

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 470

H. P. 423

House of Representatives, January 28, 1981

Speaker laid before the House and on Motion of Representative Brannigan of Portland, referred to the Committee on Business Legislation. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative P. Paradis of Augusta.

Cosponsor: Representative Pearson of Old Town.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT to Require a Record of Sales to be Kept by Dealers in Used Merchandise.

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

15 MRSA § 456, as amended by PL 1979, c. 663, § 93, is repealed and the following enacted in its place:

No dealer in used personal property may buy any used personal property from any person without first recording in a book kept for the purpose a description of the personal property and the name and address of the seller of the property. For purposes of this section, "book kept for the purpose" means a bound volume or bound ledger, constituting a permanent form of record. The dealer shall also record the registration number of the motor vehicle used by the seller in the delivery of the used merchandise and shall require reasonable proof of identification of the seller. The record shall be made before the sale is completed and shall be open to the inspection of any law enforcement officer or prosecuting attorney, at the dealer's place of business. The book shall be kept at the dealer's place of business. Any dealer who fails to keep the bound record at his place of business or fails to require reasonable proof of identification of the seller or refuses to show the same to any law enforcement officer or prosecuting attorney, or whoever gives a false or fictitious name to the dealer is guilty of a Class D crime.

STATEMENT OF FACT

The purpose of this bill is to require a permanent record to be kept by dealers in used merchandise at the dealer's place of business so as to be available for police scrutiny.