

AMENDMENT NO. _____ Calendar No. _____

Purpose: To provide protection for consumers of used passenger motor vehicles.

IN THE SENATE OF THE UNITED STATES—114th Cong., 1st Sess.

S. 1732

To authorize elements of the Department of Transportation, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. BLUMENTHAL

Viz:

1 After section 4209, insert the following:

2 **SEC. 4210. USED PASSENGER MOTOR VEHICLE CONSUMER**
3 **PROTECTION.**

4 (a) IN GENERAL.—Section 30120, as amended by
5 section 4209, is further amended by adding at the end
6 the following:

7 “(1) LIMITATION ON SALE OR LEASE OF USED PAS-
8 Senger Motor Vehicles.—(1) A dealer may not sell or
9 lease a used passenger motor vehicle until any defect or
10 noncompliance determined under section 30118 with re-
11 spect to the vehicle has been remedied.

12 “(2) Paragraph (1) shall not apply if—

1 “(A) the recall information regarding a used
2 passenger motor vehicle was not accessible at the
3 time of sale or lease using the means established by
4 the Secretary under section 31301 of the Moving
5 Ahead for Progress in the 21st Century Act (49
6 U.S.C. 30166 note); or

7 “(B) notification of the defect or noncompliance
8 is required under section 30118(b), but enforcement
9 of the order is set aside in a civil action to which
10 30121(d) applies.

11 “(3) Notwithstanding section 30102(a)(1), in this
12 subsection—

13 “(A) the term ‘dealer’ means a person that has
14 sold at least 10 motor vehicles to 1 or more con-
15 sumers during the most recent 12-month period; and

16 “(B) the term ‘used passenger motor vehicle’
17 means a motor vehicle that has previously been pur-
18 chased other than for resale.

19 “(4) By rule, the Secretary may exempt the auc-
20 tioning of a used passenger motor vehicle from the re-
21 quirements under paragraph (1) to the extent that the ex-
22 emption does not harm public safety.”.

23 (b) EFFECTIVE DATE.—The amendment made by
24 subsection (a) of this section shall take effect on the date
25 that is 18 months after the date of enactment of this Act.