

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1984 to June 20, 1985

Chapters 1-384

PUBLISHED BY THE REVISOR OF STATUTES IN ACCORDANCE WITH
MAINE REVISED STATUTES ANNOTATED, TITLE 3, SECTION 163-A,
SUBSECTION 4.

J.S. McCarthy Co., Inc.
Augusta, Maine
1986

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND TWELFTH LEGISLATURE

1985

In the case of a consumer's successful action to enforce any liability under this chapter, a court may award reasonable attorney's fees and costs incurred in connection with the action.

Effective September 19, 1985.

CHAPTER 221

S.P. 126 - L.D. 366

AN ACT to Amend the Law Relating to
Regulation of Business Practices
Between Motor Vehicle Manufacturers,
Distributors and Dealers.

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

10 MRSA §1175, as amended by PL 1979, c. 498, §2, is further amended to read:

§1175. Delivery and preparation obligations; product liability and implied warranty complaints

Every manufacturer shall specify to the dealer the delivery and preparation obligations of its motor vehicle dealers prior to delivery of new motor vehicles to retail buyers. The delivery and preparation obligations of its motor vehicle dealers and a schedule of the compensation to be paid to its motor vehicle dealers for the work and services they shall be required to perform in connection with such delivery and preparation obligations shall constitute any such dealer's only responsibility for product liability as between such dealer and such manufacturer. The compensation as set forth on said schedule shall be reasonable.

In any action or claim brought against the dealer on a product liability complaint in which it is later determined that the manufacturer is liable, the dealer shall be entitled, from the manufacturer, to receive its reasonable costs and attorney's fees incurred in defending the claim or action.

In any action or claim brought against the dealer on a breach of implied warranty complaint in which it is later determined that the manufacturer is liable,

the dealer shall be entitled, from the manufacturer, to receive its reasonable costs and attorney's fees incurred in defending the claim or action. In any such implied warranty action, a dealer shall have the rights of a buyer under Title 11, section 2-607, subsection (5).

The court shall consider the dealer's share in the responsibility for the damages in awarding costs and attorney's fees.

Effective September 19, 1985.

CHAPTER 222

H.P. 1038 - L.D. 1512

AN ACT to Increase the Competitive Bidding
Minimum for County Commissioner
Purchases.

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

Sec. 1. 5 MRSA §1816, sub-§2, ¶A, as amended by PL 1979, c. 3, §1, is further amended to read:

A. The procurement of services, supplies, materials and equipment required involves the expenditure of less than \$250 or ~~less than \$500~~ \$1,000 or less for purchases by county commissioners pursuant to Title 30, section 304 and the interests of the State would best be served thereby;

Sec. 2. 30 MRSA §304, 2nd ¶, as amended by PL 1979, c. 3, §3, is further amended to read:

The Except in the case of purchases through the State, the county commissioners shall make all purchases over \$500 \$1,000 of services, supplies, materials and equipment needed by the county, or any department or agency thereof, by competitive bidding. All provisions of Title 5, section 1816 shall govern such purchases as far as applicable. Purchases through the State shall be governed by Title 5, section 1816, subsection 2, paragraph A.

Effective September 19, 1985.
