

Hello. My name is Ben Klaver. I am a current owner of a 1990 Mitsubishi Delica L300 and live in the great state of Colorado in the city of Lafayette. I previously lived in Kennebunk, Maine from 2019-2022, and that is why I am writing this testimony. I was negatively impacted by the Delica ban the State of Maine implemented during my time as a resident of the state. From simple loss of transportation to causing me to experience great personal financial expense to affecting my overall happiness, the reckless and uniformed actions by the state to ban these vehicles was extremely detrimental to me. This testimony will cover a great amount of detail, but it is necessary in order to get you to understand just how impactful the State's flawed and uneducated decision was in regards to these roadworthy vehicles. I am not going to tread into all the legalese and terminology that went into the law, but I will touch on some as I recount my own personal experience. I might interchange Delica, van, minibus or vehicle throughout, but I am always referring to my 1990 Mitsubishi Delica in all relevant instances.

I first saw a Mitsubishi Delica L300 when I visited Australia in 2018. Mitsubishi sold Delicas there as part of the domestic market, so they were not all that unusual to see, other than if you were an American who had no idea that a vehicle like this existed. I was awestruck at just how cool these vehicles were, and I told my friend that I was going to own one someday. While I was there, I started doing research on imports and availability within the United States, setting the groundwork for everything that happened to me in the State of Maine in regarding my own Delica.

During the first summer of COVID-19 in 2020, when we were all under restriction and businesses were shuttered and there was not a whole lot to do, people started getting creative in coming up with ways to occupy their time and find pleasure in new things. During that time, I found my dream vehicle online for sale in the United States: a 1990 Mitsubishi Delica GLX Turbo Diesel with the Chamonix trim package at Duncan Imports in Tennessee. It was listed as-is for \$17600. The first L300 I saw in Australia was also a Chamonix, so I felt an extra level of affinity towards it. I began to explore what I could get in on trade for my 2017 Chevrolet Silverado, and, partly because of COVID-19 impacts, the used truck market was exploding. I ended up having about \$9000 in positive equity in my vehicle, which I rationalized was about half the purchase price of the Delica. I basically had talked myself into making a fun, exciting and potentially absurd life decision: I was going to give up my under-warranty modern full-size pickup to make a 31-year-old eight-seat, right-hand drive van from Japan my daily driver.



I worked with the people at Duncan Imports to finalize my purchase. I ended up taking an unsecured loan in the amount of \$17800 to finance the deal, and then spent another \$1000 to get the vehicle shipped to the northeast. I was unable to find a shipper willing to take the vehicle all the way to Maine, however, so I had to settle for a Boston pickup. On the day it was to arrive, I had to rent a car to drive myself to Boston to meet my new vehicle. And when I finally picked it up and got to drive it, I was instantly in love with every single bit of it, from the style to the feel to the imperfections that you find in a 31-year-old vehicle. Every bit of it suited me. I think I smiled all the way up the Turnpike getting it back to Kennebunk.



Once I became a Delica owner, I had to go through the hoops that anyone owning a weird import vehicle must deal with. Book values for taxes and assessments aren't readily available, insurance companies don't know how to cover them (or simply refuse to), needed parts aren't always available., etc. I just viewed it all as part of the journey of being a Delica owner. I didn't actually have much trouble with taxes and registration, either with the City of Kennebunk or the Kennebunk Bureau of Motor Vehicles. I do not remember experiencing much discomfort as part of those processes, and other than getting a really low market value assigned using the NADA value for a 1989 Mitsubishi van (closest thing we could find for a comparable), I was registered and insured quickly. One thing to point out is I did not get a State of Maine safety inspection at that time, partly because the requirement to have safety inspections was on hold during the active COVID-19 pandemic. And since I had some things I needed to do to get it ready for inspection, anyway, so this bought me some much-needed time to work through those items.

