

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-TWO

—
H.P. 1386 - L.D. 1876

An Act Regarding Abandoned Motor Vehicle Storage Fees and Lienholder Notification

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

Sec. 1. 29-A MRSA §1854, as amended by PL 2017, c. 240, §§1 to 4, is further amended to read:

§1854. Notification of vehicle owner

1. Notification in writing. Except as provided in subsection 1-A, the owner of the premises where a vehicle described in section 1851 is located or the owner's agent shall notify the Secretary of State that the owner or the owner's agent is in possession of that vehicle. The notification must be in writing and on a form provided by the Secretary of State.

1-A. Notification in writing; auto repair and storage facilities. The owner of the premises where a vehicle described in section 1851, subsection 5 or 7 is stored or the owner's agent shall notify the Secretary of State that the owner or the owner's agent is in possession of the vehicle within 14 days after the earliest date on which the vehicle owner is responsible for any unpaid charges for authorized repair or for storage and any related towing expenses incurred by the owner or the owner's agent. The notification must be in writing and on a form provided by the Secretary of State.

1-B. Notification to lienholder. The owner of the premises where a vehicle described in section 1851, subsection 5 or 7 is stored or the owner's agent shall determine if the title is issued by the Secretary of State under section 657. If the title is issued by the Secretary of State under section 657, the owner of the premises or the owner's agent shall determine if a lienholder is identified on the title of the vehicle. If a lienholder is identified on the title of the vehicle, the owner of the premises or the owner's agent shall notify the lienholder that the owner or the owner's agent is in possession of the vehicle within 14 days after the earliest date on which the lienholder is responsible for any unpaid charges for authorized repair or for storage and any related towing expenses incurred by the owner or the owner's agent.

2. Contents of notification. A notification under ~~this section~~ subsection 1 or 1-A must include the vehicle's make, model, year, body type, vehicle identification number and any registration and plates on the vehicle. This notification also must include the date the vehicle came into possession of the owner, the owner's agent or person in charge of the premises where the vehicle is located, under what circumstances the vehicle came into that person's possession and whether the vehicle is salvage.

3. Response. On receipt of a notification under ~~this section~~ subsection 1 or 1-A, the Secretary of State shall inform the vehicle owner and lienholder, if any, by regular mail that the vehicle is being claimed under the abandoned vehicle law. The notice to the vehicle owner and lienholder, if any, must identify the vehicle by the year, make, model and vehicle identification number, give the name and address of the party claiming ownership, state the charges against the vehicle that the owner and lienholder, if any, must pay to retrieve the vehicle, and the date that the title or letter of ownership will pass to the new owner. If the party is claiming ownership of the vehicle pursuant to section 603, subsection 6, the notice must inform the vehicle owner and lienholder that the owner must pay to the Secretary of State the fee required in section 603 to transfer the title. A copy of this letter must be provided to the person claiming ownership.

4. Publication. If the Secretary of State finds no record of ~~the a~~ a vehicle with respect to which the Secretary of State is notified under subsection 1 or 1-A, the owner of the premises where the vehicle is located shall publish a notice once in a newspaper of general circulation in the county where the premises is located. That notice must clearly:

- A. Describe the vehicle by the year, make, model and vehicle identification number;
- B. State that if the owner of the vehicle or lienholder has not properly retrieved it and paid all reasonable charges for its towing, storage and repair within 14 days from the publication, ownership of the vehicle passes to the owner of the premises where the vehicle is located; and
- C. State how the owner of the premises may be contacted.

Sec. 2. 29-A MRSA §1857, as amended by PL 2017, c. 240, §6, is further amended to read:

§1857. Limits

If the notification to the Secretary of State required by section 1854 is made more than 14 days after receipt of a vehicle described in section 1851 or if notification is not submitted to the Secretary of State, the person holding the vehicle may not collect more than 14 days of storage fees. Daily storage charges must be reasonable and total storage charges may not exceed ~~\$900~~ \$1,500 for a 30-day period.