

Amendment No. 3

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Insurance & Banking
 2 Subcommittee
 3 Representative Santiago offered the following:

Amendment (with title amendment)

Between lines 108 and 109, insert:

Section 2. Subsections (23) and (24) is added to section
 681.102, Florida Statutes, to read:

(23) "Aftermarket part" means a part that was made by a
 company other than the vehicle manufacturer or the original
 equipment manufacturer.

(24) "Recycled part" means a part that was made for and
 installed in a new vehicle by the manufacturer or the original
 equipment manufacturer and later removed from the vehicle and
 made available for resale or reuse.

Section 3. Section 681.105, Florida Statutes, is created
 to read:

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681.105 Required notification.-

(1) Each new car dealer, licensed under Florida Statute, at the time the sale of a new motor vehicle, is executed, shall deliver to the purchaser of such new motor vehicle a written statement, printed in not less than ten-point boldface type, as follows:

"The Magnuson-Moss Warranty Act, 15 USC 2301 et seq., makes it illegal for motor vehicle manufacturers or dealers to void a motor vehicle warranty or deny coverage under the motor vehicle warranty simply because an aftermarket or recycled part was installed or used on the vehicle or simply because someone other than the dealer performed service on the vehicle. It is illegal for a manufacturer or dealer to void your warranty or deny coverage under the warranty simply because you used an aftermarket or recycled part. If it turns out that an aftermarket or recycled part was itself defective or wasn't installed correctly and it causes damage to another part that is covered under the warranty, the manufacturer or dealer has the right to deny coverage for that part and charge you for any repairs. The Federal Trade Commission requires the manufacturer or dealer to show that the aftermarket or recycled part caused the need for repairs before denying warranty coverage."

(2) In addition to any other remedies that may be

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43 available, a violation of this chapter shall be deemed to be an
44 unfair method of competition and an unfair or deceptive act or
45 practice in the conduct of trade or commerce in violation of
46 Florida Statute.

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49 **T I T L E A M E N D M E N T**

50 Remove line 4 and insert:

51 providing definitions; amending s. 681.102, F.S.; providing
52 definitions; creating s. 681.105, F.S.; creating a duty for new
53 car dealers to provide a specified notice; deeming a violation
54 of the statute to be an unfair method of competition and an
55 unfair or deceptive act or practice; providing an effective
56 date.