

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

SAC
ROS

1

L.D. 1876

2

Date: 2-15-22

(Filing No. H-765)

3

TRANSPORTATION

4

Reproduced and distributed under the direction of the Clerk of the House.

5

STATE OF MAINE

6

HOUSE OF REPRESENTATIVES

7

130TH LEGISLATURE

8

SECOND REGULAR SESSION

9

COMMITTEE AMENDMENT "A" to H.P. 1386, L.D. 1876, "An Act Regarding
10 Abandoned Motor Vehicle Storage Fees"

11

Amend the bill by striking out the title and substituting the following:

12

**'An Act Regarding Abandoned Motor Vehicle Storage Fees and Lienholder
13 Notification'**

14

Amend the bill by inserting before section 1 the following:

15

'Sec. 1. 29-A MRSA §1854, as amended by PL 2017, c. 240, §§1 to 4, is further
16 amended to read:

17

§1854. Notification of vehicle owner

18

1. Notification in writing. Except as provided in subsection 1-A, the owner of the
19 premises where a vehicle described in section 1851 is located or the owner's agent shall
20 notify the Secretary of State that the owner or the owner's agent is in possession of that
21 vehicle. The notification must be in writing and on a form provided by the Secretary of
22 State.

23

1-A. Notification in writing; auto repair and storage facilities. The owner of the
24 premises where a vehicle described in section 1851, subsection 5 or 7 is stored or the
25 owner's agent shall notify the Secretary of State that the owner or the owner's agent is in
26 possession of the vehicle within 14 days after the earliest date on which the vehicle owner
27 is responsible for any unpaid charges for authorized repair or for storage and any related
28 towing expenses incurred by the owner or the owner's agent. The notification must be in
29 writing and on a form provided by the Secretary of State.

30

1-B. Notification to lienholder. The owner of the premises where a vehicle described
31 in section 1851, subsection 5 or 7 is stored or the owner's agent shall determine if the title
32 is issued by the Secretary of State under section 657. If the title is issued by the Secretary
33 of State under section 657, the owner of the premises or the owner's agent shall determine
34 if a lienholder is identified on the title of the vehicle. If a lienholder is identified on the title
35 of the vehicle, the owner of the premises or the owner's agent shall notify the lienholder

COMMITTEE AMENDMENT

1 that the owner or the owner's agent is in possession of the vehicle within 14 days after the
 2 earliest date on which the lienholder is responsible for any unpaid charges for authorized
 3 repair or for storage and any related towing expenses incurred by the owner or the owner's
 4 agent.

5 **2. Contents of notification.** A notification under ~~this section~~ subsection 1 or 1-A
 6 must include the vehicle's make, model, year, body type, vehicle identification number and
 7 any registration and plates on the vehicle. This notification also must include the date the
 8 vehicle came into possession of the owner, the owner's agent or person in charge of the
 9 premises where the vehicle is located, under what circumstances the vehicle came into that
 10 person's possession and whether the vehicle is salvage.

11 **3. Response.** On receipt of a notification under ~~this section~~ subsection 1 or 1-A, the
 12 Secretary of State shall inform the vehicle owner and lienholder, if any, by regular mail
 13 that the vehicle is being claimed under the abandoned vehicle law. The notice to the vehicle
 14 owner and lienholder, if any, must identify the vehicle by the year, make, model and vehicle
 15 identification number, give the name and address of the party claiming ownership, state the
 16 charges against the vehicle that the owner and lienholder, if any, must pay to retrieve the
 17 vehicle, and the date that the title or letter of ownership will pass to the new owner. If the
 18 party is claiming ownership of the vehicle pursuant to section 603, subsection 6, the notice
 19 must inform the vehicle owner and lienholder that the owner must pay to the Secretary of
 20 State the fee required in section 603 to transfer the title. A copy of this letter must be
 21 provided to the person claiming ownership.

22 **4. Publication.** If the Secretary of State finds no record of ~~the~~ a vehicle with respect
 23 to which the Secretary of State is notified under subsection 1 or 1-A, the owner of the
 24 premises where the vehicle is located shall publish a notice once in a newspaper of general
 25 circulation in the county where the premises is located. That notice must clearly:

- 26 A. Describe the vehicle by the year, make, model and vehicle identification number;
 27 B. State that if the owner of the vehicle or lienholder has not properly retrieved it and
 28 paid all reasonable charges for its towing, storage and repair within 14 days from the
 29 publication, ownership of the vehicle passes to the owner of the premises where the
 30 vehicle is located; and
 31 C. State how the owner of the premises may be contacted.'

32 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
 33 number to read consecutively.

34 SUMMARY

35 This amendment requires that the owner of the premises where a vehicle has been
 36 stored after having been abandoned at a place of business after being repaired or abandoned
 37 at a storage facility, or the owner's agent, must determine if there is a lienholder on the title
 38 of the vehicle and notify that lienholder of any unpaid charges for authorized repair or for
 39 storage and any related towing expenses within 14 days of those charges being accrued.