

**SB2422**



**95TH GENERAL ASSEMBLY**

**State of Illinois**

**2007 and 2008**

**SB2422**

Introduced 2/15/2008, by Sen. Ira I. Silverstein

**SYNOPSIS AS INTRODUCED:**

815 ILCS 380/2

from Ch. 121 1/2, par. 1202

Amends the New Vehicle Buyer Protection Act. Includes vehicles purchased by a fire department, fire protection district, or township fire department in the definition of "vehicle" and includes a fire department, fire protection district, or township fire department in the definition of "consumer".

LRB095 19741 LCT 46111 b

**A BILL FOR**

1 AN ACT concerning business.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The New Vehicle Buyer Protection Act is amended  
5 by changing Section 2 as follows:

6 (815 ILCS 380/2) (from Ch. 121 1/2, par. 1202)

7 Sec. 2. Definitions. For the purposes of this Act, the  
8 following words have the meanings ascribed to them in this  
9 Section.

10 (a) "Consumer" means an individual who purchases or leases  
11 for a period of at least one year a new vehicle from the seller  
12 for the purposes of transporting himself and others, as well as  
13 their personal property, for primarily personal, household or  
14 family purposes or a fire department, fire protection district,  
15 or township fire department that purchases or leases for a  
16 period of at least one year a new vehicle from the seller.

17 (b) "Express warranty" has the same meaning, for the  
18 purposes of this Act, as it has for the purposes of the Uniform  
19 Commercial Code.

20 (c) "New vehicle" means a passenger car, as defined in  
21 Section 1-157 of The Illinois Vehicle Code, a motor vehicle of  
22 the Second Division having a weight of under 8,000 pounds, as  
23 defined in Section 1-146 of that Code, a vehicle purchased by a

1 fire department, a fire protection district, or a township fire  
2 department, and a recreational vehicle, except for a camping  
3 trailer or travel trailer that does not qualify under the  
4 definition of a used motor vehicle, as set forth in Section  
5 1-216 of that Code.

6 (d) "Nonconformity" refers to a new vehicle's failure to  
7 conform to all express warranties applicable to such vehicle,  
8 which failure substantially impairs the use, market value or  
9 safety of that vehicle.

10 (e) "Seller" means the manufacturer of a new vehicle, that  
11 manufacturer's agent or distributor or that manufacturer's  
12 authorized dealer. "Seller" also means, with respect to a new  
13 vehicle which is also a modified vehicle, as defined in Section  
14 1-144.1 of The Illinois Vehicle Code, as now or hereafter  
15 amended, the person who modified the vehicle and that person's  
16 agent or distributor or that person's authorized dealer.  
17 "Seller" also means, with respect to leased new vehicles, the  
18 manufacturer, that manufacturer's agent or distributor or that  
19 manufacturer's dealer, who transfers the right to possession  
20 and use of goods under a lease.

21 (f) "Statutory warranty period" means the period of one  
22 year or 12,000 miles, whichever occurs first after the date of  
23 the delivery of a new vehicle to the consumer who purchased or  
24 leased it.

25 (g) "Lease cost" includes deposits, fees, taxes, down  
26 payments, periodic payments, and any other amount paid to a

1 seller by a consumer in connection with the lease of a new  
2 vehicle.

3 (Source: P.A. 89-375, eff. 8-18-95.)