

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND THIRTEENTH LEGISLATURE

FIRST SPECIAL SESSION

October 9, 1987 to October 10, 1987

SECOND SPECIAL SESSION

October 21, 1987 to November 20, 1987

and the

SECOND REGULAR SESSION

January 6, 1988 to May 5, 1988

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Twin City Printery
Lewiston, Maine
1988

PUBLIC LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE
FIRST AND SECOND SPECIAL SESSIONS
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1987

cated shall inquire of the Secretary of State in writing whether the Secretary of State's records contain information as to the owner and lienholder, if any, of the vehicle. That inquiry shall be made no later than 30 days after receipt of the vehicle and shall include the vehicle's make, model, year, body type, vehicle identification number and any registration and plates on the vehicle. Upon receipt of the inquiry, the Secretary of State shall provide the holder of the vehicle with any information on record as to the name and address of the vehicle's owner and lienholder or shall state that no record of the vehicle is on file.

A. If the Secretary of State provides the name of the owner or lienholder, the holder of the vehicle shall comply with subsection 3.

B. If the Secretary of State finds no record of the vehicle, the owner of the premises or property where the vehicle was brought or abandoned shall publish, at least twice in a newspaper of general circulation in the county where the premises or property is located, a notice which shall clearly describe the vehicle and state that if the owner of the vehicle or lienholder has not properly claimed it and paid all reasonable costs and charges for its towing and storage within 14 days from the date of last publication, ownership of the vehicle shall pass to the owner of the property or premises where the vehicle is located. The notice shall clearly state how the owner of the premises or property may be contacted.

Removal of the vehicle or any part, accessory or personal item from the vehicle without the written consent of the owner or person in charge of the premises or property where the vehicle is located is a Class E crime.

3. Owner or lienholder known. If the owner or lienholder of a vehicle described in subsection 1 is known, the owner of the premises or property where the vehicle is located shall mail notice to the owner and lienholder, if any. Such notice shall be mailed not later than 30 days after receipt of the vehicle if no repair work, garaging, storing or parking was authorized by the vehicle's owner or driver, or not later than 30 days following completion of any authorized repair work, garaging, storing or parking. The notice shall give the location of the vehicle and the storage fee, if any, and state that if the owner or lienholder has not properly claimed the vehicle and paid all reasonable costs and charges for its towing, storage and authorized repair work within 14 days of receipt of the notice, ownership of the vehicle shall pass to the owner of the premises or property where the vehicle is located, as provided in subsection 4. The notice shall be sent by certified mail, return receipt requested.

4. Evidence of compliance. A person who has complied with subsection 2 or 3 may present evidence of compliance to the Secretary of State. The Secretary of State shall issue certificates of title or letters of ownership as follows.

A. For vehicles not required to be titled, upon presentation of sufficient evidence and payment of a \$5 fee, the Secretary of State may issue a letter of ownership indicating compliance with subsection 2 or 3.

B. For vehicles subject to chapter 21, upon presentation of sufficient evidence and application for certificate of title in accordance with section 2364, and payment for a fee set forth in section 2352, the Secretary of State may issue a certificate of title in accordance with chapter 21.

5. Forfeit and penalty. The holder of a vehicle, as described in subsection 1, who fails to comply with subsection 2 or 3 shall forfeit all claims and liens for garaging, parking or storing of the vehicle and shall be punished by a fine of not more than \$25 for each day the failure to comply continues.

6. Rules. The Secretary of State may adopt rules pursuant to the Maine Administrative Procedure Act, Title 5, chapter 375, necessary to implement this section to assure the validity of submitted claims.

Effective August 4, 1988.

CHAPTER 599

S.P. 732 — L.D. 1991

AN ACT Concerning Marine Recreational Fisheries.

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

Sec. 1. 12 MRSA §6051, as enacted by PL 1977, c. 661, §5, is amended to read:

§6051. General department activities

The department, under the direction of the commissioner, may conduct or sponsor programs for research and development of commercial, marine recreational and anadromous fishery resources and other marine resources of the State which may include biological, chemical, technological, hydrological, processing, depuration, marketing, financial, economic and promotional research and development. The department may carry out these programs within the department, in cooperation with other state agencies, and federal, regional and local governmental entities, or with private institutions or persons.

