CHAPTER 15

INSPECTION AND REPAIR

SUBCHAPTER 1

INSPECTION

§1751. Motor vehicle inspection

(CONTAINS TEXT WITH VARYING EFFECTIVE DATES)

1. Inspection required. Except as provided in this chapter or section 2307, subsection 1, a motor vehicle required to be registered in this State must have an annual inspection. A person may have a motor vehicle inspected more frequently.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

1-A. (TEXT EFFECTIVE 1/01/27) Biennial inspection; rental vehicles. A business that rents noncommercial motor vehicles to the public may receive a 2-year certificate of inspection for each vehicle if the business:

A. Has at least 700 noncommercial motor vehicles registered in the State per year; and [PL 2025, c. 638, §1 (NEW); PL 2025, c. 638, §4 (AFF).]

B. Files an affidavit with the Department of Public Safety, Bureau of State Police that includes a statement that the fleet of rental vehicles under paragraph A will meet or exceed the inspection standards set forth in section 1756 and administered by the Chief of the State Police over the 2-year period. [PL 2025, c. 638, §1 (NEW); PL 2025, c. 638, §4 (AFF).]
[PL 2025, c. 638, §1 (NEW); PL 2025, c. 638, §4 (AFF).]

2. Equipment subject to inspection. The following equipment is subject to inspection:

A. Body components; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. Brakes; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

C. Exhaust system; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

D. Glazing; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

E. Horn; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

F. Lights and directional signals; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

G. Rearview mirrors; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

H. Reflectors; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

I. Running gear; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

J. Safety seat belts on 1966 and subsequent models; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

K. Steering mechanism; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

L. Tires; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

M. Windshield wipers; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

N. Catalytic converter on 1983 and subsequent models; and [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

O. Filler neck restriction on 1983 and subsequent models. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

2-A. Enhanced inspection. Beginning January 1, 1999, a motor vehicle that is required to be registered in Cumberland County and that is subject to inspection pursuant to subsection 1 must have an annual enhanced inspection. The following equipment is subject to inspection:

A. Equipment subject to inspection pursuant to subsection 2; [PL 1997, c. 786, §1 (NEW).]

B. The fuel tank cap on 1974 and subsequent models of gasoline-powered vehicles; and [PL 1997, c. 786, §1 (NEW).]

C. The on-board diagnostic system on 1996 and subsequent models. [PL 1997, c. 786, §1 (NEW).]

A motor vehicle that is not required to be registered in Cumberland County may have an enhanced inspection under this subsection.

[PL 1997, c. 786, §1 (NEW).]

3. Inspection fee.

[PL 2001, c. 234, §1 (RP).]

3-A. Inspection fees. An inspection station may charge the following fees:

A. For inspections performed under subsection 2, the fee may not be more than $12.50; [PL 2001, c. 234, §2 (NEW).]

B. For inspections of pre-1996 model vehicles performed under subsection 2-A, the fee may not be more than $15.50; and [PL 2001, c. 234, §2 (NEW).]

C. For inspections of 1996 and subsequent model vehicles performed under subsection 2-A, the fee may not be more than $18.50. [PL 2001, c. 234, §2 (NEW).]

The inspection fee is payable whether the vehicle passes inspection or not.

[PL 2001, c. 234, §2 (NEW).]

4. Implementation. The enhanced inspection required by subsection 2-A must be implemented as follows.

A. The fuel tank cap is subject to inspection beginning January 1, 1999. [PL 1997, c. 786, §3 (NEW).]

B. The on-board diagnostic system is subject to inspection beginning January 1, 2000. A motor vehicle may not fail inspection for failure to meet the inspection standard for the on-board diagnostic system until January 1, 2001. [PL 1997, c. 786, §3 (NEW).]

[PL 1997, c. 786, §3 (NEW).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1997, c. 786, §§1-3 (AMD). PL 2001, c. 234, §§1,2 (AMD). PL 2025, c. 638, §1 (AMD). PL 2025, c. 638, §4 (AFF).

§1752. Motor vehicles exempt from inspection

The following are exempt from inspection: [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

1. Registered in another state. A motor vehicle owned and registered in another state and displaying a valid certificate of inspection from another state or a federally approved commercial vehicle inspection program;
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

2. Farm tractors. A farm tractor;
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

3. Antique autos. An antique auto registered under section 457;
[PL 2017, c. 165, §6 (AMD).]

4. Farm truck. A farm truck that:

A. Is operated within a 20-mile radius from the main entrance of the farm where the vehicle is customarily kept; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. Has a partial annual inspection of the running gear, steering mechanism, brakes, exhaust system and lights; safety glass under section 1915; and tires under section 1917; and [PL 2005, c. 314, §7 (AMD).]

C. Bears the name of the municipality in which the excise tax is paid in 4-inch letters on the left door of the cab; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]
[PL 2005, c. 314, §7 (AMD).]

5. Island vehicles. A motor vehicle that is:

A. Used for the conveyance of passengers; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. Registered for a fee of $2 under section 501, subsection 2-A; and [PL 2001, c. 471, Pt. A, §30 (AMD).]

C. Operated exclusively on an island having no roads maintained or supported by the State; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]
[PL 2001, c. 471, Pt. A, §30 (AMD).]

6. Moped or motorized bicycle or tricycle. A moped or a motorized bicycle or tricycle;
[PL 2007, c. 348, §1 (AMD).]

7. Fish truck. A fish truck that:

A. Is operated within a 20-mile radius of the municipality where excise tax on the truck is paid; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. Has a partial annual inspection consisting of the running gear, steering mechanism, brakes, exhaust system and lights; safety glass under section 1915; and tires under section 1917, subsection 3; and [PL 2005, c. 314, §8 (AMD).]

C. Bears the name of the municipality in which the excise tax is paid in 4-inch letters on the left door of the cab; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]
[PL 2005, c. 314, §8 (AMD).]

8. Woods tractor. A converted motor vehicle used as a tractor solely for logging purposes that:

A. Is registered as a tractor pursuant to section 509 or exempt from registration pursuant to section 510; [PL 1997, c. 437, §42 (RPR).]

B. Is operated only during daylight hours, only within a 10-mile radius of the premises where the tractor is customarily kept and only between those premises and:

(1) A woodlot used for logging purposes by the owner; and

(2) A filling station or garage for fuel or repairs; and [PL 1997, c. 437, §42 (RPR).]

C. Has a partial annual inspection of running gear, steering mechanism, brakes and exhaust system and tires under section 1917, subsection 3; [PL 2003, c. 125, §2 (AMD); PL 2003, c. 397, §5 (AMD).]

[PL 2003, c. 125, §2 (AMD); PL 2003, c. 397, §5 (AMD).]

9. Registered in this State. A motor vehicle registered in this State displaying a valid certificate of inspection from another state or a federally approved commercial vehicle inspection program for one year after the date of inspection;

[PL 2005, c. 314, §9 (AMD).]

10. Experimental motor vehicle. A vehicle registered as an experimental motor vehicle pursuant to section 470. An experimental motor vehicle must meet minimum equipment standards pursuant to section 470, subsection 2;

[PL 2011, c. 8, §1 (AMD).]

11. Low-speed vehicle. A low-speed vehicle registered pursuant to section 501, subsection 11. A low-speed vehicle must be equipped in accordance with section 1925; and

[PL 2011, c. 8, §2 (AMD).]

12. Antique motorcycle. An antique motorcycle registered under section 457.

[PL 2011, c. 8, §3 (NEW).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1997, c. 437, §42 (AMD). PL 2001, c. 471, §A30 (AMD). PL 2003, c. 125, §§2-4 (AMD). PL 2003, c. 397, §§5-8 (AMD). PL 2003, c. 688, §A34 (AMD). PL 2005, c. 314, §§7-9 (AMD). PL 2007, c. 348, §1 (AMD). PL 2011, c. 8, §§1-3 (AMD). PL 2013, c. 381, Pt. A, §4 (AMD). PL 2017, c. 165, §6 (AMD).

