

# MAINE STATE LEGISLATURE

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# 132nd MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2025

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Legislative Document

No. 1468

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H.P. 960

House of Representatives, April 3, 2025

### **An Act to Establish Standards for Independent Motor Vehicle Repair Facilities in Maine**

(EMERGENCY)

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Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script, reading "R. B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative COLLAMORE of Pittsfield.

Cosponsored by Representatives: QUINT of Hodgdon, ROBERTS of South Berwick.

1       **Emergency preamble.** Whereas, acts and resolves of the Legislature do not  
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3       **Whereas,** the automotive repair industry is increasingly reliant on advanced  
4 technologies and original equipment manufacturer standards to ensure motor vehicles are  
5 repaired safely and efficiently; and

6       **Whereas,** independent motor vehicle repair shops must be aligned with original  
7 equipment manufacturer repairer standards to maintain safety, reliability and consumer  
8 trust; and

9       **Whereas,** a lack of standardized training and certification may lead to inconsistent  
10 repair practices, which could undermine vehicle performance, safety systems and warranty  
11 compliance; and

12       **Whereas,** in the judgment of the Legislature, these facts create an emergency within  
13 the meaning of the Constitution of Maine and require the following legislation as  
14 immediately necessary for the preservation of the public peace, health and safety; now,  
15 therefore,

16 **Be it enacted by the People of the State of Maine as follows:**

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

18       **1-A. Continuing education.** "Continuing education" means ongoing training for a  
19 repair technician to be current with advancements in motor vehicle technology and repair  
20 methods.

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

22       **2-B. Independent motor vehicle repair facility.** "Independent motor vehicle repair  
23 facility" means a repair facility that is not affiliated with a motor vehicle manufacturer or  
24 motor vehicle manufacturer's authorized dealer and includes a motor vehicle  
25 manufacturer's authorized dealer or other entity within the motor vehicle manufacturer's  
26 certified repair network if the dealer or other entity is engaged in repair of a motor vehicle  
27 that is not affiliated with the motor vehicle manufacturer.

28       **Sec. 3. 29-A MRSA §1801, sub-§2-C** is enacted to read:

29       **2-C. Original equipment manufacturer.** "Original equipment manufacturer" means  
30 a manufacturer of a motor vehicle part or other motor vehicle equipment that is used by  
31 another company or entity that integrates the part or equipment in the other company's or  
32 entity's product.

33       **Sec. 4. 29-A MRSA §1801, sub-§2-D** is enacted to read:

34       **2-D. Original equipment manufacturer repair facility.** "Original equipment  
35 manufacturer repair facility" means an independent motor vehicle repair facility authorized  
36 by an original equipment manufacturer to perform repairs in compliance with original  
37 equipment manufacturer standards.

38       **Sec. 5. 29-A MRSA §1801, sub-§2-E** is enacted to read:

39       **2-E. Original equipment manufacturer standards.** "Original equipment  
40 manufacturer standards" means specifications, protocols and requirements established by

1 a motor vehicle manufacturer for the repair and maintenance of a motor vehicle  
2 manufactured by the motor vehicle manufacturer.

3 **Sec. 6. 29-A MRSA §1801, sub-§5-A** is enacted to read:

4 **5-A. Technician certification.** "Technician certification" means a certification by a  
5 nationally recognized organization dedicated to automotive service excellence or an  
6 interindustry conference on automobile collision repair verifying a motor vehicle  
7 technician's proficiency in performing repairs to original equipment manufacturer  
8 standards or an original equipment manufacturer-specific certification by a motor vehicle  
9 manufacturer.

10 **Sec. 7. 29-A MRSA §1812** is enacted to read:

11 **§1812. Original equipment manufacturer repair facilities**

12 **1. Original equipment manufacturer repair facility standards; technician**  
13 **certification; training and continuing education.** An original equipment manufacturer  
14 repair facility shall:

15 A. Meet minimum equipment and infrastructure requirements under original  
16 equipment manufacturer standards, including:

17 (1) Diagnostic tools and software;

18 (2) Welding and structural repair equipment; and

19 (3) A climate-controlled paint booth and refinishing system compliant with  
20 environmental laws, rules and regulations;

21 B. Ensure all motor vehicle technicians of the original equipment manufacturer repair  
22 facility have received a technician certification; and

23 C. Ensure all motor vehicle technicians of the original equipment manufacturer repair  
24 facility participate in ongoing training in original equipment manufacturer-approved  
25 programs and continuing education, including:

26 (1) Annual training by a nationally recognized interindustry conference on  
27 automobile collision repair;

28 (2) Updates on advanced driver assistance system repairs; and

29 (3) If the original equipment manufacturer repair facility repairs an electric vehicle,  
30 electric vehicle-specific repair.

31 **2. Registration.** An original equipment manufacturer repair facility shall register  
32 annually with the Secretary of State and demonstrate compliance with subsection 1.

33 **3. Directory.** The Secretary of State shall maintain and make available, including on a  
34 publicly accessible website, a registry of all registrants under subsection 2.

35 **4. Inspections and audits.** The Secretary of State shall conduct random inspections  
36 and audits of original equipment manufacturer repair facilities to ensure compliance with  
37 this section and respond to a complaint about an original equipment manufacturer repair  
38 facility by a member of the public.

39 **5. Penalties.** A person in violation of this section is subject to:

40 A. A penalty of up to \$5,000 per violation;

B. An order by the Secretary of State for mandatory corrective action and a timeline for compliance; and

### C. Revocation of registration for repeated violations.

The Secretary of State shall establish an appeals process for a person subject to a penalty or finding of noncompliance under this subsection.

**6. Rules.** The Secretary of State shall adopt rules to carry out the purposes of this section. Rules adopted pursuant to this subsection are routine technical rules under Title 5, chapter 375, subchapter 2-A.

**Sec. 8. Secretary of State to adopt rules for original equipment manufacturer repair facilities.** By January 1, 2026, the Secretary of State, in consultation with stakeholders and other interested parties, shall adopt rules under the Maine Revised Statutes, Title 29-A, section 1812, subsection 6, including:

1. Defining acceptable certifications and training programs;
2. Establishing clear criteria for facility audits and inspections; and
3. Developing an appeals process for a facility contesting a penalty or finding of noncompliance.

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.

## SUMMARY

This bill establishes a registration process and mandatory standards for original equipment manufacturer repair facilities, which are independent motor vehicle repair facilities authorized to perform repairs by an original equipment manufacturer, aligning those standards with original equipment manufacturer certifications, repairs, equipment and infrastructure and training and continuing education. The bill requires the Secretary of State to administer the registration process and enforce compliance with the provisions of this bill.