

§1861. Holding vehicle and its accessories

A person holding or storing an abandoned vehicle, holding or storing a vehicle towed at the request of the vehicle's operator, owner or owner's agent or holding or storing a vehicle stored at the request of a law enforcement officer may hold the vehicle and all its accessories, contents and equipment, not including the personal effects of the registered owner, until reasonable towing and storage charges of the person holding or storing the vehicle are paid, except that a person may not hold the perishable cargo of a commercial motor vehicle, as defined in 49 Code of Federal Regulations, Part 390.5, as amended, when the perishable cargo being transported in interstate or intrastate commerce is not owned by the motor carrier or driver of the commercial motor vehicle being held and the person holding or storing the towed vehicle is presented with evidence of insurance, as defined in section 1551, covering the commercial motor vehicle and the vehicle's cargo. For purposes of this paragraph, "perishable cargo" means cargo of a commercial motor vehicle that is subject to spoilage or decay or is marked with an expiration date. The owner of the vehicle shall maintain, at a minimum, the amounts of motor vehicle financial responsibility in accordance with section 1605-B to pay the reasonable towing and storage charges of the person holding or storing the vehicle. [PL 2023, c. 395, Pt. A, §3 (AMD).]

For purposes of this section, "personal effects" includes medications, medical equipment, clothing, mail, child restraint systems and similar items. Except for child restraint systems, items attached to the vehicle and business equipment, machinery and tools are not considered personal effects. For the purposes of this section, "child restraint system" has the same meaning as in section 2081, subsection 1, paragraph A-2. [PL 2019, c. 299, §1 (AMD).]

SECTION HISTORY

PL 2007, c. 150, §9 (NEW). PL 2017, c. 120, §1 (AMD). PL 2019, c. 299, §1 (AMD). PL 2023, c. 395, Pt. A, §3 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Maine Legislature and is current through January 1, 2025. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.