

MAINE STATE LEGISLATURE

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(New Draft of S.P. 468, L.D. 1428)
(New Title)
FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 1716

S.P. 575

In Senate, June 1, 1987

Reported by Senator Baldacci of Penobscot for the
Committee on Business Legislation and printed under Joint Rule
2. Original Bill sponsored by Senator Twitchell of Oxford.

JOY J. O'BRIEN, Secretary of the Senate

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

1 AN ACT to Expedite the Process of Resolving
2 Disputes Involving the Accuracy of
3 Information in Consumer Reports.
4

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

7 Sec. 1. 10 MRSA §1316, sub-§2, ¶B, as amended by
8 PL 1985, c. 140, §1, is repealed and the following
9 enacted in its place:

10 B. By telephone, if he presents proper identifi-
11 cation, and the toll charge, if any, for the tel-
12 ephone call is prepaid by or charged directly to
13 the consumer; or

1 Sec. 2. 10 MRSA §1317, sub-§2, as amended by PL
2 1977, c. 677, §7, is further amended to read:

3 2. Reinvestigation by consumer reporting agency.

4 If a consumer disputes any item of information con-
5 tained in his file on the ground that it is inaccur-
6 rate and such dispute is directly conveyed to the
7 consumer reporting agency by the consumer, the con-
8 sumer reporting agency shall promptly reinvestigate
9 and record the current status of such information
10 within 10 business days of notification of the dis-
11 pute by the consumer, unless it has reasonable
12 grounds to believe that the dispute by the consumer
13 is frivolous, and it shall promptly then immediately
14 notify the consumer of the result of its investiga-
15 tion and his rights pursuant to subsections 4, 5 and
16 6. The presence of contradictory information in a
17 consumer's file shall not, in and of itself, consti-
18 tute reasonable grounds for believing the dispute is
19 frivolous.

20

STATEMENT OF FACT

21 This new draft more correctly addresses the prob-
22 lem of slowness in investigating and, when appropri-
23 ate, correcting inaccurate information in a credit
24 bureau file. Section 1 of the new draft expedites
25 the process of challenging information by requiring
26 the disclosure to the consumer, by telephone, of the
27 contents of his consumer report and allowing him to
28 challenge certain items at that time. The disclosure
29 may save from a week to 10 days now lost by having
30 this process occur through the mail.

31 Section 2 imposes a duty on credit bureaus to
32 complete an investigation of disputed information
33 within 10 business days and to immediately notify the
34 consumer of the results of that investigation.

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