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May 7, 2025

Hon. Donna Bailey, Senate Chair
Hon. Kristi Mathieson, House Chair
Committee On Health Coverage, Insurance and Financial Services
c/o Legislative Information Office
100 State House Station
Augusta, ME 04333

RE: LD 1794, *An Act to Provide Protection from Unfair Parking Tickets on Lots Accessible to the Public*

Dear Senator Bailey and Representative Mathieson,

I write to express my support for the sponsor's amendment to LD 1794, *An Act to Provide Protection from Unfair Parking Tickets on Lots Accessible to the Public*. After the initial bill was printed, members of my office met with the sponsor to discuss ways to strengthen the bill. We are grateful that the sponsor allowed us that opportunity, and the amended version is the result of our discussions.

The amended bill addresses concerns expressed by consumers to my Office about poorly communicated, unreasonable, and erroneously assessed parking violation fines, and the aggressive tactics that are often employed to collect them. Each provision of this bill is targeted at a particular consumer protection concern, as discussed below.

Consumers complain that, prior to receiving a violation notice, they were never aware of the amount of the fine. They also complain that the amount of the fine greatly exceeds the cost of parking. The bill addresses these concerns by establishing that fines for parking violations must be conspicuously and prominently posted at the property, including at the entrance and the exit, and that the amount of any fine must be reasonable and may not exceed two times the amount that the person was required to pay to park the vehicle.

Consumers have also expressed concern that they did not receive notice of a parking violation in a timely manner. The bill requires written notice to be affixed to a motor vehicle "at the time of violation." It also establishes minimum requirements for what that notice must disclose: the date and time of the violation; the nature of the violation, including the rule violated; the amount of the fine, fee, or charge for the violation and the date by which it must be

paid, which date must be at least 10 business days after the date of the violation; payment instructions; and contact information for the person or entity responsible for collecting the fine, fee, or charge for the violation.

Another concern is the use of aggressive tactics to collect parking violation fines, including leveraging the threat of reporting unpaid fines to credit bureaus. The bill prohibits reporting of parking violation fines to credit bureaus.

The bill also confirms that 29-A M.R.S.A. § 2117-A, which prohibits the use of automated license plate recognition systems, applies to parking lot enforcement. This will improve compliance with existing law and provide enforcement tools to my Office for violations via the Unfair Trade Practices Act.

Finally, the bill includes a statement that its provisions may not be construed to establish the civil liability of a person for a parking violation by virtue of that person's ownership of a motor vehicle. This preserves any defenses that an owner may have to a parking violation claim.

I urge you to vote "Ought to Pass" on the sponsor's amendment to LD 1794. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, reading "Aaron M. Frey". The signature is fluid and cursive, with the first name "Aaron" being the most prominent part.

Aaron M. Frey
Attorney General