

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1673

H.P. 1203

House of Representatives, May 17, 1989

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.

Reference to the Committee on Transportation suggested and ordered printed.

Ed Pert

EDWIN H. PERT, Clerk

Presented by Representative LIBBY of Kennebunk.

Cosponsored by Senator PERKINS of Hancock, Senator WHITMORE of Androscoggin and Representative MOHOLLAND of Princeton.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-NINE

An Act to Amend the Law Governing Abandoned Vehicles.

(AFTER DEADLINE)



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

3 Sec. 1. 29 MRSA §2610, sub-§1, as enacted by PL 1987, c. 598,
5 §4, is amended to read;

7 1. Application. If a vehicle has been abandoned after
9 being brought to or left at the premises of any place of business
11 for garaging, repairing, parking or storing; if a vehicle has
13 been abandoned after being towed to a place of business either at
15 the request of the owner or driver or pursuant to section 1111;
17 or if a vehicle is abandoned on private property, the owner of
19 the premises or property shall comply with this section. For the
21 purposes of this section, a vehicle shall be considered abandoned
30 14 days after authorized repair work is done or authorized
garaging, parking or storing is completed, or after a vehicle has
remained on a property for 30 14 days if no repair work,
garaging, storing or parking was authorized by the vehicle's
driver or owner.

23 Sec. 2. 29 MRSA §2610, sub-§2, ¶B, as enacted by PL 1987, c.
25 598, §4, is amended to read:

27 B. If the Secretary of State finds no record of the vehicle
29 and the value of the car is less than \$250, the owner of the
31 premises or property where the vehicle was brought or
33 abandoned shall publish, at least twice in a newspaper of
35 general circulation in the county where the premises or
37 property is located, a notice which shall clearly describe
39 the vehicle and state that if the owner of the vehicle or
41 lienholder has not properly claimed it and paid all
43 reasonable costs and charges for its towing and storage
45 within 14 days from the date of last publication, ownership
47 of the vehicle shall pass to the owner of the property or
premises where the vehicle is located. The notice shall
clearly state how the owner of the premises or property may
be contacted. For the purposes of this paragraph, value
shall be determined by a person whose business or employment
includes the appraisal of vehicles of the kind involved and
who is not the owner of the premises or property where the
vehicle is located or that owner's employee. If the value
of the vehicle is determined to be less than \$250 and the
owner of the vehicle or lienholder has not properly claimed
the vehicle and paid all reasonable costs and charges within
30 days after the vehicle was brought to or abandoned at the
premises, ownership of the vehicle shall pass to the owner
of the premises or property where the vehicle is located as
provided in subsection 4.

49 Removal of the vehicle or any part, accessory or personal
51 item from the vehicle without the written consent of the
owner or person in charge of the premises or property where
the vehicle is located is a Class E crime.

1
3
5
7
9
11
13
15
17
19
21
23
25
27
29
31
33
35
37
39
41
43
45
47
49

Sec. 3. 29 MRSA §2610, sub-§3, as enacted by PL 1987, c. 598, §4, is amended to read:

3. Owner or lienholder known. If the owner or lienholder of a vehicle described in subsection 1 is known, the owner of the premises or property where the vehicle is located shall mail notice to the owner and lienholder, if any. Such notice shall be mailed not later than 30 days after receipt of the vehicle if no repair work, garaging, storing or parking was authorized by the vehicle's owner or driver, or not later than 30 days following completion of any authorized repair work, garaging, storing or parking. The notice shall give the location of the vehicle and the storage fee, if any, and state that if the owner or lienholder has not properly claimed the vehicle and paid all reasonable costs and charges for its towing, storage and authorized repair work within 14 days of receipt of the notice, ownership of the vehicle shall pass to the owner of the premises or property where the vehicle is located, as provided in subsection 4. The notice shall be sent by certified mail, return receipt requested. If the notice is refused, unclaimed or returned and the owner of the vehicle or lienholder has not properly claimed the vehicle and paid all reasonable costs and charges within 30 days after the mailing of the notice, ownership of the vehicle shall pass to the owner of the premises or property where the vehicle is located as provided in subsection 4.

Sec. 4. 29 MRSA §2610, sub-§5, as enacted by PL 1987, c. 598, §4, is amended to read:

5. Forfeit and penalty. The holder of a vehicle, as described in subsection 1, who knowingly fails to comply with subsection 2 or 3 shall forfeit all claims and liens for garaging, parking or storing of the vehicle and shall be punished by a fine of not more than \$25 \$5 for each day the failure to comply continues.

STATEMENT OF FACT

This bill amends the law concerning abandoned vehicles. The bill reduces the period after which a vehicle may be considered abandoned to 14 days. This bill also provides that the current notice requirements apply to vehicles worth \$250 or more. In addition, the bill allows ownership of a vehicle to transfer to the owner of the premises or property where the vehicle is located after 30 days for vehicles under \$250 in value or, for vehicles worth \$250 or more, when notice has been returned, unclaimed or refused.

1 In addition, the bill limits the applicability of the
forfeit and penalty provisions to knowing violators and reduces
3 the fine to \$5 a day.