### MAINE STATE LEGISLATURE

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1	L.D. 179
2	Date: $G/10/2S$ (Filing No. S-335)
3	HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES
4	Reproduced and distributed under the direction of the Secretary of the Senate.
5	STATE OF MAINE
6	SENATE
7	132ND LEGISLATURE
8	FIRST SPECIAL SESSION
9 10	COMMITTEE AMENDMENT " A" to S.P. 696, L.D. 1794, "An Act to Provide Protection from Unfair Parking Tickets on Lots Accessible to the Public"
11 12	Amend the bill by striking out everything after the enacting clause and inserting the following:
13	'Sec. 1. 10 MRSA c. 239 is enacted to read:
14	CHAPTER 239
15 16	ENFORCEMENT OF PARKING VIOLATIONS ON LOTS ACCESSIBLE TO THE PUBLIC
17	§1500-Z. Enforcement of parking violations on property accessible to the public
18 19 20 21 22	A person or entity that owns, operates or manages property accessible to the public for the parking of motor vehicles, or that provides collection or enforcement services with respect to the parking of motor vehicles, may not impose, assess or seek to enforce collect any fine, fee or charge to any person for the violation of any parking rule applicable to that property except in compliance with this section.
23 24 25 26 27 28	1. Fine, fee or charge amount must be reasonable and conspicuously posted. The amount of any fine, fee or charge to any person for the violation of any parking rule applicable to property accessible to the public for the parking of motor vehicles must be reasonable and must be conspicuously and prominently posted within the property so the it is visible at any entrance and exit of a parking lot or parking structure within the property by a person entering and exiting in a motor vehicle.
29 30 31 32 33	2. Written notice of violation required. Written notice of a violation of any parking rule applicable to property accessible to the public for the parking of motor vehicle including the failure to pay an amount of money to park a motor vehicle, must be provided to the registered owner of the motor vehicle. At a minimum, the written notice must include the following information:

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## **COMMITTEE AMENDMENT**

# COMMITTEE AMENDMENT " A" 10 S.P. 696, L.D. 1794 (5-335)

1	A. The date and time of the violation;
2	B. The nature of the violation, including the parking rule violated;
3 4 5	C. The amount of the fine, fee or charge for the violation and the payment due date for the fine, fee or charge for the violation, which must be at least 10 business days after the date of the written notice of the violation;
6	D. Payment instructions; and
7 8	E. Contact information for the person or entity responsible for collecting the fine, fee or charge for the violation.
9 10 11 12	3. Use of automated license plate recognition system prohibited. The provisions of Title 29-A, section 2117-A prohibit the use of an automated license plate recognition system at a property accessible to the public for the parking of motor vehicles, subject to the exceptions enumerated in that section.
13 14 15 16	4. Violation; remedies. A violation of this section is a violation of the Maine Unfair Trade Practices Act. In addition to any remedies available under the Maine Unfair Trade Practices Act, a claimant may obtain an award of damages equal to 3 times the amount of a fine, fee or charge assessed, imposed or sought to be enforced in violation of this section.'
17 18	Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.
19	SUMMARY
20 21 22 23 24 25 26 27 28 29 30	This amendment replaces the bill. The amendment requires that the amount of any fine, fee or charge to any person for the violation of any parking rule applicable to property accessible to the public must be reasonable and be conspicuously and prominently posted within the property so that it is visible at any entrance and exit of a parking lot or parking structure within the property by a person entering and exiting in a motor vehicle. The amendment requires that written notice of a parking violation be provided to the registered owner of the motor vehicle and specifies the minimum information that must be included in the notice. The amendment also prohibits the use of an automated license plate recognition system at a property accessible to the public for the parking of motor vehicles except as specifically provided under current law. A violation of these provisions is a violation of the Maine Unfair Trade Practices Act.
31	FISCAL NOTE REQUIRED
32	(See attached)

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### **COMMITTEE AMENDMENT**



#### 132nd MAINE LEGISLATURE

LD 1794

LR 1506(02)

An Act to Provide Protection from Unfair Parking Tickets on Lots Accessible to the Public

Fiscal Note for Bill as Amended by Committee Amendment () () () () Committee: Health Coverage, Insurance and Financial Services

Fiscal Note Required: Yes

#### **Fiscal Note**

Minor cost increase - General Fund Minor revenue increase - General Fund

#### **Correctional and Judicial Impact Statements**

This bill may increase the number of civil suits filed in the court system. The additional workload associated with the minimal number of new cases filed in the court system does not require additional funding at this time. The collection of additional filing fees will increase General Fund revenue by minor amounts.