

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 154

6
7 H.P. 146

House of Representatives, January 12, 1983

8 Reference to the Committee on Business Legislation. Sent up for concur-
9 rence and ordered printed.

10 EDWIN H. PERT, Clerk

Presented by Representative Foster of Ellsworth.

Cosponsor: Representative Swazey of Bucksport.

11
12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-THREE
16

17 AN ACT to Require Financial Responsi-
18 bility and Insurance be Provided before
19 being Permitted to Operate a Motor
20 Vehicle.
21

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

24 Sec. 1. 29 MRSA c. 9, 3rd and 4th lines are
25 repealed as follows:

26 SUBCHAPTER 4

27 GENERAL FINANCIAL RESPONSIBILITY

28 Sec. 2. 29 MRSA §781, as amended by PL 1977, c.
29 694, §508, is further amended to read:

30 §781. Definitions

1 1. Terms defined. As used in this ~~subchapter~~
2 ~~chapter~~, the following words shall have the following
3 meanings.

4 A. "Certificate" means the certificate of an
5 insurance company authorized to transact the
6 business specified in Title 24-A, that it has
7 issued to or for the benefit of any person a
8 motor vehicle liability policy covering the motor
9 vehicle, trailer or semitrailer involved in the
10 accident as a result of which the action at law
11 to recover damages referred to in section 783,
12 subsection 2 was commenced as respects such acci-
13 dent; or the certificate of an insurance company
14 authorized to transact the business specified in
15 Title 24-A, that it is issued to or for the bene-
16 fit of any person a motor vehicle liability
17 policy covering any motor vehicle, trailer or
18 semitrailer owned by such person pursuant to
19 section 792; or the certificate of a surety com-
20 pany authorized to transact business under Title
21 24-A that it has issued to or for the benefit of
22 any person a motor vehicle liability bond cover-
23 ing the motor vehicle, trailer or semitrailer
24 involved in the accident as a result of which the
25 action at law to recover damages referred to in
26 section 783, subsection 2 was commenced as
27 respects such accident; or the certificate of a
28 surety company authorized to transact business
29 under Title 24-A that it has issued to or for the
30 benefit of any person a motor vehicle liability
31 bond covering any motor vehicle, trailer or semi-
32 trailer owned by such person pursuant to section
33 792. The insurance company or surety company
34 may, at its election, specify on such certificate
35 the expiration date of the motor vehicle liabil-
36 ity policy or bond and, if such company elects to
37 so provide, the policy or bond shall, on and
38 after such date, be deemed terminated for pur-
39 poses of this ~~subchapter~~ chapter, unless such
40 policy or bond is previously canceled or super-
41 seded in accordance with section 787, subsection
42 6. Where no expiration date is specified on the
43 certificate, the policy or bond shall be deemed,
44 for the purposes of this ~~subchapter~~ chapter to
45 continue in effect until it is canceled or super-
46 seded in accordance with section 787, subsection
47 6.

1 B. "Judgment" means any judgment which shall
2 have become final by expiration without appeal of
3 the time within which appeal might have been per-
4 fected, or by final affirmance on appeal,
5 rendered by a court of competent jurisdiction of
6 any state or of the United States.

7 C. "Motor vehicle liability bond" means a bond
8 certified as proof of financial responsibility in
9 accordance with section 787, or a bond required
10 under section 792, and conforming to section 786,
11 subsection 3, and conditioned that the obligor
12 shall within 30 days after the rendition thereof
13 satisfy all judgments rendered against him or
14 against any person responsible to him for the
15 operation of the obligor's motor vehicle, trailer
16 or semitrailer who has obtained possession or
17 control thereof with his express or implied con-
18 sent, in actions to recover damages for damage to
19 property of others or bodily injuries, including
20 death at any time resulting therefrom, accident-
21 tally sustained during the term of said bond by
22 any person other than the insured employees of
23 the obligor actually operating the motor vehicle
24 or of such other person responsible who are enti-
25 tled to payments or benefits under any Workmen's
26 Workers' Compensation Act, arising out of the
27 ownership, operation, maintenance, control or use
28 within the limits of the United States of America
29 or the Dominion of Canada of such motor vehicle,
30 trailer or semitrailer, to the amount or limit of
31 at least \$10,000 on account of damage to property
32 and at least \$20,000 on account of injury to or
33 death of any one person, and subject to such
34 limits as respects injury to or death of one
35 person, at least \$40,000 on account of any one
36 accident resulting in injury to or death of more
37 than one person.

