular and uniform system would be universally adopted.

LICENSING DRIVERS.

The Frelinghuysen law introduced in our State the policy of issuing drivers' licenses, thus making necessary license as well as registration certificates. It also vested in the Commissioner of Motor Vehicles the power of revocation for cause, and empowered magistrates to revoke such licenses, at their discretion, upon the driver's conviction of violation of any of the provisions of the act. This revocable feature, it is probably not too much to say, has produced the most salutary results of any feature of the law. The authority given magistrates to revoke licenses, indeed, seems of little use, and has, so far as we know, remained inactive, but the power of revocation vested in the department has been of the greatest value. We have endeavored to use it discreetly, and have permanently revoked only six drivers' licenses and one vehicle registration; yet the constant fear of the loss of a license has, without doubt, been most beneficial. Drivers realize what such a loss would mean to them, and they are accordingly very jealous of their privilege. There have been very few cases where our attention has been called to a second offense by the same driver. The law is weak, however, in that sufficiently effective punishments have not been provided for those who drive cars after revocation of their license. This phase of the question will be referred to in another section.

Revocation
of license
by commis-
sioner most
important
sanction.

Few cases
of second
violations.

Our law, besides providing for the issuing of a forfeitable license to operate, also requires the passing of a personal examination of the physical and mechanical ability of the applicant to drive a motor vehicle of the character for which application is made. On this subject, there is a very wide difference of opinion, not only among the public and motorists generally, but in our own department as well.

Personal ex-
amination
of drivers.

On the one side it is contended that this is a most desirable feature, because of its evident design to allow only those to obtain licenses who are competent to drive cars, it being maintained that there are many persons

Argument in
favor of
personal ex-
amination.

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driving cars who do not possess sufficient knowledge of their mechanical construction to insure reasonable safety. It is argued that a locomotive engineer is subjected to a long training before he is entrusted with a locomotive; that motor vehicles, some of which approximate a locomotive in mechanical construction and actually exceed it in speed, are allowed to run on the public roads, where conditions of safety are much less favorable, without any test of the driver's ability. One of our inspectors who has given the subject much thought, and who has studied it both in this country and abroad, is, for these reasons, very firm in his opinion that this is one of the most important features of our law.

Argument against personal examination.

It is quite apparent, however, that the burden of opinion is in favor of the contention that the personal examination of drivers accomplishes no good purpose. First, because of its perfunctory nature, it fails to accomplish the purpose for which it was designed, while it serves to increase materially the burdens of applicants and the expense of maintaining the department; and that to accomplish this purpose would not only entail still greater burdens on applicants, but would increase the cost of the department beyond that of the actual fees provided for the issuing of the license. Second, after all this had been done, there would be little gained by way of securing safety to travelers on our roads, because—and the experience of the department thus far bears out this contention—practically nobody attempts to drive a car who does not have sufficient knowledge to operate it carefully with a view to individual safety, while those who are the most skillful are the ones who generally take reckless chances and who are responsible for the most accidents.

Conclusion of department on wisdom of this feature.

We are accordingly of the opinion that the personal examination of drivers, either as now conducted under our laws or as would be conducted if a rigid and thorough test were given, would result in greatly increasing the hardships and expense of administering the law, and would not accomplish, in any material degree at least, the results sought. We have been at some pains to ex-

MOTOR VEHICLES REPORT.

amine into the policies of other States and countries in this respect, and we find that this view is being very generally taken. In the Netherlands and Belgium, this feature has already been tried and abandoned, while the Royal Commission of England, before referred to, has reported in no uncertain terms against the adoption of such a policy in that country. In France, although the examination is often only perfunctory, we believe the policy is still regarded with favor.

Policies of other countries.

The method which suggests itself as the most rational is to allow the licenses to be issued upon application under oath, in which the applicant testifies that he is above the age limit provided by the statute, that he is physically and mechanically competent to drive a vehicle of the class for which application is made (stating the years and the approximate number of miles which he has driven cars); that he is acquainted with the motor vehicle laws of the State, and that he will not willfully violate them. This is substantially the affidavit which we now require, and it seems to cover practically all the information which should be necessary to insure safe driving on the roads.

Proper method of issuing drivers' licenses.

THE AGENCIES.

