

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 408

H.P. 320

House of Representatives, February 9, 1993

An Act to Amend the Law Pertaining to Abandoned Vehicles.

Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative MITCHELL of Vassalboro.
Cosponsored by Senator CAREY of Kennebec and
Representatives: ERWIN of Rumford, HOGLUND of Portland.

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

2
3 **Sec. 1. 29 MRSA §2610, sub-§1**, as repealed and replaced by PL
4 1991, c. 458, §1, is amended to read:

6 **1. Application.** This section applies to a vehicle that is:

8 A. Towed at the request of the owner or driver;

10 B. Towed pursuant to section 1111;

12 C. Towed after being left on property without permission;

14 D. Left on property without the permission of the property
16 owner or person in charge of the property or premises where
the vehicle is located; or

18 E. Left at a place of business after being repaired
20 pursuant to a written work order signed by the person
requesting the repair work.

22 If a person abandons a vehicle described by this subsection, the
23 owner of the premises or property where the vehicle is located
24 may obtain a letter of ownership or a certificate of title by
25 complying with this section. A vehicle is abandoned if the owner
26 or lienholder does not retrieve it and pay all reasonable charges
27 for towing, storing and authorized repair of the vehicle within
28 14 days of publication as required by subsection 2 or within 14
29 days of receipt of the notice required by subsection 3. Daily
30 storage charges must be reasonable and total storage charges may
31 not exceed the equivalent of \$600 for a 30-day time period. A
32 vehicle towed for snow removal purposes is exempt from this
33 section for 48 hours immediately following completion of the tow.
34

35 **Sec. 2. 29 MRSA §2610, sub-§2**, as amended by PL 1991, c. 458,
36 §2, is further amended to read:

37 **2. Owner or lienholder unknown.** If the owner or lienholder
38 of a vehicle described in subsection 1 is unknown, the owner of
39 the premises or property where the vehicle is located shall
40 inquire of the Secretary of State in writing whether the
41 Secretary of State's records contain information as to the owner
42 and lienholder, if any, of the vehicle. If the lienholder only
43 is unknown, the inquiry required by this section may be made by
44 telephone and need only be confirmed in writing with the
45 Secretary of State. That inquiry must include the vehicle's
46 make, model, year, body type, vehicle identification number and
47 any registration and plates on the vehicle. Upon receipt of the
48 inquiry, the Secretary of State shall provide the holder of the
49 vehicle with the name and address of the vehicle's owner and
50

2 lienholder or shall state that no record of the vehicle is on
file.

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

8 B. If the Secretary of State finds no record of the
10 vehicle, the owner of the premises or property where the
vehicle is located shall publish, at least twice in a
12 newspaper of general circulation in the county where the
premises or property is located, a notice that clearly
14 describes the vehicle and states that if the owner of the
vehicle or lienholder has not properly retrieved it and paid
16 all reasonable charges for its towing and storage within 14
days from the date of last publication, ownership of the
18 vehicle will pass to the owner of the property or premises
where the vehicle is located. The notice must clearly state
20 how the owner of the premises or property may be contacted.

22 STATEMENT OF FACT

24 This bill requires that persons wishing to obtain a letter
of ownership or certificate of title with respect to an abandoned
26 vehicle ascertain whether there is a lienholder of the vehicle
and, if so, give the same notice to the lienholder as is given to
28 the owner with respect to the possibility that ownership of the
vehicle will pass to the owner of the premises or property where
30 the vehicle is located in order to allow lienholders of abandoned
vehicles to protect their property interest. It also requires
32 that any daily storage fee charges be reasonable and that the
total storage charge assessed against an owner or lienholder may
34 not exceed \$600, thus alleviating the financial burden on
lienholders who do in fact take steps to protect their property
36 interest in abandoned vehicles.