§1753. Inspection of commercial vehicles, trailers and semitrailers

1. Inspection required. Except as provided in subsection 4, a commercial motor vehicle that is required to be registered in this State, is used in intrastate or interstate commerce and has a gross vehicle weight or gross vehicle weight rating greater than 10,000 pounds, including the gross vehicle weight rating or gross weight of any trailer or semitrailer, must be inspected annually pursuant to this chapter. Except as provided in subsection 4, a trailer or semitrailer that has a gross vehicle weight or gross vehicle weight rating greater than 7,000 pounds, independent of the towing vehicle, must be inspected annually. A trailer or semitrailer must also be inspected annually when:

A. Engaged in interstate commerce and used with a motor vehicle that has a gross vehicle weight or gross vehicle weight rating greater than 10,000 pounds, including the gross vehicle weight or gross vehicle weight rating of a trailer or semitrailer and load; or [PL 2007, c. 348, §2 (NEW).]

B. Except as provided in subsection 4, engaged in intrastate commerce and used with a motor vehicle that has a gross vehicle weight or gross vehicle weight rating greater than 10,000 pounds, including the gross vehicle weight or gross vehicle weight rating of a trailer or semitrailer and load. [PL 2007, c. 348, §2 (NEW).]

[PL 2007, c. 348, §2 (AMD).]

2. Scope of inspection. The Chief of the State Police shall adopt rules for the inspection required by subsection 1 that meet the requirements of 49 Code of Federal Regulations, Section 396.17.

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

3. Fee. Except as provided in this subsection, the fee for an inspection under this section is based on the inspector's normal hourly labor charge and is due whether or not the vehicle passes inspection. A licensed inspection station shall post the hourly labor charge in a conspicuous place.

The fee for an inspection under this section of a farm truck registered under section 505 is $45. The inspection fee is payable whether the vehicle passes inspection or not.

[PL 2007, c. 190, §1 (AMD).]

4. Vehicles exempt from annual inspection. The following vehicles are exempt from the requirements of this section:

A. When used exclusively in intrastate commerce, a trailer or semitrailer with a gross vehicle weight, including any load, that does not exceed 3,000 pounds; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. When used exclusively in intrastate commerce, a semitrailer designed and used exclusively for dispensing cable from reels attached to the semitrailer, commonly called a reel trailer, and any semitrailer designed and used exclusively to support the ends of poles being transported, commonly called a pole dolly, when the gross weight of the semitrailer and load does not exceed 12,000 pounds; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

C. Any mobile home, empty storage trailer or empty storage semitrailer displaying a trailer transit plate in accordance with section 954, subsections 4 and 5; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

D. A farm truck or a fish truck exempted under section 1752; [PL 2007, c. 348, §3 (AMD).]

E. A trailer or semitrailer displaying a valid certificate of inspection from another state or a federally approved commercial vehicle inspection program until the normal expiration of its certificate of inspection; and [PL 2007, c. 348, §4 (AMD).]

F. A camp trailer. [PL 2007, c. 348, §5 (NEW).]

[PL 2007, c. 348, §§3-5 (AMD).]

5. Proof of inspection. Proof of inspection must be shown either by a report that certifies that the inspection satisfies the requirements of this section or by an inspection sticker placed on the vehicle. If proof is shown by a report, the report must be produced on the demand of a law enforcement officer. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 2007, c. 190, §1 (AMD). PL 2007, c. 348, §§2-5 (AMD).

§1754. Inspection by dealers and transporters

1. Inspection standards. A holder of a dealer license or a transporter registration certificate may permit a vehicle to be operated on a public way only if the vehicle:

A. Meets inspection standards; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. Is owned by the dealer or holder of the transporter registration certificate and is operated by the owner or the owner's employee for the sole purpose of travelling to a body repair establishment and is mechanically safe but requires body repairs; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

C. Is sold or transferred to another person, meets inspection standards and displays a valid certificate of inspection issued within 60 days of the sale or transfer; [PL 2001, c. 180, §1 (AMD).]

D. If operated by a dealer or holder of a transporter registration certificate, is operated only from a point of purchase to the licensee's place of business. For the purposes of this paragraph, "point of purchase" includes, but is not limited to, an automobile auction, distribution center or another licensed vehicle dealer; [PL 2023, c. 634, §28 (AMD).]

E. Is owned by the dealer or holder of the transporter registration certificate and is operated by the owner or the owner's employee for the sole purpose of traveling to an inspection facility; or [PL 2023, c. 634, §29 (AMD).]

F. Is owned by the dealer or holder of the transporter registration certificate and is operated by the owner or the owner's employee for the sole purpose of moving an uninspected motor vehicle to an automobile auction or another licensed vehicle dealer. [PL 2023, c. 634, §30 (NEW).]

This subsection does not allow the operation of an unsafe motor vehicle on a public way.
[PL 2023, c. 634, §§28-30 (AMD).]

1-A. New motor vehicles exempt from inspection. A new motor vehicle owned by a new vehicle dealer, as defined in section 851, subsection 9, with a dealer plate is exempt from motor vehicle inspection requirements under section 1751 only if the motor vehicle is operated in a manner consistent with section 1002, subsection 1, paragraphs A and E. For purposes of this subsection, "new motor vehicle" means a motor vehicle of the current model year or model year immediately preceding the current model year that has not been previously registered or titled.

This subsection does not allow the operation of unsafe motor vehicles on a public way.
[PL 2011, c. 191, §1 (NEW).]

2. Remove prior certificate. If the vehicle bears a prior inspection certificate, that certificate must be removed.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

3. Violations. The provisions of this subsection apply to violations of this section.

A. A violation of this section is a traffic infraction for which a penalty of not more than $1,000 for each violation may be assessed. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. A violation of this section is also a violation of the provisions governing unfair trade practice under Title 5, chapter 10. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

C. It is not a defense to this section that the dealer or holder did not know that the vehicle did not meet inspection standards or required a certificate. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 2001, c. 180, §§1,2 (AMD). PL 2011, c. 191, §1 (AMD). PL 2023, c. 634, §§28-30 (AMD).

§1755. Inspection of fire trucks

A fire chief, or a municipal official of a municipality without a fire chief, may contract with a licensed inspection station for a licensed inspection mechanic to perform an inspection at the location where fire trucks are customarily kept. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF).

§1756. Inspection standards

1. Inspection standards. Equipment subject to inspection must:

A. Be in good working order; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. Be safely attached or secured to the chassis or body of the vehicle; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

C. Be mechanically safe; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

D. Not pose a hazard to the occupant of the vehicle or to the general public; and [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

E. Meet the standards set forth in rules adopted by the Chief of the State Police. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

2. Inspection standard for catalytic converter. Notwithstanding the inspection standards of subsection 1, a catalytic converter subject to the inspection required by section 1751, subsection 2, paragraph N must meet the rules promulgated by the Chief of the State Police and must be safely attached or secured to the chassis or body of the vehicle.

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

3. Windows. In addition to the standards set forth in subsection 1, windows must meet the standards of sections 1915 and 1916.

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

4. Fenders. Except as provided by section 1953, subsection 2, paragraph E, a motor vehicle other than a street rod must be equipped with fenders or fenders and extensions. When a wheel and tire are installed that permit the tire tread to extend beyond the natural fender configuration, the fenders must be modified or extended to cover the exposed tire tread.

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

5. Safety seat belts.

[PL 2007, c. 348, §6 (RP).]

6. Inspection standard for fuel tank cap. Notwithstanding the inspection standards of subsection 1, a fuel tank cap subject to the inspection required by section 1751, subsection 2-A, paragraph B must meet the standards in rules adopted by the Chief of the State Police. The Chief of the State Police shall adopt rules to establish procedures and standards for a fuel tank cap pressure test.

[PL 1997, c. 786, §4 (NEW).]

7. Inspection standard for on-board diagnostic system. Notwithstanding the inspection standards of subsection 1, an on-board diagnostic system subject to the inspection required by section 1751, subsection 2-A, paragraph C must meet the standards in rules adopted by the Chief of the State Police. The Chief of the State Police shall adopt rules that meet the requirements of 40 Code of Federal Regulations, Part 85 for on-board diagnostic test procedures, standards and equipment.

[PL 1997, c. 786, §4 (NEW).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1997, c. 786, §4 (AMD). PL 2007, c. 348, §6 (AMD).

