

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 1251

H.P. 874

House of Representatives, March 30, 2017

**An Act To Require Timely Notification of Owners of Motor Vehicles
That Have Been Towed**

Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative McLEAN of Gorham.

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

2 **Sec. 1. 29-A MRSA §1863** is enacted to read:

3 **§1863. Towed vehicles**

4 **1. Notification of owner or lienholder.** Before notifying the Secretary of State
5 under section 1854, subsection 1, a person who tows a motor vehicle or stores a motor
6 vehicle that has been towed under section 1851, subsection 2 or 3 as soon as practicable
7 after the vehicle has been towed or a person who tows a motor vehicle or stores a motor
8 vehicle that has been towed for snow removal purposes, as soon as practicable after 48
9 hours immediately following completion of the tow, shall attempt to notify the motor
10 vehicle owner or lienholder of the person's possession of the motor vehicle and that the
11 owner or lienholder is required to retrieve the motor vehicle and pay all towing, storage
12 and authorized repair charges. The person shall inform the owner or lienholder that the
13 person is required to notify the Secretary of State of the abandonment of the motor
14 vehicle and that the owner or lienholder risks losing title to the motor vehicle within 14
15 days of the receipt of notification if the owner or lienholder does not retrieve the motor
16 vehicle and pay all towing, storing and authorized repair charges.

17 **2. Waiver of towing or storage fees.** Any towing or storage fee incurred in towing
18 or storing a motor vehicle under subsection 1 is waived if the person who tows or stores a
19 motor vehicle that has been towed under subsection 1:

20 A. Does not comply with subsection 1 unless the person proves by a preponderance
21 of the evidence that the person has made a good faith effort to comply with
22 subsection 1; or

23 B. Does not comply with section 1854, subsection 1 within 14 days after receipt of
24 the motor vehicle unless the person proves by a preponderance of the evidence that
25 the person has made a good faith effort to comply with section 1854, subsection 1
26 within 14 days after receipt of the motor vehicle.

27 **3. Contact information.** The Secretary of State shall make available current contact
28 information of a motor vehicle owner or lienholder under subsection 1 to a person
29 required to contact the owner or lienholder under subsection 1.

30 **SUMMARY**

31 This bill requires a person who tows a motor vehicle or stores a motor vehicle that
32 has been towed due to being illegally parked or left standing, at the direction of a law
33 enforcement officer or due to being left on property without permission as soon as
34 practicable after receipt of the motor vehicle to notify the owner or lienholder of the need
35 to retrieve the motor vehicle and pay all towing, storage and authorized repair charges or
36 risk losing title to the vehicle. The bill requires waiver of any towing or storage fee if
37 notification to the owner or lienholder has not been timely made or if the notification to
38 the Secretary of State has not been made within 14 days after receipt of the vehicle as
39 required by law unless the person who tows or stores the towed vehicle makes a good
40 faith attempt to notify the owner or lienholder and notify the Secretary of State.