

SENATE BILL No. 149

January 31, 2007, Introduced by Senators BROWN, KAHN, BIRKHOLZ and PAPPAGEORGE and referred to the Committee on Transportation.

A bill to regulate the sale of certain farm vehicles; to provide for certain powers and duties of certain state departments; and to provide remedies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act:

2 (a) "Dealer" means a person or entity that sells farm vehicles
3 in the regular course of business.

4 (b) "Farm vehicle" means a tractor or self-propelled vehicle
5 that is designed for agricultural purposes and not primarily for
6 highway travel.

7 (c) "Used farm vehicle" means a farm vehicle that has been the

1 subject of at least 1 prior retail sale.

2 Sec. 2. For each retail sale of a used farm vehicle, a dealer
3 shall provide the buyer with a form that includes, at a minimum,
4 all of the following information:

5 (a) The make, model, year of manufacture, and vehicle
6 identification number of the used farm vehicle.

7 (b) A statement that the used farm vehicle is, or is not,
8 covered by a warranty.

9 (c) A statement that the used farm vehicle is, or is not, sold
10 "as is".

11 Sec. 3. The secretary of state shall develop and make
12 available the form required under section 2. The form may also
13 include, or request that the dealer provide, 1 or more of the
14 following:

15 (a) Notice of the advisability of having the used farm vehicle
16 inspected before purchase.

17 (b) Notice of any service contract covering the used farm
18 vehicle that may be purchased from the dealer or the manufacturer.

19 (c) A description of the warranty coverage and limitations.

20 (d) Other information that the secretary of state believes
21 would help a retail buyer make an informed decision regarding the
22 purchase of a used farm vehicle.

23 Sec. 4. (1) If a dealer fails to provide the form required
24 under section 2 or if the information required under section 2 is
25 incorrect or omitted, the retail buyer of a used farm vehicle may
26 rescind the sale at any time up to 2 years after the sale date and
27 the dealer shall refund the full purchase price.

1 (2) This section does not apply to a sale that takes place
2 before the effective date of this act.