



128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 989

S.P. 328

In Senate, March 14, 2017

**An Act Regarding Towed Vehicle Charges and Notice to the
Secretary of State of Towed and Abandoned Vehicles**

Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script, reading 'Heather J.R. Priest'.

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator MASON of Androscoggin.
Cosponsored by Representative PICCHIOTTI of Fairfield and
Senators: COLLINS of York, DESCHAMBAULT of York, JACKSON of Aroostook, ROSEN
of Hancock, Representatives: BRYANT of Windham, DOORE of Augusta.

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

2 **Sec. 1. 29-A MRSA §1861**, as enacted by PL 2007, c. 150, §9, is amended to
3 read:

4 **§1861. Holding vehicle and its accessories**

5 A person holding or storing an abandoned vehicle, holding or storing a vehicle towed
6 at the request of the vehicle's operator, owner or owner's agent or holding or storing a
7 vehicle towed or stored at the request of a law enforcement officer or at the request of any
8 other person may hold the vehicle and all its accessories, contents and equipment, not
9 including the personal effects of the registered owner, until reasonable towing and storage
10 charges of the person holding or storing the vehicle are paid pursuant to this section.

11 **1. Notice of holding vehicle.** The person holding or storing a vehicle as described in
12 this section may not charge more than 3 days' storage fees unless the person holding or
13 storing the vehicle gives notice to any lienholder and owner identified on the vehicle's
14 certificate of title that the vehicle is in the person's possession and is incurring storage
15 charges by submitting to the Secretary of State a form prescribed by the Secretary of
16 State for this purpose no sooner than 3 days following receipt of the vehicle and no later
17 than 5 days following receipt of the vehicle.

18 **2. Maximum charge for 30-day period.** The person holding or storing a vehicle as
19 described in this section may not charge more than \$900 for a 30-day period. The
20 amount may be prorated for a greater or lesser period of time.

21 **3. Notice of abandoned vehicle** The person holding or storing a vehicle as
22 described in this section may not give the Secretary of State the notice under section 1854
23 until the vehicle has been in that person's possession for 30 days.

24 For purposes of this section, "personal effects" includes medications, medical
25 equipment, clothing, mail, child safety seats and similar items. Except for child safety
26 seats, items attached to the vehicle and business equipment, machinery and tools are not
27 considered personal effects.

28 **SUMMARY**

29 This bill amends the law regarding holding or storing a vehicle and its accessories,
30 contents and equipment to make it apply to any vehicle that has been towed and limits the
31 amount of money that may be charged for storage of the vehicle to 3 days' storage fees
32 unless notice is given to the Secretary of State no sooner than 3 days following receipt of
33 the vehicle and no later than 5 days following receipt. It prohibits a person holding or
34 storing the vehicle from charging a total amount more than \$900 for a 30-day period or a
35 prorated amount for a greater or lesser period of time and provides that that person may
36 not give notice of an abandoned vehicle to the Secretary of State until the vehicle has
37 been in the person's possession for 30 days.