

VIRGINIA ACTS OF ASSEMBLY -- 1994 SESSION

CHAPTER 578

An Act to amend the Code of Virginia by adding in Chapter 17.3 of Title 59.1 a section numbered 59.1-207.16:1, relating to motor vehicles; disclosures; warranties; penalty.

[H 1146]

Approved April 9, 1994

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 17.3 of Title 59.1 a section numbered 59.1-207.16:1 as follows:

§ 59.1-207.16:1. Disclosure of returned vehicles; penalty.

A. If a motor vehicle that is returned to the manufacturer or distributor either under this chapter or by judgment, decree, or arbitration award in this or any other state and is then transferred by a manufacturer or distributor to a dealer, licensed under Chapter 15 of Title 46.2 of the Code of Virginia, in Virginia, the manufacturer or distributor shall disclose this information to the Virginia dealer.

B. If the returned vehicle is then made available for resale, the manufacturer shall, prior to sale, disclose in writing in a clear and conspicuous manner, on a separate piece of paper in ten-point capital type, to the Virginia dealer that this motor vehicle was returned to the manufacturer, distributor or factory branch, the nature of the defect which resulted in the return, and the condition of the motor vehicle at the time of transfer to the Virginia dealer. It shall be the responsibility of the dealer that receives this disclosure to give notice of its contents to any prospective purchaser prior to sale, and to transfer the disclosure, or a copy thereof, to the next purchaser. A dealer's responsibility under this section shall cease upon the sale of the affected motor vehicle to the first purchaser not for resale.

C. Any manufacturer or distributor who violates this section of the Motor Vehicle Warranty Enforcement Act shall be guilty of a Class 3 misdemeanor.