

MAINE STATE LEGISLATURE

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N I N E T Y - F O U R T H L E G I S L A T U R E

Legislative Document

No. 1079

H. P. 1722

House of Representatives, February 25, 1949.

Referred to Committee on Judiciary. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Fitch of Sebago.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-NINE

**AN ACT Relating to a Revolving Fund to Satisfy Judgments from Motor
Vehicle Accidents.**

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

R. S., c. 19, §§ 71-A-71-C, additional. Chapter 19 of the revised statutes is hereby amended by adding thereto 3 new sections to be numbered 71-A to 71-C, inclusive, to read as follows:

Sec. 71-A. Revolving fund, created. The owner of each motor vehicle, registered under the provisions of this chapter, shall in addition to any other registration fee pay to the secretary of state an additional fee of \$1. The fees collected under this section shall be turned over to the treasurer of state to be set up on the books of the state as a revolving fund to satisfy judgments from suits arising from motor vehicle accidents.

Whenever such fund has reached the amount of \$250,000, the secretary of state shall suspend the payment of the additional fee as provided in the preceding paragraph for the following calendar year and shall reimpose such additional fee for the following calendar year whenever the fund is less than \$125,000.

Sec. 71-B. Judgments and payments. When any person has recovered a judgment in an action for damages arising out of a motor vehicle accident, which has resulted in bodily injury or property damage, upon the determination of all appeals, such judgment creditor may apply to a justice of the superior court, in term time or vacation, for an order directing payment of the judgment out of such revolving fund. Whenever such justice shall determine that there is a failure of satisfaction through lack of property, insurance or other assets, he shall declare that the judgment creditor is eligible to have his judgment satisfied from the revolving fund and shall direct the treasurer of state to pay the necessary moneys to satisfy such judgment, in whole or in part. The treasurer of state is authorized to make such payments on proper order of the justice. Such payments shall not exceed the maximum provisions of liability insurance policies under the financial responsibility law and shall not be made until the judgment creditor has assigned his judgment to the treasurer of state in the name of the state of Maine.

Sec. 71-C. Suspension and repayment. Whenever payments have been made from the revolving fund, the secretary of state shall suspend all motor vehicle driving licenses and motor vehicle registrations of the judgment debtor until the judgment debtor has made restitution to the revolving fund.'