

# House Bill 2569

Sponsored by Representative WITT; Representative PILUSO (Pre-session filed.)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires vehicle dealer to disclose certain information concerning manufacturer recalls that apply to motor vehicle that customer intends to purchase or lease from vehicle dealer.

Provides that vehicle dealer's failure to make disclosure is unlawful practice that is subject to enforcement under Unlawful Trade Practices Act.

## A BILL FOR AN ACT

1  
2 Relating to required disclosures concerning manufacturer recalls for motor vehicles.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) As used in this section:**

5 (a) **"Manufacturer recall" means a notice from a motor vehicle manufacturer concerning**  
6 **a part or assembly in a motor vehicle that the manufacturer recommends for replacement**  
7 **or repair or another type of defect that the manufacturer recommends for remediation.**

8 (b) **"Vehicle dealer" means a person that possesses a vehicle dealer certificate issued**  
9 **under ORS 822.020.**

10 (2)(a) **A vehicle dealer shall disclose the information set forth in paragraph (b) of this**  
11 **subsection:**

12 (A) **On, or in immediate proximity to, any price sticker or similar device that is affixed**  
13 **to any motor vehicle that the vehicle dealer sells or leases or offers for sale or lease; or**

14 (B) **If the vehicle dealer does not affix a price sticker or similar device to the motor ve-**  
15 **hicle, on a separate written form that the vehicle dealer provides directly to each customer**  
16 **who intends to purchase or lease a motor vehicle from the vehicle dealer before the cus-**  
17 **tomer purchases or leases the motor vehicle.**

18 (b) **The disclosure required under paragraph (a) of this subsection must, at a minimum,**  
19 **inform each customer who intends to purchase or lease a motor vehicle from a vehicle dealer**  
20 **of any manufacturer recalls that apply to the motor vehicle or state that a manufacturer**  
21 **recall does not now apply to the motor vehicle. If a manufacturer recall does apply to the**  
22 **vehicle, the disclosure must also:**

23 (A) **Describe or summarize the nature of the defect that led to the manufacturer recall**  
24 **in detail sufficient for the customer to understand the consequences of failing to remedy the**  
25 **defect;**

26 (B) **Describe any actions the vehicle dealer took or had another person take to remedy**  
27 **the defect;**

28 (C) **List, without recommending, any dealers, including the vehicle dealer, any vehicle**  
29 **repair shops or any other facilities that are authorized to remedy a defect according to the**  
30 **manufacturer's specifications and that have the capability to remedy the specific defect the**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 **vehicle dealer disclosed;**

2 **(D) State that the vehicle dealer or manufacturer is responsible for replacing or repairing**  
3 **a defective part or assembly or otherwise remedying a defect in a motor vehicle to which a**  
4 **manufacturer recall applies at no charge to the customer or, if a charge does apply, give a**  
5 **general estimate of the cost of the replacement, repair or remedy; and**

6 **(E) Provide a phone number, website or other information a customer would need to find**  
7 **additional information about the manufacturer recall and the nature of the defect that led**  
8 **to the manufacturer recall.**

9 **(3) A vehicle dealer's failure to make the disclosure required under this section is an**  
10 **unlawful practice under ORS 646.607 that is subject to enforcement under ORS 646.632.**

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