The abolition of the personal examination of drivers would make unnecessary the local licensing agencies, as application could be made by mail to the main office in the same manner as is now done by applicants for motor vehicle registrations, and the money saved the department by this arrangement could be well spent in other efforts to secure proper regulation.

Agencies would be unnecessary.

A deputy commissioner, however, with an office located in the thickly-settled northern part of the State, would serve a very useful purpose in facilitating registration, in investigating complaints of violations, and in maintaining a bureau of information.

Deputy commissioner in northern part of State.

In England, arrangements are made for endorsing the license with records of convictions for violations, and in some other countries the photograph of the licensee must

be officially attached to the license. These features were also included in the original Frelinghuysen bill, but were left out of the revised drafts, because of their doubtful constitutionality and the apparently unnecessary burden. While they seem to be in favor in those places where they have been used, we are not convinced that there is any legitimate demand for them here, and until such demand becomes apparent, motorists should not be asked to carry such a burden.

SPEED REGULATIONS.

No agree-
ment on
proper speed.

Speed regulation is another question upon which the general public seems unable, at present, to arrive at anything even remotely approaching agreement. Some insist that the maximum limit should be eight miles an hour, while others think that all speed limits should be removed, and the motor car placed on a parity with other classes of vehicles. The first legislation on this subject in New Jersey stipulated a maximum limit of twenty miles an hour in the open country and lesser rates for the built-up sections and for other specified places. The law of 1905 left the maximum limit the same as the previous law, abolished the lesser rates for built-up sections, and, in addition, provided that a speed of more than thirty miles an hour in the open country should subject the driver to the liability of arrest without warrant, there being only four speed offenses making the driver liable to arrest without warrant under that law.

The present law provides for a maximum speed of twenty miles an hour on straightaway roads in the open country, and fifteen miles an hour where there are curves or intersecting roads. In the built-up sections, where the houses are less than one hundred feet apart, it provides a maximum speed of twelve miles an hour, and in the same sections where there are intersecting streets or turns in the street, the maximum speed is eight and one-half miles an hour.

Proviso in
speed regula-
tion.

The act also provides that "nothing in this section contained shall permit any person to drive a motor vehicle

at any speed greater than is reasonable, having regard for the traffic and use of highways, or so as to endanger the life or limb or to injure the property of any person." This proviso was a part of each of the previous laws, so it will be seen that while our legislation provided maximum speed limits, yet it, in all other respects, left the law the same as that which controlled other classes of vehicles. Notwithstanding this, however, the maximum speed limits seem to be almost universally taken to be the whole law on the subject; and our experience teaches very clearly that it has always been extremely difficult to impress upon motorists, the public authorities, and the general public, the fact that a driver of a motor car has no rights different from those of the general public. It appears to be impossible to obtain convictions for violations, unless the complainant is able to prove positively that the defendant driver was going at a speed greater than the maximum limit in that locality.

Maximum
speed limits
regarded as
whole law.

One of the most flagrant violators of the law that have come under our observation was arrested by a mounted policeman at Long Branch after a most desperate race, which resulted in completely tiring out the policeman's high-bred horse, and the capture of the transgressor was accomplished only after a threat of shooting. Yet this violator was acquitted before the magistrate, because the policeman was unwilling to swear positively that the vehicle was going faster than the maximum speed limit, although he did swear and proved to at least our satisfaction that the car was going at a much greater rate than was compatible with safety. In this case we had recourse to the very efficient provision of our law, authorizing the revocation of licenses for cause. But this, and many other cases, both in New Jersey and wherever else an effort to enforce reasonable speed regulations is made, conclusively prove that maximum speed limits work a hardship rather than otherwise. Another phase of the maximum speed regulations is what appears, on the testimony of expert motorists, to be their arbitrary and ill-advised provisions. We believe it to be generally conceded by those who are competent authorities that twenty

Maximum
limits are
hindrance
to enforce-
ment.

Ill-advised
provisions.

miles an hour in the open country, where there is no other traffic on the road, is not nearly so dangerous to the life or property of either the motorist or other users of the highways as eight and one-half miles on a crowded street, past intersecting streets, or where there are sharp turns, so that the driver cannot see a sufficient distance ahead of him to bring his car to a full stop, if necessary, before causing injury to any other user of the road. Further than this, the records of the department show that in very few instances have accidents resulted from the mere rapid driving of cars on the open highway. In almost every instance of an accident, there has either been an intersecting street, a sharp turn, or the traffic on the street has been heavier than the speed of the driver warranted him in assuming, while in most instances the car has been found to be within the maximum speed limit existing in that locality.

