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January 21, 2026

Senator Chip Curry – Chair
Committee On Housing and Economic
Development
Cross Building, Room 206
100 State House Station
Augusta, ME 04333

Representative Traci Gere – Chair
Committee On Housing and Economic
Development
Cross Building, Room 206
100 State House Station
Augusta, ME 04333

RE: LD 2104 an act to clarify contractual rights of personal sports mobile dealers

Dear Senator Curry and Representative Gere:

These comments are submitted on behalf of the Recreational Motorsports Association of Maine (RMA). The Association is comprised of more than 20 personal sports mobile dealers throughout the state. The Association supports LD 2104.

Franchise laws throughout the fifty states in the United States have developed over an extended period of time to address the imbalance of power between national franchisors and local franchisees. This unequal and significant one-sided bargaining power has allowed manufacturers to engage in a variety of unfair trade practices, including unreasonable termination provisions, forcing franchisees to purchase products or other materials that the franchisee may not want and unreasonable requirements in association with the operation of a franchise. Franchise laws in Maine include automobile dealers, heavy farm equipment, small power equipment, boats, and sports mobile dealerships.

The franchise law covering personal sports mobile dealers was first enacted in 1997 and was significantly amended in 2001. Changes in relations between manufacturers and dealers, the marketplace, economic realities and the need to protect the Maine citizens who purchase these products require further changes in this franchise law at this time.

LD 2104 clarifies that the allocation of vehicles must be made on a fair and equitable basis for all models and in all circumstances. It prohibits a manufacturer from attempting to change a franchise agreement without providing a dealer the opportunity to protest the change in

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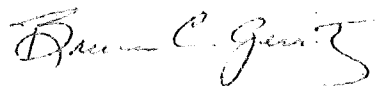
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the franchise agreement. It clarifies that manufacturers cannot use the leverage of requirements to put in new facilities, renovate facilities or change market area penetration as a precursor to receiving various financial benefits that are part of franchise agreements from the manufacturer. It clarifies that in performing warranty work a consumer is entitled, as necessary, to new fluids and filters as part of warranty repairs. It clarifies that training programs for dealership employees be done remotely and that termination rights for a dealer apply regardless of whether it is the dealer or the manufacturer which terminates the relationship. It clarifies the scope of a franchisee's rights to receive attorney's fees in a dispute.

The changes proposed in LD 2104 already exist in other Maine franchise laws, most particularly the franchise law between motor vehicle dealers and manufacturers (10 MRSA c.204). LD 2104 does not introduce new concepts. Rather, it only updates the sports mobile franchise law to reflect the same protections as other kinds of franchise law provide.

The Association respectfully urges the Committee to unanimously report LD 2104 ought to pass and the RMA will be pleased to work with the Committee as it moves forward with LD 2104.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Bruce C. Gerrity", with a stylized flourish at the end.

Bruce C. Gerrity

BCG:mlb

Cc: Committee Members