

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

Date:

6/9/25 Majority

(Filing No. H-586)

HOUSING AND ECONOMIC DEVELOPMENT

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
132ND LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT "A" to H.P. 959, L.D. 1467, "An Act to Ensure Accountability for Repairs Conducted by Independent Repair Facilities on Motor Vehicles Under Warranty"

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

'An Act to Require Independent Repair Facilities to Provide Certain Disclosures to Consumers'

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

'Sec. 1. 29-A MRSA §1801, sub-§1-A is enacted to read:

1-A. Consumer. "Consumer" has the same meaning as in Title 10, section 1161, subsection 1.

Sec. 2. 29-A MRSA §1801, sub-§2-B is enacted to read:

2-B. Independent repair facility. "Independent repair facility" means a person or business operated in accordance with the laws of the State that is not affiliated with a manufacturer or manufacturer's authorized dealer and that is engaged in the diagnosis, service, maintenance or repair of motor vehicles or motor vehicle engines, except that "independent repair facility" includes a manufacturer's authorized dealer or other entity within a manufacturer's certified repair network when the dealer or other entity is engaged in the diagnosis, service, maintenance or repair of a motor vehicle or motor vehicle engine that is not affiliated with the manufacturer.

Sec. 3. 29-A MRSA §1812 is enacted to read:

§1812. Independent repair facilities; disclosure to consumers

1. Disclosure to consumers. Prior to performing a repair on a consumer's motor vehicle, an independent repair facility shall disclose to the consumer in writing that:

A. Except in situations when the independent repair facility is a manufacturer's authorized dealer or other entity within a manufacturer's certified repair network, the

- 1 independent repair facility is not affiliated with a motor vehicle manufacturer or a
- 2 franchised new motor vehicle dealer;
- 3 B. The independent repair facility may not have all of the tools, software and
- 4 designated tools the manufacturer requires of its new motor vehicle dealer franchisees;
- 5 C. The technicians employed by the independent repair facility do not have all
- 6 technician certifications and continuing education requirements that technicians of a
- 7 franchised motor vehicle dealer may have; and
- 8 D. There are no manufacturer warranty obligations associated with repairs performed
- 9 by an independent repair facility.
- 10 An independent repair facility may comply with the requirements of this section by use of
- 11 a poster containing the same disclosures, which must be posted in a place where it will be
- 12 reasonably likely to be seen by customers and be at least 18 inches by 24 inches in size.
- 13 2. Unfair trade practice. The failure of an independent repair facility to comply with
- 14 the requirements of subsection 1 constitutes an unfair trade practice under the Maine Unfair
- 15 Trade Practices Act, except that there is no private right of action under Title 5, section
- 16 213.
- 17 3. Rules. The Attorney General may adopt rules to carry out the purposes of this
- 18 section. Rules adopted pursuant to this subsection are routine technical rules as defined in
- 19 Title 5, chapter 375, subchapter 2-A.'
- 20 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
- 21 number to read consecutively.

22 **SUMMARY**

23 This amendment, which is the majority report of the committee, replaces the bill and
24 establishes disclosure requirements to consumers by independent repair facilities. Failure
25 to make these disclosures is an unfair trade practice.

26 **FISCAL NOTE REQUIRED**

27 (See attached)



Approved: 06/04/25 **LRL**

132nd MAINE LEGISLATURE

LD 1467

LR 2053(02)

An Act to Ensure Accountability for Repairs Conducted by Independent Repair Facilities on Motor Vehicles Under Warranty

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-586)

Committee: Housing and Economic Development

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund
Minor revenue increase - General Fund

Correctional and Judicial Impact Statements

This bill may increase the number of civil suits filed in the court system. The additional workload associated with the minimal number of new cases filed in the court system does not require additional funding at this time. The collection of additional filing fees will increase General Fund revenue by minor amounts.

Fiscal Detail and Notes

Any additional costs to the Office of the Attorney General from rule making are expected to be minor and can be absorbed within existing budgeted resources.