

HOUSE BILL No. 4897

June 8, 2005, Introduced by Reps. Lemmons, III, Lemmons, Jr., Cushingberry, Zelenko, Gonzales and Donigan and referred to the Committee on Commerce.

A bill to require certain disclosures by dealers of used vehicles; and to require repair or replacement of certain used vehicles.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the "used
2 car return act".

3 Sec. 2. As used in this act:

4 (a) "Dealer" means that term as defined in section 11 of the
5 Michigan vehicle code, 1949 PA 300, MCL 257.11.

6 (b) "Used vehicle" means a used or second-hand vehicle as that
7 term is defined in section 78 of the Michigan vehicle code, 1949 PA
8 300, MCL 257.78.

9 Sec. 3. A dealer selling a used vehicle to a person shall

1 provide a written statement to the person at the time of sale that
2 describes each defect in or damage to the used vehicle known to the
3 dealer.

4 Sec. 4. (1) Subject to subsection (2), if a used vehicle
5 purchased from a dealer has a defect or condition that impairs the
6 use or value of a used vehicle to the purchaser, the purchaser may
7 at any time within 15 days after purchase of the used vehicle
8 return the used vehicle to the dealer, and the dealer shall at the
9 dealer's election do 1 of the following:

10 (a) Repair the defect or condition at the dealer's expense and
11 return the vehicle to the purchaser.

12 (b) Retain the used vehicle and refund the entire purchase
13 price to the purchaser.

14 (2) This section does not apply to a defect or condition
15 disclosed to a purchaser in the written statement required under
16 section 3.