

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 5, 2012 to July 10, 2013**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**OCTOBER 9, 2013**

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

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**Augusta, Maine**  
**2013**

**§2255. Accidents involving property damage**

**1. Notification.** The operator of a vehicle involved in an accident anywhere that results in property damage shall take reasonable steps to notify the owner of that property of the accident.

**2. Provide information.** The operator shall provide to the property owner:

- A. The operator's name and address;
- B. The registration number of the operator's vehicle; ~~and~~
- C. An opportunity to examine the driver's license if the ~~operator or owner of the property~~ so requests and the license is available; ~~and~~
- D. Evidence of liability insurance or financial responsibility as required by section 1601 if the owner of the property so requests.

**3. Violation.** A person commits a Class E crime if that person fails to comply with this section, except that a person commits a traffic infraction if that person fails to comply with subsection 2, paragraph D.

**4. Dismissal.** The clerk of the District Court Violations Bureau or trial court shall dismiss a Violation Summons and Complaint charging a person with a violation of subsection 2, paragraph D if that person:

- A. Shows the issuing law enforcement officer satisfactory evidence of liability insurance or financial responsibility that was in effect at the time of the alleged violation and the issuing officer notifies the violations bureau of that fact; or
- B. Files a timely answer to a Violation Summons and Complaint alleging a violation of subsection 2, paragraph D and that person presents to the court at the time of trial satisfactory evidence of liability insurance or financial responsibility that was in effect at the time of the alleged violation.

See title page for effective date.

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**CHAPTER 292  
H.P. 658 - L.D. 934**

**An Act To Amend the Laws on  
Extended Warranties for Used  
Cars To Make Terms of  
Coverage Transparent**

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

**Sec. 1. 10 MRSA §1474, sub-§3, ¶B,** as repealed and replaced by PL 1981, c. 470, Pt. A, §29, is amended to read:

B. In addition, the written statement required by this subsection ~~shall~~ **must** contain, fully and conspicuously disclosed, the following information concerning any additional warranty not required by subsection 1:

- (1) The date ~~or number of days or on which~~ the additional warranty begins as well as the date on which or the number of days or mileage at which the warranty will terminate, either handwritten or printed on the statement by the dealer;
- (2) The parts or systems of the vehicle that are warranted against mechanical defects, or the parts or systems of the vehicle excluded from the warranty; and
- (3) A statement of what the dealer will do in the event of a mechanical defect and at whose expense.

**Sec. 2. Effective date.** This Act takes effect July 1, 2014.

Effective July 1, 2014.

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**CHAPTER 293  
S.P. 349 - L.D. 1024**

**An Act To Enhance  
Enforcement of the Mandatory  
Reporting of Abuse and  
Neglect**

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

**Sec. 1. 22 MRSA §4008, sub-§3, ¶J,** as amended by PL 2007, c. 371, §5, is further amended to read:

J. To a juvenile court when the child who is the subject of the records has been brought before the court pursuant to Title 15, Part 6; ~~and~~

**Sec. 2. 22 MRSA §4008, sub-§3, ¶K,** as enacted by PL 2007, c. 371, §6, is amended to read:

K. A relative or other person whom the department is investigating for possible custody or placement of the child; ~~and~~

**Sec. 3. 22 MRSA §4008, sub-§3, ¶L** is enacted to read:

L. To a licensing board of a mandated reporter, in the case of a mandated reporter under section 4011-A, subsection 1 who appears from the record or relevant circumstances to have failed to make a required report. Any information disclosed by the department personally identifying a licensee's client or patient remains confidential

and may be used only in a proceeding as provided by Title 5, section 9057, subsection 6.

See title page for effective date.

## CHAPTER 294

### H.P. 776 - L.D. 1107

#### **An Act To Provide a Uniform Process for the Use of Orders Awarding Parental Rights and Responsibilities To Dispose of a Child Protective Case**

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

**Sec. 1. 22 MRSA §4036, sub-§1-A,** as enacted by PL 2007, c. 256, §1, is amended to read:

**1-A. Parental rights and responsibilities orders.** Upon request of a parent, the court may enter an order awarding parental rights and responsibilities pursuant to Title 19-A, section 1653 if the court determines that the order will protect the child from jeopardy and is in the child's best interest as defined in Title 19-A, section 1653, subsection 3. The court shall ensure that proper notice was given that the child protective case may be disposed of through an order awarding parental rights and responsibilities upon request of a parent. If the court enters an order pursuant to this subsection:

A. The court shall direct the clerk to open a family matters case on behalf of the parties and require the case to be appropriately docketed without a separate initial filing by the parties. The court shall require the parties to complete the income affidavits, child support worksheets and supporting documentation as required in Title 19-A, chapter 63. The court shall enter the order has the same force and effect as other orders entered awarding parental rights and responsibilities pursuant to Title 19-A, section 1653;

A-1. The order awarding parental rights and responsibilities may not include reference to or discussion of the child protective case, although the court may identify any jeopardy that remains as a finding of fact. Child protective case documents are confidential, and the court shall seal and keep confidential any documents from the child protective case that are made a part of the record of the family matters case opened under paragraph A;

B. The order awarding parental rights and responsibilities is subject to modification or termination in the same manner as other orders entered pursuant to Title 19-A, section 1653;

C. Any person who requests a modification or termination of the order awarding parental rights and responsibilities must serve the department with the motion or petition;

D. The department is not a party to proceedings to modify or terminate the order awarding parental rights and responsibilities unless otherwise ordered by the court. This paragraph may not be construed to limit the department's ability to request a judicial review pursuant to section 4038, subsection 2;

D-1. The court may either:

(1) Immediately dismiss the child protection action; or

(2) Enter a provisional order awarding parental rights and responsibilities and, after the passage of a period set by the court not to exceed 6 months, the child protection action must be dismissed, with the order awarding parental rights and responsibilities becoming permanent, unless there is good cause shown in writing to continue the child protection action; and

E. Notwithstanding section 4038, the court may order that further judicial reviews may not be held unless requested by a party and, notwithstanding section 4038 B, may order that further permanency planning hearings may not be held; and

F. When a provisional order awarding parental rights and responsibilities is entered under paragraph D-1, subparagraph (2), the court may terminate the appointments of the guardian ad litem and attorneys for parents and guardians. When the child protection action is dismissed under paragraph D-1, subparagraph (1) or (2), the court may shall terminate the appointments of the guardian ad litem and attorneys for parents and guardians, in which case, After the appointments are terminated, the attorneys and guardian ad litem have no further responsibilities to their clients or the court.

See title page for effective date.

## CHAPTER 295

### H.P. 847 - L.D. 1203

#### **An Act To Encourage Financing of Manufactured Housing for the Workforce**

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