

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 1429

H.P. 1014

House of Representatives, April 27, 1995

An Act Pertaining to the Purchase Deposit on Automobiles.

Reference to the Committee on Business and Economic Development suggested and ordered printed.

A handwritten signature in cursive script, reading "Joseph W. Mayo", is positioned above the printed name of the Clerk.

JOSEPH W. MAYO, Clerk

Presented by Representative JACQUES of Waterville.
Cosponsored by Representatives: DAGGETT of Augusta, DAVIDSON of Brunswick,
DEXTER of Kingfield, GOULD of Greenville, JONES of Bar Harbor, JOSEPH of Waterville,
MORRISON of Bangor, O'GARA of Westbrook, ROWE of Portland, Senators: BUSTIN of
Kennebec, CAREY of Kennebec.

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

Sec. 1. 10 MRSA §1174, sub-§4, as amended by PL 1981, c. 470, Pt. A, §§24 and 25, is further amended to read:

4. Dealer violations. Motor vehicle dealer:

A. To require a purchaser of a new motor vehicle, as a condition of sale and delivery thereof, to also purchase special features, appliances, equipment, parts or accessories not desired or requested by the purchaser; provided, however, that this prohibition shall does not apply as to special features, appliances, equipment, parts or accessories which that are already installed on the car when received by the dealer; provided further, that the motor vehicle dealer prior to the consummation of the purchase reveals to the purchaser the substance of this paragraph;

B. To represent and sell as a new motor vehicle any motor vehicle which that has been used and operated for demonstration purposes or which is otherwise a used motor vehicle; ~~or~~

C. To resort to or use any false or misleading advertisement in connection with his business as such a motor vehicle dealer; or

D. To refuse to return a deposit given by a person if the person decides not to buy the motor vehicle; except that if the motor vehicle is a special order, the dealer may retain the deposit. The dealer must inform the person, before the person makes the deposit, of the substance of this paragraph. For purposes of this paragraph, a "special order" is a motor vehicle that is not in the dealer's possession at the time of the order by the person requiring the dealer to obtain the motor vehicle.

STATEMENT OF FACT

This bill requires automobile dealers to return deposits placed on motor vehicles if the person making the deposit does not purchase the vehicle. This provision does not apply to special order vehicles.