

[First Reprint]

ASSEMBLY COMMITTEE SUBSTITUTE FOR
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STATE OF NEW JERSEY
216th LEGISLATURE

ADOPTED OCTOBER 23, 2014

Sponsored by:

Assemblyman JOHN J. BURZICHELLI
District 3 (Cumberland, Gloucester and Salem)

Assemblyman RAJ MUKHERJI
District 33 (Hudson)

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District 4 (Camden and Gloucester)

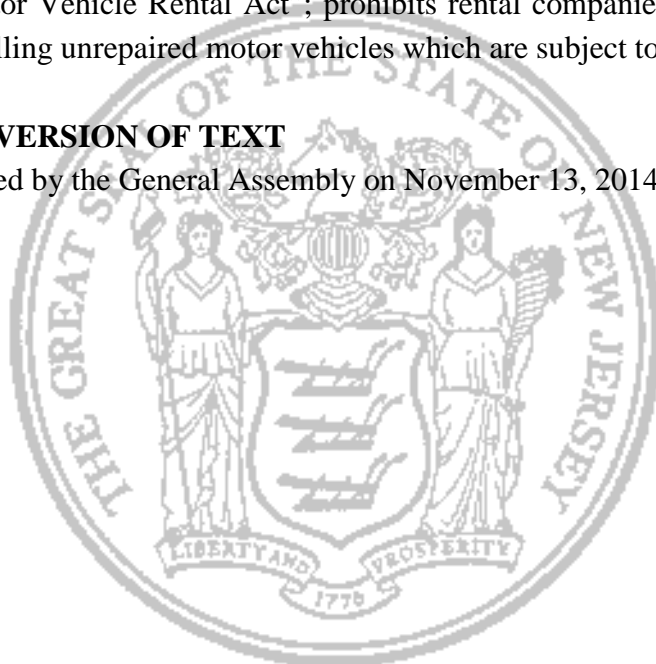
Assemblyman BENJIE E. WIMBERLY
District 35 (Bergen and Passaic)

SYNOPSIS

“Safe Motor Vehicle Rental Act”; prohibits rental companies from renting, leasing, or selling unrepaired motor vehicles which are subject to safety recall.

CURRENT VERSION OF TEXT

As amended by the General Assembly on November 13, 2014.



(Sponsorship Updated As Of: 1/30/2015)

1 AN ACT concerning motor vehicle rentals and supplementing
2 P.L.1960, c.39 (C.56:8-1 et seq.).

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. a. This act shall be known and may be cited as the “Safe
8 Motor Vehicle Rental Act.”

9 b. (1) It shall be an unlawful practice and a violation of
10 P.L.1960, c.39 (C.56:8-1 et seq.) for a rental company to rent a
11 motor vehicle that contains a defect related to motor vehicle safety
12 or does not comply with an applicable motor vehicle safety
13 standard, unless the defect or noncompliance has been remedied
14 prior to rental.

15 (2) If, during the rental period of a motor vehicle, the rental
16 company learns that the vehicle contains a defect related to motor
17 vehicle safety or does not comply with an applicable motor vehicle
18 safety standard required pursuant to paragraph (1) of this
19 subsection, the rental company shall immediately:

20 (a) make reasonable efforts to¹ contact the renter and any
21 authorized driver for whom the rental company has immediate
22 contact information to inform the renter and authorized driver of the
23 defect or noncompliance; and

24 (b) offer to provide the renter or authorized driver a comparable
25 alternative vehicle, which has no defect and is in compliance, at no
26 additional cost to the renter or authorized driver, until the defect or
27 noncompliance has been remedied.

28 c. It shall be an unlawful practice and a violation of P.L.1960,
29 c.39 (C.56:8-1 et seq.) for a rental company to sell at retail or lease
30 a motor vehicle that contains a defect related to motor vehicle
31 safety if, prior to final sale or during the lease period of a motor
32 vehicle, the rental company learns that the vehicle contains a defect
33 related to motor vehicle safety and fails to immediately inform the
34 purchaser or contact the lessee and any authorized driver for whom
35 the rental company has immediate contact information to inform the
36 purchaser, lessee, or authorized driver of the defect or
37 noncompliance.

38 d. There shall be an irrebuttable presumption that a rental
39 company had no knowledge of the existence of a prior recall on a
40 motor vehicle if that company accessed the National Highway
41 Traffic Safety Administration’s Internet website and, after the
42 company input the specific vehicle identification number, the
43 website indicated that no open recall existed for the particular motor
44 vehicle. This subsection shall not:

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly floor amendments adopted November 13, 2014.

- 1 (1) create any legal duty upon a rental company related to the
2 accuracy, errors, or omissions of the National Highway Traffic
3 Safety Administration’s website; or
4 (2) require a rental company to provide the person renting,
5 leasing, or purchasing the motor vehicle with any recall information
6 that may be added to the National Highway Traffic Safety
7 Administration’s Internet website, after the rental company has
8 printed a copy of the recall information and provided it to the
9 person.
- 10 e. As used in this section:
- 11 “Rental company” means a person engaged in the business of
12 renting motor vehicles to the general public at retail, including
13 renting vehicles on an hourly, daily, trip, or other short-term basis.
- 14 “Sell at retail” means a sale to the general public, and shall not
15 include wholesale sales, sales between dealers, and sales to owners
16 or operators of motor vehicle junk businesses or motor vehicle junk
17 yards, as defined in R.S.39:11-2, or any other persons or entities
18 engaged in the business of dismantling, destroying or recycling
19 motor vehicles.
- 20
- 21 2. This act shall take effect on the first day of the seventh
22 month next following the date of enactment.