

SENATE BILL NO. 138

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY THE SENATE LABOR AND COMMERCE COMMITTEE

Introduced: 3/8/05

Referred: Labor and Commerce, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to a motor vehicle dealer's selling certain motor vehicles as new model**
2 **motor vehicles or as new model motor vehicles having a manufacturer's warranty."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1.** AS 08.66.015 is amended to read:

5 **Sec. 08.66.015. Sale of motor vehicle.** (a) A person who does business as a
6 dealer in the state may not offer to sell or sell a motor vehicle as a new [OR
7 CURRENT] model motor vehicle unless the motor vehicle retains the manufacturer's
8 certificate of origin.

9 (b) A person who does business as a dealer in the state may not offer to sell or
10 sell a motor vehicle as a new [OR CURRENT] model motor vehicle having a
11 manufacturer's warranty unless

12 (1) the dealer has a current sales and service agreement with the
13 manufacturer and the agreement requires the dealer, upon demand of the motor vehicle
14 buyer, to perform or arrange for, within a reasonable distance of the dealer's place of

1 business in the state, the repair and replacement work required of the manufacturer
2 under the warranty; or

3 (2) the dealer offers to give the buyer a rebate to cover the repair and
4 replacement work that the dealer cannot perform or arrange for within a reasonable
5 distance of the dealer's place of business.

6 * **Sec. 2.** AS 08.66.015 is amended by adding new subsections to read:

7 (c) An offer to sell or the sale of a motor vehicle is not prohibited under (a) or
8 (b) of this section if a bona fide retail purchaser or lessee of the motor vehicle sells,
9 trades, or otherwise disposes of the motor vehicle before the purchaser or lessee has
10 met the requirements of (a) or (b) of this section. In this subsection, "bona fide retail
11 purchaser or lessee" is a retail purchaser or lessee who purchases or leases a motor
12 vehicle for the purpose of using the motor vehicle, rather than for the purpose of
13 reselling or releasing the motor vehicle.

14 (d) In (a) of this section, "new model motor vehicle" means a motor vehicle
15 that has not been

16 (1) operated to the extent that the miles on its odometer exceed 4,000
17 miles; or

18 (2) titled or registered under AS 28.10 or the motor vehicle laws of
19 another governmental jurisdiction by a purchaser for more than 120 days.