

(S. B. 11)

**(No. 6)**

(Approved May 6, 2005)

**AN ACT**

To amend Sections 3, 6, and 7 of subsection (b) of Act No. 7 of September 24, 1979, as amended, known as the “Motor Vehicles Warranty Act,” to modify the length of warranty that the manufacturer is required to offer.

**STATEMENT OF MOTIVES**

The present Motor Vehicles Warranty Act offers a double standard, since the manufacturer may offer the same warranty as in the United States or in the country of origin, even if it is a shorter warranty than that offered in the United States without violating the law, which attempts against the best interests of the Puerto Rican consumers, as the manufacturer may offer a lower warranty and still would be complying with the law.

It is the intention of the Honorable Legislature to broaden the purposes that led to the approval of Act No. 7, *supra*, in order to require the manufacturers and makers to recognize the longest warranty among those granted in other world countries, to the purchasers of new motor vehicles in Puerto Rico.

This Legislature deems it necessary to amend the present Act in favor of the Puerto Rican consumer.

**BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:**

Section 1.- Sections 3, 6, and 7 of subsection (b) of Act No. 7 of September 24, 1979, as amended, are hereby amended, to read as follows:

“Section 1.- ...

Section 2.- ...

Section 3.- It is the main purpose of this Act to protect the consumer of new motor vehicles of Puerto Rico by guaranteeing to him that the motor vehicles he/she acquires shall have the same factory warranty granted by the maker or manufacturer to such motor vehicles in any part of the world, provided that it shall always be that of the broadest scope and extension in terms of benefits, regardless of where or from whom the consumer acquires said vehicle and that the maker or manufacturer shall render the warranty services in Puerto Rico.

Likewise, it is the purpose of this chapter to look after for the interests of consumers to be safeguarded before the interests of the manufacturer, distributor, or seller, as these terms are defined in this Act.

Section 4.- ...

Section 5.- ...

Section 6.- The factory warranty to be extended and honored in Puerto Rico may not be inferior in its terms and conditions to that extended by the maker or manufacturer for the benefit of the consumer in any part of the world, provided that it shall always be that of the broadest scope and extension in terms of benefits. The manufacturer, distributor or seller shall be bound to submit to the Department of Consumers Affairs copy of the warranty to be offered to the consumer as provided herein, with its respective Spanish translation, without further cost to the consumer. This rule shall be exempted from the provisions of Act No. 1 of 1993.

Section 7.- (a)

(b) Submit to the Department of Consumer Affairs a true and exact copy of the written factory warranty extended to its motor vehicles in Puerto Rico; the name and address of the place or places in Puerto Rico in

which said factory warranties shall be honored; a list of requirements and conditions regarding the rendering of factory warranty service that authorized distributors shall meet in order to obtain their franchise or concession of the maker or manufacturer; the requirements and condition to which the rendering of the factory warranty services shall be circumscribed and the standards of payment required to honor factory warranties and the name and address of their factory representative. In addition, he/she shall submit to the Department of Consumer Affairs a true and exact copy of the factory warranty extended from the continental United States and the country or place that recognize the highest warranty available in its terms and conditions. The Department of Consumer Affairs shall ascertain that the same comply with the standards and requirements established in this chapter and the regulations adopted thereunder.”

Section 2.- This Act shall take effect immediately after its approval.

## CERTIFICATION

I hereby certify to the Secretary of State that the following Act No. 6 (S.B. 11) of the 1<sup>st</sup> Session of the 15<sup>th</sup> Legislature of Puerto Rico:

**AN ACT** to amend Sections 3, 6, and 7 of subsection (b) of Act No. 7 of September 24, 1979, as amended, known as the “Motor Vehicles Warranty Act,” to modify the length of warranty that the manufacturer is required to offer,

has been translated from Spanish to English and that the English version is correct.

In San Juan, Puerto Rico, today 19<sup>th</sup> of September of 2005.

Francisco J. Domenech  
Director