

AMENDED IN SENATE JULY 1, 2014  
AMENDED IN SENATE JUNE 15, 2014  
AMENDED IN ASSEMBLY APRIL 10, 2014  
CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1732**

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**Introduced by Assembly Member Stone**

February 14, 2014

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An act to amend Sections 11713, 11713.1, and 11713.16 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1732, as amended, Stone. Vehicles: manufacturers, distributors, and dealers.

Existing law generally requires a manufacturer, manufacturer branch, remanufacturer, remanufacturer branch, distributor, distributor branch, transporter, or dealer of vehicles to be licensed by the Department of Motor Vehicles. Existing law prohibits these licensees from, among other things, failing to, within 48 hours, withdraw in writing an advertisement of a vehicle that has been sold or withdrawn from sale and advertising or representing a vehicle as a new vehicle if the vehicle is a used vehicle. Existing law makes it a crime to violate these provisions.

~~This bill would remove the requirement that the withdrawal of the advertisement be in writing, provide that the advertisement withdrawal requirement apply to authorized advertisements, and provide an exception to withdrawal if the advertisement includes an expiration date that occurs less than 48 hours after the sale or withdrawal from sale, or the print advertisement is amended to conspicuously denote~~

~~that the vehicle has been sold. The bill would prohibit a licensee from advertising a vehicle’s prior use or ownership history in an inaccurate manner. By expanding the scope of a crime, the bill would impose a state-mandated local program.~~

Existing law makes it a violation for the holder of a dealer’s license to, among other things, use “rebate” or similar words in advertising the sale of a vehicle unless the rebate is expressed in a specified dollar amount and is in fact a rebate offered by the vehicle manufacturer or distributor. Existing law also makes it a violation to advertise as the total sales price of a vehicle an amount that includes a deduction from a rebate, except as specified.

This bill would additionally authorize the use of “rebate” if the rebate meets the requirements described above and is offered by a finance company affiliated with a vehicle manufacturer or distributor, a regulated utility, or a governmental entity. The bill would also prohibit a dealer from advertising a rebate reduction that conflicts with another advertised rebate deduction. By expanding the scope of a crime, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 11713 of the Vehicle Code is amended
- 2 to read:
- 3 11713. A holder of a license issued under this article shall not
- 4 do any of the following:
- 5 (a) Make or disseminate, or cause to be made or disseminated,
- 6 before the public in this state, in a newspaper or other publication,
- 7 or an advertising device, or by public outcry or proclamation, or
- 8 in any other manner or means whatever, a statement that is untrue
- 9 or misleading and that is known, or that by the exercise of
- 10 reasonable care should be known, to be untrue or misleading; or
- 11 to so make or disseminate, or cause to be so disseminated, a
- 12 statement as part of a plan or scheme with the intent not to sell a

1 vehicle or service so advertised at the price stated therein, or as so  
2 advertised.

3 (b) (1) (A) Advertise or offer for sale or exchange in any  
4 manner, a vehicle not actually for sale at the premises of the dealer  
5 or available to the dealer directly from the manufacturer or  
6 distributor of the vehicle at the time of the advertisement or offer.  
7 However, a dealer who has been issued an autobroker's  
8 endorsement to his or her dealer's license may advertise his or her  
9 service of arranging or negotiating the purchase of a new motor  
10 vehicle from a franchised new motor vehicle dealer and may  
11 specify the line-makes and models of those new vehicles.  
12 Autobrokering service advertisements may not advertise the price  
13 or payment terms of a vehicle and shall disclose that the advertiser  
14 is an autobroker or auto buying service, and shall clearly and  
15 conspicuously state the following: "All new cars arranged for sale  
16 are subject to price and availability from the selling franchised  
17 new car dealer."

18 (B) As to printed advertisements, the disclosure statement  
19 required by subparagraph (A) shall be printed in not less than  
20 10-point bold type size and shall be textually segregated from the  
21 other portions of the printed advertisement.

22 (2) Notwithstanding subparagraph (A), classified advertisements  
23 for autobrokering services that measure two column inches or less  
24 are exempt from the disclosure statement in subparagraph (A)  
25 pertaining to price and availability.

26 (3) Radio advertisements of a duration of less than 11 seconds  
27 that do not reference specific line-makes or models of motor  
28 vehicles are exempt from the disclosure statement required in  
29 subparagraph (A).

