

114TH CONGRESS
1ST SESSION

S. _____

To allow manufacturers to meet warranty and labeling requirements for consumer products by displaying the terms of warranties on Internet websites, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mrs. FISCHER (for herself and Mr. NELSON) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To allow manufacturers to meet warranty and labeling requirements for consumer products by displaying the terms of warranties on Internet websites, and for other purposes.

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 “E-Warranty Act of
5 2015”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

1 (1) Many manufacturers and consumers prefer
2 to have the option to provide or receive warranty in-
3 formation online.

4 (2) Modernizing warranty notification rules is
5 necessary to allow the United States to continue to
6 compete globally in manufacturing, trade, and the
7 development of consumer products connected to the
8 Internet.

9 (3) Allowing an electronic warranty option
10 would expand consumer access to relevant consumer
11 information in an environmentally-friendly way, and
12 would provide additional flexibility to manufacturers
13 to meet their labeling and warranty requirements.

14 **SEC. 3. ELECTRONIC DISPLAY OF TERMS OF WRITTEN WAR-**
15 **RANTY FOR CONSUMER PRODUCTS.**

16 (a) IN GENERAL.—Section 102(b) of the Magnuson-
17 Moss Warranty—Federal Trade Commission Improve-
18 ment Act (15 U.S.C. 2302(b)) is amended by adding at
19 the end the following:

20 “(4)(A) Except as provided in subparagraph (B), the
21 rules prescribed under this subsection shall allow for the
22 satisfaction of all requirements concerning the availability
23 of terms of a written warranty on a consumer product
24 under this subsection by—

1 “(i) making available such terms in an acces-
2 sible digital format on the Internet website of the
3 manufacturer of the consumer product in a clear
4 and conspicuous manner; and

5 “(ii) providing to the consumer (or prospective
6 consumer) information with respect to how to obtain
7 and review such terms by indicating on the product
8 or product packaging or in the product manual—

9 “(I) the Internet website of the manufac-
10 turer where such terms can be obtained and re-
11 viewed; and

12 “(II) the phone number of the manufac-
13 turer, the postal mailing address of the manu-
14 facturer, or another reasonable non-Internet
15 based means of contacting the manufacturer to
16 obtain and review such terms.

17 “(B) With respect to any requirement that the terms
18 of any written warranty on a consumer product be made
19 available to the consumer (or prospective consumer) prior
20 to sale of the product, in a case in which a consumer prod-
21 uct is offered for sale in a retail location, by catalog, or
22 through door-to-door sales, subparagraph (A) shall only
23 apply if the seller makes available at the location of the
24 sale to the consumer purchasing the consumer product the

1 terms of the warranty on the consumer product before the
2 purchase.”.

3 (b) REVISION OF RULES.—

4 (1) IN GENERAL.—Not later than 1 year after
5 the date of the enactment of this Act, the Federal
6 Trade Commission shall revise the rules prescribed
7 under such section to comply with the requirements
8 of paragraph (4) of such section, as added by sub-
9 section (a) of this section.

10 (2) AUTHORITY TO WAIVE REQUIREMENT FOR
11 ORAL PRESENTATION.—In revising rules under para-
12 graph (1), the Federal Trade Commission may waive
13 the requirement of section 109(a) of such Act (15
14 U.S.C. 2309(a)) to give interested persons an oppor-
15 tunity for oral presentation if the Commission deter-
16 mines that giving interested persons such oppor-
17 tunity would interfere with the ability of the Com-
18 mission to revise rules under paragraph (1) in a
19 timely manner.