

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

FIRST REGULAR SESSION

---

---

ONE HUNDRED AND NINTH LEGISLATURE

---

---

**Legislative Document**

**No. 815**

H. P. 655

House of Representatives, February 28, 1979

On Motion of Mr. Sprowl of Hope, referred to the Committee on Business Legislation. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Sprowl of Hope.

---

---

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-NINE

---

---

**AN ACT to Amend the Definitional Provisions of the Used Car Information Act.**

---

---

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

**Sec. 1. 10 MRSA § 1471, sub-§ 3**, as enacted by PL 1975, c. 770, § 57, is amended to read:

**3. Mechanical defect.** "Mechanical defect" means any defect, failure or malfunction of the mechanical system of a motor vehicle, **existing at the time of sale**, including but not limited to the motor and transmission, electrical, hydraulic or suspension systems, and any defect, damage, failure or malfunction, **existing at the time of sale**, that affects the safety or normal use of a motor vehicle.

**Sec. 2. 10 MRSA § 1471, sub-§ 6-A** is enacted to read:

**6-A. Substantial collision damage.** "Substantial collision damage" is damage to a motor vehicle occasioned by a collision which exceeds 50% of the motor vehicle's average retail price immediately prior to the collision, as determined by the National Automobile Dealers Association Official Used Car Guide, New England edition.

## STATEMENT OF FACT

The amendment to subsection 3 requires a used car dealer to disclose those mechanical defects existing at the time of sale, but does not require the dealer to know of and disclose any and all defects that have existed during the vehicle's history if the defects have been repaired by the time of sale.

The inclusion of subsection 6-A provides a definition for "substantial collision damage" as that term is used in Title 10, section 1475, thus clarifying what a dealer must disclose.