

§ 455.6

16 CFR Ch. I (1-1-09 Edition)

A continuación presentamos una lista de algunos de los principales defectos que pueden ocurrir en vehículos usados.

<p><b>Chasis y carrocería</b> Chasis-grietas, soldaduras correctivas u oxidado Chasis doblado o torcido</p> <p><b>Motor</b> Fuga de aceite, excluyendo el escape normal Bloqueo o tapa de recámara agrietados Correas que faltan o no funcionan Fallo o pistoneo Emisión excesiva de humo por el sistema de escape</p> <p><b>Transmisión y eje de cardan</b> Nivel de líquido inadecuado o fuga, excluyendo filtración normal Cubiertas agrietada o dañada visible Vibración o ruido anormal ocasionado por una transmisión o eje de cardan defectuoso Cambio de marchas o funcionamiento inadecuado en cualquier marcha Embrague manual patina o vibra</p> <p><b>Diferencial</b> Nivel de líquido inadecuado o fuga, excluyendo filtración normal Cubierta agrietada o dañada visible Ruido o vibración anormal ocasionado por diferencial defectuoso</p> <p><b>Sistema de refrigeración</b> Fuga, incluido el radiador Bomba de agua defectuosa</p> <p><b>Sistema eléctrico</b> Fuga en las baterías Alternador, generador, batería, o motor de arranque defectuosos</p> <p><b>Sistema de combustible</b> Escape visible de combustible</p> <p><b>Accesorios averiados</b> Indicadores o medidores del cuadro de instrumentos Acondicionador de aire Calefactor y descarchador</p>	<p><b>Sistema de frenos</b> Luz de advertencia de falla dañada Pedal no firma bajo presión (Especif. del Dpto de Transp.) Juego insuficiente en el pedal (Especif. del Dpto de Transp.) No detiene el vehículo en línea recta (Especif. del Dpto de Transp.) Conductos dañados Tambor o disco muy delgados (Especif. del fabricante) Grosor de las bandas de los frenos menor de 1/32 de pulgada Sistema de servofreno dañado o con escape Partes estructurales o mecánicas dañadas</p> <p><b>Sistema de dirección</b> Juego excesivo en el volante (Especif. Dpto de Transp.) Juego en el varillaje en exceso de 1/4 pulgada Engranaje del volante de dirección se agarota Ruedas delanteras mal alineadas (Especif. del Dpto de Transp.) Correas del sistema de servodirección agrietadas o flojas Nivel del líquido del sistema de servodirección inadecuado</p> <p><b>Sistema de suspensión</b> Sellos de conexión de rodamientos defectuosos Piezas estructurales dobladas o dañadas Barra de estabilización desconectada Resorte roto Montura del amortiguador floja Bujes de goma dañados o ausentes Estabilizador para curvas dañadas o ausente Amortiguador tiene fuga o funciona defectuosamente</p> <p><b>Llantas</b> Profundidad de la banda de rodamiento menor de 2/32 de pulgada Diferentes tamaños de llanta Daños visibles</p> <p><b>Ruedas</b> Grietas visibles, daños o reparaciones Pernos de montaje sueltos o ausentes</p> <p><b>Sistema de Escape</b> Fuga</p>
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VENDEDOR \_\_\_\_\_

DIRECCION \_\_\_\_\_

VEASE PARA RECLAMACIONES \_\_\_\_\_

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**IMPORTANTE:** La información contenida en este formulario forma parte de todo contrato de compra de este vehículo. Constituye una contravención de la ley federal (16 C.F.R. 455) quitar este rotulo antes de la compra del vehículo por el consumidor (salvo para conducir el automovil en calidad de prueba).

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[49 FR 45725, Nov. 19, 1984, as amended at 60 FR 62205, Dec. 5, 1995]

§ 455.6 State exemptions.

