

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST SPECIAL SESSION-2023

Legislative Document

No. 1661

S.P. 666

In Senate, April 13, 2023

**An Act to Require a Liability Automobile Insurance Policy to Cover
the Costs of Towing and Storing Certain Vehicles**

Reference to the Committee on Transportation 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 LAWRENCE of York.
Cosponsored by Representative MEYER of Eliot.

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

2 **Sec. 1. 29-A MRSA §1861**, as amended by PL 2019, c. 299, §1, is further amended
3 to 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 stored at the request of a law enforcement officer may hold the vehicle and all its
8 accessories, contents and equipment, not including the personal effects of the registered
9 owner, until reasonable towing and storage charges of the person holding or storing the
10 vehicle are paid, except that a person may not hold the perishable cargo of a commercial
11 motor vehicle, as defined in 49 Code of Federal Regulations, Part 390.5, as amended, when
12 the perishable cargo being transported in interstate or intrastate commerce is not owned by
13 the motor carrier or driver of the commercial motor vehicle being held and the person
14 holding or storing the towed vehicle is presented with evidence of insurance, as defined in
15 section 1551, covering the commercial motor vehicle and the vehicle's cargo. For purposes
16 of this paragraph, "perishable cargo" means cargo of a commercial motor vehicle that is
17 subject to spoilage or decay or is marked with an expiration date. The reasonable towing
18 and storage charges of the person holding or storing the vehicle must be covered by the
19 liability automobile insurance policy of the owner of the vehicle.

20 For purposes of this section, "personal effects" includes medications, medical
21 equipment, clothing, mail, child restraint systems and similar items. Except for child
22 restraint systems, items attached to the vehicle and business equipment, machinery and
23 tools are not considered personal effects. For the purposes of this section, "child restraint
24 system" has the same meaning as in section 2081, subsection 1, paragraph A-2.

25 **SUMMARY**

26 This bill provides that the reasonable towing and storage charges of a person holding
27 or storing a vehicle must be covered by the liability automobile insurance policy of the
28 owner of the vehicle.