

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 653

H.P. 462

House of Representatives, February 19, 1991

Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

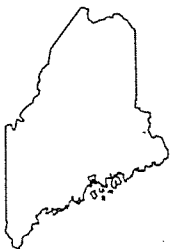
Presented by Representative STEVENS of Sabattus.

Cosponsored by Representative LIBBY of Kennebunk, Senator BALDACCI of Penobscot and Senator CAHILL of Sagadahoc.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

An Act Concerning Abandoned Property.



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

2
4 **Sec. 1. 29 MRSA §1111, 6th ¶**, as amended by PL 1987, c. 538,
is further amended to read:

6 Removal of the vehicle, any part or accessory of such the
8 vehicle or of any personal items from it while it the vehicle is
10 in the possession or on the premises of such garage, parking lot
12 or service station, without the express written permission of the
14 owner or manager of such the garage, parking lot or service
16 station ~~shall be considered a misdemeanor and the person doing
the removing of such part or accessory shall be liable to
prosecution is a Class E crime.~~ This shall apply to removal
without written permission of the vehicle itself, and shall
include any person or persons whatsoever, section applies to all
persons including the owner of the vehicle.

18 **Sec. 2. 29 MRSA §2610, sub-§§2, 3 and 5**, as enacted by PL 1987,
20 c. 598, §4, are amended to read:

22 **2. Owner and lienholder unknown.** If the owner of a vehicle
24 described in subsection 1 is unknown, the owner of the premises
26 or property where the vehicle is located shall inquire of the
28 Secretary of State in writing whether the Secretary of State's
30 records contain information as to the owner and lienholder, if
32 any, of the vehicle. That inquiry shall must be made no later
34 than 30 days after receipt of the vehicle and shall must include
the vehicle's make, model, year, body type, vehicle
identification number and any registration and plates on the
vehicle. Upon receipt of the inquiry, the Secretary of State
shall provide the holder of the vehicle with any information on
record as to the name and address of the vehicle's owner and
lienholder or shall state that no record of the vehicle is on
file.

36 A. If the Secretary of State provides the name of the owner
38 or lienholder, the holder of the vehicle shall comply with
subsection 3.

40 B. If the Secretary of State finds no record of the
42 vehicle, the owner of the premises or property where the
44 vehicle was brought or abandoned shall publish, at least
46 twice in a newspaper of general circulation in the county
48 where the premises or property is located, a notice which
50 shall that clearly describe describes the vehicle and state
52 states that if the owner of the vehicle or lienholder has
not properly claimed it and paid all reasonable costs and
charges for its towing and storage within 14 days from the
date of last publication, ownership of the vehicle shall
will pass to the owner of the property or premises where the
vehicle is located. The notice shall must clearly state how
the owner of the premises or property may be contacted.

2 1. Clarifies that the removal of any personal items from a
vehicle that has been removed after illegally parked, disabled or
4 abandoned is a Class E crime;

6 2. Requires that, with respect to abandoned vehicles,
persons required to give notice to owners and lienholders comply
8 with certain publication requirements if the notice is unable to
be delivered;

10 3. Removes the penalty provision for holders of vehicles
12 who fail to comply with inquiry and notice requirements; and

14 4. Provides that the removal of an abandoned vehicle or
part of the vehicle or personal items from the vehicle without
16 the written consent of the person in charge of the premises is a
Class E crime.