

CHAPTER 325F

CONSUMER PROTECTION; PRODUCTS AND SALES

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MOTOR VEHICLE CONTRACT REASSIGNMENT

325F.666 UNLAWFUL REASSIGNMENT OF CERTAIN MOTOR VEHICLE CONTRACTS.

Subdivision 1. **Contracts subject to law.** This section applies to contracts that transfer a right or interest in a motor vehicle, including lease contracts, conditional sales contracts, retail sales installment contracts, and security agreements.

Subd. 2. **Unauthorized transfers.** A person who is not a party to a contract referred to in subdivision 1, and who has not first obtained written authorization from the secured creditor, lessor, or lienholder, may not do the following acts if that person receives consideration for so doing:

- (1) get control of the motor vehicle and then sell, transfer, assign, or lease it to another person; or
- (2) assist, cause, or arrange the actual or purported sale, transfer, assignment, or lease of the motor vehicle to another person.

Subd. 3. **Civil remedies.** Any person injured by a violation of this section may bring a civil action to enforce this section and recover any actual damages, costs and disbursements, including reasonable attorneys fees incurred in the civil action. In addition to the remedies provided in this section, the attorney general may bring an action pursuant to section 8.31 against any person for violation of this section.

History: 1991 c 12 s 1

SAFETY EQUIPMENT ON FARM TRACTORS

325F.6670 EQUIPMENT REQUIRED AT TIME OF SALE.

(a) No farm equipment dealer or other seller required to collect an excise tax under section 297A.02 may sell a farm tractor as defined in section 325F.6651, subdivision 2, unless, at the time of sale, the tractor is equipped with safety equipment as provided in paragraphs (b) and (c).

(b) If originally provided by the manufacturer, the farm tractor must have

- (1) power-take-off shields; and
- (2) road transport lighting and reflector systems.

(c) Whether or not originally provided by the manufacturer, the farm tractor must have a slow-moving vehicle sign displayed in accordance with section 169.522.

History: 1991 c 254 art 3 s 24

325F.82 DEFINITIONS.

[For text of subd 1, see M.S.1990]

Subd. 2. **Automatic garage door opening system.** "Automatic garage door opening system" means a system of devices and equipment that, when connected to a garage door, automatically opens and closes a garage door.

[For text of subs 3 and 4, see M.S.1990]

Subd. 5. **Automatic reversing requirement.** "Automatic reversing requirement" means the requirements specified in paragraphs 30.1 and 30.2 of Underwriters Laboratories, Inc., Standards for Safety-UL 325, third edition, as revised May 4, 1988, for a residential automatic garage door opening system or the requirements specified in paragraph 29.1 of Underwriters Laboratories, Inc., Standards for Safety-UL 325, third edition, as revised May 4, 1988, for a commercial vehicular door operator.

History: 1991 c 10 s 1,2

325F.83 REGULATION OF AUTOMATIC GARAGE DOOR OPENING SYSTEMS.

Subdivision 1. **Manufacturing, sales, purchases, or installations of systems.** No person shall manufacture, sell, offer for sale, purchase, or install in this state an automatic garage door opening system for residential buildings that does not comply with subdivision 3.

Subd. 1a. **Service or repair of systems.** No person shall service or repair an automatic garage door opening system for residential buildings that does not comply with the automatic reversing requirement. This paragraph does not prevent the servicing or repair of an automatic garage door opening system if the system will be in compliance with the automatic reversing requirement after the repair or service.

The person servicing or repairing the automatic garage door opening system shall determine whether or not the system complies with the automatic reversing requirement by conducting an on-site test of the system.

Subd. 1b. **Warning label.** If the automatic garage door opening system does not pass the on-site test required by subdivision 1a, the person conducting the test shall complete and conspicuously attach to the automatic garage door opening system, a red label that states the following:

"DANGER

This garage door opener was tested and does not meet the requirements for a working safety reverse feature. This can be dangerous and may cause serious injury or death. You are advised to disconnect the opener from the door immediately and operate the door manually until the opener has been repaired or replaced with one that meets current safety standards relating to automatic reversal as provided for in Minnesota Statutes, section 325F.83, subdivision 1a.

