

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
123<sup>RD</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills and adopted amendments and laws enacted or finally passed during the First Regular Session of the 123<sup>rd</sup> Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON TRANSPORTATION**

July 2007

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# STATE OF MAINE

123<sup>RD</sup> LEGISLATURE

FIRST REGULAR SESSION

## LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS



This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 123<sup>rd</sup> Maine Legislature, which was in session from December 6, 2006 to June 21, 2007.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

CON RES XXX.....	Chapter # of Constitutional Resolution passed by both Houses
CONF CMTE UNABLE TO AGREE.....	Committee of Conference unable to agree; bill died
DIED BETWEEN BODIES.....	House & Senate disagree; bill died
DIED IN CONCURRENCE.....	One body accepts ONTP report; the other indefinitely postpones the bill
DIED ON ADJOURNMENT.....	Action incomplete when session ended; bill died
EMERGENCY.....	Enacted law takes effect sooner than 90 days
FAILED EMERGENCY ENACTMENT/FINAL PASSAGE.....	Emergency bill failed to get 2/3 vote
FAILED ENACTMENT/FINAL PASSAGE.....	Bill failed to get majority vote
FAILED MANDATE ENACTMENT.....	Bill imposing local mandate failed to get 2/3 vote
NOT PROPERLY BEFORE THE BODY.....	Ruled out of order by the presiding officers; bill died
INDEF PP.....	Bill Indefinitely Postponed
ONTP (or Accepted ONTP report).....	Ought Not To Pass report accepted
OTP-ND.....	Committee report Ought To Pass In New Draft
P&S XXX.....	Chapter # of enacted Private & Special Law
PASSED.....	Joint Order passed in both bodies
PUBLIC XXX.....	Chapter # of enacted Public Law
RESOLVE XXX.....	Chapter # of finally passed Resolve
UNSIGNED.....	Bill held by Governor
VETO SUSTAINED.....	Legislature failed to override Governor's Veto

Please note that the effective date for non-emergency legislation enacted in the First Regular Session is **September 20, 2007**. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

# Joint Standing Committee on Transportation

## LD 644 An Act To Amend the Motor Vehicle Laws

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHASE NASS R	ONTP	

This bill makes several changes to the equipment requirements of the motor vehicle laws.

It modifies the law relating to mufflers by removing the current excessive-or-unusual-noise standard and the prohibition on operating a motor vehicle with a modified exhaust system that amplifies or increases the noise emitted. Under the bill, a muffler would continue to be required to meet a 95 decibel standard.

It modifies the law relating to wheel rim size to provide that if the wheel rim size has been altered a “properly sized tire must be used”; it also exempts street rods, custom vehicles and trucks from this requirement

It limits the prohibition on disconnecting a suspension system to when the purpose is to defeat the safe operation of the suspension system.

It changes provisions of law relating to aftermarket equipment and reflective and tinted glass.

## LD 666 An Act To Amend Maine's Abandoned Vehicle Laws

PUBLIC 150

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FISHER	OTP-AM	H-165

This bill amends laws governing abandoned motor vehicles: it specifies that the law applies to vehicles towed at the direction of a law enforcement officer (in addition to the other circumstances listed in the current law); provides that the last owner of record of a vehicle is deemed to be the owner of an abandoned vehicle and is liable for all towing and other costs and fines related to the abandonment of the vehicle; shortens the time period for an owner/leinholder to reclaim a vehicle; allows a person holding or storing an abandoned vehicle to hold the vehicle until all fees are paid; repeales provisions of law that establish limits on storage fees that may be charged by person sorting an abandoned vehicle; requires towing and storage fees to be reasonable; directs the Secretary of State to suspend the driving and vehicle registration privileges of the owner of an abandoned vehicle if a person towing, holding or storing the abandoned vehicle certifies to the Secretary of State that the towing or storage fees have not been paid in full; allows a person towing or storing a vehicle that was used in the commission of a crime to receive a fee of up to \$250; provides that not only the owner of the premises where an abandoned vehicle is located, but also the owner’s agent may initiate and sign a notification to the Secretary of State indicating that the owner or owner’s agent is in possession of an abandoned vehicle.

### Committee Amendment "A" (H-165)

This amendment makes the following changes to the bill.

1. It amends a portion of the bill that deems the last owner of record of a motor vehicle found abandoned to be the owner of the motor vehicle at the time it was abandoned and to be the person who abandoned it. The

## *Joint Standing Committee on Transportation*

amendment provides that there is a rebuttable presumption that the last owner of record of a motor vehicle found abandoned is the owner of the motor vehicle at the time it was abandoned and the person who abandoned it.

2. It amends the portion of the bill that would reduce the minimum period after the Secretary of State receives notice of an abandoned vehicle that the Secretary of State must wait before issuing a letter of ownership or certificate of title to the person holding the abandoned vehicle. In current law the minimum period is 30 days. The bill proposed to reduce this to 15 days. The amendment makes the minimum period 21 days.

3. It replaces a section of the bill that would have removed current limits on the fees a person holding an abandoned vehicle may charge for storing the vehicle. The amendment preserves that provision of law, but amends it to provide that total storage charges may not exceed \$900 for a 30-day period. It also amends the provision to provide that if the person holding the vehicle fails to notify the Secretary of State within 7 days of coming into possession of the vehicle, the person may only charge 7 days of storage fees. Under current law, the period is 30 days.

4. It adds a provision to the bill that establishes a minimum fine of \$250 for abandoning a vehicle on a public way.

5. It amends a provision of the bill that allows a person storing an abandoned vehicle to hold the vehicle until all fees are paid. The amendment provides that the person may hold the vehicle until all reasonable towing and storage fees are paid.

6. It removes the portions of the bill that provide for the suspension of an owner's driver's license and registration privileges for failure to pay towing and storage fees and the collection of an impoundment fee for storing vehicles used in the commission of a crime.

### **Enacted Law Summary**

Public Law 2007, chapter 150 does the following.

1. It establishes a rebuttable presumption that the last owner of record of a motor vehicle found abandoned is the owner of the motor vehicle at the time it was abandoned and is the person who abandoned it.

2. It amends the current law requiring the Secretary of State to wait at least 30 days after receiving notice of an abandoned vehicle before issuing a letter of ownership or certificate of title to the person holding the abandoned vehicle: It reduces this minimum period to 21 days.

3. It increases the current limits on the fees a person holding an abandoned vehicle may charge for storing the vehicle: the current limit to \$600 for a 30-day period; this law increases the limit to \$900 for a 30-day period. It also provides that if the person holding the vehicle fails to notify the Secretary of State within 7 days of coming into possession of the vehicle, the person may only charge 7 days of storage fees (under current law, the period is 30 days).

4. It establishes a minimum fine of \$250 for the traffic infraction of abandoning a vehicle on a public way (under current law this is a traffic infraction, but there is no minimum fine).

5. It provides that the person storing an abandoned vehicle may hold the vehicle until all reasonable towing and storage fees are paid.