

HOUSE BILL 629

I3, R7

9lr1315

By: **Delegate Holmes**

Introduced and read first time: February 6, 2009

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Transportation – Used Vehicle Sales – Notice of Defects and Responsibility**
3 **for Repairs**

4 FOR the purpose of requiring certain contracts for the sale of certain used vehicles to
5 include a notice to the buyer that lists certain defects of a used vehicle sold to
6 the buyer; requiring certain dealers of certain used vehicles to be responsible for
7 the cost of certain repairs to a certain used vehicle; specifying the repairs that
8 must be included in the notice to the buyer; and generally relating to sales of
9 used vehicles.

10 BY repealing and reenacting, with amendments,
11 Article – Transportation
12 Section 15–311
13 Annotated Code of Maryland
14 (2006 Replacement Volume and 2008 Supplement)

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

17 **Article – Transportation**
18 15–311.

19 (a) A contract for the sale of a vehicle by a dealer shall contain a clear
20 statement of:

- 21 (1) The principal amount charged for the vehicle;
- 22 (2) Any interest charged on the principal amount;
- 23 (3) Any fee charged under § 13–610 of this article;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (4) Any dealer processing charge, as defined in § 15-311.1 of this
2 subtitle; and

3 (5) Any other charge made in connection with the sale of the vehicle.

4 (b) In addition to the information required by subsection (a) of this section, a
5 contract for the sale of a new vehicle shall include:

6 (1) The base price of the vehicle;

7 (2) The manufacturer's code or stock number for the vehicle; and

8 (3) A clear and specific description of each extra item and each extra
9 charge not included in the base price of the vehicle ordered by the buyer.

10 (c) When a vehicle arrives for delivery, the dealer shall advise the buyer of
11 any extra items ordered by the buyer that are not on the vehicle.

12 (d) When a vehicle arrives for delivery, the dealer shall advise the buyer of
13 any extra items on the vehicle that the buyer did not order.

14 (e) When a vehicle arrives for delivery, the dealer shall advise the buyer of
15 the cost of extra items described under subsections (c) and (d) of this section.

16 **(F) (1) IN ADDITION TO THE INFORMATION REQUIRED BY**
17 **SUBSECTION (A) OF THIS SECTION, A CONTRACT FOR THE SALE OF A USED**
18 **VEHICLE SHALL INCLUDE A NOTICE THAT LISTS ALL DEFECTS OF THE USED**
19 **VEHICLE AS IDENTIFIED DURING THE INSPECTION REQUIRED BY § 23-106 OF**
20 **THIS ARTICLE.**

21 **(2) A DEALER WHO SELLS A USED VEHICLE AND DOES NOT**
22 **PROVIDE THE NOTICE REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION**
23 **SHALL BE RESPONSIBLE FOR THE COST OF REPAIRS TO THE USED VEHICLE**
24 **THAT:**

25 **(I) ARE NOT CUSTOMARILY PERFORMED AT REGULARLY**
26 **SCHEDULED INTERVALS; AND**

27 **(II) ARE MADE DURING THE 1-YEAR PERIOD FOLLOWING**
28 **THE DATE OF SALE OF THE USED VEHICLE.**

29 **(3) REPAIRS THAT ARE CUSTOMARILY PERFORMED AT REGULAR**
30 **INTERVALS INCLUDE:**

31 **(I) OIL CHANGES;**

1 (II) **TIRE REPLACEMENT OR REPAIR; AND**

2 (III) **BRAKE REPLACEMENT.**

3 (4) **REPAIRS THAT ARE NOT CUSTOMARILY PERFORMED AT**
4 **REGULAR INTERVALS INCLUDE:**

5 (I) **REPLACING A VEHICLE'S TRANSMISSION; AND**

6 (II) **REPLACING A VEHICLE'S ENGINE.**

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2009.