A maximum gear.

It has been suggested by certain well-meaning friends of safe motoring that vehicles should be adjusted or geared in such a way that they could not obtain a greater speed than that which shall be provided by law; and a mile in three minutes, our maximum, is generally regarded by them as the proper gear to prescribe. The injustice of this plan—if indeed it be constitutional—to say nothing of its impracticability, will become apparent to fair-minded persons when they consider that a rate of a mile in three minutes is one often attained on our public roads by our ordinary grades of horses. A law that would prevent a horseman from driving a horse that could travel faster than at the rate of a mile in three minutes would be properly regarded an outrage. Yet there is more reason in such a proposition than in one which would limit the gear of a motor vehicle to that rate, because of the fact that the motor vehicle is much more quickly and surely responsive to the driver's will than is the horse. Besides this, it would be practically a mechanical impossibility to devise a gear plan that could not be speedily changed, and it would require a corps of specially trained inspectors or policemen to enforce such a law. The average man is entirely without technical

knowledge of such mechanical devices. And, after all gears had been adjusted to that maximum speed, we would still have vehicles fully equipped for doing practically all the damage that has been done by motor vehicles in this State this year, because a vehicle capable of going twenty miles an hour can go, and in many instances would go, at that rate around corners, through crowded streets and past intersecting streets, and do as much damage as is now being done.

It would fail to accomplish purpose sought.

Furthermore, this question has been very seriously considered both in this country and in Europe, and the general trend of opinion is in favor of abolishing all speed limitations, placing the driver of the motor car on the same footing, in this respect, with the drivers of other vehicles, relying upon an adequate scheme of identification which motor cars should be compelled to display and a court of competent jurisdiction for our ability to apprehend and punish for violations of the law.

Experience of other countries.

In addition to this, it might be well to provide a code of speed limitations, to exceed which would be *prima facie* evidence that the driver was going in a negligent and unlawful manner. The effect of this would be to put the burden of proof that the speed at which he was going was indeed excessive, and, under the circumstances, unlawful, upon the driver, or defendant, rather than upon the complainant. In that manner, we are convinced that convictions of actual violations would be much more easily obtained.

A code of limitations, *prima facie* evidence.

The department has found that professional autoists, as well as the representatives of some of the leading motor vehicle clubs, while they complain bitterly of the enforcement of what they call the unreasonable speed regulations, seem to prefer to leave them as they are, rather than to remove them entirely, for the reason, as they believe, that if magistrates were allowed to determine what "reasonable speed" was, they would get scant consideration in some courts. This is probably true, but the trial of such cases should be placed in some competent court. The subject of courts will be again referred to.

Sentiment among motorists.

RULES OF THE ROAD.

Misunder-
standing of
"Law of the
Road."

There is much misunderstanding and lack of knowledge regarding the provisions of the "law of the road." Besides this, in far too many cases, there has been not only a disregard of these provisions by those who knew them, but an apparent contempt of the plain rights of other users. These observations apply equally to motorists, horsemen and pedestrians. Drivers of horses often have just cause to complain of a disregard of their rights by motorists when their vehicles are meeting from opposite directions. The driver of the horse, partially, undoubtedly, because of his desire to protect himself from injury, is usually disposed to go as far to the right of the road as it is possible for him to do, and the motorist far too often selfishly takes advantage of this caution and fails to make corresponding concessions of the road on his side. On the other hand, motorists bitterly condemn the horsemen who neglect or refuse, when overtaken by a motor vehicle, to make the proper and lawful concessions on their part, especially if they are driving heavy vehicles. Besides this, pedestrians, especially boys, seeing the approach of a motor vehicle, frequently, and with evident intent, step in the way of the vehicle, to the driver's great annoyance. In all such cases there seems too often to be a disposition to observe the law of might rather than of right.