38 D. "Motor vehicle liability policy" means a
39 policy of liability insurance certified as proof
40 of financial responsibility in accordance with
41 section 787, or a policy of liability insurance
42 issued pursuant to section 792, and which pro-
43 vides indemnity for or protection to the insured
44 and any person responsible to him for the opera-
45 tion of the insured's motor vehicle, trailer or

1 semitrailer who has obtained possession or control
2 thereof with his express or implied consent,
3 against loss by reason of the liability to pay
4 damages to others for damage to property, except
5 property of others in charge of the insured or
6 his employees, or bodily injuries, including
7 death at any time resulting therefrom, acciden-
8 tally sustained during the term of said policy by
9 any person other than the insured, or employees
10 of the insured actually operating the motor vehi-
11 cle or of such other person responsible who are
12 entitled to payments or benefits under any
13 ~~Workmen's~~ Workers' Compensation Act, arising out
14 of the ownership, operation, maintenance, control
15 or use within the limits of the United States of
16 America or the Dominion of Canada of such motor
17 vehicle, trailer or semitrailer, to the amount or
18 limit of at least \$20,000 on account of injury to
19 or death of any one person, and subject to such
20 limits as respects injury to or death of one
21 person, of at least \$40,000 on account of any one
22 accident resulting in injury to or death of more
23 than one person, and of at least \$10,000 for dam-
24 age to property of others, or a binder pending
25 the issue of such policy.

26 E. "Owner" means a person who holds the legal
27 title to a motor vehicle, trailer or semitrailer,
28 or in the event a motor vehicle, trailer or semi-
29 trailer is the subject of an agreement for the
30 conditional sale or lease thereof with the right
31 of purchase upon performance of the conditions
32 stated in the agreement and with an immediate
33 right of possession vested in the conditional
34 vendee or lessee, or in the event a mortgagor of
35 a motor vehicle, trailer or semitrailer is enti-
36 tled to possession, then such conditional vendee
37 or lessee or mortgagor shall be deemed the owner
38 for the purposes of this ~~subchapter~~ chapter.

39 F. "Person" means every person, firm, copartner-
40 ship, association or corporation, but not the
41 State or any political subdivision thereof.

42 G. "Secretary of State" ~~shall mean~~ means the
43 Secretary of State or any of his deputies.

1 H. "State" means any state of the United States,
2 the District of Columbia or any province of the
3 Dominion of Canada.

4 2. Secretary of State to administer rules and
5 regulations. The Secretary of State shall administer
6 and enforce this ~~subchapter~~ chapter, and he is
7 authorized to adopt and enforce such regulations as
8 may be necessary for that administration.

9 Sec. 3. 29 MRSA §782, as amended by PL 1977, c.
10 694, §509, is further amended to read:

11 §782. Proof required on conviction for violation

12 1. Suspension of licenses. Upon receipt of an
13 abstract of the record in cases of conviction or ad-
14 judication of any person for a violation of any state
15 law relative to motor vehicles, the Secretary of
16 State, in his discretion, may forthwith, pursuant and
17 subject to chapter 17, suspend the license of the
18 person so convicted or adjudicated and the registra-
19 tion certificates and registration plates issued for
20 any motor vehicle, trailer or semitrailer registered
21 in the name of such person unless and until such
22 person gives and thereafter maintains for a period of
23 3 years proof of his financial responsibility in the
24 limits of \$20,000 each individual, \$40,000 any one
25 accident resulting in injury or death to one or more
26 persons and \$10,000 for damage to property of others.
27 The Secretary of State shall take action as required
28 in this section upon receiving proper evidence of any
29 such conviction or adjudication of any person in
30 another state. ~~The Secretary of State may waive the~~
31 ~~requirement of filing proof of financial responsibili-~~
32 ~~ty at any time after 3 years from the date of~~
33 ~~request for compliance.~~

34 2. Definition of term "conviction". For purposes
35 of this ~~subchapter~~ chapter, the term "conviction"
36 shall include a forfeiture of bail or collateral
37 deposited to secure a defendant's appearance in
38 court, which forfeiture has not been vacated, upon a
39 charge of violating any motor vehicle law.

