

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 Protect Animals in Unattended Vehicles

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

Sec. 1. 7 MRSA §4019, sub-§2-A is enacted to read:

2-A. Removal by other than authorized person. After making reasonable efforts to locate a motor vehicle's owner, a person other than an authorized person as defined in subsection 1 may enter a motor vehicle to remove an animal if the person:

- A. Notifies law enforcement or calls the E-9-1-1 system before entering the motor vehicle;
- B. Determines that the motor vehicle is locked and there is no other reasonable means for exit and uses no more force than is reasonably necessary to enter the motor vehicle and remove the animal;
- C. Has a good faith belief, based upon known circumstances, that entry into the motor vehicle is necessary because the animal's safety, health or well-being appears to be in immediate danger from heat, cold or lack of adequate ventilation and the conditions could reasonably be expected to cause extreme suffering or death; and
- D. Remains with the animal in a safe location in reasonable proximity to the motor vehicle until an authorized person as defined in subsection 1 arrives.

Sec. 2. 7 MRSA §4019, sub-§3, as amended by PL 2011, c. 288, §1, is further amended to read:

3. Immunity. An authorized person who removes an animal from a motor vehicle pursuant to subsection 1 or a person who removes an animal from a motor vehicle pursuant to subsection 2-A is immune from criminal or civil liability that might otherwise result from the removal.

SUMMARY

This bill allows a person who is not a law enforcement officer, humane agent, animal control officer, firefighter, first responder or security guard to enter a vehicle and remove an animal if the animal's safety, health or well-being appears to be in immediate danger. The bill provides that a person who removes an animal from a vehicle under these conditions is immune from criminal or civil liability.