..... Model Name of Tester
..... Manufacturer Firm Name
..... Serial Number Firm Address/Phone Number
 Date"

The firm of the agent or employee who attached the red label shall notify within ten working days in writing the occupant of the residence that the system did not comply with subdivision 1a.

[For text of subd 2, see M.S.1990]

Subd. 3. **Minimum standards.** (a) No later than January 1, 1991, all automatic garage door opening systems subject to subdivision 1, 1a, or 2 must conform to the applicable requirements of Underwriters Laboratories, Inc., Standards for Safety-UL 325, third edition, as revised May 4, 1988.

(b) No later than January 1, 1993, all automatic garage door opening systems sub-

ject to subdivision 1 or 2 must include an attached edge sensor, safety beam, or similar device that when activated causes a closing door to open and prevents an open door from closing. This device is to be designed and built so that a failure of the device prevents the door from closing.

Subd. 4. Manufacturer's labeling requirements. On and after January 1, 1991, a manufacturer selling or offering for sale automatic garage door opening systems in this state shall clearly identify on the container and on the system, the month or week and year the system was manufactured, and its conformance with UL 325, as required under subdivision 3, paragraph (a). The display of the UL logo or listing mark and compliance with the date marking requirements of UL 325 on both the container and the system fulfills the manufacturer's labeling requirements specified under this subdivision.

[For text of subs 5 to 8, see M.S.1990]

History: 1991 c 10 s 3-5

CHECK CASHING PRACTICES

325F.981 CHECK CASHING PRACTICES.

Subdivision 1. Provision of credit card number. A person shall not require as a condition of acceptance of a check, or as a means of identification, that the person presenting the check provide a credit card number.

Subd. 2. Display without recordation. Subdivision 1 does not prohibit a person from requesting the person presenting the check to display a credit card, but the only information concerning a credit card which may be recorded is the type and issuer of the credit card and the expiration date. Subdivision 1 does not require acceptance of a check whether or not a credit card is presented.

Subd. 3. Exception. A person may require production of and may record a credit card number as a condition for cashing a check only if: (1) the person requesting the card number has agreed with the issuer to cash or accept checks from the issuer's cardholders; (2) the issuer has agreed to guarantee cardholder checks cashed or accepted by that person; and (3) the cardholder has given actual, apparent, or implied authority for use of the card number in this manner and for this purpose.

History: 1991 c 88 s 1

CONSUMER IDENTIFICATION PROCEDURES

325F.982 CONSUMER IDENTIFICATION INFORMATION.

Subdivision 1. Prohibited use. A person may not write down or request to be written down the address or telephone number of a credit cardholder on a credit card transaction form as a condition of accepting a credit card as payment for consumer credit, goods, or services.

Subd. 2. Exception. A person may record the address or telephone number of a credit cardholder if the information is necessary for the shipping, delivery, or installation of consumer goods, or special orders of consumer goods or services.

History: 1991 c 88 s 2

325F.99 TELEPHONE CALLS; FEES; LONG DISTANCE CARRIERS; NOTICE.

Subdivision 1. Fees for calls. A hotel, motel, restaurant, lodging house, boarding house, resort, or place of refreshment, licensed under chapter 157, that charges a separate fee for the use of a telephone, other than immediate payment by coin, credit card, or other payment device on a per call basis for the caller to complete the call, shall provide notice on or near each telephone stating the separate fee charged for making a local, credit card, or other call.

Subd. 2. Long distance carrier. Establishments governed by subdivision 1 shall provide notice on or near each telephone stating the name of the carrier with which the establishment has subscribed to provide long distance service to that telephone.

History: 1991 c 154 s 2