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## **An Act To Amend the Labor Laws Regarding Automobile Dealerships**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 26 MRSA §663, sub-§11**, as enacted by PL 1985, c. 76, §1, is amended to read:

**11. Automobile salesperson.** "Automobile ~~salesman~~salesperson" means a person who is primarily engaged in selling automobiles or trucks as an employee of an establishment primarily engaged in the business of selling these vehicles to the ultimate purchaser. "Automobile salesperson" includes a person who is primarily engaged in assisting in the financing and providing of insurance products to the ultimate purchaser.

**Sec. 2. 26 MRSA §663, sub-§14** is enacted to read:

**14. Automobile service writer.** "Automobile service writer" means a person employed for the purpose of and primarily engaged in receiving, analyzing and referencing requests for service, repair or analysis of motor vehicles as an employee of an establishment primarily engaged in the business of selling automobiles or trucks to the ultimate purchaser, except that "automobile service writer" does not include an employee who is paid by the employer on a hourly basis.

**Sec. 3. 26 MRSA §664, sub-§3, ¶A**, as amended by PL 2001, c. 336, §1, is further amended to read:

A. Automobile mechanics, automobile parts clerks, automobile service writers and automobile ~~salesmen~~salespersons as defined in section 663. The interpretation of these terms must be consistent with the interpretation of the same terms under federal overtime law, 29 United States Code, Section 213;

### **SUMMARY**

This bill amends the wage and hour overtime laws in relation to finance and insurance automobile dealership employees and individuals employed as automobile service writers at automobile dealerships.