

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE

SECOND SPECIAL SESSION
September 5, 1996 to September 7, 1996

ONE HUNDRED AND EIGHTEENTH LEGISLATURE

FIRST REGULAR SESSION
December 4, 1996 to March 27, 1997

FIRST SPECIAL SESSION
March 27, 1997 to June 20, 1997

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 26, 1997

FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 19, 1997

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
1997

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

Sec. 1. 36 MRSA §1482, sub-§5, as amended by PL 1987, c. 79, §§6 and 7, is further amended to read:

5. Credits. Any owner or lessee who has paid the excise or property tax for a vehicle the ownership or registration of which is transferred, or which that is subsequently totally lost by fire, theft or accident or which that is subsequently totally junked or abandoned, in the same calendar year or registration year, shall be is entitled to a credit to the maximum amount of the tax previously paid in such that year or period for any one vehicle toward the tax for any number of vehicles, regardless of the number of transfers which that may be required of him the owner or lessee in the same calendar year or registration year.

A. ~~Such~~ The credit shall ~~must~~ be allowed given in any place in which the excise tax is payable.

B. For each transfer made in the same calendar year or registration year, the owner shall pay \$3 to the place in which the excise tax is payable.

C. From November 1st to the last day of February ~~such~~ the credit shall ~~may~~ not exceed 1/2 the amount of the maximum tax, except that for automobiles, trucks and truck tractors, during the last 4 months of the registration year, ~~such~~ the credit shall ~~may~~ not exceed 1/2 the maximum tax.

D. No portion of any excise tax once paid shall ~~may~~ be repaid to any person by reason of the transfer of vehicles or discontinuance of the use of a vehicle.

E. For the purposes of this subsection, the term, "owner" ~~shall include~~ includes the surviving spouse.

See title page for effective date.

CHAPTER 176

H.P. 138 - L.D. 180

An Act to Amend the Motor Vehicle Laws Regarding Proof of Financial Responsibility and to Increase the Required Minimum Amounts of Liability Insurance Coverage

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

Sec. 1. 29-A MRSA §1601, sub-§6, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

6. Suspension. Thirty days after the receipt of an abstract of an adjudication of a violation of this section, the Secretary of State shall suspend:

A. The license of that person;

B. The registration of a vehicle owned by that person; or

C. The right to apply for a driver's license or vehicle registration.

The suspension continues until that person provides ~~evidence of insurance~~ proof of financial responsibility to the Secretary of State pursuant to section 1605.

Sec. 2. 29-A MRSA §1601, sub-§7, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is repealed.

Sec. 3. 29-A MRSA §1601, sub-§7-A is enacted to read:

7-A. Proof of financial responsibility following adjudication. A person who is adjudicated of a violation of this section is subject to the proof of financial responsibility requirements provided in section 1605.

Sec. 4. 29-A MRSA §1602, sub-§6, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

6. Insurance report. Within 15 days of receipt of notice from the Secretary of State that a policy was carried at the time of the accident or that the liability for damages was covered by another form of insurance or bond, an insurance carrier shall notify the Secretary of State if that policy was not in effect at the time of the accident. The Secretary of State may impose an administrative penalty of \$50 for each day after 15 days that the insurance carrier fails to notify the Secretary of State as required in this subsection.

Sec. 5. 29-A MRSA §1605, sub-§1, ¶C, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

C. Be in the amount or limit of at least:

(1) ~~\$10,000 for~~ For damage to property, \$25,000;

(2) ~~\$20,000 for~~ For injury to or death of any one person, \$50,000; and

(3) ~~\$40,000 for~~ For one accident resulting in injury to or death of more than one person, ~~\$100,000; and~~

(4) For medical payments pursuant to section 1605-A, \$1,000.

Sec. 6. 29-A MRSA §1605-A is enacted to read:

§1605-A. Medical payments

A motor vehicle liability policy covering a private passenger automobile and issued for a motor vehicle registered or principally garaged in this State must provide coverage in an amount equal to or greater than \$1,000 per person for medical costs incurred as a result of injuries sustained in an accident involving the insured vehicle by the driver and passengers in that vehicle. The coverage required by this section only applies to medical costs incurred during one year following the date the injuries are sustained. This section does not apply to a policy insuring more than 4 automobiles, nor to any policy covering a garage, automobile sales agency, repair shop, service station or public parking place.

Sec. 7. 29-A MRSA §1607, sub-§1, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

1. Satisfaction. To meet the obligation of financial responsibility only, a judgment is satisfied:

A. When ~~\$20,000~~ \$50,000 has been credited on a judgment for bodily injury to or death of one person as the result of one accident rendered in excess of that amount;

B. Subject to paragraph A, when ~~\$40,000~~ \$100,000 has been credited on a judgment for bodily injury to or death of 2 or more people as the result of one accident rendered in excess of that amount; or

C. When ~~\$10,000~~ \$25,000 has been credited on a judgment for injury to or destruction of property of others as a result of one accident rendered in excess of that amount.

Sec. 8. Applicability. Those sections of this Act that amend the Maine Revised Statutes, Title 29-A, sections 1605 and 1607 and enact section 1605-A apply to all personal motor vehicle liability policies executed, delivered, issued for delivery, continued or renewed in this State on or after July 1, 1998. For purposes of this Act, all policies are

deemed to be renewed no later than the next yearly anniversary of the policy date.

See title page for effective date.

CHAPTER 177

H.P. 362 - L.D. 507

An Act Concerning Sea Urchin Management

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, effective management and conservation of Maine's sea urchin industry require certain measures to be in place before the opening of the 1997-98 sea urchin harvesting season; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 12 MRSA §6749-Q, first ¶, as enacted by PL 1993, c. 740, §3, is amended to read:

The following surcharges are assessed on licenses sold for calendar years 1995, 1996, ~~and~~ 1997 and 1998:

Sec. 2. 12 MRSA §6749-R, sub-§1, as enacted by PL 1993, c. 740, §3, is amended to read:

1. Uses of the fund. The commissioner shall use the fund for research directly related to sea urchin fishery management information needs and for reporting to licensed sea urchin harvesters, boat tenders, processors and buyers on the results of research and the use of fund revenues. The purpose of that research must be to determine, with the highest reliability possible given available resources, the greatest level of effort that may be applied to the sea urchin fishery without harming the long-term economic and biological sustainability of the sea urchin fishery. The commissioner shall consult with the Sea Urchin Zone Council under section 6749-X before deciding upon research projects and awarding grants from the fund.

Sec. 3. 12 MRSA §6749-R, sub-§3, as enacted by PL 1993, c. 740, §3, is amended to read: