

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001

A Bill

HOUSE BILL 2319

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5 By: Representative Scroggin
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For An Act To Be Entitled

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9 AN ACT TO AMEND ARKANSAS CODE 23-112-705 AND 23-
10 112-706 CONCERNING DISCLOSURE TO CONSUMERS OF
11 DAMAGE TO NEW MOTOR VEHICLES; AND FOR OTHER
12 PURPOSES.
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Subtitle

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15 AN ACT CONCERNING DISCLOSURE TO
16 CONSUMERS OF DAMAGE TO NEW MOTOR
17 VEHICLES.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code 23-112-705 is amended to read as follows:

23 23-112-705. Disclosure of damage to consumer - Certification.

24 (a) Prior to the sale of any motor vehicle damaged prior to delivery
25 to the dealer as described in § 23-112-702, excluding damage to glass, tires,
26 and bumpers when replaced by identical manufacturer's original equipment, ~~and~~
27 ~~any damage not exceeding six percent (6%) of the sticker price of the~~
28 ~~vehicle,~~ the occurrence and extent of such damage must be disclosed by the
29 dealer to the consumer, and, upon repair of the damage sustained, or
30 replacement of the parts or accessories damaged, the manufacturer or dealer
31 must certify to the consumer that the motor vehicle has been repaired or
32 remanufactured to the manufacturer's standards.

33 (b)(1) If the dealer makes the certification, he shall be indemnified
34 by the manufacturer.

35 (2) Upon such certification, liability for any concealed damages
36 then remaining with the motor vehicle shall lie with the manufacturer.

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SECTION 2. Arkansas Code 23-112-706 is amended to read as follows:

23-112-706. Damage after delivery to the dealer - Disclosure to the consumer - Certification.

(a) Whenever a motor vehicle is damaged after delivery to the dealer by the manufacturer or distributor but before sale by the dealer to the consumer, ~~and the occurrence and extent of such damage is in excess of six percent (6%) of the sticker price of the vehicle, it~~ must be disclosed by the dealer to the consumer prior to such sale, and upon repair of the damage sustained, or replacement of parts or accessories damaged, the dealer must certify to the consumer that this motor vehicle has been repaired or remanufactured according to the manufacturer's standards.

(b) Upon such certification, liability for any concealed damages then remaining with the motor vehicle shall lie with the dealer.