

MAINE STATE LEGISLATURE

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2018

Date: 5/4/19

Majority

HEALTH AND HUMAN SERVICES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
124TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 98, L.D. 114, Bill, "An Act To Amend the Laws Regarding Overnight Parking of Recreational Vehicles"

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 22 MRSA §2502 is enacted to read:

§2502. Camping in parking facilities prohibited

A person may not park or occupy a recreational vehicle, as defined in Title 10, section 1432, subsection 18, in a commercial parking facility overnight. For purposes of this section, "commercial parking facility" means a parking structure or area open to members of the public for the purposes of parking their vehicles while patronizing one or more commercial establishments, but does not include a mobile home park or recreational vehicle park allowed by a municipality or a camping area licensed by the department. A person who violates the provisions of this section commits a civil violation subject to a fine of no more than \$100, which must be suspended for the first violation and may be suspended for subsequent violations. This section may be enforced by the department, a municipality, a law enforcement agency or a law enforcement officer. Nothing in this section preempts a municipality's existing enforcement authority or prohibits a municipality from adopting a zoning or municipal ordinance with more stringent standards. For the purposes of this section, "law enforcement agency" has the same meaning as in Title 25, section 3701 and "law enforcement officer" has the same meaning as in Title 29-A, section 101, subsection 30.'

SUMMARY

This amendment replaces the bill, which was a concept draft. It prohibits a person from parking or occupying a recreational vehicle in a commercial parking facility overnight. It defines "commercial parking facility" as a parking structure or area open to members of the public for the purposes of parking their vehicles while patronizing one or more commercial establishments and excludes mobile home parks or recreational vehicle

COMMITTEE AMENDMENT

R.018

COMMITTEE AMENDMENT "A" to H.P. 98, L.D. 114

1 parks allowed by a municipality or a camping area licensed by the department from the
2 definition. It makes a violation a civil violation subject to a fine of no more than \$100,
3 which must be suspended for the first violation and which may be suspended for
4 subsequent violations. It allows the department, a municipality, a law enforcement agency
5 or a law enforcement officer to enforce the provision and does not preempt a
6 municipality's existing enforcement authority or prohibit a municipality from adopting a
7 zoning or municipal ordinance with more stringent standards.

FISCAL NOTE REQUIRED

(See attached)



124th MAINE LEGISLATURE

LD 114

LR 279(02)

An Act To Amend the Laws Regarding Overnight Parking of Recreational Vehicles

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Health and Human Services

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund
Minor revenue increase - General Fund

Correctional and Judicial Impact Statements

Establishes new civil violations.

The collection of additional fines may also increase General Fund revenue by minor amounts.