

MAINE STATE LEGISLATURE

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ONE HUNDRED AND THIRD LEGISLATURE

Legislative Document

No. 724

H. P. 511

House of Representatives, February 8, 1967

Referred to Committee on Judiciary. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Lewin of Augusta.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-SEVEN

AN ACT Relating to Complaints and Violations Under Motor Vehicle Sales
Finance Act.

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

Sec. 1. R. S., T. 9, § 3521, repealed and replaced. Section 3521 of Title 9 of the Revised Statutes is repealed and the following enacted in place thereof:

§ 3521. Complaints and investigations

The commissioner shall have power to make such investigations as he shall deem necessary, and may examine the books, accounts, records and files of a retail seller or the holder of a retail installment contract. Any retailer buyer having reason to believe there is a violation of section 3481 or 3482 as relating to his retail installment contract may file a written complaint with the commissioner.

If after notice and hearing, the commissioner should find a violation of section 3481 or 3482, he shall notify the retail seller, retail buyer and holder of the retail installment contract of his findings.

Sec. 2. R. S., T. 9, § 3523, sub-§ 2, repealed and replaced. Subsection 2 of section 3523 of Title 9 of the Revised Statutes is repealed and the following enacted in place thereof:

2. Willful violations of section 3481 or 3482. Upon complaint to the proper District Court by a retail buyer, and upon a finding that a willful violation of section 3481 or 3482 has occurred, the retail seller or holder, whoever is responsible for the violation, shall forfeit to the retail buyer the finance charge contracted for and the amount of any delinquency, collection, extension or refinance charge imposed. Reasonable attorneys' fees and costs shall be awarded to the retail buyer if he is the prevailing party in such action.