

Representative Kerry W. Gibson proposes the following substitute bill:

VEHICLES COVERED BY NEW MOTOR

VEHICLE WARRANTIES

2008 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kerry W. Gibson

Senate Sponsor: _____

LONG TITLE

General Description:

This bill includes a farm tractor as a vehicle covered by Title 13, Chapter 20, New Motor Vehicle Warranties Act and includes other provisions concerning farm tractors.

Highlighted Provisions:

This bill:

- ▶ includes a farm tractor as a vehicle covered by Title 13, Chapter 20, New Motor Vehicle Warranties Act;
- ▶ addresses the process for a consumer to invoke Title 13, Chapter 20, New Motor Vehicle Warranties Act's protections for a farm tractor; and
- ▶ makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

13-20-2, as last amended by Laws of Utah 2005, Chapter 2



26 ENACTS:

27 **13-20-8**, Utah Code Annotated 1953



29 *Be it enacted by the Legislature of the state of Utah:*

30 Section 1. Section **13-20-2** is amended to read:

31 **13-20-2. Definitions.**

32 As used in this chapter:

33 (1) "Consumer" means an individual who [~~has entered~~] enters into an agreement or
34 contract for the transfer, lease, [~~or~~] purchase of a new motor vehicle other than for purposes of
35 resale, or sublease[;] during the duration of the period defined under Section 13-20-5.

36 (2) "Manufacturer" means manufacturer, importer, distributor, or anyone who is named
37 as the warrantor on an express written warranty on a motor vehicle.

38 (3) "Motor home" means a self-propelled vehicular unit, primarily designed as a
39 temporary dwelling for travel, recreational, and vacation use.

40 (4) (a) "Motor vehicle" includes:

41 (i) a motor home, as defined in this section, but only the self-propelled vehicle and
42 chassis sold in this state;

43 (ii) a motor vehicle, as defined in Section 41-1a-102, sold in this state; and

44 (iii) a motorcycle, as defined in Section 41-1a-102, sold in this state if the motorcycle
45 is designed primarily for use and operation on paved highways.

46 (b) "Motor vehicle" does not include:

47 (i) those portions of a motor home designated, used, or maintained primarily as a
48 mobile dwelling, office, or commercial space;

49 (ii) [~~farm tractor,~~] a road tractor[;] or truck tractor as defined in Section 41-1a-102;

50 (iii) a mobile home as defined in Section 41-1a-102;

51 (iv) any motor vehicle with a gross laden weight of over 12,000 pounds, except;

52 (A) a motor home as defined under Subsection (3); and

53 (B) a farm tractor as defined in Section 41-1a-102;

54 (v) a motorcycle, as defined in Section 41-1a-102, if the motorcycle is designed
55 primarily for use or operation over unimproved terrain;

56 (vi) an electric assisted bicycle as defined in Section 41-6a-102;

- 57 (vii) a moped as defined in Section 41-6a-102;
- 58 (viii) a motor assisted scooter as defined in Section 41-6a-102; or
- 59 (ix) a motor-driven cycle as defined in Section 41-6a-102.

60 Section 2. Section **13-20-8** is enacted to read:

61 **13-20-8. Process for consumer complaint concerning farm tractor.**

62 (1) The manufacturer shall provide information for consumer complaint remedies with
63 each new farm tractor.

64 (2) (a) Before taking action under this chapter, a consumer shall give written
65 notification to the manufacturer of a farm tractor of the need for the repair of the
66 nonconformity to allow the manufacturer an opportunity to cure the alleged defect.

67 (b) The manufacturer immediately shall notify the consumer of a reasonably accessible
68 repair facility of a franchised new farm tractor dealer to conform the farm tractor to the express
69 warranty.

70 (3) (a) After delivery of the farm tractor to an authorized repair facility by the
71 consumer, the manufacturer shall conform the farm tractor to the express warranty within 30
72 calendar days in appropriate seasonable use times and within 60 days in other times.

73 (b) The agriculture commissioner shall designate appropriate seasonal use times for a
74 farm tractor covered by this chapter.

75 (4) If any repair that may be required under any warranty takes more than fourteen
76 working days to complete, the manufacturer shall supply at no cost a similar farm tractor for
77 use by the consumer if requested by the consumer during the time of repair.