

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTIETH LEGISLATURE**

**FIRST SPECIAL SESSION**  
**November 13, 2002 to November 14, 2002**

**ONE HUNDRED AND TWENTY-FIRST LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 4, 2002 to June 14, 2003**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**FEBRUARY 13, 2003**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 13, 2003**

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

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2003**

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

Sec. 1. 26 MRSA §1194, sub-§13 is enacted to read:

13. Voluntary withdrawal. A claimant who has filed a claim for benefits under this section may voluntarily withdraw that claim at any time before receiving the benefits. The commissioner shall treat a claimant who has withdrawn a claim under this subsection as not having filed the claim. A claimant may initiate the withdrawal of a claim under this subsection by way of telephone, but the Department of Labor may require a signed withdrawal authorization to verify the withdrawal. Cashing a benefit check relating to the claim is deemed to revoke any withdrawal of that claim.

See title page for effective date.

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CHAPTER 97

H.P. 614 - L.D. 837

An Act To Enhance Enforcement of Safety Zone Laws

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

Sec. 1. 29-A MRSA §2054, sub-§9, as enacted by PL 2001, c. 360, §8, is amended to read:

9. Stationary authorized emergency vehicles. The operator of a vehicle passing a stationary authorized emergency vehicle using an emergency light, with due regard to the safety and traffic conditions, shall:

- A. Pass in a lane not adjacent to that of the authorized emergency vehicle, if possible; or
- B. If passing in a nonadjacent lane is impossible or unsafe, pass the emergency vehicle at a careful and prudent speed reasonable for passing the authorized emergency vehicle safely.

A violation of this subsection is a traffic infraction for which a minimum fine of \$250 must be adjudged.

See title page for effective date.

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CHAPTER 98

S.P. 300 - L.D. 904

An Act To Educate Consumers Regarding Voluntary Repossession

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

Sec. 1. 9-A MRSA §5-110, sub-§2-A is enacted to read:

2-A. If a consumer credit transaction is secured by a motor vehicle, the notice must conform to the requirements of subsection 2, except that the following paragraph must be included between the penultimate paragraph and the final paragraph:

The rights we may exercise under law include repossession of the motor vehicle securing this debt. If the motor vehicle is repossessed, either involuntarily or voluntarily, it may be sold and you may owe the difference between the net proceeds from the sale and the remaining balance due under the contract.

This subsection applies only to notices sent on or after January 1, 2004.

See title page for effective date.

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CHAPTER 99

S.P. 116 - L.D. 334

An Act To Establish a Transportation Assistance Pilot Program

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

Sec. 1. 10 MRSA §372, sub-§1, as amended by PL 1999, c. 731, Pt. FF, §4, is further amended to read:

1. Creation of fund. There is established the Kim Wallace Adaptive Equipment Loan Program Fund, which must be used to provide funding for ~~adaptive equipment~~ loans to qualified borrowers within the State in order to acquire adaptive equipment designed to assist the borrower in becoming independent and for other purposes as allowed under section 376. The fund must be deposited with, maintained and administered by the Finance Authority of Maine and contain appropriations provided for that purpose, interest accrued on the fund balance, funds received by the board to be applied to the fund and funds received in repayment of loans. This fund is a nonlapsing revolving fund. All money in the fund must be continuously applied to carry out the purposes of this chapter.

Sec. 2. 10 MRSA §376, as enacted by PL 1987, c. 817, §2, is amended to read:

**§376. Purposes for which loans may be awarded**

The board may award loans to qualifying borrowers for the following purposes, ~~including, but not limited to, the following:~~

**1. Individual independence.** To assist one or more persons with disabilities to improve their independence through the purchase of adaptive equipment; ~~and~~

**2. Productive members of community.** To assist one or more persons with disabilities to become more independent members of the community and improve quality of life within the community through the purchase of adaptive equipment; ~~and~~

**3. Transportation assistance.** For the purpose set forth in section 377, subject to the limitations set forth in that section. This subsection is repealed June 30, 2005.

**Sec. 3. 10 MRSA §377** is enacted to read:

**§377. Loans for transportation assistance pilot program**

The board may award loans for the purpose of assisting persons with disabilities to purchase used vehicles necessary to obtain or retain employment or employment training, subject to the following limitations.

**1. Qualifications of borrower.** A loan may be made under this section only to a qualifying borrower who meets the other requirements of this chapter and who demonstrates a need for a vehicle as part of an individualized plan toward employment developed with a state or community-based organization that provides employment services to persons with disabilities and that is approved by the board.

**2. Limitation on loan amount.** Loans made under this section may not exceed \$7,000 per qualifying borrower.

**3. Aggregate amount of loans.** The maximum aggregate amount of loans made under this section may not exceed \$250,000 in fiscal year 2003-04 and \$250,000 in fiscal year 2004-05.

**4. Repeal.** This section is repealed June 30, 2005.

**Sec. 4. Report.** The Kim Wallace Adaptive Equipment Loan Program Fund Board shall present a report to the joint standing committee of the Legislature having jurisdiction over transportation matters before January 1, 2005. The report must identify the number and dollar amount of loans made under the transportation assistance pilot program pursuant to the

Maine Revised Statutes, Title 10, section 377 and the repayment history of borrowers under the program.

See title page for effective date.

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**CHAPTER 100**

**H.P. 234 - L.D. 291**

**An Act To Provide Parity in Lending by State-chartered Lenders**

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

**Sec. 1. 9-A MRSA §2-501, sub-§1, ¶G,** as amended by PL 1997, c. 94, §1, is repealed and the following enacted in its place:

G. Delinquency charges under section 2-502 and deferral charges under section 2-503.

**Sec. 2. 9-A MRSA §2-502, sub-§1,** as amended by PL 1999, c. 184, §4, is further amended to read:

**1.** ~~With respect to a precomputed consumer credit transaction, a consumer lease or a fixed-rate consumer credit transaction that is not made pursuant to open end credit and that is secured only by an interest in real estate, the parties~~ A creditor may contract for and receive a delinquency charge on any outstanding, unpaid installment payment or portion of such payment due under a consumer credit transaction or open-end credit plan not paid in full within 15 days after its scheduled or deferred due date in an amount not exceeding the greater of:

A. An amount, not exceeding \$10, ~~which that~~ is 5% of the unpaid amount of the installment; or

B. The deferral charge, section 2-503, that would be permitted to defer the unpaid amount of the installment for the period that it is delinquent.

See title page for effective date.

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**CHAPTER 101**

**S.P. 99 - L.D. 265**

**An Act To Promote Affordable Telephone Service for Business and Residential Customers in Rural Maine**