

116TH CONGRESS
1ST SESSION

S. 1971

To require auto dealers to fix outstanding safety recalls before selling, leasing, or loaning a used motor vehicle.

IN THE SENATE OF THE UNITED STATES

JUNE 25, 2019

Mr. BLUMENTHAL (for himself and Mr. MARKEY) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To require auto dealers to fix outstanding safety recalls before selling, leasing, or loaning a used motor vehicle.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Used Car Safety Recall
5 Repair Act”.

6 **SEC. 2. USED MOTOR VEHICLE CONSUMER PROTECTION.**

7 Section 30120 of title 49, United States Code, is
8 amended by adding at the end the following:

9 “(k) **LIMITATION ON THE SALE, LEASE, OR LOAN OF**
10 **USED MOTOR VEHICLES.**—

1 “(1) DEFINITIONS.—In this subsection:

2 “(A) DEALER.—Notwithstanding section
3 30102(a)(2), the term ‘dealer’ means a person
4 that has sold not less than 10 motor vehicles to
5 1 or more consumers during the most recent
6 12-month period.

7 “(B) USED MOTOR VEHICLE.—The term
8 ‘used motor vehicle’ means a motor vehicle that
9 has previously been purchased other than for
10 resale.

11 “(2) LIMITATION.—Except as provided under
12 paragraphs (3) and (4), a dealer may not sell, lease,
13 or loan a used motor vehicle until after any defect
14 or noncompliance determined under section 30118
15 with respect to the vehicle has been remedied.

16 “(3) EXCEPTION.—Paragraph (2) shall not
17 apply if—

18 “(A) the recall information regarding the
19 used motor vehicle—

20 “(i) was not available at the time of
21 sale or lease using the means established
22 by the Secretary under section 31301 of
23 the Moving Ahead for Progress in the 21st
24 Century Act (49 U.S.C. 30166 note; Pub-
25 lic Law 112–141); and

1 “(ii) was not available on the website
2 of the manufacturer; or

3 “(B) notification of the defect or non-
4 compliance is required by an order issued by
5 the Secretary under section 30118(b)(2), but
6 enforcement of the order is set aside in a civil
7 action to which section 30121(d) applies.

8 “(4) RULEMAKING.—The Secretary, by rule,
9 may exempt from paragraph (2) the auctioning of a
10 used motor vehicle to dealers if the exemption does
11 not harm public safety.”.

12 **SEC. 3. EFFECTIVE DATE.**

13 This Act shall take effect on the date that is 18
14 months after the date of enactment of this Act.

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