

HB0313/733926/1

BY: Conference Committee

AMENDMENTS TO HOUSE BILL 313
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 11 and 12, strike “third party” and substitute “third-party”; and in line 22, after “buyer;” insert “requiring a dealer to maintain certain required security for a vehicle until a certain financing or lease agreement is approved by a third-party finance source; prohibiting a buyer from waiving the rights established by this Act; making a violation of this Act an unfair and deceptive trade practice; establishing that a dealer that is found guilty of an unfair and deceptive trade practice is subject to certain enforcement and penalty provisions;”.

AMENDMENT NO. 2

On page 2, after line 4, insert:

“BY repealing and reenacting, with amendments,

Article - Commercial Law

Section 13-301(14)(xxviii)

Annotated Code of Maryland

(2013 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, without amendments,

Article - Commercial Law

Section 13-301(14)(xxix) and (15)

Annotated Code of Maryland

(2013 Replacement Volume and 2014 Supplement)

BY adding to

Article - Commercial Law

(Over)

Section 13-301(14)(xxx)
Annotated Code of Maryland
(2013 Replacement Volume and 2014 Supplement)”;

after line 11, insert:

“Article – Commercial Law

13-301.

Unfair or deceptive trade practices include any:

(14) Violation of a provision of:

(xxviii) Title 12, Subtitle 10 of the Financial Institutions
Article; [or]

(xxix) Title 19, Subtitle 7 of the Business Regulation Article; or

(XXX) SECTION 15-311.3 OF THE TRANSPORTATION ARTICLE;

OR

(15) Act or omission that relates to a residential building and that is chargeable as a misdemeanor under or otherwise violates a provision of the Energy Conservation Building Standards Act, Title 7, Subtitle 4 of the Public Utilities Article.”;

in line 20, strike “MAY NOT BE” and substitute “IS NOT”; in line 23, strike “3” and substitute “4”; and in line 33, after “SALE.” insert “YOU MAY NOT WAIVE ANY OF THESE RIGHTS.”.

AMENDMENT NO. 3

On page 3, in line 3, strike “**3**” and substitute “**4**”; in line 9, strike “**DELIVERY**” and substitute “**RECEIPT**”; in line 10, strike “**(A)**” and substitute “**(B)**”; and strike beginning with “**§ 12-624**” in line 13 down through “**ARTICLE**” in line 14 and substitute “**STATE LAW**”.

AMENDMENT NO. 4

On page 4, strike beginning with “**THE**” in line 3 down through “**BUYER**” in line 5 and substitute “**A DEALER SHALL MAINTAIN THE REQUIRED SECURITY FOR THE VEHICLE UNDER § 17-104(B) OF THIS ARTICLE UNTIL THE TERMS OF THE FINANCING OR LEASE AGREEMENT BETWEEN A BUYER AND A DEALER ARE APPROVED BY A THIRD-PARTY FINANCE SOURCE.**”

(F) A BUYER MAY NOT WAIVE THE RIGHTS ESTABLISHED UNDER THIS SECTION.

(G) A VIOLATION OF THIS SECTION BY A DEALER:

(1) IS AN UNFAIR AND DECEPTIVE TRADE PRACTICE UNDER TITLE 13 OF THE COMMERCIAL LAW ARTICLE; AND

(2) IS SUBJECT TO THE ENFORCEMENT AND PENALTY PROVISIONS CONTAINED IN TITLE 13 OF THE COMMERCIAL LAW ARTICLE”.