

# MAINE STATE LEGISLATURE

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R & S

L.D. 1429

DATE: 5/30/95

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**BUSINESS AND ECONOMIC DEVELOPMENT**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
117TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1014, L.D. 1429, Bill, "An Act Pertaining to the Purchase Deposit on Automobiles"

Amend the bill in section 1 in subsection 4 by striking out all of paragraph D (page 1, lines 29 to 37 in L.D.) and inserting in its place the following:

'D. To fail to disclose conspicuously in writing the motor vehicle dealer's policy in relation to the return of deposits received from any person. A dealer shall require that a person making a deposit sign the form on which the disclosure appears.'

Further amend the bill by inserting after section 1 the following:

'Sec. 2. 10 MRSA §1475, sub-§2-A, ¶¶F and G, as enacted by PL 1989, c. 878, Pt. F, §3, are amended to read:

F. A statement, if applicable, disclosing that the vehicle was returned to the manufacturer, its agent or authorized dealer, for its nonconformity with express warranties. The statement must identify the nature of the nonconformities; and

G. If the vehicle is repossessed, a statement identifying this fact.; and

Sec. 3. 10 MRSA §1475, sub-§2-A, ¶H is enacted to read:

H. The dealer's duty to disclose conspicuously in writing the dealer's policy in relation to the return of deposits received from any person. A dealer shall require that a

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COMMITTEE AMENDMENT "A" to H.P. 1014, L.D. 1429

2            person making a deposit sign the form on which the  
3            disclosure appears.'

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### STATEMENT OF FACT

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The original bill requires automobile dealers to return deposits placed on motor vehicles if the person making the deposit does not purchase the vehicle.

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This amendment replaces the bill. A new or used motor vehicle dealer is required to provide written disclosure of its deposit policy and to have that statement signed by any person rendering a deposit. The bill is also amended to clarify that the disclosure requirement applies in the sale of both new and used motor vehicles.

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