§1757. Standard for rejection for nonfunctioning equipment

A motor vehicle must be rejected for violation of the inspection standard for equipment if any equipment described in section 1751, subsection 2 does not function sufficiently for the safety of the general public or is loose and not securely attached to the vehicle. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF).

§1758. Issuance of sticker; placement on vehicle

1. Windshield placement. If a motor vehicle meets the inspection standard, an official inspection sticker must be placed in the lower left-hand corner of the windshield or in the center of the windshield in back of the rearview mirror.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

2. Without windshield. If the vehicle is not normally equipped with a windshield, the certificate of inspection must be kept with the registration certificate of the vehicle. This subsection does not apply to motorcycles.
[PL 2009, c. 624, §1 (AMD); PL 2011, c. 167, §3 (AFF).]

3. Motorcycles; proof of inspection. If a motorcycle meets the inspection standard, upon payment of applicable inspection fees pursuant to section 1751, subsection 3-A a valid certificate of inspection and an official inspection sticker for the motorcycle must be issued. The certificate of inspection must be kept with the registration certificate of the motorcycle and the official inspection sticker must be affixed to the rear of the motorcycle on the registration plate.

A. [PL 2011, c. 167, §2 (RP); PL 2011, c. 167, §3, 7 (AFF).]

B. [PL 2011, c. 167, §2 (RP); PL 2011, c. 167, §3, 7 (AFF).]

The official inspection sticker must be located so that it is completely and clearly visible from the rear of the motorcycle. If the registration plate is reassigned to another motorcycle pursuant to section 463, subsection 4, the certificate of inspection and the official inspection sticker expire upon reassignment.
[PL 2011, c. 167, §2 (AMD); PL 2011, c. 167, §3, 7 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 2009, c. 624, §§1, 2 (AMD). PL 2009, c. 624, §4 (AFF). PL 2011, c. 167, §2 (AMD). PL 2011, c. 167, §3, 7 (AFF).

§1759. Temporary permits and warnings

1. Issuance. A law enforcement officer, an employee of a municipal police department designated by the chief, an employee of a sheriff's department designated by the sheriff, an employee of the Department of Public Safety designated by the Chief of the State Police or an employee of the Bureau of Motor Vehicles designated by the Secretary of State may issue a permit allowing operation of an uninspected vehicle to an inspection station for inspection.
[PL 2007, c. 348, §7 (AMD).]

2. Reconstructable vehicle. This section does not apply to reconstructable motor vehicles as defined in Title 10, section 1471.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

3. Warning. The owner or operator of a vehicle operated with an expired inspection sticker during the first month immediately after expiration may not be issued a summons to court but may only be issued a warning. This warning must state that the vehicle must be inspected within 2 business days. Failure to comply with a warning is a violation punishable in accordance with section 1768.
[RR 1993, c. 2, §23 (COR).]

SECTION HISTORY

RR 1993, c. 2, §23 (COR). PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1999, c. 41, §2 (AMD). PL 2007, c. 348, §7 (AMD).

§1760. Examination and impoundment of vehicles

1. Examination for compliance. A law enforcement officer in uniform may stop and examine a motor vehicle to determine whether the vehicle's equipment complies with the requirements of section 1756.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

2. Scope of inspection. The officer may demand and inspect the driver's license, the certificate of registration, permits and the identification numbers of the motor vehicle.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

3. Probable cause for inspection. A law enforcement officer may require the operator to proceed to an official inspection station and submit the vehicle to an inspection and tests as may be appropriate on reasonable grounds to believe that:

A. A vehicle is unsafe or not equipped as required by law; or [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. The vehicle's equipment does not conform to the inspection standard. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF).

§1761. Certified inspection mechanics

1. Performance of inspection. No person other than a holder of an inspection mechanic certificate may perform an inspection or issue or sign a certificate of inspection.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

1-A. Application and examination. A person may submit an application with the required fee under subsection 3 for an inspection mechanic certificate to the Department of Public Safety, Bureau of State Police and complete the examination up to 6 months prior to the person's 18th birthday. The Bureau of State Police may process the application and test the applicant up to 6 months prior to the applicant's 18th birthday but may not issue the certificate until the applicant is 18 years of age.
[PL 2003, c. 222, §1 (NEW).]

2. Requirements for inspection mechanic certification. To receive an inspection mechanic certificate, an applicant must:

A. Pass a written or oral examination that is designed to test knowledge of motor vehicle inspection and the method of inspecting and testing motor vehicle equipment; and [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. Be a person of honesty, integrity and reliability. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

3. Examination fee. Applicants for inspection mechanic certification must pay to the Chief of the State Police a fee of $1 for an application for examination or for renewal of a certificate.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

4. Term of certification. An inspection mechanic certificate is valid for a period of 5 years from the date of issue.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

5. Renewal. An examination is not required if application for a renewal is made within one year of expiration.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

6. Remission of certificate.
[PL 2009, c. 251, §5 (RP).]

7. Notification of change in place of employment. Prior to inspecting vehicles for a new employer, the holder of an inspection mechanic certificate shall notify the Chief of the State Police of a change of place of employment.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

8. Testing in parking area. Notwithstanding sections 1251, 1252 and 1253, a certified inspection mechanic who has a valid operator's license of any class may operate a motor vehicle in a parking area adjacent to an official inspection station for the purpose of testing equipment as required by the rules adopted pursuant to this chapter.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 2003, c. 222, §1 (AMD). PL 2009, c. 251, §5 (AMD).

§1762. Official inspection stations

1. Licensing of official inspection stations. The Chief of the State Police may license garages as official inspection stations.
[PL 2007, c. 348, §8 (AMD).]

2. Requirements.

[PL 2007, c. 348, §9 (RP).]

2-A. Requirements. To qualify as an official inspection station, a garage must comply with rules adopted by the Chief of the State Police.
[PL 2007, c. 348, §10 (NEW).]

3. Examination of premises and operator of garage. Before a license is granted, the premises must be examined and the operator of the garage investigated as to reliability and fitness.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

4. Term of license. The license is valid for 2 years from the date of final license approval.
[PL 2007, c. 348, §11 (AMD).]

5. Licenses not transferable. A license may not be assigned or transferred or used at other than a designated location.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

6. Posting of license on premises. A license must be posted in a conspicuous place at the designated location.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

7. Hearing; appeals. If a person is aggrieved by the decision of the Chief of the State Police in refusing approval, that person may, within 30 days of notification of refusal to license, request a hearing before the Chief of the State Police or the chief's designee. After the hearing, if an applicant is aggrieved by the final action of the chief, the applicant may appeal the decision in accordance with Title 5, Part 18.
[PL 2007, c. 348, §12 (AMD).]

8. Enhanced inspection stations. Beginning January 1, 1999, official inspection stations located in Cumberland County shall offer enhanced inspections pursuant to section 1751, subsection 2-A and may not offer inspections pursuant to section 1751, subsection 2. Official inspection stations located outside of Cumberland County may offer inspections under section 1751, subsections 2 and 2-A. An

inspection station that offers enhanced inspections shall employ an inspection mechanic certified to perform enhanced inspections.
[PL 1997, c. 786, §5 (NEW).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1995, c. 65, §A101 (AMD). PL 1995, c. 65, §§A153,C15 (AFF). PL 1997, c. 786, §5 (AMD). PL 2007, c. 348, §§8-12 (AMD).

§1763. Suspension or revocation of license or inspection mechanic certificate

Notwithstanding Title 5, section 10003, a State Police officer or employee of the State Police designated as a motor vehicle inspector may immediately suspend or revoke the license issued to any official inspection station or the inspection mechanic certificate issued to any inspecting mechanic for a violation of this chapter or the rules adopted pursuant to section 1769. The penalty for a first offense is a license suspension for a period of up to 6 months. The penalty for a 2nd or subsequent offense is a license suspension for a period of up to one year or license revocation. [PL 2007, c. 348, §13 (AMD).]

Pursuant to Title 5, chapter 375, the Chief of the State Police or the chief's designee shall schedule a hearing, if requested by the owner of an official inspection station, an employee of that station or the inspection mechanic, to review the suspension or revocation. The suspension or revocation remains in effect pending the final agency decision and during any appeal of that decision. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

As a prerequisite to reinstatement following a license suspension or revocation, the Chief of the State Police may require an inspection mechanic to satisfactorily complete the inspection mechanic examination provided for in section 1761, subsection 2. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 2003, c. 633, §3 (AMD). PL 2007, c. 348, §13 (AMD).

