

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill by striking out the title and substituting the following:

**'An Act To Improve the Protection of Animals'**

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'**Sec. 1. 7 MRSA §4019**, as enacted by PL 2007, c. 702, §20, is amended to read:

**§ 4019. Removal from unattended motor vehicle**

**1. Removal authorized.** A law enforcement officer, humane agent ~~or~~, animal control officer, firefighter as defined in Title 26, section 2101, first responder as defined in Title 32, section 83, subsection 13#A or security guard licensed under Title 32, chapter 93, referred to in this section as "authorized persons," may take all steps that are reasonably necessary to remove an animal from a motor vehicle if the animal's safety, health or well#being appears to be in immediate danger from heat, cold or lack of adequate ventilation and the conditions could reasonably be expected to cause extreme suffering or death.

**2. Notice required.** A law enforcement officer, humane agent or animal control officer who removes an animal in accordance with subsection 1 shall, in a secure and conspicuous location on or within the motor vehicle, leave written notice bearing the officer's or agent's name and office and the address of the location where the animal may be claimed. A firefighter, first responder or security guard who removes an animal in accordance with subsection 1 shall, in a secure and conspicuous location on or within the motor vehicle, leave written notice bearing the person's name and the address of the location where the animal may be claimed. The owner may claim the animal only after payment of all charges that have accrued for the maintenance, care, medical treatment and impoundment of the animal.

**3. Immunity.** ~~A law enforcement officer, humane agent or animal control officer~~An authorized person who removes an animal from a motor vehicle pursuant to subsection 1 is immune from criminal or civil liability that might otherwise result from the removal.'

**SUMMARY**

This amendment revises the authority to remove an animal from a car when necessary for the animal's health or safety. The bill proposes extending that authority to any person. The amendment extends the authority to firefighters, first responders and licensed security guards. It removes the provisions in the bill pertaining to vendor's licenses, shelter requirements for dogs and securing a dog transported in an open vehicle.