But, apart from any unworthy motive, there is undoubtedly great ignorance of just what the law on this subject is. The "Law of the Road" is found on page 2823 of our General Statutes, was enacted into law as far back as 1813, and has not been changed since that time. It reads as follows:

The "Law of
the Road."

"All drivers of carriages, sleighs or sleds, whether of burthen or pleasure, using any of the turnpike or public roads in this State, when met by another carriage, sleigh or sled, they shall keep to the right, and when overtaken by carriage, sleigh or sled, they shall likewise keep to the right, so as, in both cases, to permit such carriage, sleigh

or sled, *either met or overtaken*, to pass free and uninterrupted; and if any person shall offend against such provision, such person shall forfeit and pay the sum of two dollars to any person who shall be obstructed or hindered in his or her passage, and will sue for the same, and shall be subject to an action for damages for every such offense, to be recovered with costs of suit."

The question, of course, arose whether motor vehicles should be regarded as "carriages," in the sense in which the term is used in the law. Our Motor Vehicle law undertook, in section 22, to define the proper use of motor vehicles on the roads and their relations and duties to other classes of vehicles, but did not clearly establish the duties of other classes of vehicles to motor vehicles, especially did it fail to specifically provide for the manner in which a motor vehicle should pass a vehicle of its own or another class when approaching from the rear. Attorney-General McCarter, in an opinion recently filed with this department, held that the term "carriage," as used in the "Law of the Road," applies to motor vehicles as well as other classes, in that way supplying a rule to govern our action; but there still remains much misunderstanding on the subject. There seems to be a fair understanding of duty when vehicles meet each other, but when one is overtaken by another, there is often great confusion. This is especially true of drivers of horses, and many accidents have been caused (for which the public generally blamed the motorists) by the driver of the leading vehicle turning to the left rather than the right, thus remaining directly in the lawful path of the passing vehicle. Many persons, some of them old horsemen, when their attention has been called to this feature of the law, have been greatly surprised.

Motor ve-
hicles are
"carriages."

A clearer and more comprehensive act, prescribing the "Law of the Road," would undoubtedly serve a very useful purpose. It would be desirable to have it set out in specific terms, the exact rights and privileges of all classes of users of the highway, including automobiles, motor cycles, bicycles, muscularly propelled vehicles, and pedestrians, and should especially provide that each vehicle

A clearer
"Law of the
Road" desir-
able.

should keep to the right (or left) of the center of the road in each instance, unless the physical conditions of the road made it impossible, in which case the vehicle should come to a full stop and allow the other vehicle to pass.

There has also been much complaint from motorists regarding the apparent inequality in the methods of treating the different classes of vehicles with respect to lights at night, and there does seem little justice in a law which compels a motor vehicle to carry lights and exempts all other classes from similar requirements. The law might well specifically define, as do the laws of England and some other countries, in what manner lights on all classes of vehicles should be displayed. Many accidents have been the direct result of vehicles, both motor vehicles and other classes, using the roads without lights; and in the common interest of all, statute regulation seems necessary.

PENALTIES FOR VIOLATIONS.

In the enforcement of the penalties for violations, we have had much cause to regret the very patent ignorance of the true intent and purpose of the law on the part of the public generally, as well as many of those who are specifically charged with its enforcement. It became necessary, in framing the law, as in the framing of all acts of similar nature, to provide penalties for certain violations which need not necessarily in themselves result in any harm, either to the public or to individuals, but which became necessary in order that the enforcement of the adequate penalties against harmful and serious violations might be possible. To differentiate between these two classes of offenses seems to have been much more difficult than one might naturally suppose, with the result that many inequalities have been worked in the enforcement of the law. Willful and malicious violators, also, because of our faulty system of identification, often avail themselves of the power given them by their high speed cars to escape apprehension and the

All vehicles should carry lights at night.

Ignorance of true intent of the law.

consequent penalties, while many well-meaning persons, who have been at best guilty of merely technical violations, have been apprehended, and in some cases, we do not hesitate to say, unjustly and oppressively punished.

The first trouble can only be overcome by the development of a clearer and more perfect knowledge of the rights of all users of the highways. Every class of users of the roads, whether pedestrians, persons with hand vehicles, drivers of cattle, horsemen, bicyclists, motorists, or other lawful users, is entitled to equal protection in its lawful rights, and that, with as little embarrassment or interference on the part of peace officers as is necessary to secure these rights. It is apparent, then, that the more nearly complete the knowledge of what is right, the better the law will be enforced. And, when a reasonable degree of information is attained, it will be found that there has been much misunderstanding regarding the rights of others, and a much more equitable and rational enforcement will follow.

