

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

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Legislative Document

No. 1295

H.P. 913

House of Representatives, March 9, 2007

An Act To Amend the Labor Laws Regarding Automobile Dealerships

Reference to the Committee on Labor suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative CLARK of Millinocket.

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

2 **Sec. 1. 26 MRSA §663, sub-§11**, as enacted by PL 1985, c. 76, §1, is amended to
3 read:

4 **11. Automobile salesperson.** "~~Automobile salesman~~ salesperson" means a person
5 who is primarily engaged in selling automobiles or trucks as an employee of an
6 establishment primarily engaged in the business of selling these vehicles to the ultimate
7 purchaser. "Automobile salesperson" includes a person who is primarily engaged in
8 assisting in the financing and providing of insurance products to the ultimate purchaser.

9 **Sec. 2. 26 MRSA §663, sub-§14** is enacted to read:

10 **14. Automobile service writer.** "Automobile service writer" means a person
11 employed for the purpose of and primarily engaged in receiving, analyzing and
12 referencing requests for service, repair or analysis of motor vehicles as an employee of an
13 establishment primarily engaged in the business of selling automobiles or trucks to the
14 ultimate purchaser, except that "automobile service writer" does not include an employee
15 who is paid by the employer on a hourly basis.

16 **Sec. 3. 26 MRSA §664, sub-§3, ¶A**, as amended by PL 2001, c. 336, §1, is
17 further amended to read:

18 A. Automobile mechanics, automobile parts clerks, automobile service writers and
19 automobile salesmen salespersons as defined in section 663. The interpretation of
20 these terms must be consistent with the interpretation of the same terms under federal
21 overtime law, 29 United States Code, Section 213;

22 SUMMARY

23 This bill amends the wage and hour overtime laws in relation to finance and
24 insurance automobile dealership employees and individuals employed as automobile
25 service writers at automobile dealerships.