

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1990 to July 10, 1991

Chapters 1 - 590

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
OCTOBER 9, 1991

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

J.S. McCarthy Company
Augusta, Maine
1991

PUBLIC LAWS
OF THE
STATE OF MAINE

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1991

with rulemaking and for evaluator services.

Sec. 36. Effective dates. That section of this Act that amends the Maine Revised Statutes, Title 32, section 6205 takes effect October 1, 1993. That section of this Act that amends Title 32, section 6213-A takes effect October 1, 1992. That section of this Act that amends Title 32, section 6214-A, subsections 1 and 2 takes effect October 1, 1996.

See title page for effective date, unless otherwise indicated.

CHAPTER 457

S.P. 217 - L.D. 544

An Act to Amend the Laws Governing Sexual Assault

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

17-A MRSA §251, sub-§1, ¶E, as enacted by PL 1981, c. 252, §1, is amended to read:

E. "Compulsion" means the use of physical force, a threat ~~of to use~~ physical force or a combination thereof ~~which that~~ makes a person unable to physically repel the actor or ~~which~~ produces in that person a reasonable fear that death, serious bodily injury or kidnapping might be imminently inflicted upon that person or ~~upon~~ another human being.

"Compulsion" as defined in this paragraph places no duty upon the victim to resist the actor.

See title page for effective date.

CHAPTER 458

H.P. 462 - L.D. 653

An Act Concerning Abandoned Property

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

Sec. 1. 29 MRSA §2610, sub-§1, as enacted by PL 1987, c. 598, §4, is repealed and the following enacted in its place:

1. Application. This section applies to a vehicle that is:

A. Towed at the request of the owner or driver;

B. Towed pursuant to section 1111;

C. Towed after being left on property without permission;

D. Left on property without the permission of the property owner or person in charge of the property or premises where the vehicle is located; or

E. Left at a place of business after being repaired pursuant to a written work order signed by the person requesting the repair work.

If a person abandons a vehicle described by this subsection, the owner of the premises or property where the vehicle is located may obtain a letter of ownership or a certificate of title by complying with this section. A vehicle is abandoned if the owner or lienholder does not retrieve it and pay all reasonable charges for towing, storing and authorized repair of the vehicle within 14 days of publication as required by subsection 2 or within 14 days of receipt of the notice required by subsection 3. A vehicle towed for snow removal purposes is exempt from this section for 48 hours immediately following completion of the tow.

Sec. 2. 29 MRSA §2610, sub-§§2, 3 and 4, as enacted by PL 1987, c. 598, §4, are amended to read:

2. Owner and lienholder unknown. If the owner of a vehicle described in subsection 1 is unknown, the owner of the premises or property where the vehicle is located 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~~ must 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 is located~~ 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 that~~ clearly ~~describe~~ describes the vehicle and ~~state states~~ that if the owner of the vehicle or lienholder has not properly ~~claimed~~ retrieved 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 will~~ pass to the owner of the property or premises where the vehicle is located. The notice ~~shall must~~ clearly state how the owner of the premises or property may be contacted.