



HOUSE BILL No. 4292

February 2, 1995, Introduced by Reps. Parks, DeHart, Wallace, Stallworth, Leland, Brater, Gire, Martinez, Willard, Yokich, Murphy and Saunders and referred to the Committee on Commerce.

A bill to amend Act No. 331 of the Public Acts of 1976,
entitled
"Michigan consumer protection act,"
as amended, being sections 445.901 to 445.922 of the Michigan
Compiled Laws, by adding section 3c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 331 of the Public Acts of 1976, as
2 amended, being sections 445.901 to 445.922 of the Michigan
3 Compiled Laws, is amended by adding section 3c to read as
4 follows:

5 SEC. 3C. (1) IN ADDITION TO THE UNFAIR, UNCONSCIONABLE OR
6 DECEPTIVE METHODS, ACTS, OR PRACTICES IN THE CONDUCT OF TRADE OR
7 COMMERCE DEFINED IN SECTION 3, IT IS UNLAWFUL FOR A PERSON WHO
8 MANUFACTURES OR DISTRIBUTES IN THIS STATE OR CAUSES TO BE
9 MANUFACTURED OR DISTRIBUTED IN THIS STATE A PRODUCT OR DEVICE

1 THAT HE OR SHE KNOWS IS A DANGEROUSLY DEFECTIVE PRODUCT OR
2 DEVICE.

3 (2) IN ADDITION TO THE UNFAIR, UNCONSCIONABLE, OR DECEPTIVE
4 METHODS, ACTS, OR PRACTICES IN THE CONDUCT OF TRADE OR COMMERCE
5 DEFINED IN SECTION 3, IT IS UNLAWFUL FOR A PERSON WHO MANUFAC-
6 TURES OR DISTRIBUTES IN THIS STATE OR CAUSES TO BE MANUFACTURED
7 OR DISTRIBUTED IN THIS STATE A PRODUCT OR DEVICE, AND WHO, AFTER
8 MANUFACTURING OR DISTRIBUTING THAT PRODUCT OR DEVICE, DISCOVERS
9 THE PRODUCT OR DEVICE IS A DANGEROUSLY DEFECTIVE PRODUCT OR
10 DEVICE, TO FAIL TO IMMEDIATELY RECALL THE PRODUCT OR DEVICE.

11 (3) AS USED IN THIS SECTION, "DANGEROUSLY DEFECTIVE PRODUCT
12 OR DEVICE" MEANS A PRODUCT OR DEVICE THAT IS DESIGNED OR CON-
13 STRUCTED IN SUCH A MANNER AS TO BE DANGEROUS TO THE HEALTH OR
14 SAFETY OF ANY INDIVIDUAL WHEN USED IN ANY MANNER FOR WHICH THE
15 PRODUCT OR DEVICE IS INTENDED TO BE USED OR MAY FORSEEABLY BE
16 USED.