

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

April 16, 2024
Date

Committee on Business, Labor, & Technology.

After consideration on the merits, the Committee recommends the following:

SB24-192 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 3, line 3, strike "the introductory portion, (1),"
- 2 and substitute "the introductory portion".

- 3 Page 3, strike lines 6 through 12.

- 4 Page 3, strike lines 14 and 15 and substitute "vehicle, including pickup
- 5 trucks and vans, designed primarily for travel on the public".

- 6 Page 3, lines 18 and 19, strike "(57) or ~~vehicles designed to travel on~~
- 7 ~~three or fewer wheels in contact with the ground~~" and substitute "(57), or
- 8 vehicles designed to travel on three or fewer wheels in contact with the
- 9 ground, OR".

- 10 Page 3, line 22, strike "LIFE-THREATENING".

- 11 Page 3, strike line 23 and substitute:

- 12 "(a) RESULTS IN A CONDITION THAT IS LIKELY TO CAUSE DEATH OR
- 13 SERIOUS BODILY INJURY IF THE VEHICLE IS DRIVEN; OR".

- 14 Page 4, strike lines 1 through 4 and substitute:

- 15 (b) CREATES A RISK OF FIRE OR EXPLOSION."

- 16 Page 4, line 7, strike "(1)".

- 17 Page 4, strike lines 21 through 25.

- 1 Page 5, strike lines 14 through 18 and substitute "their interests may
2 appear. A reasonable allowance for use shall be that amount directly
3 attributable to use by the consumer and any previous consumer prior to
4 the consumer's first written report of the nonconformity to the
5 manufacturer, agent, or dealer and during any subsequent period when the
6 vehicle is not out of service by reason of repair."
- 7 Page 5, line 22, strike "~~The same~~ A" and substitute "The same".
- 8 Page 6, line 3, strike "TWENTY-ONE" and substitute "TWENTY-FOUR".
- 9 Page 6, strike line 16 and substitute "the ~~one-year~~ TWO-YEAR period, and
10 the ~~thirty-day~~ TWENTY-FOUR-DAY".
- 11 Page 6, line 23, strike "and" and substitute "~~and~~ STATING THAT ONE OR
12 MORE ATTEMPTS TO REPAIR THE SAME NONCONFORMITY HAVE BEEN MADE
13 PURSUANT TO SECTION 42-10-102 AND THE ALLEGED NONCONFORMITY
14 REMAINS, AND THE MANUFACTURER".
- 15 Page 6, line 24, strike "an opportunity" and substitute "~~an opportunity~~ TEN
16 DAYS".
- 17 Page 6, line 25, strike "WITHIN TEN DAYS".
- 18 Page 6, line 27, after "(2)(a)(I)" insert "AND (2)(a)(III)".
- 19 Page 7, line 8, strike "REPORT OF THE NONCONFORMITY" and substitute
20 "PRESENTATION OF THE VEHICLE".
- 21 Page 7, line 25, strike "FORTY-TWO" and substitute "THIRTY".
- 22 Page 8, line 1, strike "42-10-106." and substitute "42-10-106 OR WHILE
23 THE MOTOR VEHICLE IS NOT AVAILABLE FOR USE BY REASON OF REPAIR."
- 24 Page 8, lines 2 and 3, strike "42-10-108 and 42-10-109" and substitute
25 "42-10-108, 42-10-109, and 42-10-110".
- 26 Page 8, strike lines 24 through 27.
- 27 Reletter succeeding paragraphs accordingly.
- 28 Page 9, line 5, after "THAT" insert "CLEARLY AND CONSPICUOUSLY".

1 Page 9, line 6, strike "BUYBACK AND REPAIR" and substitute
2 "BUYBACK".

3 Page 9, line 8, strike "DECAL UNTIL THE MOTOR VEHICLE IS SOLD;" and
4 substitute "DECAL;".

5 Page 9, after line 12, insert:

6 "(2) A SELLER OF A MOTOR VEHICLE, INCLUDING A
7 MANUFACTURER OR DEALER, WHO KNOWS OR SHOULD HAVE KNOWN THAT
8 THE MOTOR VEHICLE WAS RETURNED PURSUANT TO SECTION 42-10-103 (1)
9 OR WAS RETURNED DUE TO THE FAILURE OF THE MANUFACTURER TO
10 CONFORM THE VEHICLE TO WARRANTIES REQUIRED BY ANY OTHER LAW OF
11 ANOTHER STATE SHALL CLEARLY AND CONSPICUOUSLY DISCLOSE THAT
12 THE MOTOR VEHICLE IS A LEMON LAW BUYBACK BEFORE THE SALE OF THE
13 MOTOR VEHICLE. A SELLER COMPLIES WITH THIS SUBSECTION (2) IF A
14 DECAL IN ACCORDANCE WITH SUBSECTION (1)(b) OF THIS SECTION IS
15 ATTACHED TO THE MOTOR VEHICLE AT THE TIME OF SALE AND THE SALE
16 WAS COMPLETED IN PERSON.

17 **42-10-110. Applicability.** (1) THIS ARTICLE 10 APPLIES ONLY TO
18 A NEW VEHICLE, AS DEFINED IN SECTION 42-6-102 (11), SOLD TO A
19 CONSUMER.

20 (2) THIS ARTICLE 10 DOES NOT APPLY TO A USED MOTOR VEHICLE
21 DEALER LICENSED IN ACCORDANCE WITH ARTICLE 20 OF TITLE 44."

22 Page 10, lines 10 and 11, strike "BUYBACK AND REPAIR." and substitute
23 "BUYBACK".

24 Strike "THIRTY-SIX" and substitute "TWENTY-FOUR" on: **Page 4**, line 12;
25 **Page 5**, line 25; and **Page 6**, line 11.

26 Strike "THREE" and substitute "TWO" on: **Page 4**, line 13; **Page 5**, line 26;
27 and **Page 6**, line 12.

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