

# 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.**

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**Augusta, Maine**  
**2021**

chapter at specific business locations where violations have occurred; and

C. Suspend or revoke the authority of an individual employee or authorized representative of a self-storage provider to act under a limited lines license under section 7502, subsection 2.

**§7506. Application for license and fees**

**1. Application for license to be filed with superintendent.** A self-storage provider must file a sworn application for a license under this chapter with the superintendent on forms prescribed and furnished by the superintendent.

**2. Contents of application.** In addition to other information required by the superintendent, the application for a license under this chapter must:

A. Provide the name, residence address and other information required by the superintendent for an employee or authorized representative of the self-storage provider who is designated by the applicant as the person responsible for the self-storage provider's compliance with the requirements of this chapter. If the self-storage provider derives more than 50% of its revenue from the sale of self-storage insurance, the information specified in this paragraph must be provided for all officers, directors and shareholders of record having beneficial ownership of 10% or more of any class of securities registered under the federal securities laws;

B. Appoint the superintendent as the applicant's attorney to receive service of all legal process issued against it in any civil action or proceeding in this State and agree that process so served is valid and binding against the applicant. The appointment is irrevocable, binds the company and any successor in interest as well as the assets or liabilities of the applicant and must remain in effect as long as the applicant's license remains in force in this State; and

C. Provide the location of the applicant's home office.

**3. Time of application.** An application for a license under this chapter must be made within 90 days of the application's being made available by the superintendent.

**4. Initial license valid for 24 months.** An initial license issued pursuant to this chapter is valid for 24 months and expires on the last day of the 24th month.

**5. Fee.** Each self-storage provider licensed under this chapter shall pay to the superintendent a fee equal to the amount prescribed by section 601, subsection 33.

See title page for effective date.

**CHAPTER 219**

**H.P. 1134 - L.D. 1530**

**An Act To Allow People To Live in Tiny Homes as a Primary or Accessory Dwelling**

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

**Sec. 1. 30-A MRSA §4363** is enacted to read:

**§4363. Regulation of tiny homes**

**1. Definition.** For the purposes of this section, "tiny home" has the same meaning as in Title 29-A, section 101, subsection 80-C.

**2. Location of tiny homes.** A municipality shall permit a tiny home to be placed or erected on an individual house lot where single-family dwellings are allowed or as an accessory structure, subject to all applicable land use requirements as single-family dwellings or as an accessory structure.

See title page for effective date.

**CHAPTER 220**

**H.P. 1194 - L.D. 1605**

**An Act To License Ambulance Drivers Who Are Not Licensed To Provide Emergency Medical Services**

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

**Sec. 1. 32 MRSA §82, sub-§1**, as amended by PL 2007, c. 274, §2, is further amended to read:

**1. Licenses required.** An ambulance service, ambulance, nontransporting emergency medical service, emergency medical services person, emergency medical services ambulance operator, emergency medical dispatch center or emergency medical dispatcher may not operate or practice unless duly licensed by the Emergency Medical Services' Board pursuant to this chapter, except as stated in subsection 2.

**Sec. 2. 32 MRSA §83, sub-§12-A** is enacted to read:

**12-A. Emergency medical services ambulance operator.** "Emergency medical services ambulance operator" means a person associated with a licensed ground ambulance service who operates an ambulance in emergency mode or transports patients and is not licensed under section 85.

**Sec. 3. 32 MRSA §85-B** is enacted to read:

**§85-B. Emergency medical services ambulance operators**

**1. Mandatory qualifications.** The board shall adopt rules governing qualifications for and standards to be observed by emergency medical services ambulance operators, including:

A. Establishing licensing requirements for emergency medical services ambulance operators;

B. Establishing minimal education and continuing education requirements for emergency medical services ambulance operators;

C. Providing for Maine Emergency Medical Services approval of training programs for emergency medical services ambulance operators that are conducted in accordance with standards approved by the board; and

D. Establishing requirements for holding a valid state driver's license pursuant to Title 29-A, chapter 11, subchapter 1.

**2. Background check.** The board shall obtain criminal history record information containing a record of public criminal history record information as defined in Title 16, section 703, subsection 8 for an applicant for licensure under this section. Information obtained pursuant to this subsection is confidential and may be used only to determine suitability for issuance of a license to operate an emergency medical services ambulance. The results of criminal history record information checks received by the board are for official use only and may not be disseminated outside the board. The applicant for licensure shall pay the expense of obtaining the information required by this subsection.

**3. Persons requiring a license to operate an emergency medical services ambulance.** A person not licensed under section 85 who is associated with a ground ambulance service shall obtain a license under this section to operate an emergency medical services ambulance. This section does not apply to a person not associated with a ground ambulance service who operates an emergency medical services ambulance.

**4. Licensing actions.** A license issued under this section is subject to the provisions of sections 90-A and 91-A.

**5. Effect on tort claims.** This section does not increase any liability that may arise or be limited under Title 14, chapter 741.

**6. Rules.** The board shall adopt rules to carry out the purposes of this section. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

**CHAPTER 221  
H.P. 1233 - L.D. 1662**

**An Act Regarding Maine's  
Sales Prohibition on  
Upholstered Furniture Treated  
with Flame-retardant  
Chemicals**

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

**Sec. 1. 38 MRSA §1609-A, sub-§3, ¶B,** as enacted by PL 2017, c. 311, §1, is amended to read:

B. Upholstered furniture purchased for public use in public facilities, including, but not limited to, schools, jails and hospitals, that is required by the State of California to meet the flammability standard in California Department of Consumer Affairs, Bureau of Home Furnishings and Thermal Insulation Technical Bulletin 133, "Flammability Test Procedure for Seating Furniture for Use in Public Occupancies," dated January 1991; ~~and~~

**Sec. 2. 38 MRSA §1609-A, sub-§3, ¶C,** as enacted by PL 2017, c. 311, §1, is amended to read:

C. New upholstered furniture otherwise subject to the prohibition in subsection 2 that is sold, offered for sale or distributed for promotional purposes in the State by a retailer or wholesaler on or after January 1, 2019 and that was imported into the State or otherwise purchased or acquired by the retailer or wholesaler for sale or distribution in the State prior to January 1, 2019; ~~and~~

**Sec. 3. 38 MRSA §1609-A, sub-§3, ¶D** is enacted to read:

D. Electronic components and associated electronic component casings of upholstered furniture that is subject to the prohibition in subsection 2.

**Sec. 4. 38 MRSA §1609-A, sub-§3-A** is enacted to read:

**3-A. Retailer indemnification.** If upholstered furniture delivered to a retailer in the State by the manufacturer of the upholstered furniture is subsequently determined to contain flame-retardant chemicals such that it is prohibited from sale or distribution in the State under subsection 2, the retailer is entitled to a full refund from the manufacturer with respect to that upholstered furniture, including shipping and other related costs.

See title page for effective date.