

# MAINE STATE LEGISLATURE

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# 125th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2011

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**Legislative Document**

**No. 301**

S.P. 90

In Senate, February 3, 2011

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**An Act Relating to Abandoned Vehicles**

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Reference to the Committee on Transportation suggested and ordered printed.

*Joseph G. Carleton Jr.*

JOSEPH G. CARLETON, JR.  
Secretary of the Senate

Presented by Senator DIAMOND of Cumberland.

Cosponsored by Representative THERIAULT of Madawaska and

Representatives: MAZUREK of Rockland, PARRY of Arundel, ROSEN of Bucksport.

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

2 **Sec. 1. 29-A MRSA §1852**, as amended by PL 2007, c. 150, §2, is further  
3 amended to read:

4 **§1852. Abandonment defined**

5 For the purposes of this subchapter, a vehicle is considered "abandoned" if the owner  
6 or lienholder does not retrieve it and pay all reasonable charges for towing, storing and  
7 authorized repair of the vehicle within ~~7~~ 14 days after the notices to the owner and  
8 lienholder are sent by the Secretary of State or ~~7~~ 14 days after the advertisement is  
9 published as required in section 1854, subsection 4. There is a rebuttable presumption  
10 that the last owner of record of a motor vehicle found abandoned as shown in the files of  
11 the office of the Secretary of State is the owner of the motor vehicle at the time it was  
12 abandoned and the person who abandoned it.

13 **Sec. 2. 29-A MRSA §1854, sub-§4, ¶B**, as amended by PL 2007, c. 150, §5, is  
14 further amended to read:

15 B. State that if the owner of the vehicle or lienholder has not properly retrieved it and  
16 paid all reasonable charges for its towing, storage and repair within ~~7~~ 14 days from  
17 the publication, ownership of the vehicle passes to the owner of the premises where  
18 the vehicle is located; and

19 **Sec. 3. 29-A MRSA §1856, sub-§1**, as amended by PL 2007, c. 150, §6, is  
20 further amended to read:

21 **1. Evidence of compliance.** A person who has complied with section 1854,  
22 subsection 4 shall present evidence of compliance to the Secretary of State immediately  
23 after the ~~7-day~~ 14-day notice period. The Secretary of State may not issue a letter of  
24 ownership or certificate of title until at least 21 days after the date on which the person  
25 who has possession of and control over the vehicle notified the Secretary of State by  
26 complying with section 1854, subsections 1 and 2.

27 **Sec. 4. 29-A MRSA §1857**, as amended by PL 2007, c. 150, §7, is further  
28 amended to read:

29 **§1857. Limits**

30 If the notification to the Secretary of State required by section 1854 is made more  
31 than ~~7~~ 14 days after receipt of a vehicle described in section 1851, the person holding the  
32 vehicle may not collect more than ~~7~~ 14 days of storage fees. Daily storage charges must  
33 be reasonable and total storage charges may not exceed \$900 for a 30-day period.

34 **SUMMARY**

35 This bill amends the abandoned vehicle laws by increasing the number of days that  
36 must lapse before a vehicle is considered abandoned from 7 to 14. The bill also increases

1 the maximum time a person has to notify the Secretary of State from 7 to 14 days in order  
2 to be eligible for additional daily storage fees.