

ASSEMBLY CONSUMER AFFAIRS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 803

with committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 23, 2008

The Assembly Consumer Affairs Committee reports favorably and with committee amendments Assembly Bill No. 803.

As amended, Assembly Bill No. 803 requires motor vehicle manufacturers to provide the information necessary to diagnose, service, or maintain vehicles to their owners, repair facilities, and the Director of Consumer Affairs. Under the amended bill, manufacturers are to provide any information necessary to integrate replacement equipment into the vehicle and any other information of any kind used to diagnose, service, repair, activate, certify or install any motor vehicle equipment in a motor vehicle or motor vehicle system.

Under the amended bill, a manufacturer would not be required to disclose information that, if made public, would reveal trade secret information. The director is required to establish a uniform method by which a manufacturers must provide the necessary diagnostic and repair information to vehicle owners.

A violation of this bill would result in a penalty of not more than \$10,000 for the first offense and not more than \$20,000 for the second and each subsequent offense. A vehicle owner or repair facility may also bring a civil action to enjoin a violation of this act and to recover the costs of litigation including reasonable attorney and expert witness fees.

This bill was pre-filed for introduction in the 2008-2009 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

COMMITTEE AMENDMENTS

At the sponsor's request, the committee amended the bill to clarify what specific information must be provided by motor vehicle manufacturers.