

**ASSEMBLY BILL**

**No. 2837**

---

---

**Introduced by Assembly Member Jones**

February 19, 2016

---

---

An act to add Section 1793.27 to the Civil Code, relating to consumer warranties.

LEGISLATIVE COUNSEL'S DIGEST

AB 2837, as introduced, Jones. Motor vehicle sales: warranty disclosures.

The existing Song-Beverly Consumer Warranty Act and the existing federal Magnuson-Moss Warranty-Federal Trade Commission Improvement Act provide consumer warranty protection to buyers of various products. Existing law requires that every manufacturer, distributor, or retailer which makes express warranties with respect to consumer goods fully set forth those warranties in simple and readily understood language, as specified.

This bill would require a motor vehicle dealer, as defined, to deliver to a buyer at the time of sale a specifically worded written statement relating to warranties, including that federal law prohibits conditioning a warranty on the buyer's use of a replacement product or repair services identified by brand or name, unless the article or service is provided without charge to the buyer or the dealer has received a waiver from the Federal Trade Commission.

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

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

1 SECTION 1. Section 1793.27 is added to the Civil Code, to  
2 read:

3 1793.27. (a) A motor vehicle dealer, as defined in Section 285  
4 of the Vehicle Code, shall deliver to the buyer of a motor vehicle,  
5 as defined in Section 791, at the time of sale a statement in writing,  
6 printed in no less than 10-point boldface type, as follows:

7  
8 “The Magnuson-Moss Warranty Act, 15 USC 2301 et seq.,  
9 prohibits warrantors from conditioning warranties on the  
10 consumer’s use of a replacement product or repair services  
11 identified by brand or name, unless the article or service is provided  
12 without charge to the consumer or the warrantor has received a  
13 waiver from the Federal Trade Commission. It is unlawful for a  
14 manufacturer or dealer to void your warranty or deny coverage  
15 under the warranty simply because you used an aftermarket part  
16 or recycled part. If it turns out that an aftermarket part or recycled  
17 part was itself defective or was not installed correctly and it causes  
18 damage to another part that is covered under the warranty, the  
19 manufacturer or dealer has the right to deny coverage for that part  
20 and charge you for any repairs. The Federal Trade Commission  
21 requires the manufacturer or dealer to show that the aftermarket  
22 part or recycled part caused the need for repairs before denying  
23 warranty coverage.”

24  
25 (b) For purposes of this section:

26 (1) “Aftermarket part” means a part that was made by a company  
27 other than the vehicle manufacturer or the original equipment  
28 manufacturer.

29 (2) “Recycled part” means a part that was made for and installed  
30 in a new vehicle by the manufacturer or the original equipment  
31 manufacturer and later removed from the vehicle and made  
32 available for resale or reuse.

O