§1764. Fleet inspection stations

1. License by Chief of the State Police. The Chief of the State Police may license fleet inspection stations to inspect 10 or more vehicles registered in the name of a single owner.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

2. Requirements. To qualify as a fleet inspection station, a station must:

A. [PL 2007, c. 348, §14 (RP).]

B. Have at least 10 vehicles registered in the name of the fleet inspection station owner or be under contract to the owner of the fleet of vehicles for exclusive maintenance. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]
[PL 2007, c. 348, §14 (AMD).]

3. Limit to fleet vehicles. Fleet station inspections are limited exclusively to fleet vehicles.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

4. Employment of certified inspection mechanics. A fleet inspection station must employ a sufficient number of certified inspection mechanics to inspect every vehicle in the fleet annually.

A certified inspection mechanic may inspect fleets of vehicles at the fleet station, if proper inspection equipment is available.

Fleet vehicles must be inspected by a certified inspection mechanic who may issue and sign inspection certificates.

Fleet vehicle inspectors are subject to the same provisions as certified inspection mechanics.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 2007, c. 348, §14 (AMD).

§1765. Out-of-doors inspections

A certified inspection mechanic may inspect a vehicle out-of-doors if: [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

1. Class of vehicles. The vehicle conforms to the class of vehicle that the inspection station license authorizes for inspection; and
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

2. Altered vehicles. Alterations or additions to the basic design or structure of the vehicle not produced by the original manufacturer prevent the vehicle from entering inside the inspection station.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF).

§1766. Inspection stickers

(CONTAINS TEXT WITH VARYING EFFECTIVE DATES)

1. Stickers remain property of State. Inspection stickers and materials issued to inspection stations by the Chief of the State Police remain the property of the State.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

2. Stock of stickers. An inspection station must stock a sufficient number of stickers to meet all demands. The stickers must be made of a material and quality of adhesive prescribed by the Chief of the State Police.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

3. (TEXT EFFECTIVE UNTIL 1/01/27) Fee. Except as provided in subsection 3-A, stickers are furnished by the Chief of the State Police at $2.50 each.
[PL 2011, c. 191, §2 (AMD).]

3. (TEXT EFFECTIVE 1/01/27) Fee. Except as provided in subsections 3-A and 3-B, stickers are furnished by the Chief of the State Police at $2.50 each.
[RR 2025, c. 2, Pt. A, §130 (COR); RR 2025, c. 2, Pt. A, §131 (AFF).]

3-A. Fee for new vehicle dealers. Stickers furnished to a new vehicle dealer, as defined in section 851, subsection 9, by the Chief of the State Police are $3.50 each.
[PL 2011, c. 191, §3 (NEW).]

3-B. (TEXT EFFECTIVE 1/01/27) Fee for business that rents noncommercial motor vehicles. Stickers furnished by the Chief of the State Police to a business that rents noncommercial vehicles pursuant to section 1751, subsection 1-A are 2 times the fee for stickers under subsection 3.
[PL 2025, c. 638, §3 (NEW); PL 2025, c. 638, §4 (AFF).]

4. Statement of intent to hire a certified mechanic. If a station is disqualified by the loss of a certified mechanic, the owner shall, within 5 working days, return all stickers to the Chief of the State Police.

The owner may file a statement of intent to hire a certified inspection mechanic within 14 working days, in which case the Chief of the State Police shall hold the returned stickers for the licensee.

If a statement of intent is not filed, returned stickers may be reissued.

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

5. Return or refund of unused stickers. Within 20 working days of the calendar year or the suspension, revocation or termination of an inspection license, unused or expired stickers must be returned to the Chief of the State Police and the purchase price refunded or exchanged for current year stickers. Refunds or exchanges may only be made for full sheets of unused stickers.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

6. Return of inspection materials. Upon suspension, revocation or termination of an inspection license, the station owner or manager shall return all inspection materials to the Chief of the State Police, who shall issue a receipt for the returned materials.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1997, c. 786, §6 (AMD). PL 1997, c. 786, §14 (AFF). PL 2001, c. 234, §3 (AMD). PL 2011, c. 191, §§2, 3 (AMD). PL 2025, c. 638, §§2, 3 (AMD). PL 2025, c. 638, §4 (AFF). RR 2025, c. 2, Pt. A, §130 (COR). RR 2025, c. 2, Pt. A, §131 (AFF).

§1767. Disposition of fees

The revenues generated by this chapter must be credited to the General Highway Fund. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF).

§1768. Unlawful acts

1. Display of fictitious certificate. A person commits a Class E crime if that person displays or permits to be displayed on a vehicle a certificate of inspection knowing the certificate to be fictitious or issued to another vehicle or issued without an inspection having been made.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

2. Use of counterfeit certificate of inspection. A person commits a Class E crime if the person makes, possesses, issues or knowingly uses an imitation or counterfeit of an official certificate of inspection or a certificate of inspection that was not issued by an official inspection station in accordance with law.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

3. Misrepresentation of vehicle inspection station. A person commits a Class E crime if that person represents a place as an official inspection station and the station is not operating under a valid license.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

4. Issuance of certificate for substandard vehicle. A person commits a Class E crime if that person knowingly causes an official inspection sticker to be attached to a vehicle that does not conform to the inspection standard.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

5. Operation of defective vehicle. A person may not operate a vehicle on a public way with equipment on the vehicle that does not conform to the standards set forth in rules adopted by the Chief of the State Police pursuant to section 1769.

A. Except as provided in paragraphs B and C, a person who violates this subsection commits a traffic infraction. [PL 2003, c. 688, Pt. C, §13 (NEW).]

B. A person who violates this subsection commits a Class E crime if the vehicle is unsafe for operation because it poses an immediate hazard to an occupant of the vehicle or the general public. [PL 2003, c. 688, Pt. C, §13 (NEW).]

C. A person who violates this subsection and is involved in a motor vehicle accident caused by nonconformance with the rules adopted by the Chief of the State Police pursuant to section 1769 commits a Class E crime. [PL 2003, c. 688, Pt. C, §13 (NEW).]

[PL 2003, c. 688, Pt. C, §13 (RPR).]

6. Alteration after inspection. A person commits a Class E crime if that person alters equipment after inspection so that the equipment does not conform to the standards of this subchapter.

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

7. Operation of vehicle without certificate of inspection. An owner or operator of a vehicle required to be inspected commits a traffic infraction if that person operates that vehicle or permits that vehicle to be operated without displaying a current and valid certificate of inspection or producing the certificate on demand of a police officer.

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

8. Performance of inspections, issuance of inspection certificate by a person with a suspended or revoked inspection mechanic license. A person commits a Class E crime if, at a time when the person's inspection mechanic license is suspended or revoked pursuant to section 1763, the person:

A. Performs a state motor vehicle inspection or federally approved motor vehicle inspection in order for a certificate of inspection or report to be issued by a 3rd party; or [PL 2011, c. 448, §1 (NEW); PL 2011, c. 448, §4 (AFF).]

B. Issues a state or federally approved certificate of inspection or report. [PL 2011, c. 448, §1 (NEW); PL 2011, c. 448, §4 (AFF).]

[PL 2011, c. 448, §1 (NEW); PL 2011, c. 448, §4 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 2003, c. 688, §C13 (AMD). PL 2011, c. 448, §1 (AMD). PL 2011, c. 448, §4 (AFF).

§1769. Rules

1. Scope. The Chief of the State Police may adopt rules:

A. For the administration and enforcement of this chapter; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. To designate periods of time during which owners of vehicles must display or produce a certificate of inspection; and [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

C. Concerning the inspection of registered special mobile equipment not ordinarily operated over the highway. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

1-A. Delay in effective date. Except for emergency rules adopted under Title 5, section 8054, rules adopted under this section take effect 30 days after filing with the Secretary of State under Title 5, section 8056, subsection 1, paragraph B.

