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By: **Delegates Costa and Love**

Introduced and read first time: January 16, 2004

Assigned to: Economic Matters

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A BILL ENTITLED

1 AN ACT concerning

2                                   **Consumer Protection - Consumer Services Providers - Failure to Arrive for**  
3                                   **Scheduled Appointments**

4 FOR the purpose of establishing a Consumer Services Administration Fund;  
5 requiring the Division of Consumer Protection of the Office of the Attorney  
6 General to administer the Fund; providing that if a consumer services provider  
7 that has agreed to arrive at a consumer's home to provide consumer services at  
8 a scheduled time or during a scheduled range of time is unable to arrive at the  
9 consumer's home at the scheduled time or during the scheduled range of time,  
10 the consumer services provider shall call the consumer no later than a certain  
11 amount of time after the scheduled time or the earliest time during the  
12 scheduled range of time and provide the consumer with a legitimate explanation  
13 for the delay; providing a penalty for a consumer services provider that violates  
14 this Act; requiring that fees collected under this Act be placed in the Fund;  
15 defining certain terms; and generally relating to consumer services providers  
16 that fail to arrive at consumers' homes to provide consumer services at a  
17 scheduled time or during a scheduled range of time.

18 BY adding to  
19 Article - Commercial Law  
20 Section 14-3201 through 14-3204, inclusive, to be under the new subtitle  
21 "Subtitle 32. Consumer Services Providers"  
22 Annotated Code of Maryland  
23 (2000 Replacement Volume and 2003 Supplement)

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

1 **Article - Commercial Law**

## 2 SUBTITLE 32. CONSUMER SERVICES PROVIDERS.

3 14-3201.

4 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
5 INDICATED.6 (B) "CONSUMER" MEANS AN ACTUAL OR PROSPECTIVE PURCHASER OR  
7 RECIPIENT OF CONSUMER SERVICES.8 (C) "CONSUMER SERVICES" MEANS SERVICES THAT ARE PRIMARILY FOR  
9 PERSONAL, HOUSEHOLD, OR FAMILY PURPOSES.10 (D) "CONSUMER SERVICES PROVIDER" MEANS A PERSON THAT HAS AGREED  
11 TO PROVIDE CONSUMER SERVICES FOR A CONSUMER.

12 14-3202.

13 (A) THERE IS A CONSUMER SERVICES ADMINISTRATION FUND WHICH IS  
14 ESTABLISHED FOR THE PURPOSE OF PAYING THE EXPENSES INCURRED IN THE  
15 ADMINISTRATION AND ENFORCEMENT OF THIS SUBTITLE.16 (B) THE DIVISION OF CONSUMER PROTECTION OF THE OFFICE OF THE  
17 ATTORNEY GENERAL SHALL ADMINISTER THE CONSUMER SERVICES  
18 ADMINISTRATION FUND.

19 14-3203.

20 IF A CONSUMER SERVICES PROVIDER THAT HAS AGREED TO ARRIVE AT A  
21 CONSUMER'S HOME TO PROVIDE CONSUMER SERVICES AT A SCHEDULED TIME OR  
22 DURING A SCHEDULED RANGE OF TIME IS UNABLE TO ARRIVE AT THE CONSUMER'S  
23 HOME AT THE SCHEDULED TIME OR DURING THE SCHEDULED RANGE OF TIME, THE  
24 CONSUMER SERVICES PROVIDER SHALL:

25 (1) CALL THE CONSUMER NO LATER THAN 3 HOURS AFTER:

26 (I) THE SCHEDULED TIME; OR

27 (II) THE EARLIEST TIME DURING THE SCHEDULED RANGE OF TIME;

28 AND

29 (2) PROVIDE THE CONSUMER WITH A LEGITIMATE EXPLANATION FOR  
30 THE DELAY.

31 14-3204.

32 (A) A CONSUMER SERVICES PROVIDER THAT VIOLATES § 14-3203 OF THIS  
33 SUBTITLE SHALL PAY A FEE OF \$100.

1 (B) THE FEES COLLECTED UNDER THIS SECTION SHALL BE PLACED IN THE  
2 CONSUMER SERVICES ADMINISTRATION FUND ESTABLISHED UNDER § 14-3202 OF  
3 THIS SUBTITLE.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
5 effect October 1, 2004.