30 (c) Fail, within 48 hours, to withdraw *in writing* an ~~authorized~~  
31 advertisement of a vehicle that has been sold or withdrawn from  
32 sale, ~~unless the advertisement includes an expiration date that~~  
33 ~~occurs less than 48 hours after the sale or withdrawal from sale,~~  
34 ~~or the print advertisement is amended to conspicuously denote that~~  
35 ~~the vehicle has been sold.~~ *sale.*

36 (d) Advertise or represent a vehicle as a new vehicle if the  
37 vehicle is a used vehicle.

38 (e) Engage in the business for which the licensee is licensed  
39 without having in force and effect a bond as required by this article.

1 (f) Engage in the business for which the dealer is licensed  
2 without at all times maintaining an established place of business  
3 as required by this code.

4 (g) Include, as an added cost to the selling price of a vehicle,  
5 an amount for licensing or transfer of title of the vehicle, which is  
6 not due to the state unless, prior to the sale, that amount has been  
7 paid by a dealer to the state in order to avoid penalties that would  
8 have accrued because of late payment of the fees. However, a  
9 dealer may collect from the second purchaser of a vehicle a  
10 prorated fee based upon the number of months remaining in the  
11 registration year for that vehicle, if the vehicle had been previously  
12 sold by the dealer and the sale was subsequently rescinded and all  
13 the fees that were paid, as required by this code and Chapter 2  
14 (commencing with Section 10751) of Part 5 of Division 2 of the  
15 Revenue and Taxation Code, were returned to the first purchaser  
16 of the vehicle.

17 (h) Employ a person as a salesperson who has not been licensed  
18 pursuant to Article 2 (commencing with Section 11800), and whose  
19 license is not displayed on the premises of the dealer as required  
20 by Section 11812, or willfully fail to notify the department by mail  
21 within 10 days of the employment or termination of employment  
22 of a salesperson.

23 (i) Deliver, following the sale, a vehicle for operation on  
24 California highways, if the vehicle does not meet all of the  
25 equipment requirements of Division 12 (commencing with Section  
26 24000). This subdivision does not apply to the sale of a leased  
27 vehicle to the lessee if the lessee is in possession of the vehicle  
28 immediately prior to the time of the sale and the vehicle is  
29 registered in this state.

30 (j) Use, or permit the use of, the special plates assigned to him  
31 or her for any purpose other than as permitted by Section 11715.

32 (k) Advertise or otherwise represent, or knowingly allow to be  
33 advertised or represented on behalf of, or at the place of business  
34 of, the licenseholder that no downpayment is required in connection  
35 with the sale of a vehicle when a downpayment is in fact required  
36 and the buyer is advised or induced to finance the downpayment  
37 by a loan in addition to any other loan financing the remainder of  
38 the purchase price of the vehicle. The terms “no downpayment,”  
39 “zero down delivers,” or similar terms shall not be advertised

1 unless the vehicle will be sold to a qualified purchaser without a  
2 prior payment of any kind or trade-in.

3 (l) Participate in the sale of a vehicle required to be reported to  
4 the Department of Motor Vehicles under Section 5900 or 5901  
5 without making the return and payment of the full sales tax due  
6 and required by Section 6451 of the Revenue and Taxation Code.

7 (m) Permit the use of the dealer's license, supplies, or books by  
8 any other person for the purpose of permitting that person to engage  
9 in the purchase or sale of vehicles required to be registered under  
10 this code, or permit the use of the dealer's license, supplies, or  
11 books to operate a branch location to be used by any other person,  
12 whether or not the licensee has any financial or equitable interest  
13 or investment in the vehicles purchased or sold by, or the business  
14 of, or branch location used by, the other person.

15 (n) Violate any provision of Article 10 (commencing with  
16 Section 28050) of Chapter 5 of Division 12.

17 (o) Sell a previously unregistered vehicle without disclosing in  
18 writing to the purchaser the date on which a manufacturer's or  
19 distributor's warranty commenced.

20 (p) Accept a purchase deposit relative to the sale of a vehicle,  
21 unless the vehicle is present at the premises of the dealer or  
22 available to the dealer directly from the manufacturer or distributor  
23 of the vehicle at the time the dealer accepts the deposit. Purchase  
24 deposits accepted by an autobroker when brokering a retail sale  
25 shall be governed by Sections 11736 and 11737.

26 (q) Consign for sale to another dealer a new vehicle.

