

15-312. PROHIBITED ACTS—VEHICLE SALES TRANSACTIONS.

A DEALER OR AN AGENT OR EMPLOYEE OF A DEALER MAY NOT:

(1) PERMIT ANY INDIVIDUAL TO ROAD TEST A MOTOR VEHICLE IF HE KNOWS THAT THE OTHER INDIVIDUAL DOES NOT HAVE A LICENSE TO DRIVE OF THE APPROPRIATE CLASS;

(2) MAKE ANY MATERIAL MISREPRESENTATION IN OBTAINING A VEHICLE SALES CONTRACT;

(3) COMMIT ANY FRAUD IN THE EXECUTION OF OR ANY MATERIAL ALTERATION OF A CONTRACT, POWER OF ATTORNEY, OR OTHER DOCUMENT INCIDENT TO A SALES TRANSACTION;

(4) PREPARE OR ACCEPT ANY PROMISSORY NOTE OR OTHER EVIDENCE OF INDEBTEDNESS ON A VEHICLE SALES CONTRACT KNOWING THAT IT REQUIRES THE DEBTOR TO PAY AN AMOUNT GREATER THAN THAT AGREED ON IN THE WRITTEN CONTRACT FOR THE SALE OF THE VEHICLE;

(5) WILLFULLY FAIL TO PERFORM, WITHOUT JUSTIFICATION, ANY VEHICLE SALES CONTRACT;

(6) MATERIALLY DEVIATE FROM OR DISREGARD, WITHOUT THE CONSENT OF THE BUYER, ANY OF THE ORIGINAL TERMS OF THE CONTRACT; OR

(7) WILLFULLY FAIL TO COMPLY WITH THE TERMS OF A WARRANTY OR GUARANTEE.

REVISOR'S NOTE: This section is new language derived without substantive change from Art. 66 1/2, §5-401(a) (1), (3), (4), (5), (14), and (15), as these items apply to dealers. As to vehicle salesmen, see §15-411 of this title.

Present references to violation of this section as "unlawful" and a "misdemeanor" are deleted as unnecessary in light of §27-101 of this article.

Present Art. 66 1/2, §5-401 (b), which provides that violation of any of the provisions of that section (now §§ 15-312, 15-313, and 15-314 of this subtitle) subjects the violator to administrative and criminal sanctions, is deleted. This provision is unnecessary in light of §15-315 of this subtitle, which provides for administrative sanctions, and Title 27 of this article, which provides for criminal sanctions.

15-313. PROHIBITED ACTS - ADVERTISING PRACTICES.

(A) DECEPTIVE ADVERTISING.