

(A) IN THIS SECTION, THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED:

(1) APPLIANCE - APPLIANCE MEANS ANY DEVICE USED FOR A SPECIFIC PURPOSE, INCLUDING BUT NOT LIMITED TO ANY DEVICE RUN BY ELECTRICAL OR MECHANICAL MEANS.

(2) SERVICE CONTRACT - SERVICE CONTRACT MEANS ANY CONTRACT BETWEEN THE OWNER OF AN APPLIANCE AND ANOTHER PERSON UNDER WHICH THE OWNER AGREES TO PAY A SPECIFIED AMOUNT OF MONEY IN EXCHANGE FOR ANY NECESSARY UPKEEP OR REPAIRS TO THE APPLIANCE OVER A SPECIFIED PERIOD OF TIME.

(3) SERVICE CONTRACTOR - SERVICE CONTRACTOR MEANS THE PARTY OBLIGATED TO PERFORM SPECIFIED REPAIRS PURSUANT TO A SERVICE CONTRACT.

[[(B) THE PERIOD OF TIME COVERED BY ANY SERVICE CONTRACT FOR AN APPLIANCE shall not include any period of time during which the appliance is being repaired under the terms of the service contract and is not in possession of the owner.]]

(B) IF THE APPLIANCE IS IN THE CUSTODY OF THE SERVICE CONTRACTOR OR HIS AGENT FOR REPAIRS PURSUANT TO A SERVICE CONTRACT, AND NOT IN POSSESSION OF THE OWNER, FOR 15 OR MORE CONSECUTIVE DAYS, OR FOR A TOTAL OF 15 OR MORE DAYS IN ANY 30 DAY PERIOD FOR THE SAME REPAIR, THE DURATION OF THE SERVICE CONTRACT SHALL BE AUTOMATICALLY EXTENDED FOR A LIKE PERIOD OF TIME. THE COMPUTATION OF DAYS DURING WHICH THE SERVICE CONTRACTOR IS DEEMED TO HAVE CUSTODY OF THE APPLIANCE SHALL NOT INCLUDE ANY DAY AFTER WHICH THE OWNER RECEIVED NOTICE THAT SERVICE HAS BEEN COMPLETED AND, WITHOUT FAULT OF THE SERVICE CONTRACTOR, FAILS TO TAKE POSSESSION OF THE APPLIANCE.

(C) THIS SECTION APPLIES TO ALL SERVICE CONTRACTS EXECUTED ON OR AFTER JULY 1, 1974.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1974.

Approved May 31, 1974.

CHAPTER 741

(House Bill 719)

AN ACT concerning