27 (r) Display a vehicle for sale at a location other than an  
28 established place of business authorized by the department for that  
29 dealer or display a new motor vehicle at the business premises of  
30 another dealer registered as an autobroker. This subdivision does  
31 not apply to the display of a vehicle pursuant to subdivision (b) of  
32 Section 11709 or the demonstration of the qualities of a motor  
33 vehicle by way of a test drive.

34 (s) Use a picture in connection with an advertisement of the  
35 price of a specific vehicle or class of vehicles, unless the picture  
36 is of the year, make, and model being offered for sale. The picture  
37 shall not depict a vehicle with optional equipment or a design not  
38 actually offered at the advertised price.

39 (t) Advertise for sale a vehicle that was used by the selling  
40 licensee in its business as a demonstrator, executive vehicle, service

1 vehicle, rental, loaner, or lease vehicle, unless the advertisement  
2 clearly and conspicuously discloses the previous use made by that  
3 licensee of the vehicle. An advertisement shall not describe any  
4 of those vehicles as “new.”

5 (u) Advertise the prior use or ownership history of a vehicle in  
6 an inaccurate manner.

7 SEC. 2. Section 11713.1 of the Vehicle Code is amended to  
8 read:

9 11713.1. It is a violation of this code for the holder of a dealer’s  
10 license issued under this article to do any of the following:

11 (a) Advertise a specific vehicle for sale without identifying the  
12 vehicle by its model, model-year, and either its license number or  
13 that portion of the vehicle identification number that distinguishes  
14 the vehicle from all other vehicles of the same make, model, and  
15 model-year. Model-year is not required to be advertised for current  
16 model-year vehicles. Year models are no longer current when  
17 ensuing year models are available for purchase at retail in  
18 California. An advertisement that offers for sale a class of new  
19 vehicles in a dealer’s inventory, consisting of five or more vehicles,  
20 that are all of the same make, model, and model-year is not required  
21 to include in the advertisement the vehicle identification numbers  
22 or license numbers of those vehicles.

23 (b) Advertise the total price of a vehicle without including all  
24 costs to the purchaser at time of sale, except taxes, vehicle  
25 registration fees, the California tire fee, as defined in Section 42885  
26 of the Public Resources Code, emission testing charges not  
27 exceeding fifty dollars (\$50), actual fees charged for certificates  
28 pursuant to Section 44060 of the Health and Safety Code, finance  
29 charges, and any dealer document processing charge or charge to  
30 electronically register or transfer the vehicle.

31 (c) (1) Exclude from an advertisement of a vehicle for sale that  
32 there will be added to the advertised total price at the time of sale,  
33 charges for sales tax, vehicle registration fees, the California tire  
34 fee, the fee charged by the state for the issuance of a certificate of  
35 compliance or noncompliance pursuant to a statute, finance  
36 charges, a charge to electronically register or transfer the vehicle,  
37 and a dealer document processing charge.

38 (2) The obligations imposed by paragraph (1) are satisfied by  
39 adding to the advertisement a statement containing no abbreviations  
40 and that is worded in substantially the following form: “Plus

1 government fees and taxes, any finance charges, any dealer  
2 document processing charge, any electronic filing charge, and any  
3 emission testing charge.”

4 (3) For purposes of paragraph (1), “advertisement” means an  
5 advertisement in a newspaper, magazine, or direct mail publication  
6 that is two or more columns in width or one column in width and  
7 more than seven inches in length, or on a Web page of a dealer’s  
8 Internet Web site that displays the price of a vehicle offered for  
9 sale on the Internet, as that term is defined in paragraph (6) of  
10 subdivision (f) of Section 17538 of the Business and Professions  
11 Code.

12 (d) Represent the dealer document processing charge, electronic  
13 registration or transfer charge, or emission testing charge, as a  
14 governmental fee.

15 (e) Fail to sell a vehicle to a person at the advertised total price,  
16 exclusive of taxes, vehicle registration fees, the California tire fee,  
17 the fee charged by the state for the issuance of a certificate of  
18 compliance or noncompliance pursuant to a statute, finance  
19 charges, mobilehome escrow fees, the amount of a city, county,  
20 or city and county imposed fee or tax for a mobilehome, a dealer  
21 document processing charge, an electronic registration or transfer  
22 charge, and a charge for emission testing not to exceed fifty dollars  
23 (\$50) plus the actual fees charged for certificates pursuant to  
24 Section 44060 of the Health and Safety Code, while the vehicle  
25 remains unsold, unless the advertisement states the advertised total  
26 price is good only for a specified time and the time has elapsed.  
27 Advertised vehicles shall be sold at or below the advertised total  
28 price, with statutorily permitted exclusions, regardless of whether  
29 the purchaser has knowledge of the advertised total price.

