

§1164. Affirmative defense

It is an affirmative defense to any claim under this chapter that: [PL 1983, c. 145 (NEW).]

1. Lack of impairment. An alleged nonconformity does not substantially impair the use, safety or value of the motor vehicle; or
[PL 1985, c. 220, §4 (AMD).]

2. Abuse. A nonconformity is the result of abuse, neglect or unauthorized modifications or alterations of a motor vehicle by anyone other than the manufacturer, its agents or authorized dealers since delivery to the consumer.
[PL 1983, c. 145 (NEW).]

SECTION HISTORY

PL 1983, c. 145 (NEW). PL 1985, c. 220, §4 (AMD).

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