[PL 2007, c. 135, §1 (NEW); PL 2007, c. 135, §2 (AFF).]

2. Review of rules by Legislature. Rules adopted under this section are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

[PL 2003, c. 340, §2 (AMD).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1999, c. 183, §4 (AMD). PL 2003, c. 340, §2 (AMD). PL 2007, c. 135, §1 (AMD). PL 2007, c. 135, §2 (AFF).

§1770. Penalties

1. General penalty. Notwithstanding Title 17-A, and unless otherwise specified, a violation of this chapter is a Class E crime, punishable by a fine of not less than $25 nor more than $500 or by imprisonment for not more than 30 days, or by both.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

2. Traffic infraction. A violation of the rules adopted by the Chief of the State Police pertaining to this subchapter is a traffic infraction subject to a forfeiture of not less than $25 nor more than $250.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §2 (NEW).

SUBCHAPTER 2

REPAIR

§1801. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

1. Customer. "Customer" means a person, including, but not limited to, an agent, who contracts with a repair facility for repair of a motor vehicle.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

2. Flat rate. "Flat rate" means a method of calculating charges for labor that is based on the specific repair done and not on the amount of time actually spent on that repair.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

2-A. Mechanical data. "Mechanical data" means any vehicle-specific data, including telematics system data, generated by, stored in or transmitted by a motor vehicle and used in the diagnosis, repair or maintenance of a motor vehicle.
[IB 2023, c. 3, §1 (NEW).]

3. Repair. "Repair" means the examination, maintenance, servicing, adjustment, improvement, replacement, removal or installation of a part of a motor vehicle, including, but not limited to, body work, painting and incidental services such as storage and towing, and excluding the sale of motor fuel.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

4. Repair facility. "Repair facility" means a motor vehicle repair facility offering services to the general public for compensation.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

5. Shop supplies. "Shop supplies" means small parts and materials used or consumed in the process of repair, including, but not limited to, nuts and bolts, electrical wire, rags, tape, brake cleaners and other items maintained as inventory.
[PL 2005, c. 189, §1 (NEW).]

6. Telematics system. "Telematics system" means a system in a motor vehicle that collects information generated by the operation of the vehicle and transmits that information using wireless communications to a remote receiving point where the information is stored or used.

[IB 2023, c. 3, §2 (NEW).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 2005, c. 189, §1 (AMD). IB 2023, c. 3, §§1, 2 (AMD).

§1802. Maximum charge for repair

1. Written designation by customer. Before a repair facility begins repairing a customer's motor vehicle, the customer may designate in writing a specific amount of charges for repair in excess of which the customer does not agree to be liable without further specific agreement, either oral or written. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

2. No liability without agreement. A customer is not liable for a charge in excess of the specific amount designated in accordance with subsection 1 without further specific oral or written agreement. A repair facility shall charge a customer by using the same labor rate per hour and shop supplies calculation as is used in any estimate the repair facility provides.
[PL 2005, c. 189, §2 (AMD).]

3. Shop supplies. A repair facility may bill for shop supplies calculated as a percentage of labor or by other calculation, if disclosed to the customer, as a single line item.
[PL 2005, c. 189, §3 (NEW).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 2005, c. 189, §§2,3 (AMD).

§1803. Inspection of parts

Before demanding payment of any charge, a repair facility must allow a customer to inspect replaced parts and must return replaced parts to the customer on request unless the facility is required to return the parts to the manufacturer or distributor under a bona fide warranty or exchange arrangement. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF).

§1804. Used parts

Unless the customer specifically agrees before installation of the part, a repair facility may not install a used, reconditioned or rebuilt part. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF).

§1805. Notices

1. Form of notice. A repair facility must post the following notice in a place where it is reasonably likely to be seen by customers. The notice must be completed with information on charges and printed so that it is conspicuous and can be read by the average person.

The following form must be used:

"NOTICE TO OUR CUSTOMERS

REQUIRED UNDER STATE LAW

Before we begin making repairs, you have a right to put in writing the total amount you agree to pay for repairs. You will not have to pay anything over that amount unless you agree to it when we contact you later.

Before you pay your bill, you have a right to inspect any replaced parts. You have a right to take with you any replaced parts, unless we are required to return the parts to our distributor or manufacturer.

We can not install any used or rebuilt parts unless you specifically agree in advance.

You can not be charged any fee for exercising these rights.

WE CHARGE $ PER HOUR FOR LABOR.

(We round off the time to the nearest .)"

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

2. Flat rate. The notice must also contain the following if it applies:

"We also charge a flat rate for some repairs. Our service manager will explain what a flat rate is and show you how much it may cost you. A flat-rate charge may not match the time actually spent repairing your vehicle. PLEASE ASK US WHETHER WE WILL CHARGE YOU BY THE HOUR OR BY A FLAT RATE. We use the same labor rate method in any estimate we provide and any bill you receive."

[PL 2005, c. 189, §4 (AMD).]

3. Availability of guide.

[PL 2005, c. 189, §5 (RP).]

4. Shop supplies. If the repair facility charges a separate line item for shop supplies, the notice must also contain the following:

"WE CHARGE ..... FOR SHOP SUPPLIES. Our service manager will explain shop supplies and how much they may cost you."

[PL 2005, c. 189, §6 (NEW).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1997, c. 221, §1 (AMD). PL 2005, c. 189, §§4-6 (AMD).

§1806. Fee prohibited

A repair facility may not, directly or indirectly, charge a fee for performing an obligation or for exercising a right under this subchapter. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF).

§1807. Unfair trade practice

A repair facility's failure to comply with this subchapter constitutes an unfair trade practice under Title 5, chapter 10. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF).

§1808. Waiver prohibited

The duties imposed by and rights created under this subchapter may not be waived or otherwise modified. Any waiver or modification is contrary to public policy and is void and unenforceable. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF).

§1809. Savings clause

This subchapter is in addition to and does not limit or replace other rights or procedures provided by statute or common law. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF).

§1810. Right to repair

1. Access to diagnostic systems. Access to the vehicle on-board diagnostic systems of all motor vehicles must be standardized and made accessible to motor vehicle owners and independent repair facilities and the access may not require authorization by the motor vehicle manufacturer, directly or indirectly, unless that authorization is standardized across all makes and models of motor vehicles sold in this State.
[PL 2025, c. 660, §2 (AMD).]

1-A. Definition. For the purposes of this section, unless the context otherwise indicates, "owner-authorized independent repair facility" means an independent repair facility that has been authorized by a motor vehicle owner to receive or access diagnostic and repair information or other mechanical data pertaining to or emanating from the owner's motor vehicle for the purpose of diagnosing or repairing the motor vehicle.
[PL 2025, c. 660, §3 (NEW).]

2. Independent entity.

[PL 2025, c. 660, §4 (RP).]

2-A. Motor Vehicle Right to Repair Commission. This subsection governs the composition, activities and duties of the Motor Vehicle Right to Repair Commission, as established in Title 5, section 12004-G, subsection 5-B and referred to in this section as "the commission."

A. The commission consists of the following 12 members, appointed by the Governor:

(1) Three members representing motor vehicle manufacturers, at least one of whom must represent an organization of motor vehicle manufacturers and at least one of whom must represent a manufacturer of heavy duty vehicles;

(2) One member representing aftermarket parts manufacturers;

(3) One member representing diagnostic tool manufacturers;

(4) One member representing aftermarket parts distributors and retailers;

(5) Three members representing independent repair facilities in the State, at least one of whom must be an owner or operator of an independent repair facility specializing in motor vehicle repair and at least one of whom must be an owner or operator of an independent repair facility specializing in heavy duty vehicle repair;

(6) One member representing new motor vehicle dealers in the State;

(7) One member with expertise in automotive cybersecurity matters; and

(8) One member representing the public, who must be a resident of the State and who serves as the chair of the commission.

In making appointments under this paragraph, the Governor may take into consideration any nominations for appointments that are timely made by industry stakeholders or trade associations. [PL 2025, c. 660, §5 (NEW).]

B. Members of the commission are appointed to 3-year terms. The commission shall meet at least quarterly but may meet more frequently at the chair's discretion. The Attorney General may provide administrative support to the commission, within the limits of existing resources. [PL 2025, c. 660, §5 (NEW).]

