

# MAINE STATE LEGISLATURE

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# 130th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2021

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Legislative Document

No. 1063

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H.P. 792

House of Representatives, March 11, 2021

**An Act To Allow a Qualifying Religious Organization To Self-insure  
for Automobile Insurance**

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Reference to the Committee on Health Coverage, Insurance and Financial Services  
suggested and ordered printed.

A handwritten signature in black ink that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative FOSTER of Dexter.  
Cosponsored by Representatives: COSTAIN of Plymouth, WADSWORTH of Hiram, Senator:  
DAVIS of Piscataquis.

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

2 **Sec. 1. 29-A MRSA §1613** is enacted to read:

3 **§1613. Self-insurance permitted for certain religious organizations**

4 Notwithstanding any other provision of this Title, the Secretary of State may grant an  
5 exemption from any provision of this subchapter for any motor vehicle owned or operated  
6 by a religious organization or its members subject to the following minimum requirements.

7 **1. Qualifying religious organization.** In order to be eligible to self-insure under this  
8 section, a religious organization shall demonstrate to the satisfaction of the Secretary of  
9 State that:

10 A. The religious organization has established tenets and faith-based teachings and has  
11 been in existence continuously since December 31, 1950;

12 B. The religious organization and its members operate 5 or more motor vehicles in this  
13 State that are owned or leased by the religious organization or one of its members;

14 C. The religious organization and its members hold a common belief in mutual  
15 financial assistance in time of need to the extent that they share in financial obligations  
16 of members who would otherwise not be able to meet their obligations;

17 D. The religious organization and its members have met all of their responsibilities for  
18 financial responsibility under this subchapter for the 2 years preceding its application  
19 to self-insure under this section;

20 E. The religious organization is financially solvent and not subject to any actions of  
21 bankruptcy, trusteeship, receivership or any other court proceedings in which the  
22 financial solvency of the religious organization is at issue;

23 F. The religious organization and its members are not subject to any judgments arising  
24 out of the operation, maintenance or use of a motor vehicle that have remained  
25 unsatisfied for more than 30 days after final judgment was issued;

26 G. There are no factors causing the Secretary of State to believe that the religious  
27 organization and its members do not have the financial ability to pay any future  
28 judgements against them; and

29 H. The religious organization and its members meet any other requirements prescribed  
30 in rules adopted in accordance with this section.

31 **2. Requirements for self-insurance.** Upon application, the religious organization  
32 shall file with the Secretary of State satisfactory proof using the methods permitted under  
33 section 1605, subsections 3 and 4 that the religious organization meets the following  
34 minimum requirements:

35 A. For 5 to 25 vehicles, there is a combined single limit of \$175,000; and

36 B. For more than 25 vehicles, there is an increase of \$1,000 per motor vehicle up to a  
37 maximum combined single limit of \$250,000.

38 **3. Issuance of certificate of self-insurance.** Upon demonstration that a religious  
39 organization has met the requirements of subsections 1 and 2, the Secretary of State shall  
40 issue a certificate of self-insurance to the religious organization. The certificate of self-  
41 insurance serves as evidence of financial responsibility required by section 1605.

1 subsection 2. Any member of the religious organization may provide the certificate of self-  
2 insurance as evidence of financial responsibility required by section 1605, subsection 2 to  
3 register a motor vehicle owned or operated by that member.

4 **4. Notice of withdrawal.** A religious organization granted a certificate of self-  
5 insurance under this section shall notify the Secretary of State in writing if any member of  
6 the religious organization ceases to be a member within 10 days of that member's departure  
7 or removal from the religious organization.

8 **5. Termination of self-insurance.** The Secretary of State may, at any time after  
9 granting a certificate of self-insurance, terminate the authorization for self-insurance if the  
10 secretary determines that the religious organization no longer meets the requirements for  
11 self-insurance under this section. Notice of the termination must be provided to the  
12 religious organization in writing at least 30 days prior to the termination of the  
13 authorization.

14 **6. Rules.** The Secretary of State may adopt rules as necessary to implement the  
15 requirements of this section. Rules adopted pursuant to this subsection are routine technical  
16 rules as defined in Title 5, chapter 375, subchapter 2-A.

17 **7. Applicability.** A certificate of self-insurance granted by the Secretary of State  
18 pursuant to this section does not apply to:

19 A. A motor vehicle with a registered gross weight of 26,001 pounds or more or a motor  
20 vehicle requiring its operator to hold a commercial driver's license;

21 B. An emergency vehicle;

22 C. A for-hire transportation vehicle for transporting freight or merchandise;

23 D. A for-hire transportation vehicle for transporting passengers;

24 E. A school bus; or

25 F. A rental vehicle.

## 26 **SUMMARY**

27 This bill provides authorization for qualifying religious organizations to satisfy the  
28 requirements for financial responsibility to operate a motor vehicle registered in this State  
29 through self-insurance. The bill sets forth the requirements that must be met before the  
30 Secretary of State may grant a certificate of self-insurance to a religious organization and  
31 its members. This bill authorizes a member of the qualifying religious organization to  
32 provide that certificate of self-insurance as evidence of financial responsibility to register  
33 a motor vehicle owned or operated by that member.