30 (f) (1) Advertise for sale, sell, or purchase for resale a new  
31 vehicle of a line-make for which the dealer does not hold a  
32 franchise.

33 (2) This subdivision does not apply to a transaction involving  
34 the following:

35 (A) A mobilehome.

36 (B) A recreational vehicle as defined in Section 18010 of the  
37 Health and Safety Code.

38 (C) A commercial coach, as defined in Section 18001.8 of the  
39 Health and Safety Code.

1 (D) An off-highway motor vehicle subject to identification as  
2 defined in Section 38012.

3 (E) A manufactured home.

4 (F) A new vehicle that will be substantially altered or modified  
5 by a converter prior to resale.

6 (G) A commercial vehicle with a gross vehicle weight rating of  
7 more than 10,000 pounds.

8 (H) A vehicle purchased for export and exported outside the  
9 territorial limits of the United States without being registered with  
10 the department.

11 (I) A vehicle acquired in the ordinary course of business as a  
12 new vehicle by a dealer franchised to sell that vehicle, if all of the  
13 following apply:

14 (i) The manufacturer or distributor of the vehicle files a  
15 bankruptcy petition.

16 (ii) The franchise agreement of the dealer is terminated,  
17 canceled, or rejected by the manufacturer or distributor as part of  
18 the bankruptcy proceedings and the termination, cancellation, or  
19 rejection is not a result of the revocation by the department of the  
20 dealer's license or the dealer's conviction of a crime.

21 (iii) The vehicle is held in the inventory of the dealer on the  
22 date the bankruptcy petition is filed.

23 (iv) The vehicle is sold by the dealer within six months of the  
24 date the bankruptcy petition is filed.

25 (3) Subparagraph (I) of paragraph (2) does not entitle a dealer  
26 whose franchise agreement has been terminated, canceled, or  
27 rejected to continue to perform warranty service repairs or continue  
28 to be eligible to offer or receive consumer or dealer incentives  
29 offered by the manufacturer or distributor.

30 (g) Sell a park trailer, as specified in Section 18009.3 of the  
31 Health and Safety Code, without disclosing in writing to the  
32 purchaser that a park trailer is required to be moved by a transporter  
33 or a licensed manufacturer or dealer under a permit issued by the  
34 Department of Transportation or a local authority with respect to  
35 highways under their respective jurisdictions.

36 (h) Advertise free merchandise, gifts, or services provided by  
37 a dealer contingent on the purchase of a vehicle. "Free" includes  
38 merchandise or services offered for sale at a price less than the  
39 seller's cost of the merchandise or services.

1 (i) (1) Advertise vehicles, and related goods or services, at a  
2 specified dealer price, with the intent not to supply reasonably  
3 expectable demand, unless the advertisement discloses the number  
4 of vehicles in stock at the advertised price. In addition, whether  
5 or not there are sufficient vehicles in stock to supply a reasonably  
6 expectable demand, when phrases such as “starting at,” “from,”  
7 “beginning as low as,” or words of similar import are used in  
8 reference to an advertised price, the advertisement shall disclose  
9 the number of vehicles available at that advertised price.

10 (2) For purposes of this subdivision, in a newspaper  
11 advertisement for a vehicle that is two model-years old or newer,  
12 the actual phrase that states the number of vehicles in stock at the  
13 advertised price shall be printed in a type size that is at least equal  
14 to one-quarter of the type size, and in the same style and color of  
15 type, used for the advertised price. However, in no case shall the  
16 phrase be printed in less than 8-point type size, and the phrase  
17 shall be disclosed immediately above, below, or beside the  
18 advertised price without intervening words, pictures, marks, or  
19 symbols.

20 (3) The disclosure required by this subdivision is in addition to  
21 any other disclosure required by this code or any regulation  
22 regarding identifying vehicles advertised for sale.

23 (j) Use “rebate” or similar words, including, but not limited to,  
24 “cash back,” in advertising the sale of a vehicle unless the rebate  
25 is expressed in a specific dollar amount and is in fact a rebate  
26 offered by the vehicle manufacturer or distributor, a finance  
27 company affiliated with a vehicle manufacturer or distributor, a  
28 regulated utility, or a governmental entity directly to the retail  
29 purchaser of the vehicle or to the assignee of the retail purchaser.

