

# MAINE STATE LEGISLATURE

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# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 989

S.P. 328

In Senate, March 14, 2017

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**An Act Regarding Towed Vehicle Charges and Notice to the  
Secretary of State of Towed and Abandoned Vehicles**

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Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script, reading "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Secretary of the Senate

Presented by Senator MASON of Androscoggin.  
Cosponsored by Representative PICCHIOTTI of Fairfield and  
Senators: COLLINS of York, DESCHAMBAULT of York, JACKSON of Aroostook, ROSEN  
of Hancock, Representatives: BRYANT of Windham, DOORE of Augusta.

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

2 **Sec. 1. 29-A MRSA §1861**, as enacted by PL 2007, c. 150, §9, is amended to  
3 read:

4 **§1861. Holding vehicle and its accessories**

5 A person holding or storing an abandoned vehicle, holding or storing a vehicle towed  
6 at the request of the vehicle's operator, owner or owner's agent or holding or storing a  
7 vehicle towed or stored at the request of a law enforcement officer or at the request of any  
8 other person may hold the vehicle and all its accessories, contents and equipment, not  
9 including the personal effects of the registered owner, until reasonable towing and storage  
10 charges of the person holding or storing the vehicle are paid pursuant to this section.

11 **1. Notice of holding vehicle.** The person holding or storing a vehicle as described in  
12 this section may not charge more than 3 days' storage fees unless the person holding or  
13 storing the vehicle gives notice to any lienholder and owner identified on the vehicle's  
14 certificate of title that the vehicle is in the person's possession and is incurring storage  
15 charges by submitting to the Secretary of State a form prescribed by the Secretary of  
16 State for this purpose no sooner than 3 days following receipt of the vehicle and no later  
17 than 5 days following receipt of the vehicle.

18 **2. Maximum charge for 30-day period.** The person holding or storing a vehicle as  
19 described in this section may not charge more than \$900 for a 30-day period. The  
20 amount may be prorated for a greater or lesser period of time.

21 **3. Notice of abandoned vehicle** The person holding or storing a vehicle as  
22 described in this section may not give the Secretary of State the notice under section 1854  
23 until the vehicle has been in that person's possession for 30 days.

24 For purposes of this section, "personal effects" includes medications, medical  
25 equipment, clothing, mail, child safety seats and similar items. Except for child safety  
26 seats, items attached to the vehicle and business equipment, machinery and tools are not  
27 considered personal effects.

28 **SUMMARY**

29 This bill amends the law regarding holding or storing a vehicle and its accessories,  
30 contents and equipment to make it apply to any vehicle that has been towed and limits the  
31 amount of money that may be charged for storage of the vehicle to 3 days' storage fees  
32 unless notice is given to the Secretary of State no sooner than 3 days following receipt of  
33 the vehicle and no later than 5 days following receipt. It prohibits a person holding or  
34 storing the vehicle from charging a total amount more than \$900 for a 30-day period or a  
35 prorated amount for a greater or lesser period of time and provides that that person may  
36 not give notice of an abandoned vehicle to the Secretary of State until the vehicle has  
37 been in the person's possession for 30 days.