

MAINE STATE LEGISLATURE

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BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT

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STATE OF MAINE

SENATE

124TH LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 655, L.D. 1683, Bill, "An Act Regarding the Law Governing Recreational Vehicle Manufacturers, Distributors and Dealers"

Amend the bill in section 3 in subsection 1-A in the 3rd line (page 1, line 17 in L.D.) by striking out the following: "or sell"

Amend the bill in section 17 in paragraph J in the 5th line (page 3, line 32 in L.D.) by striking out the following: "3" and inserting the following: '2'

Amend the bill in section 18 in §1434-A in subsection 2 in paragraph B by striking out all of subparagraphs (5), (6) and (7) (page 5, lines 7 to 13 in L.D.) and inserting the following:

'(5) There is a declaration by the dealer of bankruptcy or insolvency or the occurrence of an assignment for the benefit of creditors or bankruptcy; or

(6) A dealer fails to notify in writing the manufacturer or distributor at least 30 days prior to entering into a dealer agreement with a manufacturer or distributor of a competing, similar line make.'

Amend the bill in section 18 in §1434-A in subsection 3 in paragraph C in subparagraph 3 in the last line (page 6, line 5 in L.D.) by inserting after the following: "distributor;" the following: 'or'

Amend the bill in section 18 in §1434-A in subsection 3 in paragraph C by striking out all of subparagraphs (4) and (5) (page 6, lines 6 to 10 in L.D.) and inserting the following:

'(4) There is a declaration by the manufacturer or distributor of bankruptcy or insolvency or the occurrence of an assignment for the benefit of creditors or bankruptcy.'

Amend the bill in section 18 in §1434-A in subsection 4 in paragraph A in the 4th line (page 6, line 19 in L.D.) by striking out the following: "altered or"

COMMITTEE AMENDMENT

R. 10 9

COMMITTEE AMENDMENT "A" to S.P. 655, L.D. 1683

1 Amend the bill in section 18 in §1434-A in subsection 4 in paragraph B in the 3rd
2 line (page 6, line 27 in L.D.) by striking out the following: "accompanied by the original
3 invoice" and inserting the following: 'contained in the original packaging'

4 Amend the bill in section 19 in paragraph A in the 6th line (page 7, line 2 in L.D.) by
5 striking out the following: "30" and inserting the following: '90'

6 Amend the bill by striking out all of section 20.

7 Amend the bill in section 22 in §1439-A in subsection 2 in the 4th and 5th lines (page
8 7, lines 30 and 31 in L.D.) by striking out the following: "factors to be given
9 consideration are the actual wage rates being paid by the dealer and" and inserting the
10 following: 'factor to be given consideration is'

11 Amend the bill in section 22 in §1439-A in subsection 9 in paragraph B in the last
12 line (page 8, line 38 in L.D.) by inserting after the following: "make" the following: 'or as
13 otherwise authorized by the warrantor'

14 Amend the bill in section 28 in §1442-A in subsection 2 in the last line (page 10, line
15 30 in L.D.) by striking out the following: "jeopardized" and inserting the following:
16 'compromised'

17 Amend the bill in section 30 in §1447 in the first paragraph by striking out all of the
18 last sentence (page 11, lines 14 and 15 in L.D.) and inserting the following: 'Each party is
19 responsible for its own attorney's fees and court costs. Neither party has a claim on such
20 expenses from the other party.'

21 Amend the bill by relettering or renumbering any nonconsecutive Part letter or
22 section number to read consecutively.

23 **SUMMARY**

24 This amendment makes several technical changes to the bill. It makes changes to the
25 provisions governing good cause in dealer agreements, amends the number of days for
26 written notice within survivorship provisions, amends the terms for reasonable
27 compensation under the warranty and strikes the provision allowing the court to award
28 attorney's fees and replaces it with the requirement that each party must be responsible for
29 its own attorney's fees.

FISCAL NOTE REQUIRED
(See attached)



124th MAINE LEGISLATURE

LD 1683

LR 2288(02)

An Act Regarding the Law Governing Recreational Vehicle Manufacturers, Distributors and Dealers

Fiscal Note for Bill as Amended by Committee Amendment "A"
Committee: Business, Research and Economic Development
Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund
Minor revenue increase -- General Fund

Correctional and Judicial Impact Statements

Increases the number of civil suits.

The collection of additional filing fees may also increase General Fund revenue by minor amounts.