40 Sec. 4. 29 MRSA §783, sub-§2, ¶A, as repealed
41 and replaced by PL 1979, c. 430, §2, is amended to
42 read:

1 A. Upon receipt by the Secretary of State of the
2 report of an accident on a public way, or in any
3 place where public traffic may reasonably be
4 anticipated, which has resulted in death, bodily
5 injury or property damage to an apparent extent
6 of \$300 or more, the Secretary of State, pursuant
7 and subject to chapter 17, shall, 30 days follow-
8 ing the date of request for compliance with the
9 following requirement, suspend the license, the
10 right to obtain a license, or the right to oper-
11 ate of any person operating, and the registration
12 certificates and registration plates or the right
13 to register of any person owning a motor vehicle,
14 trailer or semitrailer in any manner involved in
15 the accident, unless the operator and owner shall
16 immediately give and maintain proof of financial
17 responsibility as provided under section 787,
18 subsection 2. The Secretary of State may waive
19 the requirement of filing proof of financial
20 responsibility at any time after 3 years from the
21 date of request for compliance, provided no fur-
22 ther filing is required under section 782, sub-
23 section 1-

24 Sec. 5. 29 MRSA §784, as amended by PL 1969, c.
25 363, §4, is further amended to read:

26 §784. Payments sufficient to satisfy requirements

27 Every judgment shall, for the purposes of this
28 ~~subchapter~~ chapter be deemed satisfied:

29 1. \$20,000 credited. When \$20,000 has been cred-
30 ited upon any judgment or judgments rendered in
31 excess of that amount because of bodily injury to or
32 death of one person as the result of any one acci-
33 dent; or

34 2. \$40,000 credited. When, subject to such limit
35 of \$20,000 because of bodily injury to or death of
36 one person, the sum of \$40,000 has been credited upon
37 any judgment or judgments rendered in excess of that
38 amount because of bodily injury to or death of 2 or
39 more persons as the result of any one accident; or

40 3. \$10,000 credited. When \$10,000 has been cred-
41 ited upon any judgment or judgments rendered in

1 excess of that amount because of injury to or
2 destruction of property of others as a result of any
3 one accident.

4 Credit for such amounts shall be deemed a satis-
5 faction of any such judgment or judgments in excess
6 of ~~said~~ those amounts only for the purposes of this
7 ~~subchapter~~ chapter.

8 Payments made in settlement of any claims because
9 of bodily injury, death or property damage arising
10 from a motor vehicle accident shall be credited in
11 reduction of the amounts provided for in this
12 section.

13 Sec. 6. 29 MRSA §785, sub-§1, as amended by PL
14 1979, c. 430, §8, is further amended to read:

15 1. Nonresidents. This ~~subchapter~~ chapter shall
16 apply to any person who is not a resident of this
17 State, and if ~~such~~ that nonresident has failed to
18 give proof of his financial responsibility, then and
19 in such event that nonresident shall not operate any
20 motor vehicle, trailer or semitrailer in this State
21 nor ~~shall~~ may any motor vehicle, trailer or semi-
22 trailer owned by him be operated within this State by
23 any person. The Secretary of State ~~shall~~ may not
24 issue to ~~such~~ that nonresident any operator's license
25 or register any motor vehicle, trailer or semitrailer
26 owned by ~~such~~ that nonresident in the same manner as
27 required with respect to a resident of this State.
28 The operation by a nonresident, or with his express
29 or implied consent if an owner, of a motor vehicle,
30 trailer or semitrailer on a public way of the State
31 shall be deemed equivalent to an appointment by ~~such~~
32 that nonresident of the Secretary of State or his
33 successor in office to be his true and lawful attor-
34 ney, upon whom may be served all lawful processes in
35 any action against him, growing out of any accident
36 in which ~~said~~ that nonresident may be involved while
37 so operating or so permitting to be operated a motor
38 vehicle on ~~such~~ a public way.

39 Sec. 7. 29 MRSA §786, as amended by PL 1977, c.
40 694, §513, is further amended to read:

41 §786. Bonds

1 1. Policy form. No motor vehicle liability
2 policy, as defined in section 781, shall be certified
3 as proof of financial responsibility in accordance
4 with section 787, or as proof of insurance in accor-
5 dance with section 792, until a copy of the form of
6 the policy has been on file with the Insurance Super-
7 intendent for at least 30 days, unless, before the
8 expiration of said period, said Insurance Superinten-
9 dent shall have approved the form of the policy in
10 writing, nor if said Insurance Superintendent noti-
11 fies the company in writing that, in his opinion, the
12 form of said policy does not comply with the laws of
13 the State, provided he shall notify the company in
14 writing within said period of his approval or disap-
15 proval thereof. Said Insurance Superintendent shall
16 approve a form of policy which contains the name and
17 address of the insured, a description of the motor
18 vehicles and trailers or semitrailers covered, with
19 the premium charges therefor, the policy period, the
20 limits of liability and an agreement that insurance
21 is provided in accordance with and subject to this
22 ~~subchapter~~ chapter.