The second difficulty may be remedied by providing an adequate scheme of identification. An additional burden will be placed upon the motorist to supply this identification, but the conservative ones, at least, fully understand the great ability placed in the hands of an evil-disposed motorist to evade the law and escape its penalties, and should not object to that additional burden. And when motor cars are properly identified, there can no longer remain any very valid reason for the "arrest without warrant" feature of our present law. While this feature has hitherto been necessary, it is also responsible for much oppression and injustice, and sometimes positive harm.

There are certain offenses for which the power of arrest without warrant is necessary, but these offenses could all, with one exception, be grouped together in a class which might properly constitute misdemeanors. They would then become punishable in our criminal courts, and their commission would carry with it the power of arrest without warrant, not only by peace officers, but by any person who witnessed the violation. In this

Clearer knowledge of rights of all users needed.

Adequate scheme of identification necessary.

Certain offenses should be made misdemeanors.

catalogue should probably be included: The driving of a vehicle by any person without the owner's consent; the driving of a vehicle by a person in an intoxicated condition; driving on a bet or wager, or for the purpose of breaking speed records; driving vehicles by persons whose licenses have been revoked; willful failure to display the registration or identification marks, and the display of a false registration or identification mark.

Case when power of arrest without warrant retained.

The exception, where the power to arrest without warrant should probably be retained and yet when the offense should not constitute a misdemeanor, is in the case of unintentional failure to display the identification marks. For a willful failure there can be no excuse, and the penalty should be severe; but an unknown accident or mishap might remove the identification mark or cause the light to go out, which would prevent identification in case of necessity. There should be some power to detain the driver in such cases until he could be notified and have an opportunity to correct the difficulty, but the penalty should be nominal. If, upon notification, the driver attempts to continue the journey, without repairing the defect, a case of willful violation would be established. For all other offenses, including those pertaining to rapid driving and violations merely the result of negligence, except those mentioned, it would seem that, with a proper identification mark displayed, there would be no necessity for providing for arrest without warrant. The violator could be properly identified and easily served.

Proper identification mark condition precedent to surrender of arrest without warrant feature.

But this display of a proper identification mark must be made a condition precedent to surrender of the power of arrest without warrant on the part of the State. As suggested in the paragraph on identification, it may properly be applied to cars of certain types only, and with these only in cases of new registration. With the other types, namely, the light or low-speed runabouts and commercial vehicles, and with the heavy cars already registered, it probably should be left optional with the owner whether he adopts an improved identification system, but to enjoy the exception from liability to arrest

without warrant, it would become necessary for him to do so.

To guard properly against the display of false identification marks and the driving of vehicles without license, the present power of inspectors to detain drivers of cars, for the purpose of examining their licenses and certificates, should be retained, and they should also be given the power of arrest for any misdemeanor.

Inspectors' power to inspect drivers' licenses retained.

PROPER COURT PROCEDURE.

"Proper Court Procedure" suggests another important phase of the question. We think there should be no hesitancy in saying that the average justice's court is not the proper one for the trial of motor vehicle actions. While the department would not place itself in the position of criticising these courts, yet their construction and general knowledge of the law, except in a few cases, do not seem to be such as to enable them to render just and equitable decisions on this subject. Many cases have come to our attention where it would seem that violations were such that speedy and severe punishment should have been dispensed, where the case has been dismissed, or the defendant very lightly fined, while in others, which seemed to possess no real merit, quite severe fines have been imposed, and in the interest of reasonable justice some more adequate court should be found. If our present Courts of Common Pleas are not too heavily burdened (and the actual number of causes which would come to their attention would probably not be very many) it would seem as though this were the proper place for the trials.

Justices' courts not place for trial of motor vehicle causes.

Common pleas or special court should be used.

