

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

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**Legislative Document**

**No. 748**

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H. P. 572

House of Representatives, February 10, 1971

Referred to Committee on Legal Affairs. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. McKinnon of South Portland.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-ONE

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**AN ACT Relating to Parking on Paved or Improved Portions of Ways and  
Removal of Vehicles.**

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

R. S., T. 29, § 1111, amended. The last paragraph of section 1111 of Title 29 of the Revised Statutes, as repealed and replaced by chapter 174 of the public laws of 1967, is repealed and the following enacted in place thereof:

An officer may cause any vehicle parked, disabled or abandoned on any way so as to interfere with or hinder the removal of snow or the normal movement of traffic, or parked within the limits of a highway right-of-way, to be removed from the way and placed in a suitable parking place, at the expense of the person in whose name such vehicle is registered. The person bearing the expense of such removal, such as garage or parking lot owner, or service station owner or manager, shall, by registered mail, notify such registered owner, or holder of a security interest thereon if his identity can reasonably be ascertained, of the place where such vehicle may be reclaimed. If the owner, or holder of a security interest thereon, has not reclaimed the vehicle within 60 days from the date of such removal, the vehicle shall be deemed to have been abandoned and shall become the property of the person bearing the expense of removal, as detailed above. If he has not ascertained the identity of such owner, or holder of a security interest thereon, he shall cause notice of his claim to the vehicle to be published once a week for 2 successive weeks in a newspaper circulated in the county where such vehicle is located. Neither the State nor political subdivisions thereof nor the officer shall be liable for any damage that may be caused by such removal. The same procedure as described in this paragraph shall apply to vehicles towed to or

left at a garage, service station or parking lot, on the orders given by the owner or operator of the vehicle.

Removal of any part or accessory of such vehicle while it is in the possession or on the premises of such garage, parking lot or service station, without the express written permission of the owner or manager of such garage, parking lot or service station shall be considered a misdemeanor and the person doing the removing of such part or accessory shall be liable to prosecution. This shall apply to removal without written permission of the vehicle itself, and shall include any person or persons whatsoever, including the owner of the vehicle.

#### STATEMENT OF FACT

The purpose of the above change is to include the owner or operator of the vehicle in addition to the officer. Also, to prevent any person from stripping said vehicle of valuable parts or removing it entirely before payment of the amount owed the service station for the towing and storage charge.