

STATE OF MICHIGAN
89TH LEGISLATURE
REGULAR SESSION OF 1998

Introduced by Senators Peters, Miller, Vaughn, DeBeaussiaert, A. Smith, Stallings, Young, Dingell, Byrum, Cherry, V. Smith, Hart, Koivisto, Schwarz, Hoffman, Geake, Gast, Stille, North, Gougeon, Rogers and Shugars

ENROLLED SENATE BILL No. 774

AN ACT to amend 1986 PA 87, entitled "An act regarding warranties on new motor vehicles; to require certain repairs thereto; and to provide remedies for the failure to repair such vehicles," by amending sections 6 and 8 (MCL 257.1406 and 257.1408).

The People of the State of Michigan enact:

Sec. 6. This act does not apply to a defect or condition that is the result of either of the following:

- (a) A modification not installed or made by or for the manufacturer.
- (b) Abuse or neglect of the new motor vehicle or damage due to an accident that occurred after the new motor vehicle was purchased or leased by the consumer.

Sec. 8. (1) Until December 31, 1999 and after as provided in subsection (2), the secretary of state shall include with any title for a new motor vehicle a written statement, in 10-point boldfaced type, in substantially the following form: "IMPORTANT: IF THIS VEHICLE IS DEFECTIVE YOU MAY BE ENTITLED UNDER STATE LAW TO REPLACEMENT OF IT OR A REFUND OF ITS PURCHASE PRICE. TO OBTAIN REPLACEMENT OR A REFUND, YOU MUST FIRST REPORT THE DEFECT IN WRITING TO THE MANUFACTURER AND YOU MAY BE REQUIRED TO FIRST ARBITRATE THE DISPUTE. IN ORDER TO PROTECT YOUR RIGHTS UNDER THIS LAW, YOU SHOULD:

1. KEEP COPIES OF ALL CORRESPONDENCE TO AND FROM THE MANUFACTURER AND THE DEALER.
2. KEEP COPIES OF ALL WORK ORDERS FOR REPAIRS ON THE VEHICLE INCLUDING THE DATE(S) THE WORK WAS PERFORMED AND THE MILEAGE ON THE VEHICLE AT THE TIME OF REPAIR.
3. FOLLOW ALL REQUIREMENTS OF THE WARRANTY, INCLUDING ANY REQUIREMENT THAT THE REPAIRS MUST BE DONE BY AN AUTHORIZED DEALER SPECIFIED BY THE MANUFACTURER. IF YOU HAVE ANY QUESTIONS REGARDING YOUR RIGHTS UNDER THIS LAW, CONSULT AN ATTORNEY OR OTHER QUALIFIED INDIVIDUAL."

(2) Beginning January 1, 2000, the secretary of state shall include with documentation for a purchased or leased new motor vehicle a written statement, in 10-point boldfaced type, in substantially the following form: "IMPORTANT: IF THIS VEHICLE IS DEFECTIVE YOU MAY BE ENTITLED UNDER STATE LAW TO REPLACEMENT OF IT OR A REFUND OF ITS PURCHASE PRICE OR LEASE PRICE, AS APPLICABLE. TO OBTAIN REPLACEMENT OR A REFUND, YOU MUST FIRST REPORT THE DEFECT IN WRITING TO THE

MANUFACTURER AND YOU MAY BE REQUIRED TO FIRST ARBITRATE THE DISPUTE. IN ORDER TO PROTECT YOUR RIGHTS UNDER THIS LAW, YOU SHOULD:

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(3) Beginning January 1, 2000, the secretary of state shall include a summary of the provisions of this act on a database that is accessible to the public through the internet. As used in this section, “internet” means a worldwide interconnection of individual computers and computer networks and the facilities and equipment used to access those interconnected networks.

Enacting section 1. This amendatory act applies to all new motor vehicles that are purchased or leased by the original consumer on or after the effective date of this amendatory act.

Enacting section 2. This amendatory act does not take effect unless House Bill No. 5000 of the 89th Legislature is enacted into law.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate.

Mary R. Buehler

Clerk of the House of Representatives.

Approved _____

Governor.