

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE

FIRST SPECIAL SESSION
September 27, 2011

SECOND REGULAR SESSION
January 4, 2012 to May 31, 2012

THE EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
LAWS IS
SEPTEMBER 28, 2011

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 30, 2012

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

Augusta, Maine
2012

(2) A hotel, motel, inn or bed and breakfast upon initial licensure as an eating and lodging place or a lodging place under Title 22, chapter 562 on or after August 1, 2012; or

(3) A fraternity house, sorority house or dormitory established on or after August 1, 2012 that is affiliated with a private or public school or private or public postsecondary institution incorporated or chartered under the laws of this State.

Sec. 2. 25 MRSA §2468, sub-§4, as amended by PL 2009, c. 551, §8, is repealed and the following enacted in its place:

4. New construction. A person who constructs any of the following shall install or cause to be installed at least one carbon monoxide detector in each area within, or giving access to, any bedroom in the new construction of:

A. A single-family dwelling:

B. A hotel, motel, inn or bed and breakfast upon initial licensure of that new construction as an eating and lodging place or a lodging place under Title 22, chapter 562 on or after August 1, 2012; or

C. A fraternity house, sorority house or dormitory established on or after August 1, 2012 that is affiliated with a private or public school or private or public postsecondary institution incorporated or chartered under the laws of this State.

The carbon monoxide detector must be powered both by the electrical service in the building or dwelling and by battery.

See title page for effective date.

CHAPTER 554

H.P. 1305 - L.D. 1773

An Act Regarding Insurance Adjusters and Reporting Requirements for Insurance Companies

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

Sec. 1. 24-A MRSA §1402, sub-§1, ¶¶E and F, as enacted by PL 1997, c. 457, §23 and affected by §55, are amended to read:

E. Persons adjusting only life and health insurance claims; or

F. Adjuster trainees; or

Sec. 2. 24-A MRSA §1402, sub-§1, ¶G is enacted to read:

G. An individual who satisfies the following with regard to portable electronic device insurance as defined under section 7001, subsection 6, paragraph A:

(1) The individual collects claim information from, or furnishes claim information to, insureds or claimants and conducts data entry including entering data into an automated claims adjudication system; and

(2) The individual is an employee of an adjuster licensed under this chapter or the adjuster's affiliate.

No more than 25 individuals under the supervision of one licensed adjuster or insurance producer described under paragraph C may be exempt pursuant to this paragraph.

For purposes of this paragraph, "automated claims adjudication system" means a preprogrammed computer system designed for the collection, data entry, calculation and final resolution of portable electronic device insurance claims that is used by an adjuster, insurance producer or supervised individual operating pursuant to this paragraph; complies with all claims payment requirements of the Maine Insurance Code; and is certified as compliant with this paragraph by a licensed adjuster that is an officer of a business entity licensed under this chapter.

Sec. 3. 24-A MRSA §1413, sub-§2, as amended by PL 2001, c. 259, §14, is further amended to read:

2. Officers; directors; members; partners. A business entity shall notify the superintendent of its members, directors, officers or partners, and of all executive officers and directors of entities owning and individuals owning, directly or indirectly, 51% or more of the outstanding voting securities of the applicant, within 14 days of a request for such information by the superintendent.

See title page for effective date.

CHAPTER 555

S.P. 541 - L.D. 1631

An Act To Address Research and Teaching in Maine's Institutions of Higher Education by Amending the Laws Governing the Purchase of Goods and Services by the State Involving Institutions of Higher Education

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

Sec. 1. 5 MRSA §1825-B, sub-§2, ¶E, as repealed and replaced by PL 1995, c. 625, Pt. A, §5 and amended by PL 2003, c. 20, Pt. OO, §2 and affected by §4, is further amended to read:

E. The purchase is part of a cooperative project between the State and the University of Maine System ~~or~~, the Maine Community College System, ~~the Maine Maritime Academy or a private, nonprofit, regionally accredited institution of higher education with a main campus in this State~~ involving:

- (1) An activity assisting a state agency and enhancing the ability of the university system ~~or~~, community college system, Maine Maritime Academy or a private, nonprofit, regionally accredited institution of higher education with a main campus in this State to fulfill its mission of teaching, research and public service; and
- (2) A sharing of project responsibilities and, when appropriate, costs;

See title page for effective date.

CHAPTER 556

H.P. 1262 - L.D. 1710

An Act To Amend the Motor Vehicle Laws

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

Sec. 1. 29-A MRSA §101, sub-§6-B is enacted to read:

6-B. Autocycle. "Autocycle" means an enclosed motorcycle having no more than 3 wheels in contact with the ground and that:

A. Meets the general motorcycle inspection standards, except those standards that do not apply due to the design of the vehicle; and

B. Is equipped with:

- (1) Safety belts for all passengers;
- (2) A roll bar or enclosed cab;
- (3) A steering wheel or tiller; and
- (4) Brakes on at least 2 main wheels.

The manufacturer's certificate of origin must state that the vehicle meets the federal specifications for a motorcycle.

This subsection is repealed 90 days after the adjournment of the First Regular Session of the 126th Legislature.

Sec. 2. 29-A MRSA §202, as amended by PL 2001, c. 671, §2, is further amended to read:

§202. Appointment of agents for the issuance of noncommercial driver's license renewals, duplicates of noncommercial driver's license renewals and nondriver identification card renewals

The Secretary of State may appoint agents authorized ~~solely to issue renewals of operator's licenses and to issue noncommercial driver's license renewals, duplicates of noncommercial driver's license renewals and nondriver identification card renewals~~ who are stationed at convenient locations in the State. Agents may charge an applicant a fee over the required ~~operator's license fee~~ fees for each renewal or duplicate issued. The agent retains the additional fee and forwards all other fees to the Secretary of State. The Secretary of State shall determine by rule the fee to be charged by an agent under this section. Rules adopted pursuant to this section are routine technical rules pursuant to Title 5, chapter 375, subchapter ~~H-A 2-A~~.

~~Renewal agents~~ Agents appointed pursuant to this section are not authorized to issue registrations ~~or~~, initial ~~operator's noncommercial driver's~~ licenses ~~or initial nondriver identification cards~~.

Sec. 3. 29-A MRSA §456-F, sub-§6, as enacted by PL 2007, c. 703, §10, is amended to read:

6. Duplicate plates. The Secretary of State shall issue an agriculture education plate in a 3-number and 3-letter combination sequence or in another sequence at the discretion of the Secretary of State. Vanity plates may not duplicate vanity plates issued in another class of plate.

Sec. 4. 29-A MRSA §501, sub-§7, ¶G is enacted to read:

G. The Secretary of State may issue unassigned temporary registration permits to a vehicle auction business licensed under section 1051 to allow the movement of a vehicle sold to a dealer.

Sec. 5. 29-A MRSA §501, sub-§12-A is enacted to read:

12-A. Autocycles. The Secretary of State may issue a registration for an autocycle upon application and payment of an annual fee of \$21. The registrant must provide a certificate of title required by section 651, proof of financial responsibility required by section 1601 and evidence of payment of the excise tax as required by Title 36, section 1482, subsection 1, paragraph C. An autocycle registered under this section is issued a registration plate with the word "autocycle"