

MAINE STATE LEGISLATURE

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1 SECOND REGULAR SESSION
2

3 ONE HUNDRED AND TENTH LEGISLATURE
4

5 **Legislative Document**

No. 1766

7 H. P. 1776 House of Representatives, January 7, 1982
8 Approved for introduction by the Legislative Council pursuant to
Joint Rule 26.

Referred to the Committee on Fisheries and Wildlife. Sent up for
concurrence and 1,600 ordered printed.

9 EDWIN H. PERT, Clerk
10 Presented by Representative Damren of Belgrade.

11 Cosponsor: Representative E. Paradis of Old Town.
12

13 STATE OF MAINE
14

15 IN THE YEAR OF OUR LORD
16 NINETEEN HUNDRED AND EIGHTY-TWO
17

18 **AN ACT to Require Removal of Motor Vehicles**
19 **from Great Ponds, Rivers and Streams.**
20

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

22 12 MRSA c. 716 is enacted to read:

23 CHAPTER 716

24 MOTOR VEHICLES IN GREAT PONDS, RIVERS AND STREAMS

25 §7851. Submerged motor vehicles in great ponds, rivers and
26 streams

27 1. Notice of submerged vehicle to be given to depart-
28 ment. The owner of any motor vehicle which becomes sub-
29 merged or partially submerged in the waters of any great
30 pond, river or stream of the State, shall within 14 days of

1 the event, notify the Department of Inland Fisheries and
2 Wildlife in writing of the event and the location of the
3 vehicle. The owner shall also indicate on the notice
4 whether or not he intends to remove the vehicle from the
5 great pond, river or stream.

6 2. Removal of vehicle within one year. Any motor
7 vehicle submerged or partially submerged in a great pond,
8 river or stream must be removed within one year of the
9 submersion or partial submersion, unless the department
10 determines that it must be removed immediately pursuant to
11 subsection 3, paragraph C.

12 3. Removal of vehicle by department. The department
13 shall remove or cause to be removed any submerged or par-
14 tially submerged motor vehicle if:

15 A. The owner indicates in the notice to the department
16 that he does not intend to remove the vehicle;

17 B. The owner has failed to remove the motor vehicle
18 within one year of the submersion or partial
19 submersion; or

20 C. The department determines, after notice of the
21 event, that the presence of the vehicle creates a
22 safety hazard or other hazard which requires immediate
23 removal.

24 4. Cost of removal of vehicle by department. If the
25 department removes a vehicle pursuant to subsection 3, the
26 owner of the vehicle shall be liable in a civil action to
27 the department for the costs of the removal.

28 §7852. Rules

29 The department may, in accordance with the provisions
30 of the Maine Administrative Procedure Act, Title 5, chapter
31 375, promulgate any rules necessary to carry out the pur-
32 poses of this chapter.

33 STATEMENT OF FACT

34 This bill requires owners of motor vehicles that fall
35 through the ice on great ponds, rivers and streams of the
36 State to remove the vehicles from the water body within one

1 year or to reimburse the State for the cost of removal. The
2 Department of Inland Fisheries and Wildlife would be given
3 responsibility for administering this law.

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