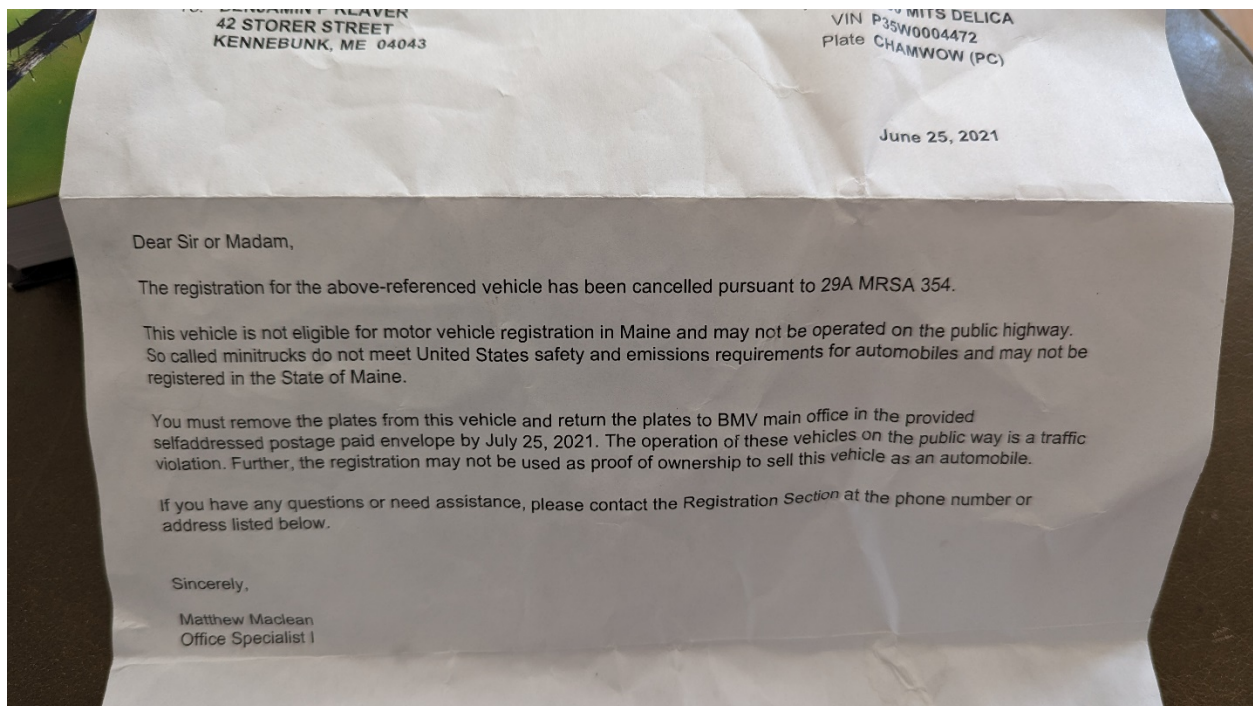
As a new owner, you want to do everything all at once: new tires (originals were rotted), repaint the roof, new sound system, roof rack, brake lines etc. So I began in earnest attacking my list of Delica needs and wants, which ended up being extremely expensive. I went through my list of invoices from when I was in Maine, and there is a lot.

- Sound system: \$1070
- Roof Rack: ~\$3000
- Timing belt and associated parts: \$1123
- Brake master cylinder and some brake lines: \$723
- Sway bar links and assemblies, front brake pads and rotors: \$782
- Thermostat work: \$278
- Roof painting: \$828
- Tires and brake hoses: \$2870

In addition to other work done to keep it roadworthy and looking pretty, we're looking at over \$10000 I spent in Maine and New Hampshire that went to local businesses as a Delica owner. (I never said my interests were cheap.)



And then the letters came. The letters that declared our property illegal in the state. Maine had decided to be the only state out of 50 to ban Mitsubishi Delicas, and we all were about to be on their hit list.



The first person in the Facebook group posted the letter they received, and within a day or two, I had my own copy waiting for me in my mailbox. The letter stated that my Delica, as far as the State of Maine was concerned, was a “so called minitruck” and did not meet the standards to be driven on Maine roads. It stated that the registration was canceled, and that the canceled registration could not be used to sell the Delica as a motor vehicle to anyone else. It stated my plates had to be removed and returned to the state. Basically, with no consideration to the owners or their lives, the decision-makers of the State of Maine reduced my beloved minibus into a 4000 lb. brick, with no value whatsoever as a vehicle inside the borders of the state in which I lived. I had too much money invested to move on, though, so I was forced to be at crossroads that was not of my design.

