

§3-1103. Definitions

(1). In this Article, unless the context indicates otherwise, the following terms have the following meanings.

- (a). "Acceptor" means a drawee who has accepted a draft. [PL 1993, c. 293, Pt. A, §2 (NEW).]
- (b). "Drawee" means a person ordered in a draft to make payment. [PL 1993, c. 293, Pt. A, §2 (NEW).]
- (c). "Drawer" means a person who signs or is identified in a draft as a person ordering payment. [PL 1993, c. 293, Pt. A, §2 (NEW).]
- (d). [PL 2009, c. 325, Pt. B, §14 (RP); PL 2009, c. 325, Pt. B, §27 (AFF).]
- (e). "Maker" means a person who signs or is identified in a note as a person undertaking to pay. [PL 1993, c. 293, Pt. A, §2 (NEW).]
- (f). "Order" means a written instruction to pay money signed by the person giving the instruction. The instruction may be addressed to any person, including the person giving the instruction, or to one or more persons jointly or in the alternative but not in succession. An authorization to pay is not an order unless the person authorized to pay is also instructed to pay. [PL 1993, c. 293, Pt. A, §2 (NEW).]
- (g). "Ordinary care" in the case of a person engaged in business means observance of reasonable commercial standards, prevailing in the area in which the person is located, with respect to the business in which the person is engaged. In the case of a bank that takes an instrument for processing for collection or payment by automated means, reasonable commercial standards do not require the bank to examine the instrument if the failure to examine does not violate the bank's prescribed procedures and the bank's procedures do not vary unreasonably from general banking usage not disapproved by this Article or Article 4. [PL 1993, c. 293, Pt. A, §2 (NEW).]
- (h). "Party" means a party to an instrument. [PL 1993, c. 293, Pt. A, §2 (NEW).]
- (i). "Promise" means a written undertaking to pay money signed by the person undertaking to pay. An acknowledgment of an obligation by the obligor is not a promise unless the obligor also undertakes to pay the obligation. [PL 1993, c. 293, Pt. A, §2 (NEW).]
- (j). "Prove" with respect to a fact means to meet the burden of establishing the fact (section 1-1201, subsection (8)). [PL 2009, c. 325, Pt. B, §15 (AMD); PL 2009, c. 325, Pt. B, §27 (AFF).]
- (k). "Remitter" means a person who purchases an instrument from its issuer if the instrument is payable to an identified person other than the purchaser. [PL 1993, c. 293, Pt. A, §2 (NEW).]
[PL 2009, c. 325, Pt. B, §§14, 15 (AMD); PL 2009, c. 325, Pt. B, §27 (AFF).]

(2). Other definitions applying to this Article and the sections in which they appear are:

"Acceptance"	Section 3-1409
"Accommodated party"	Section 3-1419
"Accommodation party"	Section 3-1419
"Alteration"	Section 3-1407
"Anomalous indorsement"	Section 3-1205
"Blank indorsement"	Section 3-1205
"Cashier's check"	Section 3-1104
"Certificate of deposit"	Section 3-1104
"Certified check"	Section 3-1409
"Check"	Section 3-1104
"Consideration"	Section 3-1303
"Demand draft"	Section 3-1104

"Draft"	Section 3-1104
"Holder in due course"	Section 3-1302
"Incomplete instrument"	Section 3-1115
"Indorsement"	Section 3-1204
"Indorser"	Section 3-1204
"Instrument"	Section 3-1104
"Issue"	Section 3-1105
"Issuer"	Section 3-1105
"Negotiable instrument"	Section 3-1104
"Negotiation"	Section 3-1201
"Note"	Section 3-1104
"Payable at a definite time"	Section 3-1108
"Payable on demand"	Section 3-1108
"Payable to bearer"	Section 3-1109
"Payable to order"	Section 3-1109
"Payment"	Section 3-1602
"Person entitled to enforce"	Section 3-1301
"Presentment"	Section 3-1501
"Reacquisition"	Section 3-1207
"Special indorsement"	Section 3-1205
"Teller's check"	Section 3-1104
"Transfer of instrument"	Section 3-1203
"Traveler's check"	Section 3-1104
"Value"	Section 3-1303

[PL 2003, c. 594, §1 (AMD).]

(3). The following definitions in other Articles apply to this Article:

"Bank"	Section 4-105
"Banking day"	Section 4-104
"Clearing house"	Section 4-104
"Collecting bank"	Section 4-105
"Depository bank"	Section 4-105
"Documentary draft"	Section 4-104
"Intermediary bank"	Section 4-105
"Item"	Section 4-104
"Payor bank"	Section 4-105
"Suspends payments"	Section 4-104

[PL 1993, c. 293, Pt. A, §2 (NEW).]

(4). In addition Article 1 contains general definitions and principles of construction and interpretation applicable throughout this Article.

[PL 1993, c. 293, Pt. A, §2 (NEW).]

SECTION HISTORY

PL 1993, c. 293, §A2 (NEW). PL 2003, c. 594, §1 (AMD). PL 2009, c. 325, Pt. B, §§14, 15 (AMD). PL 2009, c. 325, Pt. B, §27 (AFF).

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

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Legislature and is current through October 15, 2024. The text is

subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

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

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