23 2. Required provisions. A motor vehicle liabil-
24 ity policy certified as proof of financial responsi-
25 bility in accordance with section 787, or certified
26 as proof of insurance in accordance with section 792,
27 shall be subject to the following provisions which
28 need not be contained therein:

29 A. The liability of any company under a motor
30 vehicle liability policy shall become absolute
31 whenever loss or damage covered by said policy
32 occurs, and the satisfaction by the insured of a
33 final judgment for such loss or damage shall not
34 be a condition precedent to the right or duty of
35 the company to make payment on account of said
36 loss or damage. No such contract of insurance
37 shall be canceled or annulled by any agreement
38 between the company and the insured after the
39 said insured has become responsible for such loss
40 or damage, and any such cancellation or annulment
41 shall be void. Upon the recovery of a final
42 judgment against any person for any loss or dam-
43 age specified in this section, if the judgment
44 debtor was, at the accrual of the cause of ac-
45 tion, insured against liability therefor under a

1 motor vehicle liability policy, the judgment
2 creditor shall be entitled to have the insurance
3 money applied to the satisfaction of the judg-
4 ment.

5 B. The policy, the written application therefor,
6 if any, and any rider or endorsement, which shall
7 not conflict with this ~~subchapter~~ chapter, shall
8 constitute the entire contract between the par-
9 ties.

10 C. No statement made by the insured or on his
11 behalf, and no violation of the terms of the
12 policy, shall operate to defeat or avoid the
13 policy so as to bar recovery within the limit
14 provided in the policy.

15 D. If the death, insolvency or bankruptcy of the
16 insured shall occur within the policy period, the
17 policy during the unexpired portion of such
18 period shall cover the legal representatives of
19 the insured. Such policy shall contain such
20 provisions, as are not inconsistent with this
21 ~~subchapter~~ chapter as shall be required by the
22 Insurance Superintendent.

23 E. Damages shall not be assessed except by spe-
24 cial order of the court in a civil action, pay-
25 ment of the judgment wherein is secured by a
26 motor vehicle liability policy or a motor vehicle
27 liability bond, as defined in section 781, and
28 wherein the defendant has been defaulted for
29 failure to enter an appearance until the expira-
30 tion of 30 days after the plaintiff has given
31 notice of such default to the company issuing or
32 executing such policy or bond and has filed an
33 affidavit thereof. Such notice may be given by
34 mailing the same, postage prepaid, to the said
35 company or to its agent who issued or executed
36 such policy or bond. Upon receipt of information
37 and having become satisfied that the insured has
38 failed to comply with the terms of his policy in
39 regard to notice to the company of an accident,
40 the Secretary of State, pursuant and subject to
41 chapter 17, shall revoke his license and regis-
42 tration for such period as the Secretary of State
43 shall determine.

1 3. Liability bonds. Subsections 1 and 2, except
2 subsection 2, paragraphs A, B and C, shall apply to
3 motor vehicle liability bonds, as defined in section
4 781, and every ~~such~~ bond of that type shall be sub-
5 ject to, although it need not be contained therein,
6 the provision that no statement made by the principal
7 on ~~such~~ that bond or on his behalf, and no violation
8 of the terms of ~~such~~ that bond, ~~shall~~ may operate to
9 defeat or avoid ~~such~~ the bond as against the judgment
10 creditor of ~~such~~ that principal.

11 4. Prohibition. No motor vehicle liability
12 policy other than that defined in section 781 shall
13 be certified as proof of financial responsibility in
14 accordance with section 787, or as proof of insurance
15 in accordance with section 792, by any authorized
16 insurance company, except that such an authorized
17 insurance company may certify what is known as a
18 standard automobile liability policy containing an
19 agreement that insurance is provided in accordance
20 with and subject to this ~~subchapter~~ chapter which
21 agreement has been approved by the Insurance Superin-
22 tendent.

