

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
115TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "B" to H.P. 1500, L.D. 2112, Bill, "An Act to Amend the Motor Vehicle Salvage Laws"

Amend the bill by striking out all of sections 1 to 3 and inserting in their place the following:

'Sec. 1. 29 MRSA §2364, sub-§4, as amended by PL 1987, c. 485, §10, is further amended to read:

4. **Vehicle declared total loss.** If a vehicle, by reason of its condition or circumstance, is declared a total loss by an owner or insurer, the ~~insurance-company~~ insurer or ~~any-person-who-purchases-or-acquires-such-a-vehicle-for-operation-on-the-highway~~ owner shall file an application for certificate of salvage pursuant to section 2377. The application ~~shall-contain-or~~ must be on a form prescribed by the Secretary of State and be accompanied by:

A. A certificate of title or manufacturer's certificate of origin;

B. Any other information or documents the Secretary of State reasonably requires.

Sec. 2. 29 MRSA §2373, 2nd ¶, as enacted by PL 1985, c. 401, §19, is amended to read:

Any vehicle being sold or displayed for sale at an auction, as defined by section 341, subsection 13, must be accompanied by a valid certificate of title at the time of its sale or display for sale. A salvage vehicle sold or displayed for sale at an auction or insurance salvage pool, as described in section 2448, must be accompanied by a valid certificate of salvage at the time of its sale or display for sale, unless it is accompanied by:

2 1. A certificate of title that has been stamped with the
4 words "salvage vehicle" in a manner prescribed by the Secretary
 of State; or

6 2. A certificate of title from a jurisdiction that does not
 issue certificates of salvage.

8 Sec. 3. 29 MRSA §2377, sub-§1, as repealed and replaced by PL
10 1987, c. 485, §12, is amended to read:

12 1. Assignment of ownership. When a vehicle, as defined in
14 section 1, subsection 20, for which a certificate of title has
16 been issued by this State is declared, by reason of condition or
18 circumstance, a salvage vehicle, as defined by this chapter, by
20 an insurer or owner, the insurance company insurer or its
22 authorized agent or, if uninsured, the owner designee shall
24 endorse the assignment of ownership on the certificate of title
26 or certificate of salvage and surrender it to the buyer of the
28 salvage vehicle. In the case of a certificate of title, the
30 insurer or its designee shall stamp the certificate with the
32 words "salvage vehicle" in a manner prescribed by the Secretary
34 of State. When the owner of a vehicle for which a certificate of
 title has been issued by this State declares a vehicle, by reason
 of its condition or circumstance, a salvage vehicle, the owner
 shall surrender the certificate of title to the transferee of the
 salvage vehicle after stamping it with the words "salvage
 vehicle" in a manner prescribed by the Secretary of State. If a
 vehicle owner retains a salvage vehicle as part of a settlement
 with an insurer, the insurer shall comply with this subsection
 and shall stamp the certificate of title with the words "salvage
 vehicle." The salvage vehicle may not again be titled or
 registered for operation on the highways of this State, unless
 there is compliance with subsection 3.'

36 Further amend the bill by inserting before the statement of
38 fact the following:

40 **FISCAL NOTE**

42 Costs associated with implementing a procedure for stamping
44 certificates of title for certain salvage vehicles are expected
46 to be negligible and will be absorbed by the Division of Motor
 Vehicles within the Department of the Secretary of State
 utilizing existing budgeted resources.'

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STATEMENT OF FACT

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The original bill establishes the procedure and circumstances under which an insurance company or the owner of a motor vehicle must obtain a certificate of salvage from the Secretary of State to replace the certificate of title. Instead of requiring exchange of certificates of title for certificates of salvage, the minority report requires insurance companies and motor vehicle owners to stamp certificates of title for salvage vehicles with the designation "salvage vehicle."

Reported by the Minority of the Committee on Transportation
Reproduced and distributed under the direction of the Clerk of the House

2/12/92

(Filing No. H-929)