

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 905

S.P. 313

In Senate, February 22, 2005

An Act To Modernize the Innkeeping Statutes

Reference to the Committee on Business, Research and Economic Development suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator COWGER of Kennebec.
Cosponsored by Representative MOODY of Manchester and
Senators: DAMON of Hancock, DOW of Lincoln, ROSEN of Hancock, Representatives:
BARSTOW of Gorham, CROSTHWAITE of Ellsworth, JODREY of Bethel, KOFFMAN of
Bar Harbor, SCHATZ of Blue Hill.

Be it enacted by the People of the State of Maine as follows:

2
3 **Sec. 1. 5 MRSA §4592, sub-§3, ¶B**, as amended by PL 1995, c.
4 393, §23, is further amended to read:

6 B. That contains no more than ~~5~~ 10 rooms available to be
7 let to lodgers; and

8
9 **Sec. 2. 30-A MRSA §3802, sub-§2**, as enacted by PL 1987, c.
10 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c.
11 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

12 **2. Overcharge liability.** No keeper may charge or collect a
13 sum greater than the rate shown in the posted schedule. Any
14 keeper who charges or collects more than the rate shown in the
15 posted schedule is liable to the person so charged or who paid
16 the bill in an amount equal to ~~3~~-times the total amount of the
17 bill collected minus the rate shown in the posted schedule.

18
19 **Sec. 3. 30-A MRSA §3821, sub-§§1 and 2**, as enacted by PL 1987,
20 c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6;
21 c. 9, §2; and c. 104, Pt. C, §§8 and 10, are further amended to
22 read:

23 **1. Register of guests.** Every ~~A~~ person conducting any a
24 hotel or lodging house shall may have a register kept and
25 maintained in the hotel or lodging house ~~at-all-times~~. ~~The and~~
26 may require that the name of every guest or person renting or
27 occupying a room or rooms in the hotel or lodging house shall be
28 written in the register. The person renting the room or rooms,
29 or someone under that person's direction, shall sign the
30 register, if required. The proprietor of the hotel or lodging
31 house, or the proprietor's agent, shall then write the number of
32 each room assigned to and occupied by each guest, together with
33 the date that room is rented, opposite the name or names so
34 registered.

35 **2. Record of departures.** The proprietor or the
36 proprietor's agent shall may keep and maintain a record showing
37 the date when the occupant of each room surrenders the room.
38 This record may be made a part of the register.

39
40 **Sec. 4. 30-A MRSA §3822, sub-§1**, as amended by PL 1995, c. 88,
41 §2, is further amended to read:

42 **1. Registration.** All persons occupying a room or rooms in
43 a hotel or lodging house ~~must~~ may be required to register or have
44 themselves registered in the hotel or lodging house register.
45 The innkeeper may require the registering guest to produce a
46 valid driver's license, or other identification satisfactory to

2 the innkeeper, setting forth the name and residence of the
3 guest. If the guest is a minor, the innkeeper may require a
4 parent of the guest to register and to accept in writing
5 liability for the guest room costs, taxes, all charges incurred
6 by the minor and any damages to the guest room or its furnishings
7 caused by the minor while a guest at the hotel or lodging house.

8 **Sec. 5. 30-A MRSA §3838, sub-§2, ¶B,** as amended by PL 1997, c.
9 59, §1, is further amended to read:

10 B. Provides the innkeeper or campground owner with a valid
11 ~~credit-card-number-or~~ cash deposit to cover the guest room
12 or campground site costs, taxes, charges by the minor and
13 any damages to the guest room or its furnishings or to the
14 campground site caused by the minor. Any cash deposit
15 provided must be refunded to the extent not used to cover
16 any charges or damages as determined by the innkeeper or
17 campground owner following room or campground site
18 inspection at check-out. The innkeeper or campground owner
19 may accept a valid credit card number from the minor to
20 cover the guest room or campground site costs, taxes,
21 charges by the minor and any damages to the guest room or
22 its furnishings or to the campground site caused by the
23 minor;

26 SUMMARY

28 This bill amends several sections of the law dealing with
29 innkeeping and lodging. The bill amends the provision requiring
30 all guests to register. The bill also requires that a guest who
31 is overcharged must be reimbursed the amount charged minus the
32 posted rate for the room. The bill also changes the law
33 requiring an innkeeper or campground owner to accept a credit
34 card from a minor to cover guest expenses, instead making it
35 optional. Lastly, the bill permits the owner of a lodging house
36 or hotel that has 10 or fewer guest rooms to decline to admit
37 children as occupants.