

# MAINE STATE LEGISLATURE

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# 122nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2005

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Legislative Document

No. 905

S.P. 313

In Senate, February 22, 2005

### An Act To Modernize the Innkeeping Statutes

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator COWGER of Kennebec.  
Cosponsored by Representative MOODY of Manchester and  
Senators: DAMON of Hancock, DOW of Lincoln, ROSEN of Hancock, Representatives:  
BARSTOW of Gorham, CROSTHWAITE of Ellsworth, JODREY of Bethel, KOFFMAN of  
Bar Harbor, SCHATZ of Blue Hill.

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

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4       **Sec. 1. 5 MRSA §4592, sub-§3, ¶B**, as amended by PL 1995, c. 393, §23, is further amended to read:

6           B. That contains no more than ~~5~~ 10 rooms available to be let to lodgers; and

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10       **Sec. 2. 30-A MRSA §3802, sub-§2**, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

12           **2. Overcharge liability.** No keeper may charge or collect a sum greater than the rate shown in the posted schedule. Any keeper who charges or collects more than the rate shown in the posted schedule is liable to the person so charged or who paid the bill in an amount equal to ~~3~~-times the total amount of the bill collected minus the rate shown in the posted schedule.

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20       **Sec. 3. 30-A MRSA §3821, sub-§§1 and 2**, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, are further amended to read:

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24           **1. Register of guests.** Every ~~A~~ person conducting any a hotel or lodging house shall may have a register kept and maintained in the hotel or lodging house ~~at all times.~~ The and may require that the name of every guest or person renting or occupying a room or rooms in the hotel or lodging house shall be written in the register. The person renting the room or rooms, or someone under that person's direction, shall sign the register, if required. The proprietor of the hotel or lodging house, or the proprietor's agent, shall then write the number of each room assigned to and occupied by each guest, together with the date that room is rented, opposite the name or names so registered.

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34           **2. Record of departures.** The proprietor or the proprietor's agent shall may keep and maintain a record showing the date when the occupant of each room surrenders the room. This record may be made a part of the register.

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42       **Sec. 4. 30-A MRSA §3822, sub-§1**, as amended by PL 1995, c. 88, §2, is further amended to read:

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46           **1. Registration.** All persons occupying a room or rooms in a hotel or lodging house ~~must~~ may be required to 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

2 the innkeeper, setting forth the name and residence of the  
4 guest. If the guest is a minor, the innkeeper may require a  
6 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.

8 **Sec. 5. 30-A MRSA §3838, sub-§2, ¶B,** as amended by PL 1997, c.  
59, §1, is further amended to read:

10 B. Provides the innkeeper or campground owner with a valid  
12 ~~credit-card-number-or~~ cash deposit to cover the guest room  
14 or campground site costs, taxes, charges by the minor and  
16 any damages to the guest room or its furnishings or to the  
18 campground site caused by the minor. Any cash deposit  
20 provided must be refunded to the extent not used to cover  
22 any charges or damages as determined by the innkeeper or  
24 campground owner following room or campground site  
inspection at check-out. The innkeeper or campground owner  
may accept a valid credit card number from the minor to  
cover the guest room or campground site costs, taxes,  
charges by the minor and any damages to the guest room or  
its furnishings or to the campground site caused by the  
minor;

## 26 SUMMARY

28 This bill amends several sections of the law dealing with  
30 innkeeping and lodging. The bill amends the provision requiring  
32 all guests to register. The bill also requires that a guest who  
34 is overcharged must be reimbursed the amount charged minus the  
36 posted rate for the room. The bill also changes the law  
38 requiring an innkeeper or campground owner to accept a credit  
card from a minor to cover guest expenses, instead making it  
optional. Lastly, the bill permits the owner of a lodging house  
or hotel that has 10 or fewer guest rooms to decline to admit  
children as occupants.