



Sen. Michael W. Halpin

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10400HB2338sam001

LRB104 11924 SPS 26029 a

1 AMENDMENT TO HOUSE BILL 2338

2 AMENDMENT NO. _____. Amend House Bill 2338 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Motor Vehicle Retail Installment Sales Act
5 is amended by adding Section 9.04 as follows:

6 (815 ILCS 375/9.04 new)

7 Sec. 9.04. Warranty disclosures for third-party motor
8 vehicle warranties.

9 (a) As used in this Section, "third-party motor vehicle
10 warranty" means an additional warranty, extended service
11 contract, or vehicle protection plan provided by an entity
12 that is not the manufacturer of a vehicle.

13 (b) A seller that sells or offers for sale a third-party
14 motor vehicle warranty shall, upon the request of the
15 consumer, provide to the consumer:

16 (1) a copy of the third-party motor vehicle warranty

1 contract; and

2 (2) a written disclosure clarifying that all claim
3 approvals and coverage determinations are made solely by
4 the third-party motor vehicle warranty provider, not the
5 seller.

6 (c) A seller shall be deemed to have satisfied the
7 requirements of subsection (b) if the seller provides the
8 consumer:

9 (1) a completed Federal Trade Commission Buyers Guide,
10 as required under 16 CFR 455; and

11 (2) upon request of the consumer, a copy of the
12 third-party motor vehicle warranty contract and a written
13 disclosure that satisfies the requirements of paragraph
14 (2) of subsection (b).

15 (d) A seller does not violate this Section if:

16 (1) the third-party motor vehicle warranty provider
17 denies a claim made under the third-party motor vehicle
18 warranty; or

19 (2) the third-party motor vehicle warranty provider
20 makes any errors, omissions, or changes in its description
21 of the coverage terms, costs, or conditions of the
22 third-party motor vehicle warranty."