



Rep. Rita Mayfield

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10400HB2338ham004

LRB104 11924 SPS 24358 a

1 AMENDMENT TO HOUSE BILL 2338

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

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

7 (815 ILCS 375/9.04 new)

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

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

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

1 (1) a copy of the third-party motor vehicle warranty
2 contract; and

3 (2) a written disclosure provided by the third-party
4 motor vehicle warranty provider summarizing all costs that
5 the consumer may be responsible for under the third-party
6 motor vehicle warranty, including, but not limited to:

7 (A) any deductibles, co-pays, or service fees for
8 a covered repair;

9 (B) any maximum coverage limits or caps on
10 reimbursements;

11 (C) any costs or services that are not covered
12 that may result in out-of-pocket expenses; and

13 (D) a statement clarifying that all claim
14 approvals and coverage determinations are made solely
15 by the third-party motor vehicle warranty provider,
16 not the seller.

17 (c) A seller shall be deemed to have satisfied the
18 requirements of subsection (b) if the dealer provides the
19 consumer:

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

22 (2) upon request of the consumer, a copy of the
23 third-party motor vehicle warranty contract and a written
24 disclosure that satisfies the requirements of paragraph
25 (2) of subsection (b).

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

1 (1) the third-party motor vehicle warranty provider
2 denies a claim made under the third-party motor vehicle
3 warranty; or

4 (2) the third-party motor vehicle warranty provider
5 makes any errors, omissions, or changes in its description
6 of the coverage terms, costs, or conditions of the
7 third-party motor vehicle warranty."