

MAINE STATE LEGISLATURE

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1 SECOND REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 2272

6
7 H.P. 1690

House of Representatives, March 15, 1984

8 Approved for introduction by the Legislative Council pursuant to Joint
9 Rule 26.

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

EDWIN H. PERT, Clerk

Presented by Representative Jacques of Waterville.
11

12 STATE OF MAINE
13

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

17 AN ACT Concerning Car Auctions and
18 the Validity of Motor Vehicle Titles.
19

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

22 29 MRSA §368 is enacted to read:

23 §368. Sale or transfer by vehicle auctioneer

24 1. Prohibition. No vehicle auctioneer may sell
25 or transfer an interest in a motor vehicle if:

26 A. The odometer reading at the time of the sale
27 or transfer is different from the number of miles
28 the vehicles has actually been driven; or

29 B. Title to the motor vehicle is subject to any
30 undisclosed lien or encumbrance at the time of
31 the sale or transfer.

1 2. Remedy. If a vehicle auctioneer violates the
2 provisions of subsection 1, a vendee, transferee or
3 any person in lawful possession of the vehicle as a
4 subsequent purchaser has the right to rescind the
5 sale or transfer by delivery of written notice of the
6 rescission and delivery of the motor vehicle to the
7 auctioneer or his agent or representative within one
8 year of the date of sale or transfer.

9 The vehicle auctioneer is liable for damages to the
10 person rescinding the sale or transfer in the amount
11 of the full purchase price paid to the auctioneer.

12 3. Violation. A violation of this section by an
13 auctioneer is a Class E crime.

14 STATEMENT OF FACT

15 The purpose of this bill is to prohibit vehicle
16 auctioneers from selling or transferring interests in
17 motor vehicles in which the odometer readings are
18 different from the number of miles the vehicles have
19 actually been driven or the titles to which are sub-
20 ject to undisclosed liens or encumbrances. This bill
21 also provides a civil remedy for a violation by an
22 auctioneer and makes the violation a Class E crime.

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