

# MAINE STATE LEGISLATURE

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# 127th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2015

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Legislative Document

No. 976

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H.P. 673

House of Representatives, March 18, 2015

### **An Act To Eliminate Unnecessary Regulatory Burdens on Motor Vehicle Dealer-to-dealer Transactions**

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

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative FREDETTE of Newport.

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

2 **Sec. 1. 10 MRSA §1475, sub-§1**, as amended by PL 1991, c. 824, Pt. A, §16, is  
3 further amended to read:

4 **1. Written disclosure statement.** ~~No~~ Except for a dealer that is also a car rental  
5 company as provided in subsection 6, a dealer may not sell, negotiate the sale of, offer for  
6 sale or transfer any used motor vehicle, including any used motor vehicle transferred to  
7 another dealer, unless the dealer affixes to the vehicle a conspicuous written statement  
8 containing the information required by subsection 2-A.

9 **Sec. 2. 10 MRSA §1475, sub-§3**, as amended by PL 2003, c. 240, §1, is further  
10 amended to read:

11 **3. Written statement.** ~~A~~ Except for a dealer that is also a car rental company as  
12 provided in subsection 6, a dealer shall obtain from the seller of a used motor vehicle a  
13 written statement containing the following information:

14 A. The make, model, model year and any identification or serial numbers of the  
15 motor vehicle;

16 B. The name and address of the seller, the principal use to which the motor vehicle  
17 was put by the seller, such as personal transportation, police car, daily rental car, taxi  
18 or other descriptive term;

19 C. A statement identifying any and all mechanical defects known to the seller at the  
20 time of sale; and

21 D. A statement identifying the type of damage, if any, that the vehicle has sustained,  
22 such as fire, water or substantial collision damage, if such information is known to  
23 the seller.

24 Any dealer who offers for sale to consumers a repossessed vehicle that has been obtained  
25 by the dealer through any transaction other than a retail sale is not subject to the  
26 provisions of this subsection.

27 A dealer is not subject to the provisions of this subsection if that dealer offers for sale to  
28 consumers a used motor vehicle that has been obtained by the dealer through an auction  
29 located outside the State at which buyers are limited to licensed dealers and the seller of  
30 the used motor vehicle is neither a resident of this State nor a dealer licensed in this State,  
31 if the dealer clearly discloses on the written disclosure statement required by subsections  
32 1 and 2-A that the vehicle was acquired at an out-of-state auction and that historical  
33 information regarding mechanical defects and substantial damage is not available.

34 The seller of the used motor vehicle shall sign and date this written statement and the  
35 dealer who buys the vehicle shall maintain a record of it for 2 years following the sale of  
36 the motor vehicle.

37 As used in subsection 2-A and this subsection, "substantial collision damage" means any  
38 damage to a motor vehicle from a collision when the costs of repair of that damage, at the  
39 time of repair, including replacement of mechanical and body parts, exceed \$2,000.

