

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Diaz, M. offered the following:

2
3 **Amendment**

4 Remove lines 80-113 and insert:

5 inventory after the recall notice as a result of a retail
6 consumer trade-in or a lease return to the dealer inventory in
7 accordance with an applicable lease contract;

8 (d) That cannot be repaired due to the unavailability,
9 within 30 days after issuance of the recall notice, of a remedy
10 or parts necessary for the motor vehicle dealer to make the
11 recall repair; and

12 (e) For which the licensee has not issued a written
13 statement to the motor vehicle dealer indicating that the used

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14 motor vehicle may be sold or delivered to a retail customer
15 before completion of the recall repair. The purpose of such
16 written statement is to provide notice to the motor vehicle
17 dealer that the vehicle may be sold or delivered based solely on
18 the specific recall notice and is not intended to address any
19 other aspect of the vehicle unrelated to the recall notice.

20 (2) The licensee shall pay the required compensation
21 within 30 days after the motor vehicle dealer's application for
22 payment. Applications for payment must be submitted monthly, as
23 necessary, through the licensee's existing warranty application
24 system or another system or process established by the licensee
25 which is not unduly burdensome or which does not require
26 information unnecessary for the payment.

27 (3) Compensation under this section must be the greater
28 of:

29 (a) Payment at a rate of at least 1.5 percent per month of
30 the motor vehicle value, as determined by the average Black Book
31 value of the corresponding model year vehicle of average
32 condition, of each eligible used motor vehicle in the motor
33 vehicle dealer's inventory for each month that the dealer does
34 not receive a remedy and parts to complete the required recall
35 repair. Such payment must be prorated for any period less than 1
36 month based on the number of days during the month each eligible
37 used motor vehicle is in the motor vehicle dealer's inventory.
38 Payment shall be calculated from the 31st day after the recall

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39 | was issued, the 31st day after the vehicle was acquired, or July
40 | 1, 2017, whichever is

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