There should also be provided some method whereby appeals might be taken from the decision of the Commissioner of Motor Vehicles in the matter of the revocation of licenses and registration certificates. This is, without doubt, the most salutary and efficient provision contained in our law, and we believe has been its most valuable feature in securing the reasonable enforcement of

Appeal from commissioner's decision revoking licenses.

its provisions. It is a power, however, which should not rest absolutely in any one person, no matter how well-intentioned or intelligent he may be. While it is undoubtedly necessary that this penalty should often be summarily and immediately imposed, and because of this, its original exercise is probably properly vested, yet there should be some means provided for a review of the act of the revoking power by a court of competent jurisdiction, or perhaps by the Governor, who could review at length the act of the Commissioner or other revoking power, and, if an injustice had actually been done, should be vested with the power to rectify it.

INSPECTORS AND POLICE FORCES.

More uniform action and better understanding of law by peace officers desirable.

A more uniform and united action among the different police forces and local constabularies would also be most desirable. Among the present difficulties in enforcing the law is a lack of understanding among policemen of just what their duty is. We have found in almost every instance that the members of the different police departments, as well as the rural constabularies and the special officers appointed for the purpose, are desirous of doing their duty, if they only know just what is the right thing to do. To that end, it would seem desirable to have some central agency vested with the power of conferring with these officers, with a view of bringing about more rational and uniform action. In this respect a specially selected and trained corps of inspectors would render most efficient service. The inspector feature of our present law has thoroughly demonstrated its value, and it would seem desirable that both its scope and size should be materially increased. It seems to be impossible to accomplish the best results unless the inspectors come into personal and frequent contact with both the local police authorities and the users of the roads. A law which would define and enlarge the duties of these inspectors so that they could arrest motorists and others for violations of the "law of the road," and which would also set forth their

relationship to other peace officers, would serve a useful purpose. The department does not feel competent to suggest the size of such a force, but the number should not be large at first, and should be increased only as the necessity arises. They should, however, be chosen with special regard to their fitness, and should be of sufficient number to visit frequently all the roads of the State frequented by motor vehicles. They should be properly organized, under the command of an experienced head, and should be authorized to keep in communication with the established police forces, with a view of promoting a uniform, rational, and efficient mode of procedure. To accomplish this, a considerable financial outlay would be found necessary for equipment as well as salaries, as our work this year has demonstrated that efficient inspector service can only be had by the aid of motor cycles or other motor vehicles which will enable inspectors to travel as rapidly as do the vehicles which they may find it necessary to apprehend. But the additional expense incurred in this direction might be at least partially met by the saving which could be brought about by the abolition of the personal examination of drivers, which would make unnecessary the agencies now established throughout the State.

Inspector force should be increased and its scope enlarged.

Besides this, the law might well provide for the appointment of a fixed number of unpaid inspectors. There are many gentlemen deeply interested in the enforcement of the law who are willing to devote a part of their time to this work, if they have the authority to do so; and the work of the department this year has established the great value of the services of men so appointed.

Unpaid inspectors.

EFFECT OF MOTOR VEHICLES ON THE ROADS.

The effect on the roads of the use of motor vehicles, the use of chains and armored tires, and the general question of dust, have also been considered, but as these

Subject for road department.

seem to be more properly subjects for the road department, we deemed it unwise to discuss them at length in this report.

CONSTRUCTION OF MOTOR VEHICLES.

Manufacturers solving all questions of construction.

It is also hardly necessary to dwell on the construction of motor vehicles, as manufacturers, in their efforts to excel in production, are solving questions of construction much more rapidly and efficiently than legislation could do; and defective workmanship, together with the abuses originating from excessive noise, offensive odors, caused by the escape of gas or steam, the dropping of ashes or refuse on the roads, and other annoyances of similar nature heretofore attending the use of motor vehicles, are very rapidly becoming things of the past.

EQUIPMENT OF MOTOR VEHICLES.

In the matter of equipment, the principal points for consideration are the proper mode of lighting at night and the employment of proper signal devices.

Acetylene lights.

The use of brightly burning acetylene lamps is alternately the subject of adverse criticism and of great commendation on the part of both motorists and other users of the highways. In well lighted streets their effect is to bewilder other users and afford no service, except to those motorists who desire to make illegitimate use of the streets. In country districts, they are, without doubt, of value, and the consensus of the best opinion is that these lights may properly be used in the country districts, but they should be avoided in towns and cities where the streets are well lighted. In such places, reliance should be placed in properly burning lights of lower power.

