

# Consumer Action

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June 27, 2013

Honorable Richard Gordon  
Chair, Assembly Business, Professions and Consumer Protections Committee  
State Capitol, Room 4126  
Sacramento, CA 95814

**Re: Support SB 686 (Jackson) – Used Vehicle Recall Repair Mandate**

Dear Assembly Member Gordon:

Consumer Action is pleased to support SB 686, which would prohibit auto dealers from selling unsafe, unrepaired recalled vehicles to consumers.

Most car buyers would not expect that a car they bought through a dealership could still have an unrepaired safety recall lurking. Yet this is the case for some used car buyers. Incredibly, a used car dealer is allowed to sell a car as a "certified" used car even if it has an open safety recall. SB 686 would prohibit dealers from ignoring these vital safety issues and require safety recalls to be repaired prior to the vehicle's sale or lease.

According to the National Highway Traffic Safety Administration, "All safety recalls resulting from defects present an unreasonable risk to safety and we believe it is inappropriate to suggest that some defects are not risky enough to require repair. For the safety of the motoring public, all recalled vehicles should be fixed promptly."

Sadly, some dealerships do not contact the manufacturer to fix safety recalls. This is either because they prefer not to bother with the unprofitable activity of checking safety recall information, or, in extreme cases, because they choose to ignore this information. In either case, a car buyer should never be sent them down the road in a vehicle which, unbeknownst to him, presents a danger to himself and his passengers.

Consumers' safety is needlessly placed in jeopardy when auto dealers sell vehicles with unrepaired safety defects. In some documented cases, vehicles caught fire. Another had an axle that broke and caused the vehicle to flip over.

Conscientious auto dealerships already check to verify that safety recalls have been repaired; the very modest burden SB 686 would impose would fall chiefly on less scrupulous dealers, which would serve to level the playing field for those dealerships who place a greater value on the safety of their customers.

We are excited for California to enact this first-in-the-nation legislation, and urge SB

686's passage.

Sincerely,

Joe Ridout  
California Legislative Coordinator  
Consumer Action