

# 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 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.**

---

---

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

deadline by an additional period of time not to exceed 60 days for good cause shown.

**Emergency clause.** In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective May 13, 2003.

**CHAPTER 130**

**H.P. 513 - L.D. 696**

**An Act Concerning the Adoption of Coastal Sand Dune Rules**

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

**Whereas,** the Board of Environmental Protection is currently undertaking rulemaking regarding development in coastal sand dune systems; and

**Whereas,** immediate enactment of this Act is necessary to enable the Legislature to record its position on adoption of the rules; 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. 38 MRSA §480-AA** is enacted to read:

**§480-AA. Coastal sand dune rules**

Rules adopted by the board regarding development in coastal sand dune systems are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

**Emergency clause.** In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective May 13, 2003.

**CHAPTER 131**

**H.P. 427 - L.D. 564**

**An Act To Clarify the Responsibilities of the Department of Environmental Protection**

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

**Sec. 1. 38 MRSA §480-P,** as enacted by PL 1987, c. 809, §2, is amended by inserting at the end a new paragraph to read:

For the purpose of receiving a permit for a transmission line or a pipeline under this article, outstanding river segments also include any other outstanding river and stream segments described in Title 12, section 403.

See title page for effective date.

**CHAPTER 132**

**H.P. 266 - L.D. 323**

**An Act To Allow Modular Home Transporters To Obtain Trailer Transit Plates**

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

**Whereas,** current law is unclear as to the use of transit plates by modular home transporters; and

**Whereas,** it is in the best interest of the public that this ambiguity be resolved as soon as possible; 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. 29-A MRSA §462, sub-§8,** as repealed and replaced by PL 2001, c. 149, §1, is amended to read:

**8. Trailer transit plate.** A business that delivers or services mobile homes, leases or transports storage trailers or transports light trailers, modular homes or frames for transporting modular homes may apply for a trailer transit license and plate. The transit

plate may not be loaned, used in place of registration plates on another vehicle, used for personal reasons or used on the towing vehicle. Issuance of a trailer transit license and plate does not exempt the holder from compliance with any state law or municipal ordinance governing the movement of mobile homes, storage trailers, modular homes or frames for transporting modular homes or light trailers over the highways of this State and does not exempt the holder from required permits or certificates prior to moving the vehicles. Trailer transit plates issued pursuant to this subsection may only be used subject to the following conditions.

- A. A storage trailer must be empty during transportation.
- B. A light trailer may be transported with a load appropriate for the light trailer, provided that the load is owned by or in the custody of the transporting business.
- C. A light trailer may be transported with a trailer transit plate only if the business owner or an employee of the business accompanies the vehicle transporting the light trailer.

Fees for trailer transit licenses and plates are established in section 852. Trailer transit licenses are exempt from section 951, subsection 6.

For purposes of this subsection, "business" means a corporation, firm, partnership, joint venture, sole proprietorship or other commercial entity. For the purposes of this subsection, "modular home" has the same meaning as in Title 30-A, section 4358, subsection 1, paragraph A, subparagraph (2).

**Emergency clause.** In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective May 13, 2003

---



---

## CHAPTER 133

S.P. 148 - L.D. 430

### An Act To Clarify Ownership Rights to Repossessed Vehicles

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

**Sec. 1. 29-A MRSA §665, sub-§6** is enacted to read:

**6. Repossession.** Upon the exercise of the right to take possession of a vehicle by a lienholder that is a supervised financial organization as defined in Title

9-A, section 1-301, ownership of the vehicle vests in the lienholder, subject to the rights granted to the owner and the duties imposed on the lienholder under Title 9-A, Article 5, Part 1 and Title 11, Article 9-A, Part 6.

See title page for effective date.

---



---

## CHAPTER 134

S.P. 247 - L.D. 709

### An Act To Require Public Meetings prior to Dam Removal

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

**Sec. 1. 38 MRSA §480-E, sub-§12** is enacted to read:

**12. Dam removal.** A person intending to file an application for a permit to remove an existing dam must attend a preapplication meeting with the department and must hold a public informational meeting prior to filing the application. The preapplication meeting and the public informational meeting must be held in accordance with the department's rules on the processing of applications.

**Sec. 2. 38 MRSA §634, sub-§4** is enacted to read:

**4. Dam removal.** A person intending to file an application for a permit to remove an existing dam must attend a preapplication meeting with the department and must hold a public informational meeting prior to filing the application. The preapplication meeting and the public informational meeting must be held in accordance with the department's rules on the processing of applications.

See title page for effective date.

---



---

## CHAPTER 135

H.P. 374 - L.D. 485

### An Act Clarifying the Maine Consumer Credit Code

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

**Sec. 1. 9-A MRSA §2-502, sub-§3,** as amended by PL 1977, c. 564, §44, is repealed.

**Sec. 2. 9-A MRSA §2-502, sub-§3-A** is enacted to read: