

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

FIRST REGULAR SESSION

January 3, 1979 to June 15, 1979

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PUBLIC LAWS
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STATE OF MAINE
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Be it enacted by the People of the State of Maine, as follows:

7 MRSA § 443-A, is enacted to read:

§ 443-A. Native produce

No farm produce sold or offered for sale within the State shall be labeled or advertised as "native," "native-grown," "locally-grown" or by a similar designation, unless that produce was actually grown in the State of Maine. Violation of this provision shall be a civil violation punishable by a fine of not less than \$100 nor more than \$200. This section shall be enforced by the Division of Markets of the Department of Agriculture.

Effective September 14, 1979

CHAPTER 185

S. P. 356 — L. D. 1104

AN ACT to Authorize the Secretary of State to Issue a Duplicate Certificate of Title for a Motor Vehicle if the Original Certificate is Unavailable.

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

Sec. 1. 29 MRSA § 2364-A is enacted to read:

§ 2364-A. Missing ownership documents or assignments

1. Filing for certificate of title. The new owner of a vehicle who is unable to obtain the certificate of origin, certificate of title or assignment of these documents showing sale to him, may file with the Secretary of State an application for certificate of title in his name. The new owner of the vehicle shall provide the required filing fee and evidence that he is the true owner of the vehicle. The new owner shall also provide:

A. Evidence or notarized statements that there are no prior outstanding liens against the vehicle; and

B. Evidence that he has been unsuccessful in his attempt to have the manufacturer's certificate of origin, certificate of title or other documents transferred or assigned to him because the prior owner cannot be located, has ignored the request or refuses to transfer or assign the documents to him.

2. Review of application and evidence. The Secretary of State shall review the application, examine the evidence and investigate the ownership of the

vehicle. As part of his investigation into the new owner's title claim, the Secretary of State, among other activities, shall:

A. Request the prior owner or holder of the certificate of origin, certificate of title or other documents to remit these documents to the Secretary of State or make the necessary assignments; or

B. Notify the prior owner, at his last known address, of his intent to issue a title certificate to the new owner.

3. Issuance of a certificate of title to new owner. The Secretary of State shall issue a certificate of title to the new owner if the prior owner or holder of the documents as described in this section remits these documents to the Secretary of State and properly assigns the documents to the new owner.

A. In the event that the prior owner or holder of the manufacturer's certificate of origin, certificate of title or other documents fails to provide the documents or make the necessary assignments in accordance with the request of the Secretary of State, the Secretary of State may issue a certificate of title to the new owner provided that:

(1) The prior owner or holder of the documents does not contest, within 15 days of receiving notice, the intent of the Secretary of State to issue a title certificate to the new owner; and

(2) There is satisfactory proof of ownership based upon the evidence submitted and the results of the investigation of the Secretary of State.

4. Statement on certificate of title. The title certificate issued in accordance with subsection 3, paragraph A, shall include a statement clearly visible to the holder thereof to read: "This certificate may be subject to the rights of a prior owner." The title certificate shall be sent to the first lien-holder listed on the certificate or, if none, to the new owner.

5. Certificate of title. If the Secretary of State fails to receive any notice of interest of a prior owner within 6 months from the issuance of the certificate of title, the holder of this certificate may be issued a certificate in ordinary form to replace the one issued as described in subsection 4.

Sec. 2. 29 MRSA § 2376, as amended by PL 1977, c. 294, § 11, is amended by adding after the first paragraph a new paragraph to read:

The Secretary of State may issue a new certificate of title as provided in section 2364-A.