(Just for awareness, this was not an acceptable justification by the State of Maine. Delicas are not “so called minitrucks.” In the vehicle world, “minitruck” is a descriptor for what is commonly known as a “Kei car” or “Kei truck,” which aren’t usually considered roadworthy. Despite that, I have a picture of a Maine-plated Kei truck that I saw in Old Orchard Beach sometime after the letters went out. I also would see Maine-plated golf carts driving down Ocean Ave in Kennebunkport. But my 4000 lb., eight-seat minibus with brakes and seatbelts and headlights and a horn and all necessary mirrors and things you would expect to see in a 1990 vehicle, it somehow was the one vehicle the state saw as not roadworthy. To this day, I am still puzzled about the state ignoring what was right in front of them and bypassing it to attack Delica owners instead.)



From the time the letters started arriving, the Delica Facebook groups exploded into a flurry of people talking about hiring lawyers, people talking about selling, State of Maine Freedom of Access Act requests, and overall, just about anything that could be thought of that might stop the ban from happening. I was the person who submitted the FOAA requests for information from Maine Bureau of Motor Vehicles and Maine State Police. There were some interesting things in there, but no smoking gun leading us to the genesis of the ban. I might not have known what all the right things to request were. Interestingly, there is a part in the documents I received where Maine officials discuss whether to send “agents” to the homes of Delica owners to confiscate the license plates off our vehicles. Imagine, in the middle of a pandemic, with Mainers struggling with illness, bills and job losses, and the State of Maine was considering using your state resources to go to my house and take the license plates off my Delica. Embarrassed for them that they even considered taking that action.

Unfortunately, the number of Delica owners in Maine was very small, and we were not resourced to fight the full weight of the Maine government. Some people did sell theirs. Probably most of them did. Me? I decided that if the State was going to force me to be a lawbreaker, then I was going to embrace the role that was thrust upon me. I didn't sell. I didn't take off my plates. I didn't do anything other than what I had been doing the previous however-many months: I kept it as my daily driver, and I drove it on the daily. I did not particularly enjoy being a scofflaw and having to be looking over my shoulder every time I drove somewhere, but then again, I figured if I ended up pulled over and my vehicle impounded, then that would be a great point to further the discussion with a lawyer about the ban.



Following that, as an act of defiance to the law, I resolved to get my State of Maine vehicle safety inspection completed. Despite the State saying that my Delica was not suitable for the road, it managed to 100% pass the Maine vehicle safety inspection. I mean, Maine sets the rules for what a safe vehicle is,

and the Delica aced it. I was very excited with the outcome because I believed it started to set the table for possibly fighting the law. But then, after willfully driving my vehicle illegally for months, I experienced a secondary unfortunate turn of events. The engine in the Delica had a mishap and basically destroyed itself. So then I had illegal dead vehicle while I was still residing in Maine. The vehicle sat at the mechanic shop for a few months while I tried to figure out a strategy for getting it back on the road. 4D56 turbo diesels are not easy to find in the USA, and I wasn't sure about putting money into something the state declared illegal in my own state. During the time that it sat there, my mechanic informed me that the Maine State Police had visited the shop for a separate matter. While the officer was on the property, he saw my Delica in the yard with the legitimate and valid Maine safety inspection sticker proudly displayed on the front window. The officer then instructed the mechanic to go scrape the legitimate and valid safety sticker off. So now I had an illegal dead vehicle and the state had stolen (without compensation) the evidence of my passing safety inspection.



