

## CHAPTER 202-B

### PROHIBITED CREDIT CARD PRACTICES INVOLVING PROVIDERS OF TRAVEL SERVICES

#### §1141. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 1991, c. 261 (NEW).]

**1. Credit card.** "Credit card" has the same meaning as "accepted credit card," as defined in the Federal Truth in Lending Act, 15 United States Code, Section 1601 et seq.

[PL 2011, c. 427, Pt. D, §16 (AMD).]

**2. Credit card issuer.** "Credit card issuer" has the same meaning as "card issuer," as defined in the Federal Truth in Lending Act, 15 United States Code, Section 1601 et seq.

[PL 2011, c. 427, Pt. D, §17 (AMD).]

**3. Provider of travel services.** "Provider of travel services" means a person, firm or corporation engaged in the business of furnishing travel, transportation or vacation services.

[PL 1991, c. 261 (NEW).]

**4. Travel agent.** "Travel agent" means a person, firm, corporation, partnership or association, other than a common carrier as defined in Title 12, section 6001, subsection 8 or employee of a common carrier, that:

A. Is an officially appointed agent of a common carrier or is a member of a cruise lines association who operates exclusively as an agent for cruise lines in the sale of cruise travel products or services; and [PL 1991, c. 261 (NEW).]

B. As a legal agent for a provider of travel services:

(1) Sells or offers for sale travel, transportation or vacation arrangements;

(2) Negotiates for travel, transportation or vacation services; or

(3) Professes to be by solicitation, advertisement or other means a seller, contractor or arranger for travel, transportation or vacation services. [PL 1991, c. 261 (NEW).]

[PL 1991, c. 261 (NEW).]

#### SECTION HISTORY

PL 1991, c. 261 (NEW). PL 2007, c. 273, Pt. C, §10 (AMD). PL 2007, c. 695, Pt. B, §2 (AMD). PL 2011, c. 427, Pt. D, §§16, 17 (AMD).

#### §1142. Prohibited practice

When a travel agent furnishes travel services to a consumer and the consumer uses a credit card to obtain credit in the transaction, the provider of travel services for which the travel agent is an agent may not as the result of the use of the credit card impose a surcharge on or reduce commissions paid to the travel agent. This prohibition does not apply if the provider of travel services is the issuer of the credit card used in the transaction. [PL 1991, c. 261 (NEW).]

#### SECTION HISTORY

PL 1991, c. 261 (NEW).

#### §1143. Remedies

Any person injured as a result of a violation of section 1142 may seek damages and an injunction in a civil action. Any person likely to be injured by a violation of section 1142 may seek an injunction in a civil action. The court may award reasonable attorney's fees to the plaintiff. [PL 1991, c. 261 (NEW).]

#### SECTION HISTORY

PL 1991, c. 261 (NEW).

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