

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

(1) When the notice of a safety recall is received while the shared vehicle is made available with the peer-to-peer car sharing program, the shared vehicle owner shall remove the shared vehicle as available with the peer-to-peer car sharing program, as soon as practicably possible after receiving the notice of the safety recall and until the safety recall repair has been made; and

(2) When the notice of a safety recall is received while the shared vehicle is being used in the possession of a shared vehicle driver, as soon as practicably possible after receiving the notice of the safety recall the shared vehicle owner shall notify the peer-to-peer car sharing program about the safety recall so that the shared vehicle owner may address the safety recall repair.

4. Recordkeeping; use of vehicle in car sharing. A peer-to-peer car sharing program shall collect and verify records pertaining to the use of a vehicle, including, but not limited to, times used, car sharing period pick up and drop off locations, fees paid by the shared vehicle driver and revenues received by the shared vehicle owner, and shall provide that information upon request to the shared vehicle owner, the shared vehicle owner's insurer or the shared vehicle driver's insurer to facilitate a claim coverage investigation, settlement, negotiation or litigation. The peer-to-peer car sharing program shall retain the records for a time period not less than the applicable personal injury statute of limitations.

5. Driver's license verification and data retention. A peer-to-peer car sharing program may not enter into a peer-to-peer car sharing program agreement with a driver unless the driver who will operate the shared vehicle:

A. Holds a driver's license issued under Title 29-A, section 1251 that authorizes the driver to operate vehicles of the class of the shared vehicle; or

B. Is a nonresident who:

(1) Has a driver's license issued by the state or country of the driver's residence that authorizes the driver in that state or country to drive vehicles of the class of the shared vehicle; and

(2) Is at least the same age as that required of a resident of the State to drive; or

C. Otherwise is specifically authorized by Title 29-A, section 1251 to drive vehicles of the class of the shared vehicle.

A peer-to-peer car sharing program shall keep a record of the name and address of the shared vehicle driver; the number of the driver's license of the shared vehicle driver and each other person, if any, who will operate

the shared vehicle; and the place of issuance of the driver's license.

6. Responsibility for equipment. A peer-to-peer car sharing program has sole responsibility for any equipment, such as a GPS system or other special equipment that is put in or on the vehicle to monitor or facilitate the car sharing transaction, and shall agree to indemnify and hold harmless the vehicle owner for any damage to or theft of such equipment during the sharing period not caused by the vehicle owner. The peer-to-peer car sharing program has the right to seek indemnity from the shared vehicle driver for any loss or damage to such equipment that occurs during the sharing period.

Sec. 11. 24-A MRSA §7405, as enacted by PL 2019, c. 367, §1, is repealed.

See title page for effective date.

CHAPTER 353

H.P. 1095 - L.D. 1480

An Act Regarding the Review of Law Enforcement Use of Deadly Force

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

Sec. 1. 5 MRSA §200-K, sub-§8 is enacted to read:

8. Attorney General's investigation. The Attorney General shall complete an investigation of and submit to the panel the findings regarding the use of deadly force pursuant to section 200-A within 180 days of receiving notice of the use of deadly force by a law enforcement officer. If the Attorney General is unable to complete the investigation and submit the findings within 180 days, the Attorney General shall notify the panel prior to the expiration of the 180-day period. The Attorney General's notice to the panel under this subsection must provide a summary of the investigation up to the date of the notice, identify the reason for the delay and provide an anticipated conclusion date for the investigation and findings, which may not exceed 270 days from receiving notice of the use of deadly force.

Sec. 2. 16 MRSA §806-A is enacted to read:
§806-A. Video depicting use of deadly force

This chapter does not preclude the public dissemination of that portion of a video in the custody of the Attorney General depicting the use of deadly force by law enforcement when the public interest in the evaluation of the use of deadly force by law enforcement and the review and investigation of those incidents by the Attorney General outweighs the harms contemplated in

section 804. Upon receiving a request for video depicting the use of deadly force, the Attorney General shall issue a decision on whether to release the video no later than 30 days after the request and, in the event of denial, shall provide written notice stating in detail the basis for the denial, a time frame for release of all or part of the video and the process to appeal the decision pursuant to Title I, section 409.

See title page for effective date.

**CHAPTER 354
S.P. 506 - L.D. 1563**

**An Act Regarding Travel
Insurance in the Maine
Insurance Code**

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

Sec. 1. 24-A MRSA §708, sub-§1, ¶B, as enacted by PL 1969, c. 132, §1, is amended to read:

B. "Marine protection and indemnity insurance," meaning insurance against, or against legal liability of the insured for, loss, damage or expense arising out of, or incident to, the ownership, operation, chartering, maintenance, use, repair or construction of any vessel, craft or instrumentality in use in ocean or inland waterways, including liability of the insured for personal injury, illness or death or for loss of or damage to the property of another person; and

Sec. 2. 24-A MRSA §708, sub-§1, ¶C is enacted to read:

C. Travel insurance as described in section 1420-F, subsection 1, paragraph H.

Sec. 3. 24-A MRSA §1420-F, sub-§1, ¶H, as repealed and replaced by PL 2015, c. 133, §2, is amended to read:

H. Travel insurance, which is a limited line and which means insurance coverage for personal risks incident to planned travel, including but not limited to:

- (1) Interruption or cancellation of a trip or event;
- (2) Loss of baggage or personal effects;
- (3) Damages to accommodations or rental vehicles; or
- (4) Sickness, accident, disability or death occurring during travel;
- (5) Emergency evacuation;
- (6) Repatriation of remains; or

(7) Any other contractual obligations to indemnify or pay a specified amount to a traveler upon determinable contingencies related to travel as approved by the superintendent.

Travel insurance does not include a major medical plan that provides comprehensive medical protection for travelers on trips lasting longer than 6 months ~~or longer~~, including travelers working or residing overseas as expatriates, or any other product that requires a specific insurance producer license;

Sec. 4. 24-A MRSA §7051-A is enacted to read:

§7051-A. Applicability of chapter

1. Applicability. The requirements of this chapter apply to travel insurance that covers any resident of this State; that is sold, solicited, negotiated or offered in this State; and for which policies and certificates are delivered or issued for delivery in this State. This chapter does not apply to cancellation fee waivers or travel assistance services, except as expressly provided in this chapter.

2. Application of other laws. All other applicable provisions of this State's insurance laws apply to travel insurance except that the specific provisions of this chapter supersede any general provisions of law that would otherwise be applicable to travel insurance.

Sec. 5. 24-A MRSA §7052, as enacted by PL 2015, c. 133, §4, is repealed.

Sec. 6. 24-A MRSA §7052-A is enacted to read:

§7052-A. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Aggregator site. "Aggregator site" means a website that provides access to information regarding insurance products from more than one insurer, including product and insurer information, for use in comparison shopping.

2. Blanket travel insurance. "Blanket travel insurance" means a policy of group travel insurance that provides coverage for specific classes of persons defined in the policy under which coverage is provided to all members of the eligible group without a separate charge to individual members of the eligible group.

3. Cancellation fee waiver. "Cancellation fee waiver" means a contractual agreement between a supplier of travel services and its customer to waive some or all of the nonrefundable cancellation fee provisions of the supplier's underlying travel contract with or without regard to the reason for the cancellation or form of