

# 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)

**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
  
ONE HUNDRED AND ELEVENTH LEGISLATURE

**FIRST REGULAR SESSION**  
December 1, 1982 to June 24, 1983  
Chapters 1-452

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

---

J.S. McCarthy Co., Inc.  
Augusta, Maine  
1983

---

---

**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

---

---

(2) The disbursement of revenues due to other states or provinces subject to the compact;

(3) The free exchange of information between and among the states or provinces subject to the compact; and

(4) The establishment of identification tags or decals.

The compact shall provide for reciprocal enforcement of the laws establishing the annual user license fees and for the auditing of all books, records and logs of the operator of a motor truck by the state or province in which the motor truck is registered, which pertains to travel in it and any other state or province subject to the compact.

Sec. 5. 36 MRSA §3040 is enacted to read:

§3040. Fuel use tax; compact

The Commissioner of Transportation, acting upon the advice of the State Tax Assessor, may enter into agreements with other states, the District of Columbia and Canadian provinces, with the approval of the Governor of Maine and the Maine Legislature, providing for the reciprocal enforcement of the fuel use tax laws imposed by the states or provinces entering into such an agreement, and empowering the duly authorized officer of any contracting state or province, which extends like authority to officers or employees of this State, to sue for the collection of the state's or province's fuel use taxes in the courts of this State.

Effective September 23, 1983.

---

---

## CHAPTER 311

H.P. 754 - L.D. 985

AN ACT to Amend the Used Car  
Information Law.

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

Sec. 1. 10 MRSA §1475, sub-§2, ¶ D, as amended by PL 1981, c. 296, §3, is further amended to read:

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 that information is known to the dealer; and

Sec. 2. 10 MRSA §1475, sub-§2, ¶ E, as enacted by PL 1981, c. 296, §4, is amended 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; and

Sec. 3. 10 MRSA §1475, sub-§2, ¶ F is enacted to read:

F. A statement, if applicable, disclosing that the vehicle was returned to the manufacturer, its agent or authorized dealer, for its nonconformity with express warranties. The statement shall identify the nature of the nonconformities.

Sec. 4. 10 MRSA §1477, sub-§2, as enacted by PL 1981, c. 296, §5, is amended 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~~ Each violation of this chapter constitutes a civil violation and shall be punished by a forfeiture 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 violation 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 violation under this subsection if he shows by a preponderance of the evidence that the violation was unintentional and a bona fide error, notwithstanding the maintenance of procedures reasonably adopted to avoid any such error.

Sec. 5. 10 MRSA §1477, sub-§3 is enacted to read:

3. Private remedy. In addition to any other remedy, if a dealer violates this chapter, he is liable to the purchaser in an amount determined by the court of not less than \$100 nor more than \$1,000 as liquidated damages, and for costs and reasonable attorney's fees. No action may be brought under this subsection more than 2 years after the date of the occurrence of the violation. No dealer may be held liable under this subsection if he shows by a preponderance of the evidence that the violation was

unintentional and a bona fide error, notwithstanding the maintenance of procedures reasonably adopted to avoid any such error.

Effective September 23, 1983.

---

---

## CHAPTER 312

H.P. 795 - L.D. 1035

AN ACT to Clarify the Adoption  
Assistance Law.

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

19 MRSA §541, 2nd ¶, as amended by PL 1981, c. 57, §1, is further amended to read:

The amount of adoption assistance may vary depending upon the resourees circumstances of the adoptive parents, the special needs of the child, as well as the availability of other resources, but may not exceed the total cost of caring for the child if the child were to remain in the care or custody of the Department of Human Services without regard to the source of the funds which would have been used to care for the child.

Effective September 23, 1983.

---

---

## CHAPTER 313

H.P. 826 - L.D. 1084

AN ACT to Amend the Adult Protective  
Services Act.

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

Sec. 1. 22 MRSA §3472, sub-§1, as enacted by PL 1981, c. 527, §2, is amended to read:

1. Abuse. "Abuse" means the willful infliction of injury, unreasonable confinement, intimidation or cruel punishment with resulting physical harm or pain or mental anguish; sexual abuse or exploitation; or the willful deprivation of essential needs.