

is in no way intended to change the existing law, merely to clarify it.

(E) SECONDHAND WATCH.

"SECONDHAND WATCH" MEANS:

(1) A WATCH OR THE CASE OR MOVEMENT OF A WATCH WHICH HAS BEEN SOLD PREVIOUSLY TO A CONSUMER; OR

(2) ANY WATCH OF WHICH THE CASE OR MOVEMENT SERIAL NUMBER OR OTHER DISTINGUISHING NUMBER OR IDENTIFICATION MARK HAS BEEN ERASED, DEFACED, REMOVED, ALTERED, OR COVERED.

REVISOR'S NOTE: This subsection presently appears as Art. 27, §224(c), except for the proviso clause in §224(c) (1) which is now contained in §14-702.

In present §224(c) (2), the use of the plural - "watch whose...numbers or...marks have been erased..." - raises the question of whether the section intended that all such numbers or marks be removed before the definition would apply. By use of the singular in this subsection, the Commission has resolved the ambiguity in favor of the consumer.

The only other changes are in style.

(F) SELL.

"SELL" INCLUDES EXCHANGE OR OFFER OR DISPLAY FOR SALE OR EXCHANGE.

REVISOR'S NOTE: This subsection is new language derived without substantive change from the last sentence of Art. 27, §225.

14-702. APPLICABILITY OF SUBTITLE.

(A) EXCEPTION.

THIS SUBTITLE DOES NOT APPLY TO A SECONDHAND WATCH WHICH HAS BEEN SOLD PREVIOUSLY TO A CONSUMER AND IS RETURNED TO THE SELLER FOR EXCHANGE OR CREDIT, IF THE SELLER KEEPS A WRITTEN RECORD WHICH SETS FORTH:

- (1) THE NAME AND ADDRESS OF THE CONSUMER;
- (2) THE DATE OF THE SALE TO THE CONSUMER;
- (3) THE NAME OF THE WATCH OR ITS MAKER; AND