

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 1183

H. P. 896

House of Representatives, February 28, 1973

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

E. LOUISE LINCOLN, Clerk

Presented by Mr. Snowe of Auburn.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

**AN ACT Relating to Resetting, Tampering or Disconnecting Odometers on
Motor Vehicles.**

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

R. S., T. 17, § 1609-A, repealed and replaced. Section 1609-A of Title 17 of the Revised Statutes, as enacted by chapter 233 of the public laws of 1971, is repealed and the following enacted in place thereof:

§ 1609-A. Resetting, tampering or disconnecting odometers on motor vehicles

1. Information on transfer. At the time of transfer of a motor vehicle each transferor shall furnish to the transferee a written statement signed by the transferor, containing the following information:

- A. The date of the transfer;
- B. The odometer reading at the time of transfer;
- C. The transferor's current address;
- D. A statement that the transferor or his agent has repaired, replaced or serviced the odometer, if such is the fact; and
- E. The name and address of the prior owner;

and also shall enter in ink on the document transferring ownership to the transferee the same said information listed in paragraphs A to D and furthermore each transferor of a motor vehicle shall enter in ink on the instruments executed by him, including any form prescribed by the Department of Secre-

tary of State, Division of Motor Vehicles, the odometer reading at the time of transfer. In addition to the items listed in this section, if the transferor knows that the odometer reading differs from the number of miles the vehicle has actually traveled, he shall include a statement that the actual vehicle mileage is unknown and if the transferor knows that the mileage indicated on the odometer is beyond the designed mechanical limits of said odometer, he shall include a statement of the total cumulative mileage. Any person, firm, partnership or corporation who violates any provision of this subsection or who gives a false statement to a transferee under this subsection, shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than 11 months, or by both.

2. Misrepresentation. A person, firm, partnership or corporation who shall misrepresent the mileage of a motor vehicle to a transferee by the execution and delivery of the written statement required in subsection 1, which in fact is false, or who shall misrepresent such mileage to a transferee by disconnecting, changing, tampering or causing to be disconnected or changed the odometer of any motor vehicle shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than 11 months, or by both.

3. Service and repair. Nothing in this section shall prevent the service, repair or replacement of an odometer, provided the mileage indicated thereon remains the same as before the service, repair or replacement. Where the odometer is incapable of registering the same mileage as before such service, repair or replacement, the odometer shall be adjusted to read zero and a notice in writing shall be attached to the left door frame of the vehicle by the owner or his agent specifying the mileage prior to repair or replacement of the odometer and the date on which it was repaired or replaced. Any removal or alteration of such notice so affixed shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than 11 months, or by both.

4. Penalty. A violation of any provision of this section shall constitute a violation of Title 5, chapter 10, Unfair Trade Practices Act.

STATEMENT OF FACT

The purpose of this bill is to make the law of Maine dealing with the resetting, tampering or disconnecting of odometers on motor vehicles consistent with the federal law.