

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. 1076

H. P. 871

House of Representatives, March 7, 1979

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

EDWIN H. PERT, Clerk

Presented by Mrs. Huber of Falmouth.

Cosponsors: Mr. Kiesman of Fryeburg and Mr. D. Dutremble of Biddeford.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT to Establish Minimum Warranties for the Sale and Installation of Solar Energy Equipment in Maine.

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

10 MRSA c. 221 is enacted to read:

CHAPTER 221
WARRANTIES FOR SALE AND INSTALLATION
OF SOLAR ENERGY EQUIPMENT

§ 1491. Legislative findings and purpose

The Legislature finds that a major detriment to the commercialization of solar energy in Maine is lack of consumer confidence in the performance and reliability of solar energy equipment. It is the purpose of this chapter, therefore, to establish a minimum warranty for the sale and installation of all solar energy equipment in Maine.

§ 1492. Definitions

As used in this chapter, unless the context indicates otherwise, the following terms shall have the following meanings:

1. **Solar energy equipment.** "Solar energy equipment" means all controls, tanks, pumps, heat exchangers, collectors and all other equipment necessary for the collection, transfer and storage of solar energy, as determined by the Office of Energy Resources. Passive solar energy systems or those systems using natural means to collect, store and transfer solar energy shall not be included under this chapter.

§ 1493. Express warranty

The Office of Energy Resources shall establish an express warranty for the sale and installation of solar energy equipment in Maine. This express warranty shall, at a minimum, include the following:

1. **Five-year warranty.** A 5-year manufacturer's express warranty against defects in materials or manufacture of solar collectors;

2. **One-year warranty.** A one-year warranty against failure of the solar system when such failure is the result of improper installation; and

3. **Implied warranty.** Those implied warranties established in the Maine Uniform Commercial Code, Title 11, sections 2-314 and 2-315.

§ 1494. Civil forfeiture; Unfair Trade Practices Act violation

Any person who fails to provide the purchaser of solar energy equipment, as defined in this chapter, with a minimum warranty, as established by law, shall be deemed to have committed a civil violation for which a forfeiture of not less than \$200 nor more than \$500 for the first offense and not less than \$500 nor more than \$1,000 for each subsequent offense shall be adjudged. In addition to the civil penalty provided in this section, any violation of this chapter shall constitute a violation of Title 5, chapter 10.

STATEMENT OF FACT

The purpose of this bill is to establish a minimum warranty for all solar energy equipment sold and installed in the State of Maine.