

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)

1 SECOND REGULAR SESSION
2

3 ONE HUNDRED AND TENTH LEGISLATURE
4

5 **Legislative Document**

No. 1969

7 H. P. 1993 House of Representatives, February 11, 1982
Approved for introduction by the Legislative Council pursuant to
Joint Rule 26.

8 Referred to the Committee on Business Legislation. Sent up for
concurrence and ordered printed.

Presented by Representative Baker of Portland. EDWIN H. PERT, Clerk

9
10 STATE OF MAINE
11

12 IN THE YEAR OF OUR LORD
13 NINETEEN HUNDRED AND EIGHTY-TWO
14

15 AN ACT Regulating Certain Practices Be-
16 tween Television, Radio and Phonograph
17 Manufacturers and Repair Facilities.
18

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

20 10 MRSA c. 212 is enacted to read:

21 CHAPTER 212

22 REGULATION OF BUSINESS PRACTICES

23 BETWEEN TELEVISION, RADIO AND PHONOGRAPH

24 MANUFACTURERS AND REPAIR FACILITIES

25 §1361. Definitions

26 As used in this chapter, unless the context indicates
27 otherwise, the following terms have the following meanings.

1 1. Manufacturer. "Manufacturer" means any person
2 engaged in the business of manufacturing televisions, radios
3 or phonographs.

4 2. Repair facility. "Repair facility" means any
5 person engaged in the business of repairing televisions,
6 radios or phonographs in this State.

7 3. Television, radio or phonograph. "Television,
8 radio or phonograph" means television, radio or phonograph
9 equipment ordinarily used for personal, family or household
10 purposes, as well as associated components, including, with-
11 out limitation, antennas, tape recorders, speakers,
12 headphones and remote control devices.

13 §1362. Warranty repairs

14 If a manufacturer agrees to require or permit a repair
15 facility to make television, radio or phonograph repairs
16 under a warranty created by the manufacturer, the manufac-
17 turer shall comply with this section.

18 1. Reimbursement. The manufacturer shall promptly
19 reimburse the repair facility for the following:

20 A. Parts provided under warranty, at the price paid by
21 the repair facility; and

22 B. Labor performed under warranty, at the retail rate
23 which the repair facility customarily charges for the
24 same labor otherwise performed.

25 2. Parts and service information. The manufacturer
26 shall make available to the repair facility, in a timely
27 manner, an adequate supply of replacement parts for and cur-
28 rent service information on any television, radio or
29 phonograph which the manufacturer agrees to require or
30 permit the repair facility to repair under warranty.

31 §1363. Remedy

32 Any repair facility damaged by a violation of this
33 chapter may bring an action to enjoin the violation and to
34 recover its damages, reasonable attorneys' fees and costs.

35 §1364. Waiver prohibited

36 Neither the duties imposed nor the rights created under
37 this chapter may be waived or otherwise modified. Any
38 waiver or modification is against public policy and shall be

1 waiver or modification is against public policy and shall be
2 void and unenforceable.

3

STATEMENT OF FACT

4 This bill requires television, radio and phonograph
5 manufacturers to pay their Maine service representatives for
6 warranty work at regular retail rates and to make available
7 an adequate supply of parts and service information.

8

4482020682