

ASSEMBLY, No. 2563

STATE OF NEW JERSEY

INTRODUCED DECEMBER 9, 1996

By Assemblywoman MYERS

1 AN ACT concerning warranties for certain used motor vehicles and
2 amending P.L.1995, c.373.

3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

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7 1. Section 3 of P.L.1995, c.373 (C.56:8-69) is amended to read as
8 follows:

9 3. **[It]** Except as otherwise provided in section 7 of P.L.1995,
10 c.373 (C.56:8-73), it shall be an unlawful practice for a dealer to sell
11 a used motor vehicle to a consumer without giving the consumer a
12 written warranty which shall at least have the following minimum
13 durations:

14 a. If the used motor vehicle has 24,000 miles or less, the warranty
15 shall be, at a minimum, 90 days or 3,000 miles, whichever comes first;

16 b. If the used motor vehicle has more than 24,000 miles but less
17 than 60,000 miles, the warranty shall be, at a minimum, 60 days or
18 2,000 miles, whichever comes first; or

19 c. If the used motor vehicle has 60,000 miles or more, the warranty
20 shall be, at a minimum, 30 days or 1,000 miles, whichever comes first
21 **[**, except that a consumer may waive his right to a warranty as
22 provided under section 7 of this act].

23 (cf: P.L.1995, c.373, s.3)

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25 2. Section 7 of P.L.1995, c.373 (C.56:8-73) is amended to read as
26 follows:

27 7. Notwithstanding any provision of this act to the contrary, a
28 consumer, as a result of a price negotiation for the purchase of a used
29 motor vehicle **[with over 60,000 miles]**, may elect to waive the dealer's
30 obligation to provide a warranty on the used motor vehicle. The
31 waiver shall be in writing and separately stated in the agreement of
32 retail sale or in an attachment thereto and separately signed by the
33 consumer. The waiver shall state the dealer's obligation to provide a
34 warranty on used motor vehicles offered for sale, as set forth in

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

1 sections 3 and 4 of this act. The waiver shall indicate that the
2 consumer, having negotiated the purchase price of the used motor
3 vehicle and obtained a price adjustment, is electing to waive the
4 dealer's obligation to provide a warranty on the used motor vehicle
5 and is buying the used motor vehicle "as is."

6 (cf: P.L.1995, c.373, s.7)

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8 3. This act shall take effect immediately.

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STATEMENT

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13 This bill permits a consumer purchasing a used motor vehicle to
14 waive the dealer's obligation to provide a warranty on that vehicle as
15 a result of a price negotiation for the purchase of that vehicle. As
16 already provided in section 3 of P.L.1995, c.373 (C.56:8-69), a
17 consumer purchasing a used motor vehicle with over 60,000 miles may
18 waive the warranty requirement. This bill eliminates the mileage
19 provision of over 60,000, and extends the waiving of the dealer's
20 obligation to provide a warranty for used motor vehicles for a
21 customer who chooses to purchase any used motor vehicle "as is."

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26 _____
27 Permits consumer's waiver of dealer's obligation to provide a warranty
on certain used motor vehicles.