HOUSE BILL 434

 $\mathbf{R4}$

8lr2179 CF SB 529

By: **Delegate Davis** Introduced and read first time: January 24, 2018 Assigned to: Economic Matters

Committee Report: Favorable with amendments House action: Adopted Read second time: March 11, 2018

CHAPTER _____

1 AN ACT concerning

Vehicle Manufacturers - Notice to Purchasers and Lessees - Warranty Requirements

FOR the purpose of requiring a motor vehicle manufacturer, distributor, or factory branch
to provide a certain notice of warranty requirements to the purchaser or lessee of a
<u>certain</u> new motor vehicle within a certain period of time after the purchase or lease
of the motor vehicle; <u>providing for the application of this Act</u>; and generally relating
to the provision of notice of warranty requirements to purchasers and lessees of

- 9 motor vehicles by vehicle manufacturers, distributors, or factory branches.
- 10 BY adding to
- 11 Article Transportation
- 12 Section 15–210.1
- 13 Annotated Code of Maryland
- 14 (2012 Replacement Volume and 2017 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, 16 That the Laws of Maryland read as follows:

17

Article – Transportation

18 **15–210.1.**

19(A)THIS SECTION DOES NOT APPLY TO A NEW MOTOR VEHICLE PURCHASED20SOLELY FOR COMMERCIAL OR INDUSTRIAL USE.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

<u>Underlining</u> indicates amendments to bill.

Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (B) WITHIN 90 DAYS AFTER THE PURCHASE OR LEASE OF A NEW MOTOR 2 VEHICLE IN THE STATE, THE MOTOR VEHICLE MANUFACTURER, DISTRIBUTOR, OR 3 FACTORY BRANCH SHALL PROVIDE THE FOLLOWING NOTICE, IN AT LEAST 10 POINT 4 BOLD TYPE, IN ENGLISH AND SPANISH, TO THE PURCHASER OR LESSEE OF THE 5 MOTOR VEHICLE:

"NOTICE

7 THE MAGNUSON-MOSS WARRANTY ACT, 15 U.S.C. § 2301, ET SEQ., MAKES IT 8 ILLEGAL FOR A MOTOR VEHICLE MANUFACTURER OR DEALER TO VOID A MOTOR 9 VEHICLE WARRANTY OR DENY WARRANTY COVERAGE SIMPLY BECAUSE A PERSON 10 OTHER THAN THE DEALER HAS PERFORMED SERVICE ON THE VEHICLE OR AN 11 AFTERMARKET OR RECYCLED PART HAS BEEN USED TO REPAIR THE VEHICLE.

12A MOTOR VEHICLE MANUFACTURER OR DEALER MAY DENY WARRANTY COVERAGE AND CHARGE FOR REPAIRS TO A VEHICLE IF IT IS DISCOVERED THAT AN 1314AFTERMARKET OR RECYCLED PART INSTALLED ON THE VEHICLE IS DEFECTIVE OR 15WAS INSTALLED INCORRECTLY AND CAUSED DAMAGE TO ANOTHER PART OF THE VEHICLE OTHERWISE COVERED UNDER WARRANTY. THE FEDERAL TRADE 16 17COMMISSION REQUIRES THAT A MANUFACTURER OR DEALER DEMONSTRATE THAT 18 AN AFTERMARKET OR RECYCLED PART OR SERVICE PERFORMED BY A PERSON 19 OTHER THAN A DEALER CAUSED DAMAGE TO ANOTHER PART OF THE VEHICLE DENYING 20OTHERWISE COVERED UNDER WARRANTY BEFORE WARRANTY 21COVERAGE.".

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 23 October 1, 2018.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.

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