

FORTY-SIXTH LEGISLATURE  
FIRST SESSION, 2003

February 18, 2003

Mr. Speaker:

Your BUSINESS AND INDUSTRY COMMITTEE, to whom has been referred

HOUSE BILL 31

has had it under consideration and reports same with recommendation that it DO PASS, amended as follows:

1. On page 1, line 11, after the semicolon insert "DEFINING WILLFUL MISREPRESENTATION IN A MOTOR VEHICLE SALE; REQUIRING REASONABLE INSPECTION AND DISCLOSURE BEFORE MAKING A USED MOTOR VEHICLE SALE;".

2. On page 1, line 13, strike "SECTIONS" and insert in lieu thereof "A SECTION".

3. On page 2, between lines 21 and 22, insert the following new Subsection E to read:

"E. A seller of a motor vehicle shall conduct a reasonable inspection of a used motor vehicle before offering it for sale. The seller shall disclose in writing to the purchaser before the sale is completed any material mechanical defect discovered that renders the motor vehicle mechanically unsound, unsafe or inoperable."

4. Reletter succeeding subsections accordingly.

5. On page 2, strike lines 22 through 25 in their entirety and insert in lieu thereof:

"F. Notwithstanding the provisions of Subsection D of Section 57-12-10 NMSA 1978, the award of three times actual damages as provided for in that section shall be in lieu of any award of punitive".

6. On page 3, strike lines 3 through 25 in their entirety.

7. Reletter the succeeding subsection accordingly.

8. On page 4, lines 2 and 3, after "misdemeanor" strike the underscored material up to the period.

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9. On pages 4 and 5, strike Section 2 in its entirety.,  
and thence referred to the JUDICIARY COMMITTEE.

Respectfully submitted,

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Fred Luna, Chairman

Adopted \_\_\_\_\_  
(Chief Clerk)

Not Adopted \_\_\_\_\_  
(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 9 For 1 Against  
Yes: 9  
No: Powdrell-Culbert  
Excused: Regensberg, Taylor, T., Rodella  
Absent: White

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