

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND TENTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 1980 to June 19, 1981

AND AT THE

FIRST SPECIAL SESSION
August 3, 1981

**PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED, TITLE
3, SECTION 164, SUBSECTION 6.**

K.J. Printing Co.
Augusta, Maine
1981

PUBLIC LAWS
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CHAPTER 295**S. P. 259 — L. D. 741****AN ACT Withdrawing School Administrative District No. 62 from Participation in Vocational Region No. 10.**

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, School Administrative District No. 62 needs to plan for the vocational education of its students for the school year starting September 1, 1981; and

Whereas, Vocational Region 10 is planning to construct a vocational facility and does not want its eventual bonding authority to be jeopardized by a pending withdrawal; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

20 MRSA § 2356-G, sub-§ 1, Region 10, first sentence, as repealed and replaced by PL 1977, c. 205, § 8, is amended to read:

Units located in this area are: Brunswick; Freeport; ~~S.A.D. No. 62 Pownal~~; S.A.D. No. 75—Bowdoin, Bowdoinham, Harpswell and Topsham.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect on July 1, 1981.

Effective July 1, 1981

CHAPTER 296**H. P. 718 — L. D. 850****AN ACT Relating to the Used Car Information Act.**

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

Sec. 1. 10 MRSA § 1475, sub-§ 1, as enacted by PL 1975, c. 770, § 57, is repealed and the following enacted in its place:

1. **Written disclosure statement.** No dealer may sell, negotiate the sale of, offer for sale or transfer any used motor vehicle, unless he affixes to the vehicle a conspicuous written statement containing the information required by subsection 2.

Sec. 2. 10 MRSA § 1475, sub-§ 2, ¶ B, as enacted by PL 1975, c. 770, § 57, is amended to read:

B. The dealer's duty to promptly disclose the name and address of the previous owner of the motor vehicle, or dealer, upon the request of any person, the principal use to which the motor vehicle was put by that owner such as personal transportation, police car, daily rental car, taxi or other descriptive term, and the type of sale or other means by which the person acquired the motor vehicle, such as trade-in, sheriff's sale, repossession, auction or other descriptive term, to the extent that such information is reasonably available to the person;

Sec. 3. 10 MRSA § 1475, sub-§ 2, ¶¶ C and D, as enacted by PL 1975, c. 770, § 57, are amended to read:

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

D. A statement identifying the type of damage, if any, that the vehicle has sustained, such as fire, water or substantial collision damage, if such information is known to the dealer; and

Sec. 4. 10 MRSA § 1475, sub-§ 2, ¶ E is enacted to read:

E. A statement, if applicable, that implied warranties with respect to the vehicle are excluded or modified. Nothing in this paragraph may be construed to affect the requirements of Title 11, section 2-316.

Sec. 5. 10 MRSA § 1477, sub-§ 2 is enacted to read:

2. **Civil penalty.** In addition to any other remedy, if a dealer violates this chapter, he shall be liable to the purchaser in an amount determined by the court of not less than \$100 nor more than \$1,000 and for costs and reasonable attorney's fees. No action may be brought for a civil penalty under this subsection more than 2 years after the date of the occurrence of the violation. No dealer may be held liable for a civil penalty under this subsection if he shows by a preponderance of evidence that the violation was unintentional and a bona fide error, notwithstanding the maintenance of procedures reasonably adopted to avoid any such error.