

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 395

H.P. 291

House of Representatives, February 6, 1995

An Act Concerning the Rights and Responsibilities of Innkeepers.

Reference to the Committee on Business and Economic Development suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative KILKELLY of Wiscasset.
Cosponsored by Representatives: HARTNETT of Freeport, MARTIN of Eagle Lake, WINN of Glenburn, Senator: MILLS of Somerset.

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

2
4 **Sec. 1. 30-A MRSA §3821, sub-§3**, as amended by PL 1989, c. 104, Pt. C, §§8 and 10, is further amended to read:

6 **3. Availability for inspection.** Both the register and the record shall ~~shall~~ must be kept for 2 years and be available at all reasonable times to the inspection of any lawful agent of the licensing authority or any full-time law enforcement officer as defined in Title 25, section 2805. The guest register may be "kept," within the meaning of this section, when reproduced on any photographic, microfilm or other process that reproduces the original record.

14
16 **Sec. 2. 30-A MRSA §3822, sub-§1**, as amended by PL 1989, c. 104, Pt. C, §§8 and 10, is further amended to read:

18 **1. Registration required.** All persons occupying a room or rooms in a hotel or lodging house must register or have themselves registered in the hotel or lodging house register. The innkeeper may require the registering guest to produce a valid driver's license, or other identification satisfactory to the innkeeper, containing a photograph of the guest and setting forth the name and residence of the guest. If the guest is a minor, the innkeeper may require a parent of the guest to register and to accept in writing liability for the guest room costs, taxes, all charges incurred by the minor and any damages to the guest room or its furnishings caused by the minor while a guest at the hotel or lodging house.

30 **Sec. 3. 30-A MRSA §3838** is enacted to read:

32 **§3838. Refusal or denial of accommodations; ejection**

34 An innkeeper may refuse or deny any accommodations, facilities or privileges of a hotel or lodging house to or may eject from the hotel or lodging house premises:

38 **1. Person unwilling or unable to pay.** Any person who is unwilling or unable to pay for accommodations and services of the hotel or lodging house. The innkeeper may require the prospective guest to demonstrate the ability to pay by cash, valid credit card or a validated check;

44 **2. Minor.** Any person who has not attained 18 years of age. The innkeeper may require that a parent of the minor:

46 A. Accept in writing liability of the guest room costs, taxes, all charges by the minor and any damages to the guest

2 room or its furnishings caused by the minor while a guest at
3 the hotel or lodging house; and

4 B. Provide the innkeeper with a valid credit card number or
5 cash deposit to cover the guest room costs, taxes, charges
6 by the minor and any damages to the guest room or its
7 furnishings caused by the minor. Any cash deposit provided
8 must be refunded to the extent not used to cover any charges
9 or damages as determined by the innkeeper following room
10 inspection at check-out;

12 3. Property dangerous to others. Any person the innkeeper
13 reasonably believes is bringing in property that may be dangerous
14 to other persons, such as firearms or explosives. Nothing in
15 this section prohibits an innkeeper from allowing hunters or
16 other persons with a legitimate reason for possessing a firearm
17 from bringing that firearm into the hotel or lodging house if the
18 innkeeper so chooses;

20 4. Limit on occupants exceeded. Any person or persons, if
21 admitting that person or those persons would cause the limit on
22 the number of persons who may occupy any particular guest room in
23 the hotel or lodging house to be exceeded. For purposes of this
24 subsection, the limit represents the number permitted by local
25 ordinances or reasonable standards of the hotel or lodging house
26 relating to health, safety or sanitation; or

28 5. Violates laws or rules; endangers others. Any person
29 who:

30 A. Disturbs, threatens or endangers other guests;

31 B. Is a minor and possesses or uses alcohol;

32 C. Possesses or uses illegal drugs; or

33 D. Violates any rule of the hotel or lodging house that is
34 posted in a conspicuous place and manner at the guest
35 registration desk and in each guest room, except that no
36 such rule may authorize the innkeeper to eject or to refuse
37 or deny service or accommodations to a person because of
38 race, color, sex, physical or mental handicap, religion,
39 ancestry or national origin.

40 **Sec. 4. 30-A MRSA §3851, sub-§1, ¶C, as amended by PL 1989, c.**
41 **104, Pt. C, §§8 and 10, is further amended to read:**

42 C. Keep a copy of this section printed in distinct type
43 constantly and conspicuously posted in at least 10
44 conspicuous places in the inn, hotel or boardinghouse a

