

HOUSE BILL No. 4062

January 8, 1997, Introduced by Reps. Parks, Wallace, Varga, Prusi, Scott, Vaughn and Baird and referred to the Committee on Consumer Protection.

A bill to amend 1976 PA 331, entitled
"Michigan consumer protection act,"
(MCL 445.901 to 445.922) by adding section 3c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 3C. (1) IN ADDITION TO THE UNFAIR, UNCONSCIONABLE OR
2 DECEPTIVE METHODS, ACTS, OR PRACTICES IN THE CONDUCT OF TRADE OR
3 COMMERCE DEFINED IN SECTION 3, IT IS UNLAWFUL FOR A PERSON WHO
4 MANUFACTURES OR DISTRIBUTES IN THIS STATE OR CAUSES TO BE MANU-
5 FACTURED OR DISTRIBUTED IN THIS STATE A PRODUCT OR DEVICE THAT HE
6 OR SHE KNOWS IS A DANGEROUSLY DEFECTIVE PRODUCT OR DEVICE.
7 (2) IN ADDITION TO THE UNFAIR, UNCONSCIONABLE, OR DECEPTIVE
8 METHODS, ACTS, OR PRACTICES IN THE CONDUCT OF TRADE OR COMMERCE
9 DEFINED IN SECTION 3, IT IS UNLAWFUL FOR A PERSON WHO
10 MANUFACTURES OR DISTRIBUTES IN THIS STATE OR CAUSES TO BE
11 MANUFACTURED OR DISTRIBUTED IN THIS STATE A PRODUCT OR DEVICE,

1 AND WHO, AFTER MANUFACTURING OR DISTRIBUTING THAT PRODUCT OR
2 DEVICE, DISCOVERS THE PRODUCT OR DEVICE IS A DANGEROUSLY DEFEC-
3 TIVE PRODUCT OR DEVICE, TO FAIL TO IMMEDIATELY RECALL THE PRODUCT
4 OR DEVICE.

5 (3) AS USED IN THIS SECTION, "DANGEROUSLY DEFECTIVE PRODUCT
6 OR DEVICE" MEANS A PRODUCT OR DEVICE THAT IS DESIGNED OR CON-
7 STRUCTED IN SUCH A MANNER AS TO BE DANGEROUS TO THE HEALTH OR
8 SAFETY OF ANY INDIVIDUAL WHEN USED IN ANY MANNER FOR WHICH THE
9 PRODUCT OR DEVICE IS INTENDED TO BE USED OR MAY FORSEEABLY BE
10 USED.