

1 H.123

2 Introduced by Representatives Anthony of Barre City and McFaun of Barre

3 Town

4 Referred to Committee on

5 Date:

6 Subject: Motor vehicles; commerce and trade; sale of vehicles; inspections of

7 vehicles; consumer protection

8 Statement of purpose of bill as introduced: This bill proposes to establish

9 additional consumer rights in connection with the sale of vehicles subject to an

10 inspection requirement.

11 An act relating to consumer protections related to the sale of a vehicle
12 subject to an inspection requirement

13 It is hereby enacted by the General Assembly of the State of Vermont:

14 Sec. 1. 23 V.S.A. chapter 21, subchapter 8 is added to read:

15 SUBCHAPTER 8. INSPECTION PRIOR TO SALE

16 § 2201. PROOF OF INSPECTION HISTORY; CONSUMER RIGHTS

17 (a) Definitions. As used in this subchapter:

18 (1) "Inspection history report" means a complete report of all

19 inspections made at qualified inspection stations generated by the Department

20 of Motor Vehicles.

1 (2) “Inspection report” means the software-generated report of a vehicle
2 inspection made at a qualified inspection station.

3 (3) “Purchaser” means a person who acquires a vehicle from an owner
4 in exchange for consideration.

5 (4) “Qualified inspection station” means a garage or qualified service
6 station designated by the Commissioner as an inspection station for purposes
7 of conducting vehicle inspections pursuant to section 1222 of this title.

8 (5) “Recent inspection” means a vehicle inspection conducted at a
9 qualified inspection station within the seven days prior to the date of sale.

10 (b) Recent inspection required.

11 (1) An owner shall not sell a vehicle subject to a vehicle inspection
12 requirement pursuant to section 1222 of this title without providing the
13 purchaser with proof, in the form of an inspection report, of a recent inspection
14 and an inspection history report.

15 (2) Subdivision (b)(1) of this section shall not apply if the purchaser
16 intends to make application for a salvage certificate of title within 15 days after
17 the date of acquisition.

18 § 2202. ENFORCEMENT

19 A violation of this subchapter is an unfair or deceptive act or practice under
20 9 V.S.A. § 2453 and is enforceable by the Attorney General or a State’s
21 Attorney or an owner pursuant to 9 V.S.A. chapter 63, subchapter 1 (consumer

1 protection; general provisions). In addition, an owner who violates subsection
2 2201(b) of this title shall be liable to the purchaser for a penalty payment of up
3 to \$1,000.00 and a full refund of the purchase price.

4 Sec. 2. EFFECTIVE DATE

5 This act shall take effect on July 1, 2019.