

ASSEMBLY, No. 1474

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman PAUL D. MORIARTY

District 4 (Camden and Gloucester)

Assemblywoman ANGELICA M. JIMENEZ

District 32 (Bergen and Hudson)

Assemblywoman ELIANA PINTOR MARIN

District 29 (Essex)

Assemblyman BENJIE E. WIMBERLY

District 35 (Bergen and Passaic)

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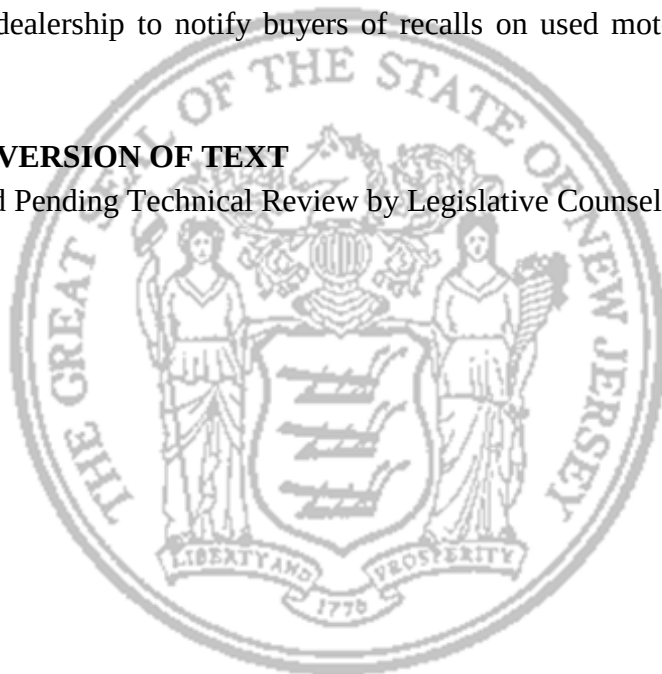
Assemblyman Mazzeo, Assemblywoman Lampitt, Assemblymen McKeon, Coughlin, Assemblywoman Mosquera, Assemblyman Rooney and Assemblywoman Murphy

SYNOPSIS

Requires dealership to notify buyers of recalls on used motor vehicles for sale.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 The bill makes it an unlawful practice under P.L.1960, c.39
2 (C.56:8-1 et seq.) for a dealer to sell a used vehicle without first
3 contacting, or accessing information provided by, the vehicle
4 manufacturer or the National Highway Traffic Safety Administration
5 (NHTSA) to determine if there are any recalls on the used vehicle
6 which have not been corrected or addressed. In the event that a recall
7 is discovered, the dealer would inform the prospective purchaser about
8 the recall, and whether the recall work for that particular vehicle was
9 resolved, if known, prior to finalizing the sale of the vehicle.

10 Additionally, the bill provides that there is an irrebuttable
11 presumption that a dealer has no knowledge of the existence of a prior
12 recall on a used vehicle if that dealer accessed the NHTSA website
13 and, after the dealer input the specific vehicle identification number
14 (VIN), the website indicated that no open recall existed for that
15 particular vehicle. This provision would not: (1) create any legal duty
16 upon a dealer related to the accuracy, errors, or omissions of the
17 NHTSA website; or (2) require a dealer to provide the prospective
18 purchaser with any recall information that may be added to the
19 NHTSA website, after the dealer prints a copy of the recall
20 information and provides it to the prospective purchaser of the used
21 vehicle.

22 The bill defines a motor vehicle “dealer” as a person who is
23 actively engaged in the business of buying, selling or exchanging new
24 or used motor vehicles at retail. For the purposes of the bill, “at retail”
25 does not include wholesale sales, sales between dealers, and sales to
26 owners or operators of motor vehicle junk businesses or motor vehicle
27 junk yards, or any other persons or entities engaged in the business of
28 dismantling, destroying, or recycling motor vehicles.