

Maine Auto Total Loss Threshold by Law

29-A M.R.S. § 602(19)

§602. Definitions

1. Certificate of origin. "Certificate of origin" means the original written instrument or document required to be executed and delivered by the manufacturer or an importer to the manufacturer's or importer's agent or dealer or a person purchasing directly from the manufacturer or importer certifying the origin of the vehicle. For a motor home, "certificate of origin" means both the manufacturer's and the chassis manufacturer's certificates of origin.

1-A. Clip. A clip is the portion of a vehicle removed by cutting the front or rear of the frame or unibody the width of the vehicle.

2. Component part. "Component part" means one of the following parts of a vehicle:

- A. Engine or motor;
- B. Transmission;
- C. Chassis, front or rear clip, frame or equivalent part;
- D. Door;
- E. Hood;
- F. Tailgate, roof, deck lid or hatchback;
- G. Quarter panel or fender;
- H. Front fork or crankcase of a motorcycle;
- I. Cargo bed, transfer case or sleeper of a truck; or [2001, c. 361, §17 (AMD); 2001, c. 361, §38 (AFF).]
- J. Airbag. [2001, c. 361, §18 (NEW);

3. Dealer. "Dealer" means a person engaged in the business of buying, selling, exchanging or offering to negotiate, negotiating or advertising the sale of, a vehicle and who has:

- A. An established place of business for those purposes in this State; and [1993, c. 683, Pt. A, §2 (NEW);
- B. A current dealer license issued by the Secretary of State. [1993, c. 683, Pt. A, §2 (NEW);

4. Dismantled vehicle. "Dismantled vehicle" means a vehicle with a component part removed.

5. Identification number. "Identification number" means the vehicle identification number and any other identifying numbers or letters on a vehicle designated by a manufacturer, the Secretary of State or equivalent authority in another state.

6. Insurance salvage pool. "Insurance salvage pool" means a person engaged in the business of storing salvage vehicles on behalf of an insurer and disposing of the salvage vehicles through a system of bidding or sales, regardless of whether the insurer or the insurance salvage pool is considered the seller.

7. Lienholder. "Lienholder" means a person holding a security interest in a vehicle.

8. Owner. "Owner" means a person, other than a lienholder, that has control or title to a vehicle. "Owner" includes, but is not limited to, a person entitled to use and possess a vehicle subject to a security interest in another person, but excludes a lessee under a lease not intended as security.

9. Perfected security interest. "Perfected security interest" means security interest that is valid against 3rd parties generally, subject only to specific statutory exceptions.

9-A. Permanently affixed. "Permanently affixed" means, with respect to manufactured housing, placed on a foundation or slab or other form of permanent attachment to the site and connected to conventional and necessary utility systems.

10. Rebuild. "Rebuild" means to replace one or more of the following component parts of a vehicle:

- A. Engine or motor;
- B. Transmission;
- C. Chassis, front or rear clip, frame or equivalent part;
- D. Door;
- E. Hood;
- F. Tailgate, roof, deck lid or hatchback;
- G. Quarter panel or fender;
- H. Front fork or crankcase of a motorcycle; or 2001, c. 361, §19 (NEW);
- I. Cargo bed, transfer case or sleeper of a truck. 2001, c. 361, §19 (NEW);

11. Recycler. "Recycler" means a person engaged in the business of purchasing or acquiring salvage vehicles for the purpose of:

- A. Reselling the vehicle or its component parts;
- B. Rebuilding or repairing the vehicle for the purpose of resale;
- C. Selling the vehicle's basic materials;
- D. Permitting the display or storage of the vehicle or its parts; or [1993, c. 683, Pt. A, §2 (NEW);
- E. Acting as a scrap processor;

12. Repair. "Repair" means to remedy structural or other damage without replacing component parts of a vehicle.

13. Salvage vehicle. "Salvage vehicle" means a vehicle that, by reason of its condition or circumstance, is declared a total loss by an insurer or owner or is transferred to a recycler or salvage dealer, or a vehicle for which a certificate of salvage has been issued.

14. Scrap. "Scrap," the verb, means to compress, shred or destroy.

15. Scrap processor. "Scrap processor" means a person that is engaged in the business of scrapping salvage vehicles for the basic material in them but that is not engaged in the business of selling parts or rebuilding or repairing salvage vehicles.

16. Security agreement. "Security agreement" means a written agreement that reserves or creates a security interest.

17. Security interest. "Security interest" means an interest in a vehicle reserved or created by agreement and that secures payment or performance of an obligation, including, but not limited to, the interest of a lessor under a lease intended as security.

18. State. "State" means a state, territory or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico or a province of the Dominion of Canada.

19. Total loss. "Total loss" means a vehicle that is transferred to an insurer due to damage, destruction or theft, or a vehicle determined by an owner to have no marketable value other than the value of the basic material and parts used in the construction of the vehicle.

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

20. Vehicle. "Vehicle" means a vehicle, as defined in section 101, or the body or chassis of any vehicle that is to be dismantled, scrapped or rebuilt.