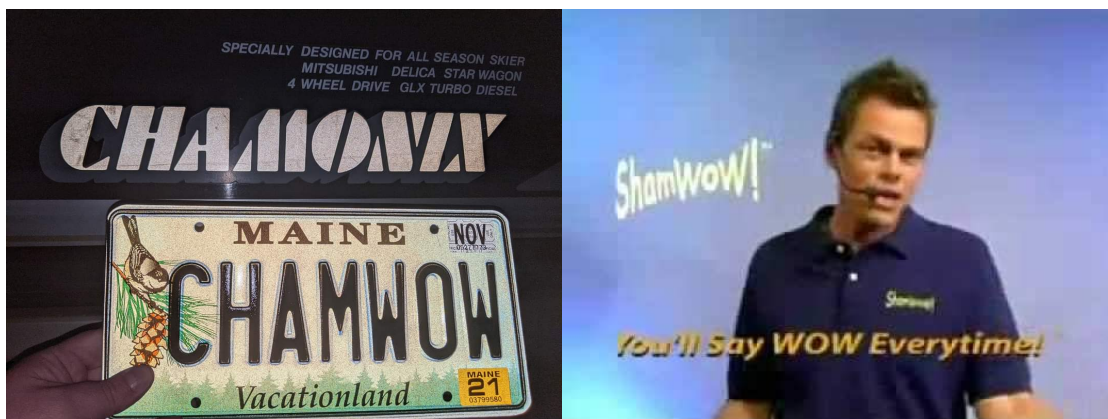
Eventually, I had the Delica towed to my driveway, where it sat with its blown engine. Because I had tied up a lot of my money in purchasing and improving the vehicle, and because I did not have a clear pathway to ever driving it again in Maine, I was left without a vehicle at all. So I was forced to walk everywhere. Half hour each way to work. Half hour each way to the grocery store. In the rain, in the heat, in the snow. I had to carry diesel fuel cans from the gas station to my house when I almost ran out of fuel oil for my furnace. With no obvious solution to the Delica situation, I bought a used Subaru so I at least could drive places. That lasted about three months before that engine seized and died beyond repair. Before you remark on my bad luck, remember, I only was in this situation because of the flawed

and ignorant ban put in place by the State of Maine. My money should have gone to repairing my Delica, and instead it went to that Subaru that died, which left me walking everywhere again.

In the spring of 2022, I ended up buying a Jeep Cherokee, and I still had the dead Delica. I also happened to be looking for alternate work outside of Maine. And in the summer of 2022, I earned a job offer from my current employer in Colorado. I was leaving Maine and could drive my Delica again, but only if I were able to get it repaired. Fortunately, by that time I knew of a shop in New Hampshire had a used 4D56 engine on hand, so I contacted them about doing an engine swap. The day I left Maine, I had the Delica towed to NH, where I spent \$10000 on the engine swap, new-to-me used exhaust, A/C conversion and repair, and I also added a set of original Delica curtains. After the repair work was done, it costed me another \$2000 to have it shipped from NH to join me in CO.



I might be the last of the Maine letter holders to still have their Delica. Sad thing is, I had to leave Maine to make my dream a reality again. I hadn't mentioned this prior, but in both Maine and Colorado, my Mitsubishi Delica Chamonix personalized license plate is CHAMWOW, which is a portmanteau of "Chamonix" and the infomercial chamois towel "ShamWow." If you remember the commercial, the ShamWow catch phrase is, "You'll say WOW Everytime!," and my Delica has the same effect when people see me around town, so I thought it was a clever and fitting name for my Delica.



The state exhibited a gross level of overreach based on a flawed understanding of what they thought they were doing in the name of safety. To take these actions in the middle of global pandemic, to negatively impact the residents of Maine in this way, to focus state resources on something so very tiny when there were huge problems to deal with, it shows how out of touch the government was (is?) with the people of Maine. I hope many Mainers read my testimony and take the time to ask their elected officials if they have the people of Maine in their thoughts when they make rules and laws. In this instance, I would argue they did not do that in any sort of informed way. I hope the insults inflicted on the Delica owners can be remedied through new legislation, and I hope my testimony is part of what helps move the state in that direction. While I no longer am a resident of Maine, I still am a believer in liberty and freedom everywhere and will do what I can to help right the wrongs that came out of these actions against Delica owners and enthusiasts in the state of Maine.

