

MAINE STATE LEGISLATURE

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L.D. 366
(Filing No. S- 80)

STATE OF MAINE
SENATE
112TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT " A " to S.P. 126, L.D. 366,
Bill, "AN ACT to Amend the Law Relating to Regulation
of Business Practices Between Motor Vehicle Manufac-
turers, Distributors and Dealers."

Amend the bill in that part designated "§1175."
by striking out the following: "§1175. Dealers only
liability for product defect" and inserting in its
place the following: '§1175. Delivery and prepara-
tion obligations; product liability and implied war-
ranty complaints'

Further amend the bill in that part designated
"§1175." in the 3rd paragraph, by striking out all of
the underlined 2nd sentence (page 2, lines 16 to 20
in L.D.) and inserting in its place the following:
'In any such implied warranty action, a dealer shall
have the rights of a buyer under Title 11, section
2-607, subsection (5).'

STATEMENT OF FACT

This amendment clarifies that the dealer, in ad-
dition to any other rights which any such dealer may
enjoy under the law, shall have the rights of a buyer
under the Maine Revised Statutes, Title 11, section
2-607, subsection (5). The dealer could thus give no-
tice to the manufacturer of the dealer litigation and notify
the manufacturer that if it does not come in and de-
fend against the suit, it will be bound by any court
decision that affects the manufacturer as well as the
dealer.

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Reported by Senator Bustin for the Committee on Business and
Commerce.
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(5/8/85) (Filing No. S-80)