

(b) (1) The guarantor OR PROVIDER may designate a representative to perform [his] THE duties under this subtitle.

(2) However, this designation does not relieve the guarantor OR PROVIDER of [his] THE duties to the person guaranteed.

14-409.

(A) EXCEPT FOR TITLE 13 OF THIS ARTICLE, THIS SUBTITLE PROVIDES THE EXCLUSIVE REMEDY BY WHICH A PERSON GUARANTEED MAY RECOVER DAMAGES FOR A BREACH OF A SERVICE CONTRACT OR MAY ENFORCE A SERVICE CONTRACT.

(B) (1) PROVIDERS, ADMINISTRATORS, AND OTHER PERSONS MARKETING, SELLING, OR OFFERING TO ENTER INTO SERVICE CONTRACTS THAT COMPLY WITH THE TERMS OF THIS SUBTITLE NEED NOT COMPLY WITH ANY PROVISION OF THE INSURANCE ARTICLE.

(2) GUARANTORS, ADMINISTRATORS, AND OTHER PERSONS MARKETING, SELLING, OR OFFERING TO ISSUE GUARANTEES THAT COMPLY WITH THE TERMS OF THIS SUBTITLE NEED NOT COMPLY WITH ANY PROVISION OF THE INSURANCE ARTICLE.

(C) (1) IN THIS SUBSECTION, "LICENSEE" MEANS A PERSON WHO:

(I) IS LICENSED AS A MASTER PLUMBER AND MEETS THE QUALIFICATIONS TO ENGAGE IN THE BUSINESS OF PROVIDING PLUMBING SERVICES UNDER TITLE 12 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE;

(II) PROVIDES HEATING, VENTILATION, AIR-CONDITIONING, OR REFRIGERATION SERVICES IN ACCORDANCE WITH A MASTER LICENSE OR A MASTER RESTRICTED LICENSE ISSUED UNDER TITLE 9A OF THE BUSINESS REGULATION ARTICLE; OR

(III) IS A LICENSED CONTRACTOR UNDER TITLE 8 OF THE BUSINESS REGULATION ARTICLE.

(2) A LICENSEE IS NOT SUBJECT TO:

(I) THIS SUBTITLE IF THE SERVICES PROVIDED OR TO BE PROVIDED UNDER THE SERVICE CONTRACT ARE WITHIN THE SCOPE OF THE ~~LICENSEE'S LICENSE~~ LICENSEE'S LICENSE; OR

(II) ANY PROVISION OF THE INSURANCE ARTICLE APPLICABLE TO SERVICE CONTRACTS.

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This subtitle may be cited as the Maryland SERVICE CONTRACTS AND Consumer Products Guaranty Act.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2002.