

HOUSE No. 02845

The Commonwealth of Massachusetts

PRESENTED BY:

James J. O'Day, (BY REQUEST)

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An act relative to a 3-day right to cancel for new or used motor vehicle purchases from a dealer.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Barbara J Taylor, Captain, USAF, Retired

14 Burncoat Terrace Worcester, MA 01605

James J. O'Day

14th Worcester

HOUSE No. 02845

By Mr. O'Day of West Boylston (by request), a petition (accompanied by bill, House, No. 2845) of O'Day relative to the purchase of a car and the right to cancel a purchase contract Joint Committee on the Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An act relative to a 3-day right to cancel for new or used motor vehicle purchases from a dealer.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 Notwithstanding chapter 90 of the General Laws, or any general or special law, or rule or
- 2 regulation to the contrary, a dealer, as defined in section 1 of chapter 90D, who is selling motor
- 3 vehicles, new or used, shall offer the buyer a 3-day right to cancel. For the purposes of this act,
- 4 the 3-day period shall be 3 days, exclusive of holidays. The cancellation policy shall be provided
- 5 to the buyer at the time of the sale, and made a part of, and incorporated in the contract, and
- 6 written in conspicuous large bold print.

- 7 If the buyer trades in a vehicle as part of the purchase and sales agreement, the dealer shall be
- 8 obligated to hold the traded vehicle in a secure location for safe keeping and shall be prohibited
- 9 from selling the trade-in vehicle before the expiration of the 3-day cancellation period. In the
- 10 event that the dealer sells the traded vehicle before the expiration of the 3-day cancellation

11 period in violation of this section, the buyer shall receive from the dealer as compensation, the
12 full sale price or the fair market value of the traded vehicle, whichever is higher.