C. The commission:

(1) Shall monitor and assess implementation of and motor vehicle manufacturers' compliance with the requirements of this section;

(2) Shall attempt to informally resolve any complaints from motor vehicle owners and independent repair facilities alleging motor vehicle manufacturer noncompliance with the requirements of this section, and, if a complaint cannot be resolved informally, consider whether to refer the matter to the Attorney General for potential enforcement action;

(3) Shall designate one or more technical experts with whom the Attorney General may consult in assessing enforcement referrals under subparagraph (2) and maintaining enforcement actions under subsection 8; and

(4) May issue recommendations for best practices for motor vehicle manufacturers to use in providing access to motor vehicle data and may solicit input from stakeholders and other interested parties regarding privacy issues associated with the disclosure of motor vehicle-generated data. [PL 2025, c. 660, §5 (NEW).]

D. By January 15, 2028, and annually thereafter, the commission shall submit to the Governor, the Attorney General and the joint standing committee of the Legislature having jurisdiction over business matters a report that:

(1) Describes the commission's activities during the preceding year;

(2) Describes any implementation or compliance issues that the commission has identified during the preceding year; and

(3) Includes any recommendations for proposed changes to this section to address any implementation or compliance issues, including any recommendations that propose providing the commission with additional authority.

After reviewing the report, the joint standing committee may report out legislation relating to the report to any regular or special session held in the same year in which the report was received pursuant to this paragraph. [PL 2025, c. 660, §5 (NEW).]

[PL 2025, c. 660, §5 (NEW).]

3. Model year 2002 or later motor vehicles; diagnostic repair tools, parts, software and components. For model year 2002 or later motor vehicles, a manufacturer of motor vehicles sold in this State shall make available for purchase under fair and reasonable terms by motor vehicle owners and independent repair facilities all diagnostic repair tools, parts, software and components incorporating the same diagnostic, functional repair and wireless capabilities that the motor vehicle manufacturer makes available to its authorized repair shops. Each motor vehicle manufacturer shall:

A. Provide diagnostic repair information to each aftermarket scan tool company and each 3rd-party service information provider with whom the motor vehicle manufacturer has appropriate licensing, contractual or confidentiality agreements for the sole purpose of building aftermarket diagnostic tools and 3rd-party service information publications and systems. A motor vehicle manufacturer that makes information available pursuant to this paragraph has satisfied its obligations under this

paragraph and thereafter is not responsible for the content and functionality of aftermarket diagnostic tools or service information systems; [PL 2025, c. 660, §6 (AMD).]

B. Make available for purchase by owners of motor vehicles and by independent repair facilities the same diagnostic and repair information, including repair technical updates, that the motor vehicle manufacturer makes available to its authorized repair shops through the motor vehicle manufacturer's Internet-based diagnostic and repair information system; and [PL 2025, c. 660, §6 (AMD).]

C. Provide access to the manufacturer's diagnostic and repair information system for purchase by owners of motor vehicles and independent repair facilities on a daily, monthly and yearly subscription basis and upon fair and reasonable terms. [IB 2023, c. 3, §3 (NEW).]

All parts, tools, software and other components necessary to complete a full repair of the vehicle, as referenced in this subsection, must be provided to owners of motor vehicles and owner-authorized independent repair facilities.
[PL 2025, c. 660, §6 (AMD).]

4. Model year 2002-2017 motor vehicles; access to on-board diagnostic and repair information system. For model year 2002-2017 motor vehicles, a motor vehicle manufacturer shall provide a motor vehicle owner or an owner-authorized independent repair facility with access to a vehicle's on-board diagnostic and repair information system to the same extent that access to a vehicle's on-board diagnostic and repair information system is provided to a new vehicle dealer.
[PL 2025, c. 660, §7 (AMD).]

5. Model year 2018 or later motor vehicles; access to on-board diagnostic and repair information system. For model year 2018 or later motor vehicles, a motor vehicle manufacturer shall provide access to the on-board diagnostic and repair information system through use of an off-the-shelf personal computer with sufficient memory, processor speed, connectivity and other capabilities as specified by the motor vehicle manufacturer and:

A. A nonproprietary vehicle interface device that complies with SAE International standard J2534, SAE International standard J1939, commonly referred to as SAE J2534 and SAE J1939, the International Organization for Standardization standard 22900, commonly referred to as ISO 22900, or any successor to SAE J2534, SAE J1939 or ISO 22900 as may be accepted or published by SAE International or the International Organization for Standardization, as appropriate; [IB 2023, c. 3, §3 (NEW).]

B. An on-board diagnostic and repair information system integrated into and entirely self-contained within the vehicle, including, but not limited to, service information systems integrated into an on-board display; or [PL 2025, c. 660, §8 (AMD).]

C. A system that provides direct access to on-board diagnostic and repair information through a nonproprietary vehicle interface, such as ethernet, universal serial bus or digital versatile disc. [IB 2023, c. 3, §3 (NEW).]

Each motor vehicle manufacturer shall provide access to the same on-board diagnostic and repair information available to the motor vehicle manufacturer's dealers, including technical updates to such on-board systems, through such nonproprietary interfaces as referenced in this subsection. All parts, tools, software and other components necessary to complete a full repair of a vehicle, as referenced in this subsection, must be provided to motor vehicle owners and owner-authorized independent repair facilities.
[PL 2025, c. 660, §8 (AMD).]

6. Owner-authorization access platform. Not later than September 1, 2027, a manufacturer of motor vehicles sold in this State that uses a telematics system is required to equip vehicles sold in this State with an inter-operable and standardized owner-authorization access platform across all of the

motor vehicle manufacturer's makes and models. The platform must be capable of securely communicating all mechanical data emanating directly from the motor vehicle via direct data connection to the platform. The platform must be directly accessible by the motor vehicle owner through a mobile-based application and, upon the authorization of the owner, all mechanical data must be directly accessible by an independent repair facility or a licensed dealer as described in section 851, subsection 2 and 9, limited to the time to complete the repair or for a period of time agreed to by the motor vehicle owner for the purposes of maintaining, diagnosing and repairing the motor vehicle. Access must include the ability to receive data and send commands to in-vehicle components if needed for purposes of maintenance, diagnostics and repair. The platform must provide a motor vehicle owner or owner-authorized independent repair facility access to the same data the motor vehicle manufacturer makes available to its authorized repair shops. All parts, tools, software and other components necessary to complete a full repair of the vehicle, as referenced in this subsection, must be provided to a motor vehicle owner and independent repair facility authorized by a motor vehicle owner.
[PL 2025, c. 660, §9 (AMD).]

7. Exclusions. Manufacturers of motor vehicles sold in the United States may exclude diagnostic, service and repair information necessary to reset an immobilizer system or security-related electronic modules from information provided to motor vehicle owners and independent repair facilities. If excluded under this subsection, the information necessary to reset an immobilizer system or security-related electronic modules must be made available to motor vehicle owners and independent repair facilities through the secure data release model system as used on the effective date of this section by the National Automotive Service Task Force or other known, reliable and accepted systems.
[IB 2023, c. 3, §3 (NEW).]

8. Enforcement. If the commission has reason to believe that a motor vehicle manufacturer has violated any provision of this section, the commission shall notify the Attorney General. In response to a referral from the commission pursuant to subsection 2-A, paragraph C, subparagraph (2), or in any other instance for which the Attorney General believes this section may have been violated, the Attorney General may institute an action in the Superior Court of any county of the State to enforce this section. The Attorney General may seek injunctive relief and a civil penalty of not more than $10,000 for each violation of this section.

A motor vehicle owner or owner-authorized independent repair facility who has been denied access to mechanical data in violation of this section may initiate a civil action seeking any remedies under law. Each denial of access is compensable by an award of treble damages or $10,000, whichever amount is greater.
[PL 2025, c. 660, §10 (AMD).]

SECTION HISTORY

IB 2023, c. 3, §3 (NEW). PL 2025, c. 660, §§2-10 (AMD).

