

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

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Legislative Document

No. 1027

H. P. 842

House of Representatives, March 12, 1975

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

EDWIN H. PERT, Clerk

Presented by Mr. DeVane of Ellsworth.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-FIVE

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**AN ACT** Concerning Vehicles Left on the Premises of Commercial Garages and Certain Other Automobile Businesses for a Period of 6 Months or More.

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

29 MRSA § 895-A is enacted to read:

§ 895-A. Unclaimed vehicles left for repair

1. Vehicles unclaimed for 6 months or more. If a damaged motor vehicle has been brought to the premises of any garage, auto body repair shop, service station or auto dealership for storage or repair, or both, and has been left on the premises for 6 months or more and if no arrangements have been made by the owner of the vehicle or by his agent or by proper governmental authorities for the removal of that vehicle, title to that vehicle shall pass to the owner of the garage, auto body repair shop, service station or auto dealership.

2. Secretary of State to issue certificate. The Secretary of State, upon the presentation of sufficient evidence by any person to whom title to a motor vehicle has passed under subsection 1, shall issue to that person, upon payment of a fee of \$5, a certificate of title to that motor vehicle. The Secretary of State is authorized to make all rules and regulations necessary and convenient to assure the validity of claims submitted under this subsection.

3. Court determination. The holder of a certificate of title under subsection 2 may apply to the Superior Court for a determination that title to that vehicle properly rests in the holder of the certificate of title issued under subsection 2. A certificate of title issued under subsection 2 shall be prima

facie evidence that title to the motor vehicle concerned rests in the person to whom the certificate was issued.

#### STATEMENT OF FACT

Often, damaged vehicles are brought to garages and left for periods of 6 months or more without being claimed. These vehicles must be stored by the garage owner who has no assurance that they will ever be claimed. This Act will pass title to these vehicles to the garage owner if they are unclaimed for a period of 6 months or more.