If you need anything else from me to assist with this, please reach out. I will do my absolute best to help with this in any way I can. Thank you.

Ben Klaver

Benjamin Klaver
Lafayette, Colorado USA
LD 63

Hello. My name is Ben Klaver. I am a current owner of a 1990 Mitsubishi Delica L300 and live in the great state of Colorado in the city of Lafayette. I previously lived in Kennebunk, Maine from 2019-2022, and that is why I am writing this testimony. I was negatively impacted by the Delica ban the State of Maine implemented during my time as a resident of the state. From simple loss of transportation to causing me to experience great personal financial expense to affecting my overall happiness, the reckless and uniformed actions by the state to ban these vehicles was extremely detrimental to me. This testimony will cover a great amount of detail, but it is necessary in order to get you to understand just how impactful the State's flawed and uneducated decision was in regards to these roadworthy vehicles. I am not going to tread into all the legalese and terminology that went into the law, but I will touch on some as I recount my own personal experience. I might interchange Delica, van, minibus or vehicle throughout, but I am always referring to my 1990 Mitsubishi Delica in all relevant instances.

I first saw a Mitsubishi Delica L300 when I visited Australia in 2018. Mitsubishi sold Delicas there as part of the domestic market, so they were not all that unusual to see, other than if you were an American who had no idea that a vehicle like this existed. I was awestruck at just how cool these vehicles were, and I told my friend that I was going to own one someday. While I was there, I started doing research on imports and availability within the United States, setting the groundwork for everything that happened to me in the State of Maine in regarding my own Delica.

During the first summer of COVID-19 in 2020, when we were all under restriction and businesses were shuttered and there was not a whole lot to do, people started getting creative in coming up with ways to occupy their time and find pleasure in new things. During that time, I found my dream vehicle online for sale in the United States: a 1990 Mitsubishi Delica GLX Turbo Diesel with the Chamonix trim package at Duncan Imports in Tennessee. It was listed as-is for \$17600. The first L300 I saw in Australia was also a Chamonix, so I felt an extra level of affinity towards it. I began to explore what I could get in on trade for my 2017 Chevrolet Silverado, and, partly because of COVID-19 impacts, the used truck market was exploding. I ended up having about \$9000 in positive equity in my vehicle, which I rationalized was about half the purchase price of the Delica. I basically had talked myself into making a fun, exciting and potentially absurd life decision: I was going to give up my under-warranty modern full-size pickup to make a 31-year-old eight-seat, right-hand drive van from Japan my daily driver.

I worked with the people at Duncan Imports to finalize my purchase. I ended up taking an unsecured loan in the amount of \$17800 to finance the deal, and then spent another \$1000 to get the vehicle shipped to the northeast. I was unable to find a shipper willing to take the vehicle all the way to Maine, however, so I had to settle for a Boston pickup. On the day it was to arrive, I had to rent a car to drive myself to Boston to meet my new vehicle. And when I finally picked it up and got to drive it, I was instantly in love with every single bit of it, from the style to the feel to the imperfections that you find in a 31-year-old vehicle. Every bit of it suited me. I think I smiled all the way up the Turnpike getting it back to Kennebunk.

Once I became a Delica owner, I had to go through the hoops that anyone owning a weird import vehicle must deal with. Book values for taxes and assessments aren't readily available, insurance companies don't know how to cover them (or simply refuse to), needed parts aren't always available., etc. I just viewed it all as part of the journey of being a Delica owner. I didn't actually have much trouble with taxes and registration, either with the City of Kennebunk or the Kennebunk Bureau of Motor Vehicles. I do not remember experiencing much discomfort as part of those processes, and other than getting a really low market value assigned using the NADA value for a 1989 Mitsubishi van (closest thing we could find for a comparable), I was registered and insured quickly. One thing to point out is I did not get a State of Maine safety inspection at that time, partly because the requirement to have safety inspections was on hold during the active COVID-19 pandemic. And since I had some things I needed

to do to get it ready for inspection, anyway, so this bought me some much-needed time to work through those items.

