

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



123rd MAINE LEGISLATURE

SECOND REGULAR SESSION-2008

Legislative Document

No. 2143

H.P. 1523

House of Representatives, January 9, 2008

An Act To Require Retailers To Disclose the State's Implied Warranty Laws to Customers

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative EATON of Sullivan.
Cosponsored by Senator DAMON of Hancock and Representatives: ADAMS of Portland,
CLEARY of Houlton, PENDLETON of Scarborough, PRATT of Eddington, WAGNER of
Lewiston.

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

2 **Sec. 1. 11 MRSA §2-103, sub-§(2)** is amended to read:

3 **(2).** Other definitions applying to this Article or to specified parts thereof, and the
4 sections in which they appear are

| | | |
|----|---------------------------------|--------------------------------|
| 5 | "Acceptance." | Section 2-606. |
| 6 | "Banker's credit." | Section 2-325. |
| 7 | "Between merchants." | Section 2-104. |
| 8 | "Cancellation." | Section 2-106, subsection (4). |
| 9 | "Commercial unit." | Section 2-105. |
| 10 | "Confirmed credit." | Section 2-325. |
| 11 | "Conforming to contract." | Section 2-106. |
| 12 | "Contract for sale." | Section 2-106. |
| 13 | "Cover." | Section 2-712. |
| 14 | "Entrusting." | Section 2-403. |
| 15 | "Financing agency." | Section 2-104. |
| 16 | "Future goods." | Section 2-105. |
| 17 | "Goods." | Section 2-105. |
| 18 | "Identification." | Section 2-501. |
| 19 | "Installment contract." | Section 2-612. |
| 20 | "Letter of credit." | Section 2-325. |
| 21 | "Lot." | Section 2-105. |
| 22 | "Merchant." | Section 2-104. |
| 23 | "Overseas." | Section 2-323. |
| 24 | "Person in position of seller." | Section 2-707. |
| 25 | "Present sale." | Section 2-106. |
| 26 | "Sale." | Section 2-106. |
| 27 | "Sale on approval." | Section 2-326. |
| 28 | "Sale or return." | Section 2-326. |
| 29 | <u>"Service contract."</u> | <u>Section 2-106.</u> |
| 30 | "Termination." | Section 2-106. |

31 **Sec. 2. 11 MRSA §2-106, sub-§(5)** is enacted to read:

32 **(5).** Service contract. As used in this Article, "service contract" means a contract in
33 writing to perform, over a fixed period of time or for a specified duration, services
34 relating to the maintenance or repair, or both, of a consumer product.

35 **Sec. 3. 11 MRSA §2-314-A** is enacted to read:

1 **§2-314-A. Notification of implied warranty**

2 A seller of consumer goods, with the exception of new and used motor vehicles, who
3 also offers for sale service contracts shall instruct the seller's employees who deal with
4 buyers of the requirements of the State's laws governing implied warranties pursuant to
5 section 2-314, section 2-315 and section 2-316, subsection (5).

6 **Sec. 4. Attorney General to publish brochure.** The Attorney General shall
7 publish a brochure that describes the protections in the State's implied warranty laws and
8 provide it at no cost to sellers of consumer goods.

9 **SUMMARY**

10 This bill requires sellers of consumer goods who offer service contracts for sale to
11 instruct their employees who deal with buyers of the requirements under the State's
12 implied warranty laws. It also requires the Attorney General to publish a brochure on the
13 State's implied warranty laws and to provide copies at no cost to sellers of consumer
14 goods.