

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Require Timely Notification of Owners of Motor Vehicles That Have Been Towed**

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

**Sec. 1. 29-A MRS §1863** is enacted to read:

### **§ 1863. Towed vehicles**

**1. Notification of owner or lienholder.** Before notifying the Secretary of State under section 1854, subsection 1, a person who tows a motor vehicle or stores a motor vehicle that has been towed under section 1851, subsection 2 or 3 as soon as practicable after the vehicle has been towed or a person who tows a motor vehicle or stores a motor vehicle that has been towed for snow removal purposes, as soon as practicable after 48 hours immediately following completion of the tow, shall attempt to notify the motor vehicle owner or lienholder of the person's possession of the motor vehicle and that the owner or lienholder is required to retrieve the motor vehicle and pay all towing, storage and authorized repair charges. The person shall inform the owner or lienholder that the person is required to notify the Secretary of State of the abandonment of the motor vehicle and that the owner or lienholder risks losing title to the motor vehicle within 14 days of the receipt of notification if the owner or lienholder does not retrieve the motor vehicle and pay all towing, storing and authorized repair charges.

**2. Waiver of towing or storage fees.** Any towing or storage fee incurred in towing or storing a motor vehicle under subsection 1 is waived if the person who tows or stores a motor vehicle that has been towed under subsection 1:

A. Does not comply with subsection 1 unless the person proves by a preponderance of the evidence that the person has made a good faith effort to comply with subsection 1; or

B. Does not comply with section 1854, subsection 1 within 14 days after receipt of the motor vehicle unless the person proves by a preponderance of the evidence that the person has made a good faith effort to comply with section 1854, subsection 1 within 14 days after receipt of the motor vehicle.

**3. Contact information.** The Secretary of State shall make available current contact information of a motor vehicle owner or lienholder under subsection 1 to a person required to contact the owner or lienholder under subsection 1.

## **SUMMARY**

This bill requires a person who tows a motor vehicle or stores a motor vehicle that has been towed due to being illegally parked or left standing, at the direction of a law enforcement officer or due to being left on property without permission as soon as practicable after receipt of the motor vehicle to notify the owner or lienholder of the need to retrieve the motor vehicle and pay all towing, storage and authorized

repair charges or risk losing title to the vehicle. The bill requires waiver of any towing or storage fee if notification to the owner or lienholder has not been timely made or if the notification to the Secretary of State has not been made within 14 days after receipt of the vehicle as required by law unless the person who tows or stores the towed vehicle makes a good faith attempt to notify the owner or lienholder and notify the Secretary of State.