

HB 1275-FN - AS INTRODUCED

2024 SESSION

24-2077

12/02

HOUSE BILL

1275-FN

AN ACT relative to requiring notice to consumers of vehicles that require repair solely through a dealership and contain proprietary information.

SPONSORS: Rep. Spillane, Rock. 2; Rep. Wallace, Rock. 8; Rep. Summers, Rock. 20; Rep. Kofalt, Hills. 32; Rep. Moffett, Merr. 4; Rep. Ulery, Hills. 13; Rep. S. Smith, Sull. 3

COMMITTEE: Commerce and Consumer Affairs

ANALYSIS

 This bill requires notice to the consumer if their automobile can only be repaired at the dealership.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struckthrough]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Four

AN ACT relative to requiring notice to consumers of vehicles that require repair solely through a dealership and contain proprietary information.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Section; Repairs: Notice Required. Amend RSA 357-C by inserting after section 357-C:4
2 the following new section:

3 357-C:4-a Repair Notice Required.

4 I. Definitions. As used in this chapter:

5 (a) "Motor vehicle" means every self-propelled vehicle manufactured and designed
6 primarily for use and operation on the public highways and required to be registered and titled
7 under the laws of New Hampshire.

8 (b) "Manufacturer" means any person who manufactures or assembles new motor
9 vehicles or any partnership, firm, association, joint venture, corporation or trust which is controlled
10 by the manufacturer. "Manufacturer" shall also mean a distributor, distributor branch, factory,
11 factory branch, and franchisor.

12 (c) "Dealer" means any person who is engaged in the business of selling at retail new or
13 used motor vehicles.

14 (d) "Used motor vehicle" means any motor vehicle which has been previously leased,
15 rented or sold at retail.

16 II. Repair Notice Required. Notwithstanding any other provision of the law every motor
17 vehicle manufacturer, before the delivery of a motor vehicle to a dealer, shall securely affix a label to
18 the rear window on the passenger's side of such motor vehicle that clearly, distinctly, and legibly
19 states if the motor vehicle will require any repairs that can only be made at a dealership and lists
20 any vehicle parts that contain proprietary information.

21 III. Enforcement. In addition to other appropriate penalties, any violation of the provisions
22 of this chapter shall constitute an unfair or deceptive act or practice within the meaning of RSA 358-
23 A. Any right, remedy or power set forth in RSA 358-A may be used to enforce the provisions of this
24 chapter.

25 2 Effective Date. This act shall take effect January 1, 2025.

**HB 1275-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to requiring notice to consumers of vehicles that require repair solely through a dealership and contain proprietary information.

FISCAL IMPACT: ☒ State ☒ County ☒ Local ☐ None

Estimated State Impact - Increase / (Decrease)				
	FY 2024	FY 2025	FY 2026	FY 2027
Revenue	\$0	\$0	\$0	\$0
<i>Revenue Fund</i>	None			
Expenditures	Indeterminable			
<i>Funding Source</i>	General Fund			
Appropriations	\$0	\$0	\$0	\$0
<i>Funding Source</i>	None			

Estimated Political Subdivision Impact - Increase / (Decrease)				
	FY 2024	FY 2025	FY 2026	FY 2027
County Revenue	\$0	\$0	\$0	\$0
County Expenditures	Indeterminable			
Local Revenue	\$0	\$0	\$0	\$0
Local Expenditures	Indeterminable			

METHODOLOGY:

This bill adds, deletes, or modifies a criminal penalty, or changes statute to which there is a penalty for violation. Therefore, this bill may have an impact on the judicial and correctional systems, which could affect prosecution, incarceration, probation, and parole costs, for the state, as well as county and local governments. A summary of such costs can be found at: https://gencourt.state.nh.us/lba/Budget/Fiscal_Notes/JudicialCorrectionalCosts.pdf

AGENCIES CONTACTED:

Judicial Branch, Judicial Council, Department of Justice, Department of Corrections, New Hampshire Association of Counties, and New Hampshire Municipal Association