

MAINE STATE LEGISLATURE

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L.D. 1189

(Filing No. H-311)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
112TH LEGISLATURE
FIRST REGULAR SESSION

HOUSE AMENDMENT "A" to H.P. 838, L.D. 1189, Bill, "AN ACT to Change the Manner in Which the State Seeks Assurance of Motorists' Financial Responsibility."

Amend the Bill in section 2 in that part designated "§791." by striking out all of subsection 2 and renumbering the subsections to read consecutively.

Further amend the Bill in section 2 by striking out all of that part designated "§793." and inserting in its place the following:

'§793. Insurance required

The Secretary of State may not register any motor vehicle until the owner or owners have procured and filed with the Secretary of State a certificate showing that they are covered by a motor vehicle liability policy providing coverage as set forth in this chapter, with respect to that motor vehicle, approved by the Insurance Superintendent, insuring against any legal liability in accordance with the terms of the policy for personal injury or death of any one person in the sum of \$20,000, for any number of persons in the sum of \$40,000 and against property damage in the sum of \$10,000, which injury, death or damage may result from or have been caused by the operation of that motor vehicle. In lieu of this insurance, the applicant may file with the Secretary of State a bond or bonds issued by a surety company authorized to do business in the State, in the amount of at least \$20,000 on account of injury to or death of any one person, and subject to the limits as respects injury to or death of any one person, of at least \$40,000 on account of any one accident resulting in injury to or death of more than one person, and of at least

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1 \$10,000 for the damage to property of others.

2 The Insurance Superintendent may not approve of
3 the policy unless it provides coverage for the opera-
4 tor, as well as the owner, but, if the operator is a
5 person other than the named insured, his agent or em-
6 ployee, the policy may provide that coverage for that
7 operator may not apply except to the extent that the
8 limits of liability of any other valid and collecti-
9 ble insurance available to that operator are not
10 equal to the limits of liability specified in this
11 section, in which event any other valid and collecti-
12 ble insurance available to the operator shall be pri-
13 mary insurance as to the operator, notwithstanding
14 anything to the contrary in that other policy.

15 The Secretary of State may suspend the operator's
16 license of any owner of a motor vehicle upon that
17 owner's failure to maintain insurance as required by
18 this section.

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

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STATEMENT OF FACT

2 This amendment removes the passive enforcement
3 mechanism in the bill and instead uses an active en-
4 forcement mechanism. The Secretary of State may not
5 register any motor vehicle until the owner produces
6 proof that he is covered by a motor vehicle liability
7 policy.

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Filed by Rep. Joseph of Waterville
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