

(S. B. 957)
(Conference)

(No. 152)

(Approved August 8, 2006)

AN ACT

To amend Sections 3 and 6, and subsection (b) of Section 7 of Act No. 7 of September 24, 1979, as amended, known as the “Motor Vehicles Warranty Act,” to limit the level of warranty provided by makers or manufacturers to that which is offered in the United States.

STATEMENT OF MOTIVES

At present, the Motor Vehicles Warranty Act provides that consumers who acquire a new vehicle in Puerto Rico shall enjoy warranties of a greater scope and extension of benefits than those offered by the makers or manufacturers in the United States or anywhere else in the world. In order to adjust the warranties to be offered, it is necessary to limit in geographical terms the benefits to be granted with respect to the same so that the consumer who acquires a motor vehicle may enjoy the same warranties that the maker or manufacturer provides in the United States.

It is the intention of this Honorable Legislature to maintain the extent of the guarantees, but to restrict their scope geographically without diminishing the benefits granted to the Puerto Rican consumer by virtue of this Act.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.- Section 3 of Act No. 7 of September 24, 1979, as amended, is hereby amended to read as follows:

“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/her that the motor

vehicles he/she acquires shall have the same factory warranty granted by the makers or manufacturers to such motor vehicles in the continental United States, and 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 makers or manufacturers shall render the factory warranty services in a location in Puerto Rico.

Likewise, it is the purpose of this chapter to look after 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 2.- Section 6 of Act No. 7 of September 24, 1979, as amended, is hereby amended to read as follows:

“Section 6.- The factory warranty to be granted and honored in Puerto Rico may not be inferior in its terms and conditions to the warranty granted by the makers or manufacturers to the benefit of consumers in the continental United States, 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 Consumer Affairs a 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 3.- Section 7 of Act No. 7 of September 24, 1979, as amended, is hereby amended to read as follows:

“Section 7.- (a) ...

(b) Submit to the Department of Consumer Affairs a true and exact copy of the written factory warranty that is granted 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 services that authorized distributors shall meet in order to obtain their franchise or concession from the maker or manufacturer; the requirements and conditions 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 that is granted from the continental United States where the highest warranty available in its terms and conditions is recognized. The Department of Consumer Affairs shall ascertain that the same complies with the standards and requirements established in this chapter and the regulations adopted thereunder.”

Section 4.- This Act shall take effect immediately after its approval.

CERTIFICATION

I hereby certify to the Secretary of State that the following Act No. 152 (S.B. 957) (Conference) of the 3th Session of the 15th Legislature of Puerto Rico:

AN ACT to amend Sections 3 and 6, and subsection (b) of Section 7 of Act No. 7 of September 24, 1979, as amended, known as the “Motor Vehicles Warranty Act,” to limit the level of warranty provided by makers or manufacturers to that which is offered in the United States,

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

In San Juan, Puerto Rico, today 13th of July of 2007.

Francisco J. Domenech
Director