Signal device.

Each vehicle should be provided with a clear sounding signal device, but none that make an alarming or offensive noise should be permitted.

RACING CARS AND HEAVY RUNABOUTS.

Of all types of motor vehicles, the racing car, or high-powered runabout, is of the least benefit to the community, and is generally responsible for the greatest amount of injury. There seems to be little use for these vehicles, except in that they supply a certain, and in many instances, illegitimate and unlawful pleasure. They seem to be the favorite type used by reckless, selfish and law-defying drivers, whose contempt for the rights of other users of the roads is the cause of so much bitterness and hatred, and are the cause of a larger number of injuries, in proportion to the number in use, than those of any other type. Special restrictions might very properly be placed upon them.

Principal use, excessive speed.

ABUSE OF MANUFACTURERS' LICENSE.

Our present law provides for issuing of what is known as "manufacturers' registrations" to manufacturers and dealers upon the payment of a fee of \$20. The registration authorizes the holder to drive any number of cars under the same registration for the purpose of demonstration, but he can have only five cars in use under this registration at any one time. It also provides that a car may be loaned or hired under this registration for a period not exceeding five days. This section of the law has been greatly abused. The five-days' section has been almost entirely ignored, while the use of the "manufacturers' tag" seems to have been very frequent by those who desired to run under a false registration number. The proportion of complaints and of accidents reported to the department by cars bearing "manufacturers' numbers" is out of all proportion to the number of cars running under these registrations, and additional restrictions might well be considered.

Section greatly abused.

MOTOR CYCLES.

The proper regulation of motor cycles did not receive much attention in the Frelinghuysen law. While it is freely admitted that their importance is by no means so great as that of automobiles, yet, because of their great ability for speeding and their peculiar construction with reference to the production of noise and odor, they are fit subjects for proper regulation and identification. Our present law provides that they shall be registered, but it does not require licenses for their drivers or riders, nor are they required to carry identification marks. The former Motor Vehicle law required the display of the same style of identification marks on motor cycles as on other classes of motor vehicles. Because of the burden of the large numbers, in the Frelinghuysen law, it was deemed wise to abolish the use of identification marks entirely. This feature has worked badly. Motor cycles should carry some identification mark, both by day and by night. The best thought on the subject seems to suggest that an identification mark of at least two and one-half inches in height and of three-eighths-inch stroke should be provided, and to avoid long numbers there should be a series of special motor cycle numbers.

REGISTRATION AND LICENSE LISTS.

Many police departments and citizens interested in securing the enforcement of the law have requested that they be kept supplied with lists of registrations and licenses. In making this request, they have, of course failed to comprehend the large amount of extra clerical work and expense which would be found necessary, in the first place, to prepare such lists, and in the second place, to keep them up to date with any reasonable degree of accuracy, there now being 13,759 registrations and 15,269 licenses. It would be necessary to publish both alphabetical and numerical indices of both registrations and

licenses, if the greatest degree of benefit from this procedure is to be obtained, which would make a book of considerable size, containing 58,056 names and addresses. Such lists would, however, be of much value, and if the Legislature found it desirable to make the necessary appropriation for their preparation and periodical publication (perhaps quarterly would be found sufficiently frequent) it would undoubtedly facilitate the work of reasonable enforcement of the law.

Value of such lists.

COMPLAINTS BY MOTORISTS.

Motorists find what seems to be good cause for complaint, because the law provides for the protection of other users of the highways from abuses by motorists, but they see no law affording protection to motorists from abuses by other users. The department has found such abuses to be far too frequent, and the suggestion that the police and inspector regulations should be so shaped as to afford equal protection to all users of the highways seems a reasonable one.

Abuses by non-motorists.

GARAGES.

Such a large proportion of violations of the law which result in injuries come from the use of motor vehicles which are driven without the owner's consent, that it might be advisable to provide that all owners of garages, where vehicles belonging to other persons are cared for, should keep accurate records of all arrivals and departures of vehicles belonging to or stored in their garage and make weekly reports to the owners thereof.

Records of arrivals and departures should be kept.

TOURISTS AND THE NEW LAW.

It is confidently asserted, in adversely critical motor-ing circles, that the present law has kept many touring motorists out of the State the past year, to the injury of

New law did not keep many motorists out of State.

