

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTIETH LEGISLATURE

FIRST REGULAR SESSION
December 2, 2020 to March 30, 2021

FIRST SPECIAL SESSION
April 28, 2021 to July 19, 2021

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 29, 2021

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
OCTOBER 18, 2021

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

Augusta, Maine
2021

The code enforcement officer or other public official making the determination that the property is abandoned shall certify that the property is abandoned and file a copy of that certification with the registry of deeds in the county in which the property is located.

For the purposes of this subsection, "residential real estate" means property that includes a residential structure that has one to 4 residential units.

3. Tax liens for abandoned property recorded after December 1, 2021. Notwithstanding section 946-B, a person may not commence an action against the validity of a governmental taking of real estate for nonpayment of property taxes upon the expiration of a 6-month period immediately following a certification under subsection 2 that the property is abandoned. This subsection applies to a tax lien recorded after December 1, 2021.

4. Program to monitor municipal abandoned property. A municipality that certifies abandoned property under this section shall submit the address and parcel data for the abandoned property to the Maine State Housing Authority for use in determining opportunities for redevelopment, programs supporting first-time home buyers and similar programs and data analysis.

See title page for effective date.

**CHAPTER 128
H.P. 819 - L.D. 1141**

An Act To Amend the Service Contracts Act To Include the Replacement of Motor Vehicle Keys and Key Fobs and Damage to a Motor Vehicle That Results in Lease-end or Other Charges for Excessive Wear and Use

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

Sec. 1. 24-A MRSA §7102, sub-§11, ¶D, as enacted by PL 2011, c. 345, §4 and affected by §7, is amended to read:

D. The repair of small motor vehicle windshield chips or cracks but not the replacement of the entire windshield; or

Sec. 2. 24-A MRSA §7102, sub-§11, ¶E, as enacted by PL 2011, c. 345, §4 and affected by §7, is amended to read:

E. The repair of damage to the interior components of a motor vehicle caused by wear and tear but that expressly excludes the replacement of any part or component of a motor vehicle's interior;

Sec. 3. 24-A MRSA §7102, sub-§11, ¶F is enacted to read:

F. The replacement of a motor vehicle key or key fob in the event the key or key fob becomes inoperable or is lost or stolen; or

Sec. 4. 24-A MRSA §7102, sub-§11, ¶G is enacted to read:

G. In conjunction with a motor vehicle lease, the repair, replacement or maintenance of the motor vehicle, or indemnification for repair, replacement or maintenance, due to excess wear and use; due to damage for items such as tires, paint cracks or chips, interior stains, rips or scratches, exterior dents or scratches, windshield cracks or chips or missing interior or exterior parts; or due to excess mileage that results in a lease-end charge or any other charge for damage that is determined to be excess wear and use by a lessor under a motor vehicle lease, as long as any such payment does not exceed the purchase price of the motor vehicle.

See title page for effective date.

**CHAPTER 129
H.P. 860 - L.D. 1182**

An Act To Allow Commercial Lobster License Holders To Possess a Marine Harvesting Demonstration License

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

Sec. 1. 12 MRSA §6810-A, sub-§1-A, as enacted by PL 2017, c. 146, §2, is amended to read:

1-A. Eligibility. A marine harvesting demonstration license may be issued only to an individual, except that a person who holds a ~~Class I, Class II or Class III lobster and crab fishing license or a noncommercial lobster and crab fishing license~~ may not be issued a marine harvesting demonstration license.

Sec. 2. 12 MRSA §6810-A, sub-§3, as enacted by PL 2003, c. 169, §1 and affected by §3, is amended to read:

3. License limitations. An individual who holds a marine harvesting demonstration license may not sell, retain, ship or transport any portion of the catch and shall release all organisms alive into the area from which the organisms were harvested. A vessel identified under subsection 6 may not be used for the commercial harvest of marine organisms unless the operator of the vessel holds a Class I, Class II or Class III lobster and crab fishing license or as otherwise provided by the department. The trap limits of the vessel operated for the harvest of marine organisms under a Class I, Class

II or Class III lobster and crab fishing license may not be exceeded under the marine harvesting demonstration license.

Sec. 3. 12 MRSA §6810-A, sub-§4, ¶C is enacted to read:

C. A marine harvesting demonstration license holder who also holds a Class I, Class II or Class III lobster and crab fishing license shall use a buoy different in color and pattern and a different tag for fishing activities under subsection 2 than the buoy the individual uses for commercial harvesting.

Sec. 4. 12 MRSA §6810-A, sub-§7-A, as enacted by PL 2017, c. 146, §3, is amended to read:

7-A. Closed period exemption. The holder of a marine harvesting demonstration license is exempt from the prohibition on raising or hauling any lobster trap pursuant to section 6440, subsection 2 when raising or hauling lobster traps from the vessel identified on the marine harvesting demonstration license while engaging in fishing activities under subsection 2.

Sec. 5. 12 MRSA §6810-A, sub-§11, as amended by PL 2017, c. 146, §4, is further amended to read:

11. Penalties. A person who violates this section commits a civil violation for which a fine of not less than \$100 nor more than \$1,000 may be adjudged. The commissioner may suspend the Class I, Class II or Class III lobster and crab fishing license of a person who violates this section. Notwithstanding section 6401, subsection 2, the commissioner may permanently revoke the marine harvesting demonstration license of a person who sells, retains, ships or transports any portion of the catch or does not release all organisms alive into the area from which the organisms were harvested pursuant to subsection 3.

See title page for effective date.

CHAPTER 130

H.P. 910 - L.D. 1244

An Act To Extend Electronic Proof of Registration to All-terrain Vehicles, Snowmobiles and Watercraft

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

Sec. 1. 12 MRSA §13056, sub-§1-A, as amended by PL 2009, c. 213, Pt. OO, §13, is further amended to read:

1-A. Operating without certificate of number. Except as provided in paragraph A, a person may not operate or give permission to operate a motorboat re-

quiring a certificate of number without a current certificate of number or a current temporary certificate of number. Only the certificate of number or temporary certificate of number as issued by the commissioner is valid. A Except as provided in subsection 12, paragraph A, a facsimile or copy of the certificate is not valid.

A. The certificate of number for a watercraft less than 26 feet in length and leased or rented to another for the latter's noncommercial use may be retained on shore by the owner of the watercraft or the owner's representative at the place where the watercraft departs or returns to the possession of the owner or the owner's representative, as long as the person leasing or renting the watercraft has a copy of the lease or rental agreement that shows the watercraft number thereon and the period of time for which the watercraft is leased or rented and that is signed by the owner or the owner's representative.

B. The following penalties apply to violations of this subsection.

(1) A person who violates this subsection commits a civil violation for which a fine of not less than \$200 nor more than \$500 may be adjudged.

(2) A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.

Sec. 2. 12 MRSA §13056, sub-§12, ¶A, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

A. The operator shall have the certificate of number available for inspection on the motorboat for which it was issued whenever the motorboat is in operation. The operator may have the certificate of number available for inspection in electronic form on the motorboat for which it was issued.

Sec. 3. 12 MRSA §13104, sub-§12-A, ¶A, as amended by PL 2007, c. 651, §18, is further amended to read:

A. A person shall:

(1) Provide a registration certificate or an online registration receipt for inspection by any law enforcement officer on demand. A person may provide a registration certificate or an online registration receipt in electronic form; and

(2) Display a registration number assigned to a snowmobile in such form and manner as the commissioner may determine, except that an antique snowmobile is not required to display registration numbers. A person may operate a