

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIRST LEGISLATURE

Legislative Document

No. 31

S. P. 38

In Senate, January 9, 1963

Referred to Committee on Legal Affairs. Sent down for concurrence and ordered printed.

Presented by Senator Porteous of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-THREE

AN ACT Relating to Use of Credit Cards.

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

R. S., c. 133, §§ 29-A - 29-C, additional. Chapter 133 of the Revised Statutes is amended by adding 3 new sections, to be numbered 29-A to 29-C, to read as follows:

'Credit Cards and Credit Identification Devices.

Sec. 29-A. Definitions. Each word or term defined in this section has the meaning indicated in this section for the purposes of sections 29-A to 29-C, unless a different meaning is plainly required by the context:

I. Credit card. "Credit card" means and includes any credit card, credit plate, charge plate, courtesy card or other identification card or device issued by a person to another person which authorizes the holder to obtain credit or to purchase or lease property or services on the credit of the issuer or of the obligor.

II. Holder. "Holder" means a person to whom such a credit card is issued and includes an obligor.

III. Issuer. "Issuer" means a person who issues a credit card.

IV. Obligor. "Obligor" means any person who has agreed to pay obligations arising from the use of a credit card issued to him or to another person as holder.

V. Person. "Person" includes an individual, corporation, partnership or association, 2 or more persons having a joint or common interest or any other legal or commercial entity.

Sec. 29-B. Limitations on liability for use of lost or stolen credit cards. A provision to impose liability on an obligor for the purchase or lease of property or services by use of a credit card after its loss or theft is effective only if it is conspicuously written or printed in a size at least equal to 8-point bold type either on the card, or on a writing accompanying the card when issued or on the obligor's application for the card, and then only until written notice of the loss or theft is given to the issuer. Such a provision either in a credit card issued prior to the effective date of this act, or in a writing accompanying such a card when issued, or in the obligor's application for such a card is effective, on or after the effective date of this act, only if the issuer mails to the obligor, properly addressed, written notice of the provision conspicuously written or printed in a size at least equal to 8-point bold type.

Sec. 29-C. Unauthorized use of credit cards. Any person who obtains credit, cash, property or services by use of a credit card, knowing that he is not the person to whom the credit card was issued or that he is not authorized to use it, shall be guilty of larceny and punished accordingly.

Any person who, with intent to deprive or defraud, obtains credit, cash, property or services by use of a credit card issued to him or to another person, knowing that the credit card or the authorization to use it has expired or been terminated or revoked by the issuer and has not been renewed, shall be guilty of a misdemeanor and punished accordingly.'