

HOUSE BILL 776

I3

8lr1912

By: **Delegates Robinson, Conaway, Frank, Haynes, and Sophocleus**

Introduced and read first time: February 4, 2008

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Consumer Protection – Dry Cleaning and Laundering Establishments – Lost**
3 **or Damaged Clothing**

4 FOR the purpose of requiring certain dry cleaners and launderers to repair, pay the
5 cost to repair, or replace certain lost or damaged items of clothing left in the
6 possession of the dry cleaners or launderers for dry cleaning or laundering;
7 requiring certain dry cleaners and launderers to post certain notices at certain
8 places; requiring the Division of Consumer Protection of the Office of the
9 Attorney General to provide certain notices to certain dry cleaners and
10 launderers; providing certain enforcement and penalty provisions; defining a
11 certain term; and generally relating to dry cleaners and launderers.

12 BY adding to

13 Article – Commercial Law

14 Section 14–1322

15 Annotated Code of Maryland

16 (2005 Replacement Volume and 2007 Supplement)

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

19 **Article – Commercial Law**

20 **14–1322.**

21 (A) IN THIS SECTION, “DIVISION” MEANS THE DIVISION OF CONSUMER
22 PROTECTION OF THE OFFICE OF THE ATTORNEY GENERAL.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(B) THIS SECTION APPLIES TO A DRY CLEANER OR LAUNDERER DOING**
2 **BUSINESS IN THE STATE AND OFFERING DRY CLEANING OR LAUNDERING**
3 **SERVICES TO THE GENERAL PUBLIC.**

4 **(C) IF AN ITEM OF CLOTHING LEFT IN THE POSSESSION OF A DRY**
5 **CLEANER OR LAUNDERER FOR DRY CLEANING OR LAUNDERING IS LOST OR**
6 **DAMAGED, THE DRY CLEANER OR LAUNDERER SHALL:**

7 **(1) IF THE ITEM OF CLOTHING IS DAMAGED, REPAIR THE ITEM TO**
8 **ITS PREDAMAGED CONDITION OR PAY TO THE OWNER THE COST TO REPAIR THE**
9 **ITEM TO ITS PREDAMAGED CONDITION;**

10 **(2) IF THE ITEM CANNOT BE REPAIRED TO ITS PREDAMAGED**
11 **CONDITION, PAY TO THE OWNER THE AMOUNT NECESSARY TO REPLACE THE**
12 **DAMAGED ITEM WITH A COMPARABLE ITEM OF CLOTHING; OR**

13 **(3) IF THE ITEM OF CLOTHING IS LOST, PAY TO THE OWNER THE**
14 **AMOUNT NECESSARY TO REPLACE THE LOST ITEM WITH A COMPARABLE ITEM**
15 **OF CLOTHING.**

16 **(D) A DRY CLEANER OR LAUNDERER SHALL POST AT EACH POINT OF**
17 **SALE A NOTICE PROVIDED BY THE DIVISION THAT:**

18 **(1) DESCRIBES A DRY CLEANER'S OR LAUNDERER'S OBLIGATIONS**
19 **UNDER THIS SECTION; AND**

20 **(2) PROVIDES A TELEPHONE NUMBER A CUSTOMER CAN CALL TO**
21 **FILE A COMPLAINT WITH THE DIVISION.**

22 **(E) THE DIVISION SHALL MAKE AVAILABLE TO A DRY CLEANER OR**
23 **LAUNDERER OPERATING IN THE STATE A NOTICE THAT COMPLIES WITH**
24 **SUBSECTION (D) OF THIS SECTION.**

25 **(F) A VIOLATION OF SUBSECTION (C) OR (D) OF THIS SECTION IS:**

26 **(1) AN UNFAIR OR DECEPTIVE TRADE PRACTICE WITHIN THE**
27 **MEANING OF TITLE 13 OF THIS ARTICLE; AND**

28 **(2) SUBJECT TO THE ENFORCEMENT AND PENALTY PROVISIONS**
29 **CONTAINED IN TITLE 13 OF THIS ARTICLE, EXCEPT § 13-411 OF THIS ARTICLE.**

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 October 1, 2008.