



**AUTO ALLIANCE**  
**DRIVING INNOVATION®**

March 16, 2015

Donald S. Clark  
Secretary  
Federal Trade Commission  
Office of the Secretary  
600 Pennsylvania Avenue, N.W.  
Suite CC-5610 (Annex A)  
Washington, DC 20580

**Re.:** Used Car Rule Regulatory Review, 16 C.F.R. Part 455, Project No. P087604

**Ref.:** [1] 77 Fed. Reg. 74746 dated December 17, 2012; same subject  
[2] 79 Fed. Reg. 70804 dated November 28, 2014; same subject

**Electronic Docket:** <https://ftcpublic.commentworks.com/ftc/usedcarrulesnprm>

On behalf of the members of the Alliance of Automobile Manufacturers, Inc., who are BMW Group, FCA US LLC, Ford Motor Company, General Motors Company, Jaguar Land Rover, Mazda, Mercedes-Benz USA, Mitsubishi Motors, Porsche, Toyota, Volkswagen, and Volvo Cars, this letter responds to the supplemental notice of proposed rulemaking ("SNPRM") issued by the Federal Trade Commission ("FTC" or "Commission"). The SNPRM proposes changes to the Commission's Used Vehicle Trade Regulation Rule ("Used Car Rule" or "Rule"), which requires dealers to post a Buyer's Guide in every used car they offer for sale.

The SNPRM states that the FTC is not adopting any final amendments to its Used Car Rule at this time; rather, it seeks additional comments on its proposal. Further, the SNPRM states that the Commission will continue to consider comments submitted in response to its December 2012 Notice of Proposed Rulemaking ("NPRM").

The purpose of these comments is to advocate that the required Buyer's Guide encourage consumers to check for outstanding recalls.

To this end, the Alliance recommends that the Buyer's Guide be amended to include a statement that safety recall information may be obtained through a free, online search tool maintained by DOT's National Highway Traffic Safety Administration. The search tool is available on many manufacturers' websites and at <https://vinrcl.safercar.gov/vin/>. By entering a vehicle's Vehicle Identification Number, often known as a "VIN", the tool provides prospective used car buyers with a fast and easy way to determine if the vehicle they are considering purchasing has uncompleted recalls.

Specifically, the Alliance recommends that the Buyer's Guide be amended to include the following statement as and where indicated in the attachment to these comments:

"SAFETY RECALLS: FOR INFORMATION ON ANY UNREMEDIED SAFETY RECALLS GO TO THE U.S. DOT WEBSITE <HTTPS://VINRCL.SAFERCAR.GOV/VIN/>. IF NEEDED, ASK THE DEALER FOR ASSISTANCE IN DOING SO."

The Alliance and its Members continue to encourage consumers who have received a recall notice to have their recalled vehicles serviced as soon as possible. Amending the Buyer's Guide as recommended herein would help to increase recall completion rates.

The Alliance appreciates the Commission's consideration of these comments and would be pleased to provide any additional information needed.

Sincerely,

**ALLIANCE OF AUTOMOBILE MANUFACTURERS, INC.**

Robert Strassburger  
Vice President  
Vehicle Safety & Harmonization

Attachment

# BUYERS GUIDE

**IMPORTANT:** Spoken promises are difficult to enforce. Ask the dealer to put all promises in writing. Keep this form.

VEHICLE MAKE \_\_\_\_\_ MODEL \_\_\_\_\_ YEAR \_\_\_\_\_ VIN NUMBER \_\_\_\_\_

DEALER STOCK NUMBER (Optional) \_\_\_\_\_

## WARRANTIES FOR THIS VEHICLE:

**AS IS - NO WARRANTY**

**YOU WILL PAY ALL COSTS FOR ANY REPAIRS.** The dealer assumes no responsibility for any repairs regardless of any oral statements about the vehicle.

**WARRANTY**

- FULL**     **LIMITED WARRANTY.** The dealer will pay \_\_\_% of the labor and \_\_\_% of the parts for the covered systems that fail during the warranty period. Ask the dealer for a copy of the warranty document for a full explanation of warranty coverage, exclusions, and the dealer's repair obligations. Under state law, "implied warranties" may give you even more rights.

