

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-TWO

—
H.P. 1364 - L.D. 1843

An Act To Allow the Secretary of State To Use an Electronic Lien Titling Program for the Purposes of the Maine Motor Vehicle Certificate of Title and Antitheft Act

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

Sec. 1. 29-A MRSA §602, sub-§4-A is enacted to read:

4-A. Electronic lien titling program. "Electronic lien titling program" means a program that permits the creation and exchange of an electronic record for maintaining lien information.

Sec. 2. 29-A MRSA §651-A, as enacted by PL 1995, c. 645, Pt. A, §7, is amended to read:

§651-A. Require certificate of lien; certificate of title; certificate of salvage; electronic lien titling program

Notwithstanding any other provision of this Title, the Secretary of State may require a certificate of lien, certificate of title or certificate of salvage when necessary to perfect a lien. The Secretary of State may use, but may not require the use of, an electronic lien titling program for the purposes of this chapter. If a lienholder elects to participate in an electronic lien titling program used by the Secretary of State under this section:

1. Mail, delivery and surrender. Any requirement to mail, deliver or surrender a certificate of title under this chapter may be satisfied by using the electronic lien titling program to provide an electronic record;

2. Notification of release or update. The lienholder shall use the electronic lien titling program to notify the Secretary of State when a lien is released or updated; and

3. Paper copy. The lienholder may request a paper copy of the certificate of title.

If the Secretary of State uses an electronic lien titling program under this section, the Secretary of State shall adopt rules to administer the program. Rules adopted under this section must include, but are not limited to, rules governing the processes by which a lienholder elects to participate in and stop participating in the electronic lien titling

program. Rules adopted under this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 3. Review and report back. The Secretary of State shall evaluate the needs of the Department of the Secretary of State in implementing an electronic lien titling program, as defined in the Maine Revised Statutes, Title 29-A, section 602, subsection 4-A, and conduct a review of any relevant provisions of law that may need to be updated in order to properly implement such a program. No later than January 1, 2023, the Secretary of State shall submit a report summarizing the findings of the review to the joint standing committee of the Legislature having jurisdiction over transportation matters. The joint standing committee of the Legislature having jurisdiction over transportation matters may introduce legislation for presentation to the First Regular Session of the 131st Legislature based on the findings in that report.