As a new owner, you want to do everything all at once: new tires (originals were rotted), repaint the roof, new sound system, roof rack, brake lines etc. So I began in earnest attacking my list of Delica needs and wants, which ended up being extremely expensive. I went through my list of invoices from when I was in Maine, and there is a lot.

- Sound system: \$1070
- Roof Rack: ~\$3000
- Timing belt and associated parts: \$1123
- Brake master cylinder and some brake lines: \$723
- Sway bar links and assemblies, front brake pads and rotors: \$782
- Thermostat work: \$278
- Roof painting: \$828
- Tires and brake hoses: \$2870

In addition to other work done to keep it roadworthy and looking pretty, we're looking at over \$10000 I spent in Maine and New Hampshire that went to local businesses as a Delica owner. (I never said my interests were cheap.)

And then the letters came. The letters that declared our property illegal in the state. Maine had decided to be the only state out of 50 to ban Mitsubishi Delicas, and we all were about to be on their hit list.

The first person in the Facebook group posted the letter they received, and within a day or two, I had my own copy waiting for me in my mailbox. The letter stated that my Delica, as far as the State of Maine was concerned, was a "so called minitruck" and did not meet the standards to be driven on Maine roads. It stated that the registration was canceled, and that the canceled registration could not be used to sell the Delica as a motor vehicle to anyone else. It stated my plates had to be removed and returned to the state. Basically, with no consideration to the owners or their lives, the decision-makers of the State of Maine reduced my beloved minibus into a 4000 lb. brick, with no value whatsoever as a vehicle inside the borders of the state in which I lived. I had too much money invested to move on, though, so I was forced to be at crossroads that was not of my design.

(Just for awareness, this was not an acceptable justification by the State of Maine. Delicas are not "so called minitrucks." In the vehicle world, "minitruck" is a descriptor for what is commonly known as a "Kei car" or "Kei truck," which aren't usually considered roadworthy. Despite that, I have a picture of a Maine-plated Kei truck that I saw in Old Orchard Beach sometime after the letters went out. I also would see Maine-plated golf carts driving down Ocean Ave in Kennebunkport. But my 4000 lb., eight-seat minibus with brakes and seatbelts and headlights and a horn and all necessary mirrors and things you would expect to see in a 1990 vehicle, it somehow was the one vehicle the state saw as not roadworthy. To this day, I am still puzzled about the state ignoring what was right in front of them and bypassing it to attack Delica owners instead.)

From the time the letters started arriving, the Delica Facebook groups exploded into a flurry of people talking about hiring lawyers, people talking about selling, State of Maine Freedom of Access Act requests, and overall, just about anything that could be thought of that might stop the ban from happening. I was the person who submitted the FOAA requests for information from Maine Bureau of Motor Vehicles and Maine State Police. There were some interesting things in there, but no smoking gun leading us to the genesis of the ban. I might not have known what all the right things to request were. Interestingly, there is a part in the documents I received where Maine officials discuss whether to send "agents" to the homes of Delica owners to confiscate the license plates off our vehicles. Imagine, in the middle of a pandemic, with Mainers struggling with illness, bills and job losses, and the State of Maine was considering using your state resources to go to my house and take the license plates off my Delica. Embarrassed for them that they even considered taking that action. Unfortunately, the number of Delica owners in Maine was very small, and we were not resourced to fight the full weight of the Maine government. Some people did sell

theirs. Probably most of them did. Me? I decided that if the State was going to force me to be a lawbreaker, then I was going to embrace the role that was thrust upon me. I didn't sell. I didn't take off my plates. I didn't do anything other than what I had been doing the previous however-many months: I kept it as my daily driver, and I drove it on the daily. I did not particularly enjoy being a scofflaw and having to be looking over my shoulder every time I drove somewhere, but then again, I figured if I ended up pulled over and my vehicle impounded, then that would be a great point to further the discussion with a lawyer about the ban.