23 Sec. 8. 29 MRSA §787, as amended by PL 1981, c.
24 475, §1, is further amended to read:

25 §787. Proof of financial responsibility

26 1. Amount of proof required. Proof of financial
27 responsibility ~~shall mean~~ means proof of ability to
28 respond in damages for any liability thereafter
29 incurred, arising out of the ownership, maintenance,
30 control or use of a motor vehicle, trailer or semi-
31 trailer in the amount of \$20,000 because of bodily
32 injury or death to any one person, and subject to
33 ~~said~~ the limit respecting one person, in the amount
34 of \$40,000 because of bodily injury to or death to 2
35 or more persons in any one accident, and in the
36 amount of \$10,000 because of injury to and destruc-
37 tion of property in any one accident. Whenever re-
38 quired under this ~~subchapter~~ chapter, such proof in
39 such amounts shall be furnished for each motor vehi-
40 cle, trailer or semitrailer registered by such
41 person, except that any trailer, semitrailer, camp
42 trailer or mobile home, registered in the name of any
43 person required to file proof of financial responsi-

1 bility, which is automatically covered by a policy on
2 any motor vehicle registered by such person, which
3 also provides the coverage required for a motor vehi-
4 cle liability policy, shall not be subject to this
5 section.

6 2. Methods of giving proof. Proof of financial
7 responsibility when required under this ~~subchapter~~
8 chapter may be given by any of the following methods:

9 A. By filing with the Secretary of State a cer-
10 tificate, as defined in section 781, of an insur-
11 ance company or of a surety company; or

12 B. By the deposit of money or securities as pro-
13 vided in subsection 3; or

14 C. By satisfying the Secretary of State that any
15 corporation has financial ability to comply with
16 the requirements of this ~~subchapter~~ chapter.

17 3. Money or securities deposited as proof. A
18 person may give proof of financial responsibility by
19 delivering to the Secretary of State a receipt of the
20 Treasurer of State showing the deposit with ~~said~~ the
21 Treasurer of State of money in an amount, or securi-
22 ties approved by ~~said~~ the Treasurer of State and of a
23 market value in a total amount, as would be required
24 for coverage in a motor vehicle liability policy fur-
25 nished by the person giving ~~such~~ that proof under
26 this ~~subchapter~~ chapter. ~~Such~~ The securities shall be
27 of a type which may legally be purchased by savings
28 banks or for trust funds. All money or securities so
29 deposited shall be subject to execution to satisfy
30 any judgment mentioned in this ~~subchapter~~ chapter,
31 but shall not otherwise be subject to attachment or
32 execution.

33 4. Limitation. The Treasurer of State ~~shall~~ may
34 not accept any ~~such~~ deposit of that type or issue a
35 certificate therefor and the Secretary of State ~~shall~~
36 may not accept such that certificate, unless accompa-
37 nied by evidence that there are no unsatisfied judg-
38 ments against the depositor registered in the office
39 of the clerk of the Superior Court for the county
40 where the depositor resides.

1 5. May substitute other proof. The Secretary of
2 State shall cancel any bond or return any certificate
3 of insurance, or the Secretary of State shall direct
4 and the Treasurer of State shall return any money or
5 securities, to the person entitled thereto upon the
6 substitution and acceptance of other adequate proof
7 of financial responsibility pursuant to this ~~subchap-~~
8 ~~ter~~ chapter.

9 6. Cancellation of policy or bond. No motor
10 vehicle liability policy or bond certified as proof
11 of financial responsibility pursuant to subsection 2,
12 paragraph A shall be canceled until at least 10 days
13 after notice of cancellation of the insurance or bond
14 so certified shall be filed in the office of the
15 Secretary of State, except that such a policy or bond
16 subsequently procured and certified shall, on the
17 effective date of its certification, terminate the
18 insurance or bond previously certified with respect
19 to any motor vehicle designated in both certificates.

20 7. Operating without giving proof. Any person
21 whose operator's license or registration certificates
22 or other privilege to operate a motor vehicle,
23 trailer or semitrailer has been suspended or revoked,
24 restoration thereof or the issuance of a new license
25 or registration being contingent upon the furnishing
26 of security or proof of financial responsibility, and
27 who during such suspension or revocation or in the
28 absence of full authorization from the Secretary of
29 State shall drive any motor vehicle, trailer or semi-
30 trailer upon any highway or knowingly permits any
31 motor vehicle, trailer or semitrailer owned by such
32 person to be operated by another upon any highway,
33 except as permitted under this ~~subchapter~~ chapter,
34 shall be punished as provided in section 2184. Where
35 any person is required under this ~~subchapter~~ chapter
36 to maintain proof of financial responsibility, the
37 Secretary of State may issue a restricted license to
38 such person, authorizing the operation of any motor
39 vehicle, trailer or semitrailer so long as the owner
40 thereof shall maintain proof of financial responsi-
41 bility.