Sec. 2. 12 MRSA §6052, sub-§4, ¶¶A and B, as enacted by PL 1977, c. 661, §5, are amended to read:

A. Providing information on stock levels and environments of commercially and recreationally valuable marine and anadromous fish organisms;

B. Solving particular problems that relate to the state's State's commercial, marine recreational and anadromous fishing industry; and

Effective August 4, 1988.

CHAPTER 600

H.P. 1540 — L.D. 2095

AN ACT to Clarify the Authority of Local Health Officers.

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

22 MRSA §454, last 2 paragraphs are repealed and the following enacted in their place:

The local health officer shall guard against the introduction of contagious and infectious diseases by the exercise of proper and vigilant medical inspection and control of all persons and things, which either come within the limits of the health officer's jurisdiction from infected places or which, for any cause, are likely to communicate contagion. The local health officer shall report promptly to the Commissioner of Human Services, or his designee, facts which relate to infectious and epidemic diseases occurring within the limits of the health officer's jurisdiction, and shall report to the commissioner, or his designee, every case of such infectious or contagious disease as the rules of the department require. Those diseases which the rules of the department may require to be reported shall be known, under the terms of this Title, as notifiable diseases. Those diseases which, under the rules of the department, may necessitate quarantine or isolation may be known as quarantinable diseases.

The local health officer shall receive and evaluate complaints made by any of the inhabitants concerning nuisances dangerous to life and health within the limits of the health officer's jurisdiction. With the consent of the owner, agent or occupant, the local health officer may enter upon or within any place or premises where nuisances or conditions dangerous to life and health are known or believed to exist, and personally, or by appointed agents, inspect and examine the same. If entry is refused, the municipal health officer shall apply for an inspection warrant from the District Court, pursuant to Title 4, section 179, prior to conducting the inspection. When the local health officer has reasonable cause to suspect the presence of a notifiable disease, he shall consult with the commissioner, or his designee. The health officer shall then order the suppression and removal of nuisances and conditions detrimental to life and health found to exist within the limits of the health officer's jurisdiction.

Effective August 4, 1988.

CHAPTER 601

S.P. 893 — L.D. 2305

AN ACT Concerning the Use of Flashing Lights on School Buses.

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

Sec. 1. 29 MRSA §2012, sub-§§3 and 4, as repealed and replaced by PL 1973, c. 780, §4, are amended to read:

3. Other passengers. School buses being operated on a public way and transporting passengers ~~other than provided in section 2011~~ who do not include school-age persons, as defined in section 2019, shall have the words "school bus" covered, removed or otherwise concealed and the school bus signal lamps shall not be operable.

4. Application. No vehicle ~~shall~~ may be operated on any public way displaying the words "school bus" or with any of the equipment provided for by this section unless it is being used for ~~transportation provided by section 2011~~ school-age persons, as defined in section 2019.

Sec. 2. 29 MRSA §2019 sub-§1, as amended by PL 1979, c. 670, §25, is further amended to read:

1. Receiving or discharging passengers. ~~All The operator of any school bus operators carrying school-age persons shall activate the system of flashing lights at least 100 feet before any stop is made to receive or discharge its passengers and these lights shall be continually continue to be displayed until after the bus has received or discharged its passengers.~~

Sec. 3. 29 MRSA §2019 sub-§2, as amended by PL 1979, c. 101, is further amended to read:

2. Stopping. The operator of a vehicle on a way or on school property, upon meeting or overtaking ~~a school bus from either direction a school bus which has stopped; with its red lights flashing, on the way to receive or discharge school children;~~ shall stop the vehicle before reaching the school bus, and the operator shall not proceed until the school bus resumes motion or until signaled by the school bus operator to proceed.

Sec. 4. 29 MRSA §2019, sub-§4, as repealed and replaced by PL 1977, c. 78, §168, is amended to read:

4. Use of flashing lights restricted. The operator of any A school bus operator shall not use the system of flashing lights on a school bus for any purpose other than controlling traffic in connection with the stopping of that bus for the purpose of receiving or discharging school children school-age persons.

Sec. 5. 29 MRSA §2019, sub-§6 is enacted to read: