

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 556

S.P. 178

In Senate, February 5, 2019

An Act To Protect Animals in Unattended Vehicles

Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator CARPENTER of Aroostook.
Cosponsored by Senator: DILL of Penobscot, Representatives: BAILEY of Saco, CARDONE of Bangor, WARREN of Hallowell.

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

2 **Sec. 1. 7 MRSA §4019, sub-§2-A** is enacted to read:

3 **2-A. Removal by other than authorized person.** After making reasonable efforts
4 to locate a motor vehicle's owner, a person other than an authorized person as defined in
5 subsection 1 may enter a motor vehicle to remove an animal if the person:

6 A. Notifies law enforcement or calls the E-9-1-1 system before entering the motor
7 vehicle;

8 B. Determines that the motor vehicle is locked and there is no other reasonable
9 means for exit and uses no more force than is reasonably necessary to enter the motor
10 vehicle and remove the animal;

11 C. Has a good faith belief, based upon known circumstances, that entry into the
12 motor vehicle is necessary because the animal's safety, health or well-being appears
13 to be in immediate danger from heat, cold or lack of adequate ventilation and the
14 conditions could reasonably be expected to cause extreme suffering or death; and

15 D. Remains with the animal in a safe location in reasonable proximity to the motor
16 vehicle until an authorized person as defined in subsection 1 arrives.

17 **Sec. 2. 7 MRSA §4019, sub-§3,** as amended by PL 2011, c. 288, §1, is further
18 amended to read:

19 **3. Immunity.** An authorized person who removes an animal from a motor vehicle
20 pursuant to subsection 1 or a person who removes an animal from a motor vehicle
21 pursuant to subsection 2-A is immune from criminal or civil liability that might otherwise
22 result from the removal.

23 **SUMMARY**

24 This bill allows a person who is not a law enforcement officer, humane agent, animal
25 control officer, firefighter, first responder or security guard to enter a vehicle and remove
26 an animal if the animal's safety, health or well-being appears to be in immediate danger.
27 The bill provides that a person who removes an animal from a vehicle under these
28 conditions is immune from criminal or civil liability.