

SENATE BILL 89

Unofficial Copy
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HB 52/97 - ECM

1998 Regular Session
8lr0819
CF 8lr0631

By: **Senators Teitelbaum and Forehand**

Introduced and read first time: January 16, 1998

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Consumer Protection - "Lemon Law" - Required Notice**

3 FOR the purpose of requiring the Motor Vehicle Administration to develop a notice
4 that describes the rights provided to consumers under the Maryland Automotive
5 Warranty Enforcement Act; requiring the Motor Vehicle Administration to make
6 the notice available to dealers that sell new motor vehicles in the State;
7 specifying the manner in which the notice is to be written and certain contents
8 of the notice; requiring the Motor Vehicle Administration to adopt regulations to
9 implement this Act; requiring certain dealers to provide a copy of the notice to
10 purchasers of new motor vehicles at a certain time; requiring the Motor Vehicle
11 Administration to consult with the Consumer Protection Division of the Office of
12 the Attorney General in developing the consumer notice; and generally relating
13 to providing notice of the rights and remedies available under the Maryland
14 Automotive Warranty Enforcement Act.

15 BY adding to
16 Article - Commercial Law
17 Section 14-1502.1
18 Annotated Code of Maryland
19 (1990 Replacement Volume and 1997 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
21 MARYLAND, That the Laws of Maryland read as follows:

22 **Article - Commercial Law**

23 14-1502.1.

24 (A) THE MOTOR VEHICLE ADMINISTRATION SHALL:

25 (1) DEVELOP A NOTICE THAT DESCRIBES THE RIGHTS PROVIDED TO
26 CONSUMERS UNDER THIS SUBTITLE;

27 (2) MAKE THE NOTICE AVAILABLE TO ALL DEALERS THAT SELL NEW
28 MOTOR VEHICLES IN THE STATE; AND

1 (3) ADOPT REGULATIONS AS NECESSARY TO IMPLEMENT THE
2 PROVISIONS OF THIS SECTION.

3 (B) THE NOTICE SHALL:

4 (1) BE WRITTEN IN SIMPLE AND READABLE PLAIN LANGUAGE; AND

5 (2) CONTAIN SUFFICIENT DETAIL TO FULLY INFORM CONSUMERS
6 ABOUT THE RIGHTS AND REMEDIES AVAILABLE UNDER THIS SUBTITLE AND THE
7 PROCEDURES TO FOLLOW TO ENFORCE THOSE RIGHTS AND REMEDIES.

8 (C) EACH DEALER THAT SELLS A NEW MOTOR VEHICLE IN THE STATE SHALL
9 PROVIDE TO THE PURCHASER, AT THE TIME OF THE SALE OR DELIVERY OF THE
10 MOTOR VEHICLE, A COPY OF THE NOTICE DEVELOPED BY THE MOTOR VEHICLE
11 ADMINISTRATION UNDER THIS SECTION.

12 SECTION 2. AND BE IT FURTHER ENACTED, That the Motor Vehicle
13 Administration shall consult with the Consumer Protection Division of the Office of
14 the Attorney General in developing the consumer notice required under Section 1 of
15 this Act.

16 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 1998.