

**UNIFORM COMMERCIAL CODE (EXCERPT)**  
**Act 174 of 1962**

**440.9602 Waiver and variance of rights and duties.**

Sec. 9602. Except as otherwise provided in section 9624, to the extent that they give rights to a debtor or obligor and impose duties on a secured party, the debtor or obligor may not waive or vary the rules stated in the following listed sections:

- (a) Section 9207(2)(d)(iii), which deals with use and operation of the collateral by the secured party.
- (b) Section 9210, which deals with requests for an accounting and requests concerning a list of collateral and statement of account.
- (c) Section 9607(3), which deals with collection and enforcement of collateral.
- (d) Sections 9608(1) and 9615(3) to the extent that they deal with application or payment of noncash proceeds of collection, enforcement, or disposition.
- (e) Sections 9608(1) and 9615(4) to the extent that they require accounting for or payment of surplus proceeds of collateral.
- (f) Section 9609 to the extent that it imposes upon a secured party that takes possession of collateral without judicial process the duty to do so without breach of the peace.
- (g) Sections 9610(2), 9611, 9613, and 9614, which deal with disposition of collateral.
- (h) Section 9615(6), which deals with calculation of a deficiency or surplus when a disposition is made to the secured party, a person related to the secured party, or a secondary obligor.
- (i) Section 9616, which deals with explanation of the calculation of a surplus or deficiency.
- (j) Sections 9620, 9621, and 9622, which deal with acceptance of collateral in satisfaction of obligation.
- (k) Section 9623, which deals with redemption of collateral.
- (l) Section 9624, which deals with permissible waivers.
- (m) Sections 9625 and 9626, which deal with the secured party's liability for failure to comply with this article.

**History:** Add. 2000, Act 348, Eff. July 1, 2001.