§1811. Telematics system notice

1. Notice. The Attorney General shall establish for prospective motor vehicle owners a motor vehicle telematics system notice that includes, but is not limited to, the following features:

A. An explanation of telematics systems and their purposes; [IB 2023, c. 3, §4 (NEW).]

B. A description summarizing the mechanical data collected, stored and transmitted by a telematics system; [IB 2023, c. 3, §4 (NEW).]

C. The prospective motor vehicle owner's ability to access the vehicle's mechanical data through a mobile device; and [IB 2023, c. 3, §4 (NEW).]

D. A motor vehicle owner's right to authorize an independent repair facility to access the vehicle's mechanical data for vehicle diagnostics, repair and maintenance purposes. [IB 2023, c. 3, §4 (NEW).]

[IB 2023, c. 3, §4 (NEW).]

2. Notice form. The notice form must provide for the prospective motor vehicle owner's signature certifying that the prospective owner has read the telematics system notice under subsection 1.

[IB 2023, c. 3, §4 (NEW).]

3. Provision of notice. When selling or leasing motor vehicles containing a telematics system, a dealer as defined in section 851, subsection 2 and a new vehicle dealer as defined in section 851, subsection 9 shall provide the telematics system notice under subsection 1 to the prospective owner, obtain the prospective owner's signed certification that the prospective owner has read the notice and provide a copy of the signed notice to the prospective owner. A dealer's failure to comply with the provisions of this subsection is grounds for any action by the licensing authority relative to the dealer's license, up to and including revocation.

[IB 2023, c. 3, §4 (NEW).]

SECTION HISTORY

IB 2023, c. 3, §4 (NEW).

SUBCHAPTER 3

ABANDONED VEHICLES

§1851. Application

This subchapter applies to a vehicle that is: [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

1. Towed at request of owner or driver. Towed at the request of the owner or driver;

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

2. Towed because illegally parked or left standing or at officer's discretion. Towed pursuant to section 2068 or 2069 or at the direction of a law enforcement officer;

[PL 2007, c. 150, §1 (AMD).]

3. Towed because left without permission. Towed after being left on property without permission;

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

4. Left without permission. Left on property without the permission of the property owner or person in charge of the property or premises where the vehicle is located;

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

5. Left after repair completed. Left at a place of business after being repaired pursuant to a written work order signed by the person requesting the repair work;

[PL 2013, c. 496, §14 (AMD).]

6. Left on residential property. Left on an individual's residential property for more than 6 months; or

[PL 2013, c. 496, §14 (AMD).]

7. Left at storage facility. Left at a storage facility, if the owner has failed to pay storage or rental fees.

[PL 2013, c. 496, §15 (NEW).]

A vehicle towed for snow removal purposes is exempt from the provisions of this subchapter for 48 hours immediately following completion of the tow. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

A vehicle abandoned on an island without road access to the mainland is subject to the provisions of section 1860. [PL 1995, c. 65, Pt. A, §102 (NEW); PL 1995, c. 65, Pt. A, §153 (AFF).]

A vehicle left without a transferable title on the premises of an independent entity that temporarily stores a damaged or dismantled vehicle pursuant to an agreement with an insurance company, financial institution or dealer and that is engaged in the sale or resale of damaged or dismantled vehicles is subject to the provisions of section 1862. [PL 2011, c. 88, §1 (NEW).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1995, c. 65, §A102 (AMD). PL 1995, c. 65, §§A153,C15 (AFF). PL 2007, c. 150, §1 (AMD). PL 2011, c. 88, §1 (AMD). PL 2013, c. 496, §§14, 15 (AMD).

§1852. Abandonment defined

For the purposes of this subchapter, a vehicle is considered "abandoned" if the owner or lienholder does not retrieve it and pay all reasonable charges for towing, storing and authorized repair of the vehicle within 14 days after the notices to the owner and lienholder are sent by the Secretary of State or 14 days after the advertisement is published as required in section 1854, subsection 4. There is a rebuttable presumption that the last owner of record of a motor vehicle found abandoned as shown in the files of the office of the Secretary of State is the owner of the motor vehicle at the time it was abandoned and the person who abandoned it. [PL 2011, c. 46, §1 (AMD).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1999, c. 137, §1 (AMD). PL 2007, c. 150, §2 (AMD). PL 2011, c. 46, §1 (AMD).

§1853. Letter of ownership or certificate of title

If a person abandons a vehicle as described in section 1851, the owner of the premises or property where the vehicle is located may obtain a letter of ownership or a certificate of title by complying with this subchapter. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF).

§1854. Notification of vehicle owner

1. Notification in writing. Except as provided in subsection 1-A, the owner of the premises where a vehicle described in section 1851 is located or the owner's agent shall notify the Secretary of State that the owner or the owner's agent is in possession of that vehicle. The notification must be in writing and on a form provided by the Secretary of State.
[PL 2017, c. 240, §1 (AMD).]

1-A. Notification in writing; auto repair and storage facilities. The owner of the premises where a vehicle described in section 1851, subsection 5 or 7 is stored or the owner's agent shall notify the Secretary of State that the owner or the owner's agent is in possession of the vehicle within 14 days after the earliest date on which the vehicle owner is responsible for any unpaid charges for authorized repair or for storage and any related towing expenses incurred by the owner or the owner's agent. The notification must be in writing and on a form provided by the Secretary of State.
[PL 2017, c. 240, §2 (NEW).]

1-B. Notification to lienholder. The owner of the premises where a vehicle described in section 1851, subsection 5 or 7 is stored or the owner's agent shall determine if the title is issued by the Secretary of State under section 657. If the title is issued by the Secretary of State under section 657, the owner of the premises or the owner's agent shall determine if a lienholder is identified on the title of the vehicle. If a lienholder is identified on the title of the vehicle, the owner of the premises or the owner's agent shall notify the lienholder that the owner or the owner's agent is in possession of the vehicle within 14 days after the earliest date on which the lienholder is responsible for any unpaid charges for authorized repair or for storage and any related towing expenses incurred by the owner or the owner's agent.
[PL 2021, c. 515, §1 (NEW).]

2. Contents of notification. A notification under subsection 1 or 1-A must include the vehicle's make, model, year, body type, vehicle identification number and any registration and plates on the vehicle. This notification also must include the date the vehicle came into possession of the owner, the owner's agent or person in charge of the premises where the vehicle is located, under what circumstances the vehicle came into that person's possession and whether the vehicle is salvage.
[PL 2021, c. 515, §1 (AMD).]

3. Response. On receipt of a notification under subsection 1 or 1-A, the Secretary of State shall inform the vehicle owner and lienholder, if any, by regular mail that the vehicle is being claimed under the abandoned vehicle law. The notice to the vehicle owner and lienholder, if any, must identify the vehicle by the year, make, model and vehicle identification number, give the name and address of the party claiming ownership, state the charges against the vehicle that the owner and lienholder, if any, must pay to retrieve the vehicle, and the date that the title or letter of ownership will pass to the new owner. If the party is claiming ownership of the vehicle pursuant to section 603, subsection 6, the notice must inform the vehicle owner and lienholder that the owner must pay to the Secretary of State the fee required in section 603 to transfer the title. A copy of this letter must be provided to the person claiming ownership.
[PL 2021, c. 515, §1 (AMD).]

4. Publication. If the Secretary of State finds no record of a vehicle with respect to which the Secretary of State is notified under subsection 1 or 1-A, the owner of the premises where the vehicle is located shall publish a notice once in a newspaper of general circulation in the county where the premises is located. That notice must clearly:

A. Describe the vehicle by the year, make, model and vehicle identification number; [PL 1999, c. 137, §1 (AMD).]

B. State that if the owner of the vehicle or lienholder has not properly retrieved it and paid all reasonable charges for its towing, storage and repair within 14 days from the publication, ownership of the vehicle passes to the owner of the premises where the vehicle is located; and [PL 2011, c. 46, §2 (AMD).]

C. State how the owner of the premises may be contacted. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]
[PL 2021, c. 515, §1 (AMD).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1999, c. 137, §1 (AMD). PL 2001, c. 563, §3 (AMD). PL 2007, c. 150, §§3-5 (AMD). PL 2009, c. 435, §21 (AMD). PL 2011, c. 46, §2 (AMD). PL 2017, c. 240, §§1-4 (AMD). PL 2021, c. 515, §1 (AMD).