**SYSTEMS COVERED:**

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**DURATION:**

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**SAFETY RECALLS: FOR INFORMATION ON ANY UNREMEDIED SAFETY RECALLS GO TO THE U.S. DOT WEBSITE [HTTPS://VINRCL.SAFERCAR.GOV/VIN/](https://vinrcl.safercar.gov/vin/). IF NEEDED, ASK THE DEALER FOR ASSISTANCE IN DOING SO.**

- SERVICE CONTRACT.** A service contract is available at an extra charge on this vehicle. Ask for details as to coverage, deductible, price, and exclusions. If you buy a service contract within 90 days of the time of sale, state law "implied warranties" may give you additional rights.

**PRE PURCHASE INSPECTION: ASK THE DEALER IF YOU MAY HAVE THIS VEHICLE INSPECTED BY YOUR MECHANIC EITHER ON OR OFF THE LOT.**

**SEE THE BACK OF THIS FORM** for important additional information, including a list of some major defects that may occur in used motor vehicles.

# BUYERS GUIDE

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VEHICLE MAKE \_\_\_\_\_ MODEL \_\_\_\_\_ YEAR \_\_\_\_\_ VIN NUMBER \_\_\_\_\_

DEALER STOCK NUMBER (Optional) \_\_\_\_\_

## WARRANTIES FOR THIS VEHICLE:

### IMPLIED WARRANTIES ONLY

This means that the dealer does not make any specific promises to fix things that need repair when you buy the vehicle or after the time of sale. But, state law "implied warranties" may give you some rights to have the dealer take care of serious problems that were not apparent when you bought the vehicle.

### WARRANTY

- FULL     LIMITED WARRANTY. The dealer will pay \_\_\_% of the labor and \_\_\_% of the parts for the covered systems that fail during the warranty period. Ask the dealer for a copy of the warranty document for a full explanation of warranty coverage, exclusions, and the dealer's repair obligations. Under state law, "implied warranties" may give you even more rights.

SYSTEMS COVERED:

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DURATION:

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**SEE THE BACK OF THIS FORM for important additional information, including a list of some major defects that may occur in used motor vehicles.**

**Below is a list of some major defects that may occur in used motor vehicles.**

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**Frame & Body**

Frame-cracks, corrective welds, or rusted through  
Dog tracks—bent or twisted frame

**Engine**

Oil leakage, excluding normal seepage  
Cracked block or head  
Belts missing or inoperable  
Knocks or misses related to camshaft lifters and push rods  
Abnormal exhaust discharge

**Transmission & Drive Shaft**

Improper fluid level or leakage, excluding normal seepage  
Cracked or damaged case which is visible  
Abnormal noise or vibration caused by faulty transmission or drive shaft  
Improper shifting or functioning in any gear  
Manual clutch slips or chatters

**Differential**

Improper fluid level or leakage excluding normal seepage  
Cracked or damaged housing which is visible  
Abnormal noise or vibration caused by faulty differential

**Cooling System**

Leakage including radiator  
Improperly functioning water pump

**Electrical System**

Battery leakage  
Improperly functioning alternator, generator, battery, or starter

**Fuel System**

Visible leakage

**Inoperable Accessories**

Gauges or warning devices  
Air conditioner  
Heater & Defroster

**Brake System**

Failure warning light broken  
Pedal not firm under pressure (DOT spec.)  
Not enough pedal reserve (DOT spec.)  
Does not stop vehicle in straight line (DOT spec.)  
Hoses damaged  
Drum or rotor too thin (Mfgr. Specs)  
Lining or pad thickness less than 1/32 inch  
Power unit not operating or leaking  
Structural or mechanical parts damaged

**Steering System**

Too much free play at steering wheel (DOT specs.)  
Free play in linkage more than 1/4 inch  
Steering gear binds or jams  
Front wheels aligned improperly (DOT specs.)  
Power unit belts cracked or slipping  
Power unit fluid level improper

**Suspension System**

Ball joint seals damaged  
Structural parts bent or damaged  
Stabilizer bar disconnected  
Spring broken  
Shock absorber mounting loose  
Rubber bushings damaged or missing  
Radius rod damaged or missing  
Shock absorber leaking or functioning improperly

**Tires**

Tread depth less than 2/32 inch  
Sizes mismatched  
Visible damage

**Wheels**

Visible cracks, damage or repairs  
Mounting bolts loose or missing

**Exhaust System**

Leakage

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DEALER

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ADDRESS

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SEE FOR COMPLAINTS

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**IMPORTANT: The information on this form is part of any contract to buy this vehicle. Removal of this label before consumer purchase (except for purpose of test-driving) is a violation of federal law (16 C.F.R. 455).**