

Amend CSSB 2065 (house committee report) as follows:

(1) On page 1, line 5, strike "PRODUCTS".

(2) Add the following appropriately numbered SECTION to Article 1 of the bill and renumber subsequent SECTIONS of that article accordingly:

SECTION 1.____. Subchapter H, Chapter 2301, Occupations Code, is amended by adding Section 2301.364 to read as follows:

Sec. 2301.364. PROHIBITION: SALE OF RECALLED VEHICLES. (a)

In this section:

(1) "Defect" and "motor vehicle safety" have the meanings assigned by 49 U.S.C. Section 30102.

(2) "Repair facility" means a facility in which a person repairs or replaces the mechanical or nonmechanical parts of a damaged motor vehicle.

(b) A dealer with a repair facility on the business premises of the dealer may not sell or offer to sell a used motor vehicle that contains a defect related to motor vehicle safety or that does not comply with applicable federal motor vehicle safety standards about which notice was given under 49 U.S.C. Section 30118(c) or an order was issued under 49 U.S.C. Section 30118(b).

(c) A violation of this section is a false, misleading, or deceptive act or practice within the meaning of Section 17.46, Business & Commerce Code, and is actionable in a public or private suit brought under Subchapter E, Chapter 17, Business & Commerce Code.