

(\$5.00) nor more than twenty-five dollars (\$25.00) for the first offense, and to a penalty of not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00) for a second or any subsequent offense, such penalties to be enforced by the Traffic Court of Baltimore City or any Justice of the Peace of the State having jurisdiction, as provided in Section 205 of this Article; provided, however, that any person who may feel himself aggrieved by any general regulation promulgated by the said Board of Motor Vehicle Headlight Inspection under the powers contained in this provision, may apply to any court of competent jurisdiction to have the enforcement of the same enjoined on the ground that such regulation is unreasonable, unlawful or in excess of the powers herein conferred upon said Board of Motor Vehicle Headlight Inspection.

Any person who shall turn all or any of his motor vehicle lights off for the purpose of avoiding arrest or identification shall be deemed guilty of a misdemeanor, and, upon conviction, subject to a penalty of one hundred dollars (\$100.00), or imprisonment for a period not to exceed ninety days, or both fine and imprisonment for the first offense.

(4) Mufflers. No driver or operator of any motor car, taxicab, automobile, motor truck or motor cycle shall use any cutout, fitting or other apparatus or device which will allow the gases from the engine of the motor vehicle to escape into the atmosphere without first passing through a silencer, expansion chamber or other contrivance suitable and sufficient for reducing as far as may be reasonably practicable the noise which would otherwise be caused by the escape of the said gases; provided that this regulation shall apply only to a motor vehicle propelled by an internal combustion engine, and only within the limits of cities, towns and villages in the State of Maryland.

(4A) Emblems. It shall be unlawful for any person to display upon a motor vehicle the insignia or emblem of any motor vehicle club or similar organization, unless he shall be entitled to use the same under the constitution, by-laws, rules or regulations of such club or organization.

(5) Penalties. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and except in other cases in this section otherwise provided for, upon conviction subject to a fine of not less than five dollars (\$5.00) nor more than fifty dollars (\$50.00) for the first offense, provided, however, that in the event approved lenses or bulbs are used, and, due to improper adjustment, they do not comply with all the provisions of this section, no penalty shall be imposed for the first offense.

All the provisions of this Section 193, including the several sub-sections thereof, shall apply both to the operator of a motor vehicle and to the owner or person in control thereof who causes or permits such motor vehicle to be equipped or operated contrary to any of such provisions.

The presumption contended for by appellants that lamp on rear of a tank wagon was lit in accordance with paragraph (3) of this section, when opposed by positive evidence of chauffeur that it was not lighted is without probative force and should not be submitted to jury. *Balto. Transit Co. v. Swindell*, 132 Md. 279.

No negligence held to be imputed to chauffeur under sec. 150 of the An. Code of 1912 (vol. 3). Chauffeur testified that he did not see plaintiff until she was within a few inches of machine. Chauffeur need not sound horn every time he passes around