

114TH CONGRESS
1ST SESSION

S. 900

To require auto dealers to fix outstanding safety recalls before selling or leasing a used passenger motor vehicle.

IN THE SENATE OF THE UNITED STATES

APRIL 13, 2015

Mr. BLUMENTHAL (for himself and Mr. MARKEY) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To require auto dealers to fix outstanding safety recalls before selling or leasing a used passenger motor vehicle.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Used Car Safety Recall
5 Repair Act”.

6 **SEC. 2. USED PASSENGER MOTOR VEHICLE CONSUMER**
7 **PROTECTION.**

8 Section 30120 of title 49, United States Code, is
9 amended by adding at the end the following:

1 “(k) LIMITATION ON SALE OR LEASE OF USED PAS-
 2 SENGER MOTOR VEHICLES.—(1) A dealer may not sell or
 3 lease a used passenger motor vehicle until any defect or
 4 noncompliance determined under section 30118 with re-
 5 spect to the vehicle has been remedied.

6 “(2) Paragraph (1) shall not apply if—

7 “(A) the recall information regarding a used
 8 passenger motor vehicle was not accessible at the
 9 time of sale or lease using the means established by
 10 the Secretary under section 31301 of the Moving
 11 Ahead for Progress in the 21st Century Act (49
 12 U.S.C. 30166 note); or

13 “(B) notification of the defect or noncompliance
 14 is required under section 30118(b), but enforcement
 15 of the order is set aside in a civil action to which
 16 30121(d) applies.

17 “(3) Notwithstanding section 30102(a)(1), in this
 18 subsection—

19 “(A) the term ‘dealer’ means a person that has
 20 sold at least 10 motor vehicles to 1 or more con-
 21 sumers during the most recent 12-month period; and

22 “(B) the term ‘used passenger motor vehicle’
 23 means a motor vehicle that has previously been pur-
 24 chased other than for resale.

1 “(4) By rule, the Secretary may exempt the auc-
2 tioning of a used passenger motor vehicle from the re-
3 quirements under paragraph (1) to the extent that the ex-
4 emption does not harm public safety.”.

5 **SEC. 3. EFFECTIVE DATE.**

6 This Act shall take effect on that date that is 18
7 months after the date of the enactment of this Act.

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