

§4662. Contents of contract

1. Contract required. When merchandise is sold or contracted to be sold, whether under a single contract or under multiple contracts, to a consumer as a result of or in connection with a seller's direct contact accomplished by means of and including, but not limited to, a personal visit or a telephone call upon the consumer, other than at the seller's place of business, without the consumer soliciting the initial contact, the contract must:

- A. Be in writing; [PL 2003, c. 452, Pt. R, §6 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]
- B. Bear the signature of the seller and the consumer; [PL 2003, c. 452, Pt. R, §6 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]
- C. Contain the date of the transaction; [PL 2003, c. 452, Pt. R, §6 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]
- D. Contain the terms of the sale or offer; [PL 2003, c. 452, Pt. R, §6 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]
- E. Contain the name and the mailing address of the seller's permanent place of business; [PL 2003, c. 452, Pt. R, §6 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]
- F. Contain a statement of the consumer's right to avoid as provided in this subchapter; and [PL 2003, c. 452, Pt. R, §6 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]
- G. Contain a statement of the limitation contained in section 4664-A. [PL 2003, c. 452, Pt. R, §6 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

The seller shall furnish a completely executed copy of the contract or agreement to the consumer immediately after the consumer signs the agreement or contract.

[PL 2003, c. 452, Pt. R, §6 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

2. Penalty. The following penalties apply to violations of this section.

A. A seller who violates this section commits a Class E crime, which is a strict liability crime as defined in Title 17-A, section 34, subsection 4-A. [PL 2003, c. 452, Pt. R, §6 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

B. A seller who intentionally violates this section commits a Class D crime. [PL 2003, c. 452, Pt. R, §6 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]
[PL 2003, c. 452, Pt. R, §6 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

SECTION HISTORY

PL 1969, c. 395 (NEW). PL 1977, c. 331 (RPR). PL 1981, c. 187, §3 (AMD). PL 1987, c. 202, §2 (AMD). PL 2003, c. 452, §R6 (RPR). PL 2003, c. 452, §X2 (AFF).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Legislature and is current through October 15, 2024. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.