30 (k) Require a person to pay a higher price for a vehicle and  
31 related goods or services for receiving advertised credit terms than  
32 the cash price the same person would have to pay to purchase the  
33 same vehicle and related goods or services. For the purpose of this  
34 subdivision, “cash price” has the same meaning as defined in  
35 subdivision (e) of Section 2981 of the Civil Code.

36 (l) Advertise a guaranteed trade-in allowance.

37 (m) Misrepresent the authority of a salesperson, representative,  
38 or agent to negotiate the final terms of a transaction.

39 (n) (1) Use “invoice,” “dealer’s invoice,” “wholesale price,”  
40 or similar terms that refer to a dealer’s cost for a vehicle in an

1 advertisement for the sale of a vehicle or advertise that the selling  
2 price of a vehicle is above, below, or at either of the following:

3 (A) The manufacturer's or distributor's invoice price to a dealer.

4 (B) A dealer's cost.

5 (2) This subdivision does not apply to either of the following:

6 (A) A communication occurring during face-to-face negotiations  
7 for the purchase of a specific vehicle if the prospective purchaser  
8 initiates a discussion of the vehicle's invoice price or the dealer's  
9 cost for that vehicle.

10 (B) A communication between a dealer and a prospective  
11 commercial purchaser that is not disseminated to the general public.  
12 For purposes of this subparagraph, a "commercial purchaser"  
13 means a dealer, lessor, lessor-retailer, manufacturer,  
14 remanufacturer, distributor, financial institution, governmental  
15 entity, or person who purchases 10 or more vehicles during a year.

16 (o) Violate a law prohibiting bait and switch advertising,  
17 including, but not limited to, the guides against bait advertising  
18 set forth in Part 238 (commencing with Section 238) of Title 16  
19 of the Code of Federal Regulations, as those regulations read on  
20 January 1, 1988.

21 (p) Make an untrue or misleading statement indicating that a  
22 vehicle is equipped with all the factory-installed optional equipment  
23 the manufacturer offers, including, but not limited to, a false  
24 statement that a vehicle is "fully factory equipped."

25 (q) Affix on a new vehicle a supplemental price sticker  
26 containing a price that represents the dealer's asking price that  
27 exceeds the manufacturer's suggested retail price unless all of the  
28 following occur:

29 (1) The supplemental sticker clearly and conspicuously discloses  
30 in the largest print appearing on the sticker, other than the print  
31 size used for the dealer's name, that the supplemental sticker price  
32 is the dealer's asking price, or words of similar import, and that it  
33 is not the manufacturer's suggested retail price.

34 (2) The supplemental sticker clearly and conspicuously discloses  
35 the manufacturer's suggested retail price.

36 (3) The supplemental sticker lists each item that is not included  
37 in the manufacturer's suggested retail price, and discloses the  
38 additional price of each item. If the supplemental sticker price is  
39 greater than the sum of the manufacturer's suggested retail price  
40 and the price of the items added by the dealer, the supplemental

1 sticker price shall set forth that difference and describe it as “added  
2 mark-up.”

3 (r) Advertise an underselling claim, including, but not limited  
4 to, “we have the lowest prices” or “we will beat any dealer’s price,”  
5 unless the dealer has conducted a recent survey showing that the  
6 dealer sells its vehicles at lower prices than another licensee in its  
7 trade area and maintains records to adequately substantiate the  
8 claims. The substantiating records shall be made available to the  
9 department upon request.

10 (s) (1) Advertise an incentive offered by the manufacturer or  
11 distributor if the dealer is required to contribute to the cost of the  
12 incentive as a condition of participating in the incentive program,  
13 unless the dealer discloses in a clear and conspicuous manner that  
14 dealer participation may affect consumer cost.

15 (2) For purposes of this subdivision, “incentive” means anything  
16 of value offered to induce people to purchase a vehicle, including,  
17 but not limited to, discounts, savings claims, rebates, below-market  
18 finance rates, and free merchandise or services.

19 (t) Display or offer for sale a used vehicle unless there is affixed  
20 to the vehicle the Federal Trade Commission’s Buyer’s Guide as  
21 required by Part 455 of Title 16 of the Code of Federal Regulations.

22 (u) Fail to disclose in writing to the franchisor of a new motor  
23 vehicle dealer the name of the purchaser, date of sale, and the  
24 vehicle identification number of each new motor vehicle sold of  
25 the line-make of that franchisor, or intentionally submit to that  
26 franchisor a false name for the purchaser or false date for the date  
27 of sale.