Following that, as an act of defiance to the law, I resolved to get my State of Maine vehicle safety inspection completed. Despite the State saying that my Delica was not suitable for the road, it managed to 100% pass the Maine vehicle safety inspection. I mean, Maine sets the rules for what a safe vehicle is, and the Delica aced it. I was very excited with the outcome because I believed it started to set the table for possibly fighting the law. But then, after willfully driving my vehicle illegally for months, I experienced a secondary unfortunate turn of events. The engine in the Delica had a mishap and basically destroyed itself. So then I had illegal dead vehicle while I was still residing in Maine. The vehicle sat at the mechanic shop for a few months while I tried to figure out a strategy for getting it back on the road. 4D56 turbo diesels are not easy to find in the USA, and I wasn't sure about putting money into something the state declared illegal in my own state. During the time that it sat there, my mechanic informed me that the Maine State Police had visited the shop for a separate matter. While the officer was on the property, he saw my Delica in the yard with the legitimate and valid Maine safety inspection sticker proudly displayed on the front window. The officer then instructed the mechanic to go scrape the legitimate and valid safety sticker off. So now I had an illegal dead vehicle and the state had stolen (without compensation) the evidence of my passing safety inspection.

Eventually, I had the Delica towed to my driveway, where it sat with its blown engine. Because I had tied up a lot of my money in purchasing and improving the vehicle, and because I did not have a clear pathway to ever driving it again in Maine, I was left without a vehicle at all. So I was forced to walk everywhere. Half hour each way to work. Half hour each way to the grocery store. In the rain, in the heat, in the snow. I had to carry diesel fuel cans from the gas station to my house when I almost ran out of fuel oil for my furnace. With no obvious solution to the Delica situation, I bought a used Subaru so I at least could drive places. That lasted about three months before that engine seized and died beyond repair. Before you remark on my bad luck, remember, I only was in this situation because of the flawed and ignorant ban put in place by the State of Maine. My money should have gone to repairing my Delica, and instead it went to that Subaru that died, which left me walking everywhere again.

In the spring of 2022, I ended up buying a Jeep Cherokee, and I still had the dead Delica. I also happened to be looking for alternate work outside of Maine. And in the summer of 2022, I earned a job offer from my current employer in Colorado. I was leaving Maine and could drive my Delica again, but only if I were able to get it repaired. Fortunately, by that time I knew of a shop in New Hampshire had a used 4D56 engine on hand, so I contacted them about doing an engine swap. The day I left Maine, I had the Delica towed to NH, where I spent \$10000 on the engine swap, new-to-me used exhaust, A/C conversion and repair, and I also added a set of original Delica curtains. After the repair work was done, it costed me another \$2000 to have it shipped from NH to join me in CO.

I might be the last of the Maine letter holders to still have their Delica. Sad thing is, I had to leave Maine to make my dream a reality again. I hadn't mentioned this prior, but in both Maine and Colorado, my Mitsubishi Delica Chamonix personalized license plate is CHAMWOW, which is a portmanteau of "Chamonix" and the infomercial chamois towel "ShamWow." If you remember the commercial, the ShamWow catch phrase is, "You'll say WOW Everytime!," and my Delica has the same effect when people see me around town, so I thought it was a clever and fitting name for my Delica.

The state exhibited a gross level of overreach based on a flawed understanding of what they thought they were doing in the name of safety. To take these actions in the middle of global pandemic, to negatively impact the residents of Maine in this way, to focus state resources on something so very tiny when there were huge problems to deal with, it shows how out of touch the government was (is?) with the people of Maine. I hope many Mainers read my testimony and take the time to ask their elected officials if they have the people of Maine in their thoughts when they make rules and laws. In this instance, I would argue they did not do that in any sort of informed way. I hope the insults inflicted on the Delica owners can be remedied through new legislation, and I hope my testimony is part of what helps move the state in that direction. While I no longer am a resident of Maine, I still am a believer in liberty and freedom everywhere and will do what I can to help right the wrongs that came out of these actions against Delica owners and enthusiasts in the state of Maine.

If you need anything else from me to assist with this, please reach out. I will do my absolute best to help with this in any way I can. Thank you.

Ben Klaver