

(B) IF THE LESSEE BEFORE ENTERING INTO THE LEASE CONTRACT HAS EXAMINED THE GOODS OR THE SAMPLE OR MODEL AS FULLY AS DESIRED OR HAS REFUSED TO EXAMINE THE GOODS, THERE IS NO IMPLIED WARRANTY WITH REGARD TO DEFECTS THAT AN EXAMINATION OUGHT IN THE CIRCUMSTANCES TO HAVE REVEALED; AND

(C) AN IMPLIED WARRANTY MAY ALSO BE EXCLUDED OR MODIFIED BY COURSE OF DEALING, COURSE OF PERFORMANCE, OR USAGE OF TRADE.

(4) TO EXCLUDE OR MODIFY A WARRANTY AGAINST INTERFERENCE OR AGAINST INFRINGEMENT (§ 2A-211) OR ANY PART OF IT, THE LANGUAGE MUST BE SPECIFIC, BE BY A WRITING, AND BE CONSPICUOUS, UNLESS THE CIRCUMSTANCES, INCLUDING COURSE OF PERFORMANCE, COURSE OF DEALING, OR USAGE OF TRADE, GIVE THE LESSEE REASON TO KNOW THAT THE GOODS ARE BEING LEASED SUBJECT TO A CLAIM OR INTEREST OF ANY PERSON.

2A-214.1. LIMITATION OF EXCLUSION OR MODIFICATION OF WARRANTIES TO CONSUMERS

(1) THE PROVISIONS OF § 2A-214 DO NOT APPLY TO LEASES OF CONSUMER GOODS, AS DEFINED BY § 9-109, SERVICES, OR BOTH.

(2) ANY ORAL OR WRITTEN LANGUAGE USED BY A LESSOR OF CONSUMER GOODS AND SERVICES, WHICH ATTEMPTS TO EXCLUDE OR MODIFY ANY IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE OR TO EXCLUDE OR MODIFY THE CONSUMER'S REMEDIES FOR BREACH OF THOSE WARRANTIES, IS UNENFORCEABLE. HOWEVER, THE LESSOR MAY RECOVER FROM THE MANUFACTURER ANY DAMAGES RESULTING FROM BREACH OF THE IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.

(3) ANY ORAL OR WRITTEN LANGUAGE USED BY A MANUFACTURER OF CONSUMER GOODS, WHICH ATTEMPTS TO LIMIT OR MODIFY A CONSUMER'S REMEDIES FOR BREACH OF THE MANUFACTURER'S EXPRESS WARRANTIES, IS UNENFORCEABLE, UNLESS THE MANUFACTURER PROVIDES REASONABLE AND EXPEDITIOUS MEANS OF PERFORMING THE WARRANTY OBLIGATIONS.

(4) (A) THE PROVISIONS OF THIS SECTION DO NOT APPLY TO A MOTOR VEHICLE:

(I) REQUIRED TO BE TITLED UNDER THE TRANSPORTATION ARTICLE;

(II) THAT IS OVER 6 MODEL YEARS OLD AND THAT HAS BEEN DRIVEN MORE THAN 60,000 MILES; AND

(III) IF, AT ANY TIME OF THE LEASE OF THE MOTOR VEHICLE, THE LESSOR GIVES THE LESSEE NOTICE OF THE INAPPLICABILITY OF THIS SECTION ON THE FORM PRESCRIBED UNDER § 13-119 OF THE TRANSPORTATION ARTICLE.

(B) (I) AN EXCLUSION OR MODIFICATION OF AN IMPLIED WARRANTY OF MERCHANTABILITY, OR ANY PART OF A WARRANTY UNDER THIS SUBSECTION SHALL BE IN WRITING, MENTION MERCHANTABILITY, AND BE CONSPICUOUS.