

FIRST REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 281

95TH GENERAL ASSEMBLY

0229L.03P

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 407, RSMo, by adding thereto one new section relating to motor vehicle dealerships.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 407, RSMo, is amended by adding thereto one new section, to be
2 known as section 407.584, to read as follows:

**407.584. 1. Any motor vehicle manufacturer selling new motor vehicles in this state
2 that requires warranty work and repairs to be completed by a dealership or motor vehicle
3 repair facility that is authorized by the manufacturer to perform such warranty work or
4 repairs and the authorized dealership or motor vehicle repair facility discontinues doing
5 such warranty work or repairs and no other authorized dealership or motor vehicle repair
6 facility is located within seventy-five miles of that dealership or repair facility then the
7 manufacturer shall allow another dealership or motor vehicle repair facility that is
8 certified by the National Institute for Automotive Service Excellence and located within
9 seventy-five miles of the current dealership or motor vehicle repair facility that is
10 discontinuing doing such warranty work for the manufacturer.**

**11 2. For purposes of this section, a new motor vehicle is defined as any motor vehicle
12 being transferred for the first time from a manufacturer, distributor, or new vehicle dealer,
13 which has not been registered or titled in this state or any other state and which is offered
14 for sale, barter, or exchange by a dealer who is franchised to sell, barter, or exchange that
15 particular make of new motor vehicle. The term "new motor vehicle" shall include only
16 those vehicles propelled by power other than muscular power, but the term shall not
17 include vehicles used as a commercial motor vehicle, off-road vehicles, mopeds,**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 motorcycles, or recreational motor vehicles as defined in section 301.010, RSMo, except for
19 the chassis, engine, and power train of commercial motor vehicles and recreational motor
20 vehicles. The term "new motor vehicle" shall also include demonstrators or lease-purchase
21 vehicles as long as a manufacturer's warranty was issued as a condition of sale.

22 **3. Any dealership or repair facility completing warranty work and repairs for the**
23 **manufacturer shall use original equipment manufacturer parts if required by the**
24 **manufacturer to retain the warranty unless the original equipment manufacturer parts will**
25 **not arrive within five business days. If the original equipment parts will not arrive within**
26 **five business days, aftermarket parts may be used but only if they would arrive prior to the**
27 **original equipment parts.**

28 **4. Under this section, the use of aftermarket parts shall not void the manufacturer**
29 **warranty nor shall aftermarket parts be covered by the manufacturer warranty.**

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