**§1187. Maine Motor Vehicle Franchise Board; established**

The Maine Motor Vehicle Franchise Board, as established in Title 5, section 12004‑G, subsection 6‑B and referred to in this chapter as "the board," is established for the purpose of enforcing the provisions of this chapter. [PL 2003, c. 356, §12 (NEW).]

**1. Membership.**  The board consists of 7 regular members and 4 alternate members:

A. Ten members appointed by the Governor:

(1) Three regular members and 2 alternate members who are or have been franchised new motor vehicle dealers in the State of Maine;

(2) A regular member and an alternate member who are or have been employees or representatives of franchisors; and

(3) Two regular members and one alternate member who are members of the public; and [PL 2005, c. 61, §2 (AMD).]

B. One regular member appointed by the Secretary of State who is not and has not been either a motor vehicle dealer or manufacturer representative and who is an attorney employed by the Secretary of State and assigned to the Bureau of Motor Vehicles. [PL 2005, c. 61, §2 (AMD).]

[PL 2005, c. 61, §2 (AMD).]

**2. Chair.**  The member appointed by the Secretary of State is the chair of the board. The chair shall:

A. Act as the presiding officer in all matters that come before the board; [PL 2003, c. 356, §12 (NEW).]

B. Make preliminary rulings on discovery and other questions; [PL 2003, c. 356, §12 (NEW).]

C. Participate fully in board deliberations; and [PL 2003, c. 356, §12 (NEW).]

D. Vote on the merits of complaints that come before the board only when necessary to break a tie. [PL 2003, c. 356, §12 (NEW).]

[PL 2003, c. 356, §12 (NEW).]

**3. Terms.**  Regular appointments to the board are for 5-year terms. A member may not serve more than 2 consecutive 5-year terms. The terms of the initial board members must be staggered, with 2 members serving a term of 3 years, 2 members serving a term of 4 years and 2 members serving a term of 5 years. Alternate members are appointed for 5-year terms. The term of the member who serves as chair is without limit.

[PL 2005, c. 61, §3 (AMD).]

**4. Vacancy.**  Any vacancy on the board must be filled by the Governor or the Secretary of State by appointment of a person of the same category as the board member being replaced to hold office for the unexpired term.

[PL 2003, c. 356, §12 (NEW).]

**5. Compensation.**  With the exception of the chair, whose position is funded pursuant to section 1187‑A, members of the board are entitled to a per diem of $100 for each day actually engaged in the performance of their duties and may be reimbursed for reasonable and necessary expenses incurred in carrying out their duties.

[PL 2003, c. 356, §12 (NEW).]

**6. Rulemaking.**  The board shall adopt rules to implement the provisions of this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2‑A.

[PL 2003, c. 356, §12 (NEW).]

**7. Affiliation.**  The board is affiliated with the Department of the Secretary of State, Bureau of Motor Vehicles.

[PL 2003, c. 356, §12 (NEW).]

SECTION HISTORY

PL 2003, c. 356, §12 (NEW). PL 2005, c. 61, §§2,3 (AMD).

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