Identification marks for motor cycles.

our summer resorts and other places of entertainment. Careful inquiry by the department fails to find any serious loss to our resorts on this account, and if motorists, in any great numbers, refrained from entering the State on account of the law, their places have evidently been taken by others. That there have, however, been some of this class, there is no doubt, and so far as they were led to take this course through a misunderstanding of the true spirit and purpose of the law, there is genuine ground for regret. But there is no apology due those who, understanding our law, refrained from visiting us.

No apology due those who understand law.

MOTOR VEHICLES AND THE HORSE-BREEDING INDUSTRY.

The competition of the motor vehicle with the horse-breeding industry has been urged as a valid reason why there should be restraint put upon the former. Statistics and experience both prove, however, that the advent of the motor vehicle, as well, in fact, as the advent of every other new method of transportation, has stimulated rather than restricted the breeding of horses, and at no time in his history is the horse bringing so much money or is so much thought of as at the present. The horse will continue to grow in favor, not perhaps as a lowly beast of burden (for the motor vehicle will succeed the dray and other heavy vehicles as the electric car succeeded the horse car), but as the noble and beloved dumb friend of man, and he will take his proper place in work where he may be used but not abused. The motor vehicle is both the horses' and the horsemen's benefactor.

Value of horses increasing.

THE SELFISH MOTORIST.

This report should not be closed without expressing a vigorous word of condemnation of those motorists who seem to be of the opinion that the roads were made for them, and that any restraint in the use of their vehicles or of the roads is an infringement of their rights. Their

Condemnation of the selfish motorist.

vulgarity and selfishness are abominable. It should matter not what their station in life may be, they should be severely dealt with morally as well as legally, and it is a great source of satisfaction that the leading motor clubs of the country are taking up this subject in a vigorous way. The law can do much to remove them, but active, healthy, public opinion can do more.

MOTOR VEHICLES IN RURAL LIFE.

The general public, and particularly those of the rural communities, must not lose sight of the fact that the motor vehicle is a powerful factor in bringing into market and enhancing values of rural property, and has already done much to develop suburban and country life. With increased production and consequent reduction in price, a wonderful impetus will surely come to this American and progressive mode of living. In the consideration of the motor vehicle its part in the development of the American home should not be lost sight of.

Motor vehicles develop country districts.

IN CONCLUSION.

It should be remembered that the invention of the motor vehicle has a common ancestry with all other inventions of great importance, and should not be despised, but rather, respected, as the legitimate offspring of the necessities of our progressive age. There had come a gap in our transportation facilities which could not be filled by either the horse or the vehicle running on rails. The horse was too slow and unresponsive to the will of its driver, and the railroads too inconvenient and immobile to serve our new purposes, and, as in the past, the "mother of invention" brought forth the means for supplying the deficiency. This necessity developed so rapidly and yet so quietly that we hardly realized that it had not only reached maturity, but had borne its honest and honorable fruit. Unrestrained economic laws

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never do things wrongly, and necessity brought forth the motor vehicle, as it has brought forth every other great and good thing, at the exact time when the increasing complexity of our civilization made its advent both a luxury and a necessity. Like all inventions, with great powers for good when properly directed, it has equally great powers for harm when misdirected. The abuse of these powers, combined with the natural prejudices and envies of those who as yet have no need for the invention, produces a sentiment of great disfavor and hatred. Such conditions have always followed the introduction of new inventions that did not appeal immediately to the wants of every individual. It was eminently true of the early inventions in steam and in electricity, while it will be recalled that a thing of such universal utility as the friction match was, in many quarters, regarded as the direct invention of the powers of evil. All forceful agencies are capable of great harm as well as good, and, exemplifying a well-known truth, those who have no occasion to look for the good are quite sure to find only evil.

The government seeks to protect the rights of all without unnecessary interference. The motor vehicle being a new and powerful force, the government, in its efforts to direct the proper use of the new invention, has undoubtedly made errors. The efforts advanced have, however, been honestly directed, and there is no doubt that the same necessity which brought us the motor vehicle will bring forth a method to restrain its abuse.

Respectfully submitted,

J. B. R. SMITH,

Commissioner of Motor Vehicles.