

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTIETH LEGISLATURE

SECOND REGULAR SESSION
January 2, 2002 to April 25, 2002

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 25, 2002

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
2002

CHAPTER 616

H.P. 1694 - L.D. 2192

**An Act to Amend the Laws
Governing the Unlawful Sale of
Personal Sports Mobiles and the
Registration of New Snowmobiles**

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

Sec. 1. 10 MRSA §1242, sub-§13, as enacted by PL 1997, c. 473, §3, is amended to read:

13. New personal sports mobile. "New personal sports mobile" means a personal sports mobile that has not been sold previously to any person except a distributor or wholesaler or personal sports mobile dealer for resale. "New personal sports mobile" also means a personal sports mobile that has not been registered in this State or any other state or for which sales tax has not been paid in this State or any other state if that other state taxes the purchase of a new personal sports mobile.

Sec. 2. 10 MRSA §1243, sub-§4, ¶¶C and D, as enacted by PL 1997, c. 473, §3, are amended to read:

C. To resort to or use any false or misleading advertisement in connection with that dealer's business as a personal sports mobile dealer; ~~or~~

D. To fail to disclose conspicuously in writing the personal sports mobile dealer's policy in relation to the return of deposits received from any person. A dealer shall require that a person making a deposit sign the form on which the disclosure appears; ~~or~~

Sec. 3. 10 MRSA §1243, sub-§4, ¶E is enacted to read:

E. To sell, directly or indirectly, a new personal sports mobile without holding a current and valid franchise with the manufacturer of the brand of new personal sports mobile being sold.

Sec. 4. 10 MRSA §1243-A is enacted to read:

§1243-A. Unlawful sale of new personal sports mobile

A person is guilty of unlawful sale of a new personal sports mobile if that person sells a new personal sports mobile and does not possess a current and valid franchise with the personal sports mobile manufacturer of the brand of new personal sports mobile being sold. If, upon demand by a law enforcement officer, a person fails to produce evidence of a franchise

required by this section, this failure is prima facie evidence that the person does not possess that franchise.

A person who violates this section commits a Class E crime and additionally is liable in any action brought for unfair methods of competition or unfair and deceptive trade practices for treble damages, which include, but are not limited to, damages related to warranty coverage.

This section may be enforced by any law enforcement officer.

Sec. 5. 10 MRSA §1250-K, as enacted by PL 2001, c. 387, §1, is repealed.

Sec. 6. 12 MRSA §7825, sub-§1, as enacted by PL 1979, c. 420, §1, is amended to read:

1. Application and issuance. Any person who is in the business of selling new or used snowmobiles in the State shall register as a dealer and secure a dealer's license from the commissioner. Dealers so registered and licensed need not register individual snowmobiles. For the purposes of this subsection, "new snowmobile" means a snowmobile that has not been registered in this State or any other state or for which sales tax has not been paid in this State or any other state if that other state taxes the purchase of a new snowmobile.

See title page for effective date.

CHAPTER 617

H.P. 1638 - L.D. 2141

**An Act to Amend the Animal
Welfare Laws and Increase Funding
for Animal Welfare**

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

Sec. 1. 4 MRSA §116, first ¶, as amended by PL 1999, c. 357, §1, is further amended to read:

All revenue received by the Supreme Judicial or Superior Court, whether directly or pursuant to an agreement entered into with the Department of Administrative and Financial Services, Bureau of Taxation, from fines, forfeitures, penalties, fees and costs accrues to the State, except as otherwise provided under sections 1057 and 1057-A; Title 7, section 3910-A; Title 12, sections 3055 and 4508; Title 17, section 1015; Title 23, section 1653; and Title 29-A, section 2602.