

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 2010 to June 29, 2011

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 28, 2011

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

Augusta, Maine
2011

OTHER SPECIAL REVENUE FUNDS	2011-12	2012-13
All Other	\$0	(\$10,600)
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	(\$10,600)

See title page for effective date.

**CHAPTER 46
S.P. 90 - L.D. 301**

An Act Relating to Abandoned Vehicles

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

Sec. 1. 29-A MRSA §1852, as amended by PL 2007, c. 150, §2, is further amended to read:

§1852. Abandonment defined

For the purposes of this subchapter, a vehicle is considered "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 7 14 days after the notices to the owner and lienholder are sent by the Secretary of State or 7 14 days after the advertisement is published as required in section 1854, subsection 4. There is a rebuttable presumption that the last owner of record of a motor vehicle found abandoned as shown in the files of the office of the Secretary of State is the owner of the motor vehicle at the time it was abandoned and the person who abandoned it.

Sec. 2. 29-A MRSA §1854, sub-§4, ¶B, as amended by PL 2007, c. 150, §5, is further amended to read:

B. State that if the owner of the vehicle or lienholder has not properly retrieved it and paid all reasonable charges for its towing, storage and repair within 7 14 days from the publication, ownership of the vehicle passes to the owner of the premises where the vehicle is located; and

Sec. 3. 29-A MRSA §1856, sub-§1, as amended by PL 2007, c. 150, §6, is further amended to read:

1. Evidence of compliance. A person who has complied with section 1854, subsection 4 shall present evidence of compliance to the Secretary of State immediately after the 7-day 14-day notice period. The Secretary of State may not issue a letter of ownership or certificate of title until at least 21 days after the date on which the person who has possession of and control

over the vehicle notified the Secretary of State by complying with section 1854, subsections 1 and 2.

Sec. 4. 29-A MRSA §1857, as amended by PL 2007, c. 150, §7, is further amended to read:

§1857. Limits

If the notification to the Secretary of State required by section 1854 is made more than 7 14 days after receipt of a vehicle described in section 1851, the person holding the vehicle may not collect more than 7 14 days of storage fees. Daily storage charges must be reasonable and total storage charges may not exceed \$900 for a 30-day period.

See title page for effective date.

**CHAPTER 47
H.P. 205 - L.D. 252**

An Act To Amend the Laws Governing Aquatic Nuisance Species

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

Sec. 1. 12 MRSA §13001, sub-§6, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

6. Aquatic plant. "Aquatic plant" means a ~~vase-~~vascular plant species that requires a permanently flooded freshwater habitat.

Sec. 2. 38 MRSA §410-N, sub-§1, ¶A, as enacted by PL 1999, c. 722, §1, is amended to read:

A. "Aquatic plant" means a ~~vaseular~~ plant species that requires a permanently flooded freshwater habitat.

Sec. 3. 38 MRSA §1871, sub-§2, as enacted by PL 2001, c. 434, Pt. B, §2, is amended to read:

2. Terms. Members appointed by the Governor serve 4-year terms, except that, as determined by the Governor, of the initial appointments, 4 must be for 3 years, including the public member, and 4 must be for 2 years. Members serve until their successors are appointed. A vacancy must be filled for the remainder of the unexpired term. If after 6 months of a vacancy on the task force in a position listed in subsection 1, paragraph B the Governor cannot fill that vacancy, the Governor may appoint a member who does not meet the qualifications of subsection 1, paragraph B, but who has demonstrated experience or interest in the area of threats to fish and wildlife posed by invasive aquatic plants and nuisance species.

See title page for effective date.