# MAINE STATE LEGISLATURE

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# 116th MAINE LEGISLATURE

### FIRST REGULAR SESSION-1993

H.P. 84

House of Representatives, January 21, 1993

Reference to the Committee on Business Legislation suggested and ordered printed.

Presented by Representative TRACY of Rome.

Cosponsored by Representative POULIN of Oakland, Representative GRAY of Sedgwick and Representative HOGLUND of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD

NINETEEN HUNDRED AND NINETY-THREE

An Act to Amend the Lemon Law.

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

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Sec. 1. 10 MRSA  $\S1163$ , sub- $\S1$ , as repealed and replaced by PL 1989, c. 570,  $\S2$ , is amended to read:

Repair of nonconformities. If a new motor vehicle does

not conform to all express warranties, the manufacturer, its agent or authorized dealer shall make those repairs necessary to conform the vehicle to the express warranties if the consumer reports the nonconformity to the manufacturer, its agent or authorized dealer during the term of the express warranties, within a period of 2 years following the date of original delivery of the motor vehicle to a consumer, or during the first 18,000 miles of operation, whichever is the earlier date, or during the first 54,000 miles of operation if the vehicle is a recreational vehicle manufactured to serve as a mobile residence. This obligation exists notwithstanding the fact that

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the repairs are made after the expiration of the appropriate time period.

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Sec. 2. 10 MRSA §1169, sub-§1, as enacted by PL 1989, c. 570,
§5, is amended to read:

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Neutral new car arbitration. All manufacturers shall submit to state-certified, new car arbitration if arbitration is requested by the consumer within 2 years from the date of original delivery to the consumer of a new motor vehicle or during the first 18,000 miles of operation, whichever comes first, or during the first 54,000 miles of operation if the vehicle is a recreational vehicle manufactured to serve as a mobile residence. State-certified arbitration shall must be performed by one or more neutral arbitrators selected by the Department of the Attorney General operating in accordance with the rules premulgated adopted pursuant to this chapter. Attorney General may contract with an independent entity to provide arbitration or the Attorney General's office may appoint neutral arbitrators. Each party to an arbitration is entitled to one rejection of a proposed arbitrator.

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#### STATEMENT OF FACT

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This bill provides owners of recreational vehicles, manufactured to serve as mobile residences and operated a great deal during the first 2 years of ownership, more opportunity to be eligible for lemon law arbitration by allowing a lengthier mileage limit for these vehicles before they become ineligible for lemon law arbitration.

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