

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND ELEVENTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 1982 to June 24, 1983
Chapters 1-452

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH
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ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

J.S. McCarthy Co., Inc.
Augusta, Maine
1983

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

§960. Riding on motorcycles or motor driven cycles

A person operating a motorcycle or motor driven cycle shall ride only upon the permanent and regular seat attached. No more than 2 persons may ride on a motorcycle or motor driven cycle. The number of passengers in a sidecar attached to a motorcycle shall not exceed the number of permanent seats for which the sidecar has been designed, except that not more than 2 persons shall ride in a sidecar. Passengers may ride only upon the permanent seating provided for them with no more than one passenger occupying each seat.

Effective September 23, 1983.

CHAPTER 29

S.P. 241 - L.D. 664

AN ACT to Allow the District Court to
Grant Restitution in Cases of Unfair Trade
Practices.

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

Sec. 1. 4 MRSA §152, first ¶, as amended by PL 1981, c. 645, §1, is further amended to read:

The District Court shall possess the civil jurisdiction exercised by all trial justices and municipal courts in the State on September 16, 1961, and in addition, original jurisdiction, concurrent with that of the Superior Court of all civil actions in which neither damages in excess of \$20,000, nor, except as herein provided, equitable relief is demanded of proceedings under Title 14, sections 6651 to 6658 and of actions for divorce, annulment of marriage or judicial separation and of proceedings under Title 19 and original jurisdiction, concurrent with that of the Superior Court, of actions to quiet title to real estate under Title 14, sections 6651 to 6658, and in these actions the District Court may grant equitable relief; and original jurisdiction, concurrent with that of the Superior Court, for restitution under Title 5, section 213, and in these actions the District Court may grant equitable relief; and original jurisdiction, concurrent with that of the Superior Court, for breach of implied warranty and covenant of habitability under Title 14, section 6021, and in these actions the District Court may grant equitable relief; and original jurisdiction, concurrent with

that of the Superior Court, of actions to quiet title to real estate under Title 36, section 946, and in such actions the District Court may grant equitable relief, of actions to foreclose mortgages under Title 14, chapter 713, subchapter VI; and of mental health commitment hearings under Title 34, chapter 191, subchapter III, and of mental retardation certification hearings under Title 34, chapter 229; and of small claims actions under Title 14, chapter 738, and in these actions the District Court may grant equitable relief. This limitation as to damages shall not apply in any action of divorce, annulment or separation of marriage or in any action to enforce judgment of support or alimony. Actions for divorce, annulment or separation may be remanded, upon agreement of the parties, from the Superior Court to the District Court in accordance with rules promulgated by the Supreme Judicial Court. An action so remanded shall remain in the District Court, which shall have exclusive jurisdiction thereafter, subject to the rights of appeal to the Superior Court as to matters of law.

Sec. 2. 5 MRSA §213, sub-§1, as amended by PL 1979, c. 451, is further amended to read:

1. Court action. Any person who purchases or leases goods, services or property, real or personal, primarily for personal, family or household purposes and thereby suffers any loss of money or property, real or personal, as a result of the use or employment by another person of a method, act or practice declared unlawful by section 207 or by any rule or regulation issued under section 207, subsection 2 may bring an action either in the Superior Court or District Court for restitution and for such other equitable relief, including an injunction, as the court may deem to be necessary and proper. There shall be a right to trial by jury in any action brought in Superior Court under this section.

Effective September 23, 1983.

CHAPTER 30

H.P. 620 - L.D. 746

AN ACT to Clarify the Determination of Axles on Motor Farm Trucks.

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