§956. Record of transactions

1. Record of vehicles. A dealer shall complete and maintain for a period of not less than 5 years after the date of transaction a record of the purchase or sale of a vehicle and the following:

A. A description of the vehicle, including make, model, model year, body type, vehicle identification number, color and whether the vehicle is new or used; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. The name and address of the person from whom purchased; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

C. The name of the legal owner, if different from the name from whom purchased in paragraph B; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

D. The name and address of the purchaser; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

E. The mileage of the vehicle when received and sold; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

F. Copies of the warranty and of the disclosure statement, pursuant to Title 10, section 1474, received and issued by the dealer with the sale; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

G. An invoice disclosing from whom the vehicle was obtained. If the vehicle was obtained from another dealer, the dealer's name must be disclosed; [PL 1997, c. 776, §31 (AMD).]

H. On a used motor vehicle offered for sale, the written vehicle history statement required by Title 10, section 1475; [PL 2023, c. 634, §15 (AMD).]

I. Copies of titles, transfers and other documents used for titling purposes; and [PL 2023, c. 634, §16 (AMD).]

J. A copy of the purchase and sale agreement for each transaction conducted. [PL 2023, c. 634, §17 (NEW).]

[PL 2023, c. 634, §§15-17 (AMD).]

2. Inspection. The records, vehicles and vehicle parts in the dealer's possession must be available for inspection during the dealer's normal business hours by the Secretary of State, law enforcement officers or representatives of the office of the Attorney General.

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

3. Filing.

[PL 2013, c. 496, §12 (RP).]

4. Federal requirements. A dealer shall comply with the federal Truth in Mileage Act of 1986, Public Law 99-579, as amended, and the regulations promulgated under 49 Code of Federal Regulations, Part 580, as amended, in keeping of records.

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

5. Personnel. The dealer shall maintain a current record of all sales representatives and full-time employees employed by the dealer, including but not limited to the general manager, the sales manager and the service manager. The record must include the full name, date of birth, social security number and home address of each full-time employee and the position held by each. Those records must be available for inspection by the Secretary of State, the Attorney General and law enforcement officers.

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

6. Penalty. Violation of this section is a Class E crime.

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1995, c. 482, §A18 (AMD). PL 1997, c. 776, §§31,32 (AMD). PL 2013, c. 496, §12 (AMD). PL 2023, c. 634, §§15-17 (AMD).

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