§1855. Owner or lienholder known

(REPEALED)

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1999, c. 137, §2 (RP).

§1856. Change of ownership

1. Evidence of compliance. A person who has complied with section 1854, subsection 4 shall present evidence of compliance to the Secretary of State immediately after the 14-day notice period. The Secretary of State may not issue a letter of ownership or certificate of title until at least 21 days after the date on which the person who has possession of and control over the vehicle notified the Secretary of State by complying with section 1854, subsection 1 or 1-A and section 1854, subsection 2.
[PL 2017, c. 240, §5 (AMD).]

2. Issuance of certificate; letter of ownership. The Secretary of State, upon being satisfied that notice has been made to all parties with an interest in the vehicle, may issue certificates of title or letters of ownership as follows.

A. For a vehicle not required to be titled, on presentation of sufficient evidence and payment of a $5 fee, the Secretary of State may issue a letter of ownership to the owner of the premises on which the vehicle is located. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. For vehicles subject to chapter 7, on presentation of sufficient evidence and application for certificate of title in accordance with section 654 and payment of a fee set forth in section 603, the Secretary of State may issue a certificate of title to the owner of the premises on which the vehicle is located. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]
[PL 1999, c. 137, §3 (AMD).]

If the owner or lienholder of the vehicle retrieves it and pays the towing, storage and repair charges before the Secretary of State issues a letter of ownership or certificate of title, the person holding the vehicle must immediately release it to the person paying the charges and must immediately notify the Secretary of State of the release. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

A person who refuses to release a vehicle when reasonable charges are paid or does not notify the Secretary of State that the vehicle is no longer in the person's possession commits a Class E crime. [PL 1999, c. 137, §3 (NEW).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1999, c. 137, §3 (AMD). PL 2007, c. 150, §6 (AMD). PL 2011, c. 46, §3 (AMD). PL 2017, c. 240, §5 (AMD).

§1857. Limits

If the notification to the Secretary of State required by section 1854 is made more than 14 days after receipt of a vehicle described in section 1851 or if notification is not submitted to the Secretary of State, the person holding the vehicle may not collect more than 14 days of storage fees. Daily storage charges must be reasonable and total storage charges may not exceed $1,500 for a 30-day period. [PL 2021, c. 515, §2 (AMD).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1999, c. 137, §3 (AMD). PL 2007, c. 150, §7 (AMD). PL 2011, c. 46, §4 (AMD). PL 2017, c. 240, §6 (AMD). PL 2021, c. 515, §2 (AMD).

§1858. Abandonment of vehicle on public way

Abandonment of a vehicle on a public way is a traffic infraction for which a fine of not less than $250 must be assessed. A person who is found to have abandoned a vehicle under this section is responsible for any towing or other charges that are directly related to the abandonment of the vehicle. [PL 2007, c. 150, §8 (AMD).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1995, c. 65, §A103 (AMD). PL 1995, c. 65, §§A153,C15 (AFF). PL 2007, c. 150, §8 (AMD).

§1859. Removal of vehicle

Removal of a vehicle described in section 1851 or of any part or accessory from the vehicle without the written consent of the person in charge or the owner of the premises or property where the vehicle is located is a traffic infraction. This section applies to all persons, including the owner of the vehicle. [PL 2023, c. 362, §2 (AMD); PL 2023, c. 362, §4 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1995, c. 65, §A104 (AMD). PL 1995, c. 65, §§A153,C15 (AFF). PL 2023, c. 362, §2 (AMD). PL 2023, c. 362, §4 (AFF).

§1860. Abandonment on an island

A person may not abandon a motor vehicle on any property on an island without consent of the owner of the property. The State, municipality or other political subdivision having jurisdiction over the island may order the owner of a vehicle illegally abandoned on an island to remove it at the vehicle owner's expense. If the owner of the vehicle refuses to remove the motor vehicle, or if the owner is unknown, the State or political subdivision may cause the vehicle to be removed from the island and may require reimbursement from the owner for the removal and the administrative and legal costs. Neither the State nor any political subdivision of the State is liable for any damage to the motor vehicle that may be caused by the removal. Failure to remove an illegally abandoned vehicle on an island within 30 days after written warning, or within 30 days of ice-out if ice prevents the island from being reasonably accessible, is a Class E crime. [PL 1995, c. 65, Pt. A, §105 (NEW); PL 1995, c. 65, Pt. A, §153 (AFF); PL 1995, c. 65, Pt. C, §15 (AFF).]

SECTION HISTORY

PL 1995, c. 65, §A105 (NEW). PL 1995, c. 65, §§A153,C15 (AFF).

§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); PL 2023, c. 395, Pt. A, §4 (AFF).]

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). PL 2023, c. 395, Pt. A, §4 (AFF).

§1862. Left with an independent entity

1. Release of vehicle. An insurance company, financial institution or dealer may direct an independent entity that obtains possession of a vehicle to release the vehicle to the owner. The insurance company, financial institution or dealer shall provide the independent entity a release statement under subsection 2 authorizing the independent entity to release the vehicle to the vehicle's owner.
[PL 2011, c. 88, §2 (NEW).]

2. Release statement. A release statement authorizing an independent entity under subsection 1 to release a vehicle to a vehicle's owner must be on a form prescribed by the bureau and contain the following information:

A. The insurance policy and claim number relating to the vehicle; [PL 2011, c. 88, §2 (NEW).]

B. The name and address of the insured owner of the vehicle; [PL 2011, c. 88, §2 (NEW).]

C. The vehicle identification number and description of the vehicle; and [PL 2011, c. 88, §2 (NEW).]

D. The signature of an authorized representative of the insurance company, financial institution or dealer. [PL 2011, c. 88, §2 (NEW).]
[PL 2011, c. 88, §2 (NEW).]

3. Notice to owner. Upon receiving a release statement concerning a vehicle from an insurance company, financial institution or dealer under subsection 1, an independent entity shall send a notice to the owner of the vehicle that the vehicle is available for pickup by the owner. The notice must contain an invoice for any outstanding charge owed the independent entity, including an initial towing or storage charge paid to a 3rd party, and inform the owner that the owner has 30 days from the date of the postmark on the notice to pick up the vehicle from the independent entity. A notice under this subsection must be sent by first class mail to the owner's address on record with the bureau.
[PL 2011, c. 88, §2 (NEW).]

4. Abandonment. If the owner of a vehicle does not pick up the vehicle within 30 days after notice was sent to the owner pursuant to subsection 3, the vehicle is considered abandoned and the independent entity may apply for a certificate of title or certificate of salvage as set forth in this subchapter. The independent entity shall provide the bureau with a copy of the release statement under subsection 1, proof of notice under subsection 3 and any other supporting documentation and fees as determined necessary by the bureau with the application for certificate of title or certificate of salvage.
[PL 2011, c. 88, §2 (NEW).]

5. Rules. The bureau may adopt rules to carry out the purposes of this section. Rules adopted under this subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.
[PL 2011, c. 88, §2 (NEW).]

SECTION HISTORY

PL 2011, c. 88, §2 (NEW).

§1863. Commercial motor vehicle nonconsensual tow

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Commercial motor vehicle" has the same meaning as in 49 Code of Federal Regulations, Part 390.5, as amended. [PL 2017, c. 120, §2 (NEW).]

B. "Commercial motor vehicle nonconsensual tow" means the towing of a commercial motor vehicle, its contents or other items related to removing the commercial motor vehicle from a roadway or a parking area without the consent of the owner, possessor, agent, insurer or lienholder. [PL 2017, c. 120, §2 (NEW).]

[PL 2017, c. 120, §2 (NEW).]

2. Requirement to itemize invoice. Before demanding payment for any charge relating to a commercial motor vehicle nonconsensual tow, the towing facility must itemize the invoice, in detail, for all costs incurred with the recovery, towing, cleanup or storage of the towed vehicle or its contents. [PL 2017, c. 120, §2 (NEW).]

3. No liability without itemization. A customer who has received a commercial motor vehicle nonconsensual tow is not liable for any charge not itemized on the invoice under subsection 2. [PL 2017, c. 120, §2 (NEW).]

SECTION HISTORY

PL 2017, c. 120, §2 (NEW).

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