

# Consumer Affairs

**Commission** of Alameda County ▪ 1221 Oak Street, Suite 536 ▪ Oakland ▪ CA 94607 ▪ (510) 208-9672

February 25, 2013

**TO:** The Federal Trade Commission

**FROM:** The Alameda County Consumer Affairs Commission

**RE:** **Proposed changes of regulations related to the sale of used motor vehicles**

Dear Sir or Madam:

It is the understanding of this Commission that the Federal Trade Commission is proposing changes in regards to regulations concerning used car sales. It is the position of the Alameda County Consumer Affairs Commission to oppose the changes being presented forward that do not add additional protection for consumers, or that would void local or state protections already in place.

We believe that all consumers have a right to full disclosure when making a purchase. This would include warranties both available to the buyer and those remaining from the vehicle manufacturer.

Failure to disclose remaining warranties hinders the buyer's ability to make informed purchasing decisions.

In regards to the proposed "AS-IS" sales language: Although most vehicles sold are sold as-is, some localities and states, including California, require a warranty be provided when a consumer purchases a vehicle from a Buy Here Pay Here lot. This was implemented to protect the most at-risk consumers, so that they are not paying weekly or monthly for a completely unreliable vehicle.

It is the opinion of the commission that a used car dealer has an obligation to inspect a vehicle and to disclose known defects prior to sale of the vehicle. We further support that this inspection be documented by the selling dealer and that the findings be disclosed to the consumer. This should include basic safety item as well as items that do not function in the vehicle. Excusing dealers from this would be a disservice to the consumer.

Sincerely,

The Alameda County Consumer Affairs Commission.