



## **Department of the Secretary of State Bureau of Motor Vehicles**

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### **JOINT STANDING COMMITTEE ON JUDICIARY**

#### **L.D. 688 "An Act to Authorize Department of the Secretary of State Law Enforcement Officers to Initiate a Libel Proceeding Regarding Catalytic Converters"**

Testimony of Shenna Bellows, Secretary of State and  
Cathie Curtis, Deputy Secretary for the Bureau of Motor Vehicles,  
Department of the Secretary of State

Monday, March 3, 2025

Senator Carney, Representative Kuhn, Members of the Judiciary Committee, I am pleased to provide testimony in support of L.D. 688 "An Act to Authorize Department of the Secretary of State Law Enforcement Officers to Initiate a Libel Proceeding Regarding Catalytic Converters" and to provide you with information that may be useful to you.

L.D. 688 is necessary to efficiently and effectively comply specifically with Title 29-A §1113. The law currently requires an officer to initiate a libel proceeding when catalytic converters are seized in accordance with Title 29-A, §1113(15). Law Enforcement Officers employed with the Department of the Secretary of State handle many of these catalytic converter seizure cases due primarily to the nature of their daily duties. Currently, detectives who seize catalytic converters as contraband must first address potential criminal matters related to the catalytic converters. They are then required to also file a libel proceeding with the court of jurisdiction within a reasonable amount of time. The libel proceeding is meant to determine the rightful ownership of the seized catalytic converters. This process requires focus on two parallel cases in both the criminal and civil courts.

The libel documents are currently drafted by our detectives who then turn them over to the Maine Attorney General's Office for review and approval and introducing the libel proceedings in court. There is a single attorney assigned to handle these types of matters along with other aspects related to their official capacity. Once these proceedings are filed with the respective courts the attorney must help monitor the entire process from the initial notifications to presenting the cases at a hearing.

The volatility of the catalytic converter market causes individual cases to fluctuate up and down. For those of you not familiar with a catalytic converter is a component placed within the exhaust system of an internal combustion engine. It contains precious metals to help filter the harmful emissions from the exhaust being introduced into the air. The Department has handled about 34 separate libel cases in just the past two years and expects an increase in the number and frequency over time.

Because our detectives and Attorney General's Office also have many other responsibilities, sometimes it takes significant time to process these proceedings through the court systems. Giving an exemption to our detectives in Title 4, §807(3), would be a solution to facilitating an equitable and more efficient and

timely libel proceeding and should allow the Attorney General's Office to focus their time on other duties. In the event the Department's detectives encounter a complex case, the Attorney General's Office would be consulted.

Providing this exemption is not unprecedented, in fact all officers in Maine are authorized to represent the state for traffic infractions at court. Our detectives have this experience in Maine courts. Also, Marine Patrol Officers with the Department of Marine Resources have an exemption to present their own libel cases related to matters in Title 12 §6207.

Passing this bill would simply allow detectives with the Department of the Secretary of State to present libel proceedings for limited purposes without requiring the assistance of an attorney. Again, this would likely help alleviate the burden on the Attorney General's Office and the courts from getting numerous cases filed at one time and creating a backlog of libel cases in an already full court schedule. Our detectives would be able to timely file these proceedings.

Thank you for your time and consideration. If the committee has any questions, I'd be more than happy to answer them or conduct the appropriate research. I will be available for the work session.