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**By: Delegates Owings and O'Donnell**

Introduced and read first time: January 24, 1996

Assigned to: Economic Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Consumer Protection - Pest Control Contracts - Required Notice**

3 FOR the purpose of requiring certain contracts that provide termite or other pest control  
4 services to include a certain statement in a certain manner; requiring that provisions  
5 in the contracts limiting coverage or liability of the service provider be printed in a  
6 certain manner; providing that the failure to provide a consumer with a contract  
7 that complies with this Act is an unfair and deceptive trade practice under the  
8 Maryland Consumer Protection Act; defining certain terms; and generally relating  
9 to contracts for pest control services.

10 BY adding to

11 Article - Commercial Law

12 Section 14-1315

13 Annotated Code of Maryland

14 (1990 Replacement Volume and 1995 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article - Commercial Law**

18 14-1315.

19 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
20 INDICATED.

21 (2) "CONSUMER" HAS THE MEANING STATED IN § 13-101 OF THIS  
22 ARTICLE.

23 (3) "SERVICE PROVIDER" MEANS A PERSON ENGAGED IN THE BUSINESS  
24 OF PROVIDING TERMITE AND OTHER PEST CONTROL SERVICES.

25 (B) A CONTRACT THAT PROVIDES TERMITE OR OTHER PEST CONTROL  
26 SERVICES TO A CONSUMER AND THAT IN ANY WAY LIMITS THE COVERAGE  
27 PROVIDED UNDER THE CONTRACT OR THE LIABILITY OF THE SERVICE PROVIDER  
28 SHALL INCLUDE, IN AT LEAST 12-POINT BOLDFACE TYPE, IN IMMEDIATE PROXIMITY  
29 TO THE SPACE RESERVED FOR THE SIGNATURE OF THE CONSUMER, THE  
30 FOLLOWING STATEMENT:

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1 "NOTICE

2 THIS CONTRACT CONTAINS PROVISIONS THAT LIMIT THE COVERAGE  
3 PROVIDED UNDER THE CONTRACT OR THE LIABILITY OF THE SERVICE PROVIDER.  
4 YOU SHOULD CAREFULLY READ THE ENTIRE CONTRACT BEFORE SIGNING IT."

5 (C) IN ADDITION TO THE NOTICE REQUIRED BY SUBSECTION (B) OF THIS  
6 SECTION, EACH PROVISION IN THE CONTRACT THAT LIMITS THE COVERAGE  
7 PROVIDED UNDER THE CONTRACT OR THE LIABILITY OF THE SERVICE PROVIDER  
8 SHALL BE PRINTED IN AT LEAST 10-POINT BOLDFACE TYPE.

9 (D) THE FAILURE OF A SERVICE PROVIDER TO PROVIDE A CONSUMER WITH  
10 A CONTRACT THAT COMPLIES WITH THIS SECTION IS AN UNFAIR AND DECEPTIVE  
11 TRADE PRACTICE UNDER TITLE 13 OF THIS ARTICLE.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
13 October 1, 1996.