

[(g)] (I) "Reasonable and necessary maintenance" means those operations which the person guaranteed reasonably can be expected to perform or have performed and which are necessary to keep the [consumer] product performing its intended function.

[(h)] (J) "Replace" means:

(1) To replace a [consumer] product or its component with a new and identical or equivalent [consumer] product or component; or

(2) To refund the price of the [consumer] product or its component less reasonable depreciation if:

(i) Neither replacement nor repair is commercially practicable; or

(ii) The person guaranteed is willing to accept the refund in place of the replacement or repair.

(K) (1) "SERVICE CONTRACT" MEANS A CONTRACT OR AGREEMENT FOR A SEPARATELY STATED CONSIDERATION FOR A SPECIFIC DURATION TO PERFORM THE REPAIR, REPLACEMENT, OR MAINTENANCE OF A PRODUCT, OR TO INDEMNIFY FOR THE REPAIR, REPLACEMENT, OR MAINTENANCE, BECAUSE OF AN OPERATIONAL OR STRUCTURAL FAILURE DUE TO A DEFECT IN MATERIALS, WORKMANSHIP, OR NORMAL WEAR AND TEAR, WITH OR WITHOUT ADDITIONAL PROVISIONS FOR INCIDENTAL PAYMENT OF INDEMNITY UNDER LIMITED CIRCUMSTANCES.

(2) "SERVICE CONTRACT" INCLUDES A CONTRACT OR AGREEMENT FOR REPAIR, REPLACEMENT, OR MAINTENANCE OF A PRODUCT FOR DAMAGE RESULTING FROM POWER SURGES AND ACCIDENTAL DAMAGE FROM HANDLING.

(3) "SERVICE CONTRACT" DOES NOT INCLUDE:

(I) A GUARANTY;

(II) A MAINTENANCE AGREEMENT THAT DOES NOT INCLUDE A PROVISION FOR THE REPAIR, REPLACEMENT, OR MAINTENANCE OF A PRODUCT BECAUSE OF AN OPERATIONAL OR STRUCTURAL FAILURE DUE TO A DEFECT IN MATERIALS, WORKMANSHIP, OR NORMAL WEAR AND TEAR;

(III) A WARRANTY, SERVICE CONTRACT, OR MAINTENANCE AGREEMENT OFFERED BY A PUBLIC UTILITY ON ITS TRANSMISSION DEVICES TO THE EXTENT IT IS REGULATED BY THE PUBLIC SERVICE COMMISSION;

(IV) A MECHANICAL REPAIR CONTRACT UNDER § 15-311.2 OF THE TRANSPORTATION ARTICLE; OR

(V) MECHANICAL BREAKDOWN INSURANCE.

[(i)] (L) (1) "Services" means work, labor, or any other kind of activity furnished or agreed to be furnished to a person guaranteed.