

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 465

6
7 H.P. 382

House of Representatives, February 1, 1983

8 Received by the Clerk of the House on February 1, 1983. Referred to the
9 Committee on Business Legislation, and ordered printed pursuant to Joint
10 Rule 14.

EDWIN H. PERT, Clerk

11 Presented by Representative Chonko of Topsham.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-THREE
16

17 AN ACT Regarding Sales of Used Motor
18 Vehicles.
19

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

22 10 MRSA §1474, sub-§2-A is enacted to read:

23 2-A. Fitness warranty. A dealer warrants that
24 the used motor vehicle he sells, negotiates the sale
25 of, offers for sale or transfers to a person is free
26 of mechanical defects affecting its safety or normal
27 use, except those disclosed pursuant to section 1475,
28 subsection 2, paragraph C, and that the dealer shall
29 perform all necessary repair or replacement of the
30 mechanical defects of which the dealer is notified
31 within 60 days of the transfer.

32 This warranty may be disclaimed by the dealer only by
33 providing the following written notice to the trans-

1 feree: "The dealer hereby disclaims the warranty of
2 fitness created by the Maine Revised Statutes, Title
3 10, section 1474, subsection 2-A. You should be
4 aware that your ability to claim greater protection
5 than that which appears in the warranty provided by
6 the dealer may be hindered."

7 STATEMENT OF FACT

8 This bill provides for an automatic warranty of
9 fitness for use under the used car information laws.
10 Any mechanical defect that affects the vehicle's
11 safety or normal use, if detected and reported within
12 60 days of transfer, is required to be repaired or
13 replaced by the dealer.

14 The bill further provides for a disclaimer of
15 this warranty by dealers in cases where the purchaser
16 is specifically informed that this may result in dif-
17 ficulties in claiming a right to services from the
18 dealer.

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