NEW MOTOR VEHICLE DAMAGE DISCLOSURE ACT
Act of 2000, P.L. 30, No. 8
AN ACT

requiring disclosure of new motor vehicle damage; and providing
for enforcement.

The General Assembly of the Commonwealth of Pennsylvania
hereby enacts as follows:

Section 1. Short title.
This act shall be known and may be cited as the New Motor
Vehicle Damage Disclosure Act.

Section 2. Definitions.
The following words and phrases when used in this act shall
have the meanings given to them in this section unless the
context clearly indicates otherwise:

"Damage." Any physical harm sustained or incurred by a new
motor vehicle, whether repaired or replaced.

"Motor vehicle." Any self-propelled, motorized conveyance
designed to transport not more than 15 persons.

"New motor vehicle." A motor vehicle, regardless of mileage,
which has never been registered or titled to an ultimate
purchaser in this Commonwealth or any other state or
jurisdiction or which has not been sold or bargained to or
exchanged with an ultimate purchaser or which has not been given
away. A transfer between dealers for the purpose of resale shall
not be considered as a transfer to an ultimate purchaser.

Section 3. New motor vehicle damage disclosure.

(a) Notice to purchaser.--A motor vehicle dealer shall
notify the purchaser of a new motor vehicle in writing at the
time of sale of any damage or damage repairs incurred by the new
motor vehicle, regardless of whether the damaged portion was
repaired or replaced to its predamaged condition, which exceeds
the greater of $500 or 3% of the manufacturer's suggested retail
price. Damage exceeding the disclosure amount shall be disclosed
by the dealer when:

(1) the manufacturer or its agent, in accordance with
the act of December 22, 1983 (P.L.306, No.84). Known as the
Board of Vehicles Act, discloses that, at any time after the
manufacturing process is complete, damage occurred or damage
repairs were made;

(2) the dealer knows or should know based on facts
indicating that other damage or damage repair exists in
addition to the damage or repairs required to be disclosed
under paragraph (1); or

(3) the combined total of damage or damage repairs made
under paragraphs (1) and (2) exceeds the amount specified in
this section.

The dealer shall not misrepresent or mislead a purchaser if the
purchaser inquires about the existence of damage or damage
repairs made.

(b) Damage repair cost calculation.--In determining whether
damage disclosure is required, repair costs shall be calculated
at the new motor vehicle dealer's retail charge on the date the
repairs were made for:

(1) Parts.

(2) Labor multiplied by the time taken to make the
repairs as established by a time allowance based on the
standard retail repair practices regularly employed by that
dealer.
All parts shall be replaced only with new, original equipment
manufacturer parts. Replacement of any permanently sealed glass
window shall be disclosed to the purchaser regardless of the
cost of the replacement window. The value of any permanently
sealed glass window replacement shall not be included in the
calculation process to determine whether damage disclosure is
required under this act. The value of any portion of a motor
home designed, used or maintained primarily for human habitation
shall not be included in the calculation process to determine
whether damage disclosure is required under this act.

(c) Form for damage disclosure notice.—If damage disclosure
to the purchaser is required under this act, the purchaser prior
to the time of sale shall be provided with a fully completed
copy of a damage disclosure form which shows the date of the
disclosure and the name and address of the seller, indicates
whether any manufacturer's warranty applicable to the vehicle is
affected by the damage or damage repairs and whether the damage
or damage repairs are covered by any manufacturer's warranty and
contains in immediate proximity to the space provided for the
signature of the purchaser, in boldface type of a minimum size
of ten points, a statement in substantially the following form:

New Vehicle Damage Disclosure Notice
In accordance with the Commonwealth of Pennsylvania’s New Motor
Vehicle Damage Disclosure Act and in connection with the
purchase from ______________________ (Dealer) of the motor
vehicle described as follows:
Year __________________ Make __________________ Type __________________
Serial No __________________ Stock No __________________
I/we the undersigned, hereby acknowledge that Dealer
has disclosed to me/us before I/we agreed to purchase
the above listed motor vehicle that the motor
vehicle has been subjected to postmanufacturing
damage as follows:
Damage Description __________________

____________________________
____________________________
The above disclosed damage or repaired damage is:
( ) covered ( ) not covered (check one)
by the manufacturer's warranty.
The above disclosed damage or repaired damage has
(check one):
( ) no effect on the manufacturer's warranty
( ) the following effect on the manufacturer's warranty
(specify) __________________
I/we further acknowledge that the listed damage has
been repaired to my/our satisfaction.
Date __________________

Signature of Purchaser __________________ Signature of Co Purchaser __________________
Printed Name __________________ Printed Name __________________

Signature of Dealer Representative
Section 4. No rescission of sale.

If disclosure is not required under this act, a purchaser may
not revoke or rescind a sales contract and is not entitled to
other damages or relief under section 8 due solely to the fact
that the new motor vehicle was damaged and repaired prior to the
sale.

Section 5. Other statutory rights reserved.
Nothing in this act shall diminish any other rights or
remedies which the purchaser has under the act of March 31, 1984
(P.L.150, No.28), known as the Automobile Lemon Law, as amended,
repealed or superseded. If damage is not required to be
disclosed under this act, nothing in this act shall diminish any
rights or remedies which the purchaser has for that damage under
13 Pa.C.S. (relating to commercial code).

Section 6. Board of Vehicles Act inapplicable.
Section 10(b) of the act of December 22, 1983 (P.L.306,
No.84), known as the Board of Vehicles Act, shall not apply and
is superseded by this act.

Section 7. Exemptions.
The provisions of this act shall not apply to manufacturers,
distributors or dealers of manufactured housing or the
following:

(1) Manufacturers, distributors or dealers of
motorcycles.

(2) A new motor vehicle, the current ownership document
for which is a certificate of salvage issued under 75 Pa.C.S.
(relating to vehicles) or similar document issued by another
state or jurisdiction, if the purchaser is furnished with a
copy of the certificate of salvage or similar document or is
otherwise notified of the salvage or reconstructed nature of
the motor vehicle pursuant to statute or regulation.

Section 8. Application of Consumer Protection Law.
A violation of this act shall constitute a violation under
the act of December 17, 1968 (P.L.1224, No.387), known as the
Unfair Trade Practices and Consumer Protection Law, and shall be
subject to the enforcement provisions and private rights of
action contained in that act.

Section 9. Effective date.
This act shall take effect in 60 days.