

SENATE BILL No. 1359

September 8, 2004, Introduced by Senators BROWN, VAN WOERKOM, HARDIMAN and BIRKHOLZ and referred to the Committee on Economic Development, Small Business and Regulatory Reform.

A bill to regulate the sale of certain farm vehicles; to provide for powers and duties of certain state departments; and to provide remedies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act:

2 (a) "Dealer" means a person or entity that sells farm
3 vehicles in the regular course of business.

4 (b) "Farm vehicle" means a tractor or self-propelled vehicle
5 that is designed for agricultural purposes and not for highway
6 travel.

7 (c) "Used farm vehicle" means a farm vehicle that has been
8 the subject of at least 1 prior retail sale.

9 Sec. 2. For each retail sale of a used farm vehicle, a
10 dealer shall provide the buyer with a form that includes, at a
11 minimum, all of the following information:

1 (a) The make, model, year of manufacture, and vehicle
2 identification number of the used farm vehicle.

3 (b) A statement that the used farm vehicle is, or is not,
4 covered by a warranty.

5 (c) A statement that the used farm vehicle is, or is not,
6 sold "as is".

7 Sec. 3. The secretary of state shall develop and make
8 available the form required under section 2. The form may also
9 include, or request that the dealer provide, 1 or more of the
10 following:

11 (a) Notice of the advisability of having the used farm
12 vehicle inspected before purchase.

13 (b) Notice of any service contract covering the used farm
14 vehicle that may be purchased from the dealer or the
15 manufacturer.

16 (c) A description of the warranty coverage and limitations.

17 (d) Other information that the secretary of state believes
18 would help a retail buyer make an informed decision regarding the
19 purchase of a used farm vehicle.

20 Sec. 4. If a dealer fails to provide the form required
21 under section 2 or if the information required under section 2 is
22 incorrect or omitted, the retail buyer of a used farm vehicle may
23 rescind the sale at any time up to 2 years after the sale date
24 and the dealer shall refund the full purchase price. This
25 section does not apply to a sale that takes place before the
26 effective date of this act.