

hazard. The distributor or retailer, therefore, may sell, lease, or offer for sale or lease any manufactured home so corrected by the manufacturer.

(c) When a distributor or retailer is authorized by a manufacturer to correct a failure to conform to the applicable standard or an imminent safety hazard and completes the correction in accordance with the manufacturer's instructions, the distributor or retailer may sell, or lease or offer for sale or lease the manufactured home in question, provided that the distributor or retailer, acting as a reasonable distributor or retailer knows that the manufactured home conforms to the standards. A distributor or retailer and a manufacturer, at the manufacturer's option, may agree in advance that the distributor or retailer is authorized to make such corrections as the manufacturer believes are within the expertise of the dealer.

(d) If the corrections made under paragraphs (b) and (c) of this section do not bring the manufactured home into conformance or correct the imminent safety hazard, the provisions of § 3282.415 will continue in effect prior to completion of the sales transaction.

[41 FR 19852, May 13, 1976, as amended at 78 FR 60199, Oct. 1, 2013]

§ 3282.254 Distributor and retailer alterations.

(a) If a distributor or retailer alters a manufactured home in such a way as to create an imminent safety hazard or to create a condition which causes a failure to conform with applicable Federal standards, the manufactured home affected may not be sold, leased, or offered for sale or lease.

(b) After correction by the distributor or retailer of the failure to conform or imminent safety hazard, the corrected manufactured home may be sold, leased, or offered for sale or lease.

(c) Distributors and retailers shall maintain complete records of all alterations made under paragraphs (a) and (b) of this section.

§ 3282.255 Completion of information card.

(a) Whenever a distributor or retailer sells a manufactured home subject to

the standards to a purchaser, the distributor or retailer shall fill out the card with information provided by the purchaser and shall send the card to the manufacturer. (See § 3282.211.)

(b) Whenever a distributor or retailer sells a manufactured home to an owner which was originally manufactured under the standards, the distributor or retailer shall similarly use one of the detachable cards which was originally provided with the manufactured home. If such a card is no longer available, the distributor or retailer shall obtain the information which the card would require and send it to the manufacturer of the manufactured home in an appropriate format.

§ 3282.256 Distributor or retailer complaint handling.

(a) When a distributor or retailer believes that a manufactured home in its possession which it has not yet sold to a purchaser contains an imminent safety hazard, serious defect, defect, or noncompliance, the distributor or retailer shall refer the matter to the manufacturer for remedial action under § 3282.415. If the distributor or retailer is not satisfied with the action taken by the manufacturer, it may refer the matter to the SAA in the state in which the manufactured home is located, or to the Secretary if there is no such SAA.

(b) Where a distributor or retailer receives a consumer complaint or other information concerning a manufactured home sold by the distributor or retailer, indicating the possible existence of an imminent safety hazard, serious defect, defect, or noncompliance in the manufactured home, the distributor or retailer shall refer the matter to the manufacturer.

§ 3282.257 TSCA Title VI requirements.

Retailers and distributors must maintain bills of lading, invoices, or comparable documents that include a written statement from the supplier that the component or finished goods are TSCA Title VI compliant for a minimum of 3 years from the date of import, purchase, or shipment, consistent with 40 CFR 770.30(c) and 770.40.

[85 FR 5567, Jan. 31, 2020]