(a) If, upon application to the Commission by an appropriate State agency, the Commission determines, that—

(1) There is a State requirement in effect which applies to any transaction to which this rule applies; and

(2) That State requirement affords an overall level of protection to consumers which is as great as, or greater than, the protection afforded by this Rule; then the Commission's Rule will not be in effect in that State to the extent specified by the Commission in its determination, for as long as the State

administers and enforces effectively the State requirement.

(b) Applications for exemption under subsection (a) should be directed to the Secretary of the Commission. When appropriate, proceedings will be commenced in order to make a determination described in paragraph (a) of this section, and will be conducted in accordance with subpart C of part 1 of the Commission's Rules of Practice.

§ 455.7 Severability.

The provisions of this part are separate and severable from one another. If

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any provision is determined to be invalid, it is the Commission's intention that the remaining provisions shall continue in effect.

### PART 456—OPHTHALMIC PRACTICE RULES (EYEGLOSS RULE)

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456.1 Definitions.

456.2 Separation of examination and dispensing.

456.3 Federal or State employees.

456.4 Declaration of Commission Intent.

456.5 Rules applicable to prescriptions for contact lenses and related issues.

AUTHORITY: 15 U.S.C. 57a; 5 U.S.C. 552.

SOURCE: 57 FR 18822, May 1, 1992, unless otherwise noted.

#### § 456.1 Definitions.

(a) A *patient* is any person who has had an eye examination.

(b) An *eye examination* is the process of determining the refractive condition of a person's eyes or the presence of any visual anomaly by the use of objective or subjective tests.

(c) *Ophthalmic goods* are eyeglasses, or any component of eyeglasses, and contact lenses.

(d) *Ophthalmic services* are the measuring, fitting, and adjusting of ophthalmic goods subsequent to an eye examination.

(e) An *ophthalmologist* is any Doctor of Medicine or Osteopathy who performs eye examinations.

(f) An *optometrist* is any Doctor of Optometry.

(g) A *prescription* is the written specifications for lenses for eyeglasses which are derived from an eye examination, including all of the information specified by state law, if any, necessary to obtain lenses for eyeglasses.

#### § 456.2 Separation of examination and dispensing.

It is an unfair act or practice for an ophthalmologist or optometrist to:

(a) Fail to provide to the patient one copy of the patient's prescription immediately after the eye examination is completed. Provided: An ophthalmologist or optometrist may refuse to give the patient a copy of the patient's prescription until the patient has paid for the eye examination, but only if that

ophthalmologist or optometrist would have required immediate payment from that patient had the examination revealed that no ophthalmic goods were required;

(b) Condition the availability of an eye examination to any person on a requirement that the patient agree to purchase any ophthalmic goods from the ophthalmologist or optometrist;

(c) Charge the patient any fee in addition to the ophthalmologist's or optometrist's examination fee as a condition to releasing the prescription to the patient. Provided: An ophthalmologist or optometrist may charge an additional fee for verifying ophthalmic goods dispensed by another seller when the additional fee is imposed at the time the verification is performed; or

(d) Place on the prescription, or require the patient to sign, or deliver to the patient a form or notice waiving or disclaiming the liability or responsibility of the ophthalmologist or optometrist for the accuracy of the eye examination or the accuracy of the ophthalmic goods and services dispensed by another seller.

#### § 456.3 Federal or State employees.

This rule does not apply to ophthalmologists or optometrists employed by any Federal, State or local government entity.

#### § 456.4 Declaration of Commission Intent.

In prohibiting the use of waivers and disclaimers of liability in § 456.2(d), it is not the Commission's intent to impose liability on an ophthalmologist or optometrist for the ophthalmic goods and services dispensed by another seller pursuant to the ophthalmologist's or optometrist's prescription.

#### § 456.5 Rules applicable to prescriptions for contact lenses and related issues.

Rules applicable to prescriptions for contact lenses and related issues may be found at 16 CFR part 315 (Contact Lens Rule).

[69 FR 40511, July 2, 2004]