

MAINE STATE LEGISLATURE

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L.D. 848

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(Filing No. H- 93)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
111TH LEGISLATURE
FIRST REGULAR SESSION

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COMMITTEE AMENDMENT "A" to H.P. 665,
L.D. 848, Bill, "AN ACT to Create the Maine Lemon
Law."

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Amend the Bill by striking out all of that part
designated "§1161." and inserting in its place the
following:

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'§1161. Definitions

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As used in this chapter, unless the context indi-
cates otherwise, the following terms have the follow-
ing meanings.

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1. Consumer. "Consumer" means the purchaser,
other than for purposes of resale, of a motor vehi-
cle, any person to whom the motor vehicle is trans-
ferred during the duration of an express warranty
applicable to the motor vehicle and any other person
entitled by the terms of the warranty to enforce the
obligations of the warranty, except that the term
"consumer" shall not include any governmental entity,
or any business or commercial enterprise which regis-
ters 3 or more motor vehicles.

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2. Manufacturer. "Manufacturer" means manufac-
turer, importer, distributor or anyone who is named
as the warrantor on an express written warranty on a
motor vehicle.

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3. Motor vehicle. "Motor vehicle" means any
motor driven vehicle, designed for the conveyance of
passengers or property on the public highways, which
is sold in this State, except that the term "motor
vehicle" does not include any commercial vehicle with
a gross vehicle weight of 8,500 pounds or more.'

COMMITTEE AMENDMENT "A" to H.P. 665, L.D. 848

1 Further amend the Bill in that part designated
2 "§1163." in subsection 3, paragraph B in the 3rd line
3 (page 3, line 30 in L.D.) by striking out the under-
4 lined words "a nonconformity" and inserting in their
5 place the underlined words "any nonconformities"

6 STATEMENT OF FACT

7 This amendment makes 2 changes in the defini-
8 tions' provision of the bill. First, the definitions
9 of "consumer" and "motor vehicle" are restricted to
10 noncommercial uses. Second, the term "manufacturer"
11 is defined to address other entities, such as import-
12 ers, who are responsible on express warranties.

13 The amendment also clarifies that the presumption
14 contained in Title 10, section 1163, subsection 3,
15 paragraph B applies equally, whether a vehicle is
16 being repaired for one nonconformity or a series of
17 nonconformities for a total of 30 or more business
18 days.

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Reported by the Committee on Business Legislation
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