42 Sec. 9. 29 MRSA §788 is amended to read:

43 §788. Limitation and saving clause

1 This ~~subchapter~~ chapter shall not be construed to
2 prevent the plaintiff in any civil action from
3 relying upon the other processes provided by law.

4 Sec. 10. 29 MRS §789, as enacted by PL 1977, c.
5 694, §514, is amended to read:

6 §789. Opportunity for hearing

7 1. Desire for hearing. As provided in section
8 53, any person aggrieved by the decision of the
9 Secretary of State in applying or invoking the re-
10 quirements of this ~~subchapter~~ chapter may, within 10
11 days after receipt of the requirement, notify the
12 Secretary of State in writing of his desire for a
13 hearing. Pending the hearing, the requirement of the
14 ~~subchapter~~ chapter shall not be invoked.

15 2. Determination of issuance. If the Secretary
16 of State, in carrying out his responsibilities to ad-
17 minister and enforce this ~~subchapter~~ chapter, shall
18 hold a hearing as provided in section 53 to determine
19 whether or not a motor vehicle operator's license or
20 certificate of registration should be issued to a
21 person against whom the motor vehicle financial
22 responsibility law has been invoked, he shall provide
23 notice of the hearing to the other party or parties
24 involved in the accident which gave rise to that law
25 being invoked.

26 Sec. 11. 29 MRS §792 is enacted to read:

27 §792. Insurance required

28 The Secretary of State may not register any motor
29 vehicle until the owner or owners have procured and
30 filed with the Secretary of State a certificate show-
31 ing that they are covered by an automobile bodily
32 injury and property damage liability insurance policy
33 providing coverage as set forth in this chapter, with
34 respect to that motor vehicle, approved by the Insur-
35 ance Superintendent, insuring against any legal lia-
36 bility in accordance with the terms of the policy for
37 personal injury or death of any one person in the sum
38 of \$20,000, and for any number of persons in the sum
39 of \$40,000, and against property damage in the sum of
40 \$10,000, which injury, death or damage may result

1 from or have been caused by the operation of that
2 motor vehicle. In lieu of this insurance, the appli-
3 cant may file with the Secretary of State a bond or
4 bonds issued by a surety company authorized to do
5 business in the State, in the amount of at least
6 \$20,000 on account of injury to or death of any one
7 person, and subject to the limits as respects injury
8 to or death of any one person, of at least \$40,000 on
9 account of any one accident resulting in injury to
10 or death of more than one person, and of at least
11 \$10,000 for the damage to property of others.

12 The Insurance Superintendent may not approve of
13 the policy unless it provides coverage for the oper-
14 ator, as well as the owner, but, if the operator is a
15 person other than the named insured, his agent or
16 employee, the policy may provide that coverage for
17 that operator may not apply except to the extent that
18 the limits of liability of any other valid and col-
19 lectible insurance available to that operator are not
20 equal to the limits of liability specified in this
21 section, in which event any other valid and collecti-
22 ble insurance available to the operator shall be pri-
23 mary insurance as to the operator, notwithstanding
24 anything to the contrary in that other policy.

25 The Secretary of State may suspend the operator's
26 license of any owner of a motor vehicle upon that
27 owner's failure to maintain insurance as required by
28 this section.

29 The operation of any motor vehicle not in compli-
30 ance with this section is a Class E crime.

31 Sec. 12. 29 MRSA c. 9, sub-c. II, first and 2nd
32 lines are repealed as follows:

33 SUBCHAPTER II

34 INSURANCE

35 Sec. 13. 29 MRSA §831, as amended by PL 1973, c.
36 469, §8, is reallocated to be §790.

37 Sec. 14. 29 MRSA §832, as amended by PL 1981, c.
38 437, §16, is reallocated to be §791.

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STATEMENT OF FACT

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The purpose of this bill is to require motor vehicle owners to have minimum liability insurance before being permitted to register a motor vehicle in Maine.

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