28 (v) Enter into a contract for the retail sale of a motor vehicle  
29 unless the contract clearly and conspicuously discloses whether  
30 the vehicle is being sold as a new vehicle or a used vehicle, as  
31 defined in this code.

32 (w) Use a simulated check, as defined in subdivision (a) of  
33 Section 22433 of the Business and Professions Code, in an  
34 advertisement for the sale or lease of a vehicle.

35 (x) Fail to disclose, in a clear and conspicuous manner in at  
36 least 10-point boldface type on the face of a contract for the retail  
37 sale of a new motor vehicle that this transaction is, or is not, subject  
38 to a fee received by an autobroker from the selling new motor  
39 vehicle dealer, and the name of the autobroker, if applicable.

1 (y) Sell or lease a new motor vehicle after October 1, 2012,  
2 unless the dealer has a contractual agreement with the department  
3 to be a private industry partner pursuant to Section 1685. This  
4 subdivision does not apply to the sale or lease of a motorcycle or  
5 off-highway motor vehicle subject to identification under Section  
6 38010 or a recreational vehicle as defined in Section 18010 of the  
7 Health and Safety Code.

8 (z) As used in this section, “make” and “model” have the same  
9 meaning as is provided in Section 565.12 of Title 49 of the Code  
10 of Federal Regulations.

11 SEC. 3. Section 11713.16 of the Vehicle Code is amended to  
12 read:

13 11713.16. It is a violation of this code for the holder of any  
14 dealer’s license issued under this article to do any of the following:

15 (a) Advertise any used vehicle of the current or prior model-year  
16 without expressly disclosing the vehicle as “used,” “previously  
17 owned,” or a similar term that indicates that the vehicle is used,  
18 as defined in this code.

19 (b) Use the terms “on approved credit” or “on credit approval”  
20 in an advertisement for the sale of a vehicle unless those terms are  
21 clearly and conspicuously disclosed and unabbreviated.

22 (c) Advertise an amount described by terms such as “unpaid  
23 balance” or “balance can be financed” unless the total sale price  
24 is clearly and conspicuously disclosed and in close proximity to  
25 the advertised balance.

26 (d) Advertise credit terms that fail to comply with the disclosure  
27 requirements of Section 226.24 of Title 12 of the Code of Federal  
28 Regulations. Advertisements of terms that include escalated  
29 payments, balloon payments, or deferred downpayments shall  
30 clearly and conspicuously identify those payments as to amounts  
31 and time due.

32 (e) Advertise as the total sales price of a vehicle an amount that  
33 includes a deduction for a rebate. However, a dealer may advertise  
34 a separate amount that includes a deduction for a rebate provided  
35 that the advertisement clearly and conspicuously discloses, in close  
36 proximity to the amount advertised, the price of the vehicle before  
37 the rebate deduction and the amount of the rebate, each so  
38 identified. A dealer may not advertise a rebate deduction that  
39 conflicts with another advertised rebate deduction.

1 (f) Advertise claims such as “everyone financed,” “no credit  
2 rejected,” or similar claims unless the dealer is willing to extend  
3 credit to any person under any and all circumstances.

4 (g) Advertise the amount of any downpayment unless it  
5 represents the total payment required of a purchaser prior to  
6 delivery of the vehicle, including any payment for sales tax or  
7 license. Statements such as “\$\_\_\_\_\_ delivers,” “\$\_\_\_\_ puts you  
8 in a new car” are examples of advertised downpayments.

9 (h) Advertise the price of a new vehicle or class of new vehicles  
10 unless the vehicle or vehicles have all of the equipment listed as  
11 standard by the manufacturer or distributor or the dealer has  
12 replaced the standard equipment with equipment of higher value.

13 (i) Fail to clearly and conspicuously disclose in an advertisement  
14 for the sale of a vehicle any disclosure required by this code or  
15 any qualifying term used in conjunction with advertised credit  
16 terms. Unless otherwise provided by statute, the specific size of  
17 disclosures or qualifying terms is not prescribed.

18 SEC. 4. No reimbursement is required by this act pursuant to  
19 Section 6 of Article XIII B of the California Constitution because  
20 the only costs that may be incurred by a local agency or school  
21 district will be incurred because this act creates a new crime or  
22 infraction, eliminates a crime or infraction, or changes the penalty  
23 for a crime or infraction, within the meaning of Section 17556 of  
24 the Government Code, or changes the definition of a crime within  
25 the meaning of Section 6 of Article XIII B of the California  
26 Constitution.