

190.071 Prohibited practices on part of new motor vehicle dealer.

- (1) It shall be a violation of this section for any new motor vehicle dealer:
 - (a) To require the purchaser of a motor vehicle as a condition of sale and delivery, to also purchase special features, appliances, accessories, or equipment not desired or requested by the purchaser, unless the features, appliances, accessories, or equipment are the type which are ordinarily installed on the vehicle by the manufacturer or distributor when the vehicle is received or acquired by the dealer.
 - (b) To advertise, display, represent, or sell as a new or unused motor vehicle any vehicle which has been operated for demonstration purposes, or which is otherwise a used motor vehicle.
 - (c) To sell or offer for sale as a new or unused motor vehicle any motor vehicle for which he cannot secure for the purchaser the new car warranty that may be extended by the manufacturer of the vehicle to purchasers of one (1) of its new vehicles, unless the fact that the vehicle being sold without a manufacturer's warranty is communicated to the purchaser, and disclosed prominently in writing.
 - (d) To fail to have an established place of business which is used, or will be used, primarily for the purpose of selling, buying, displaying, repairing, or servicing motor vehicles.
 - (e) To use false or fraudulent representations in connection with the operation of the new motor vehicle dealership.
 - (f) To fail to reasonably supervise his agents, salesmen, or employees.
 - (g) To transfer a new motor vehicle with a manufacturer's statement of origin to a motor vehicle dealer who does not have either a valid service agreement or franchise from the particular line, make, manufacturer, distributor, factory branch, or factory representative.
- (2) Any motor vehicle dealer who fails to comply with this section or the provisions of KRS Chapter 186 or 186A, and any motor vehicle dealer other than a wholesale auto dealer who is found by the commission to have acquired a used motor vehicle for cash, trade-in, or in any other manner and fails to have the registration transferred to him prior to the time the vehicle is sold or otherwise transferred to another person shall be subject to suspension, fine, or revocation of his motor vehicle dealer's license.

Effective: July 14, 1992

History: Amended 1992 Ky. Acts ch. 452, sec. 10, effective July 14, 1992. -- Amended 1984 Ky. Acts ch. 357, sec. 10, effective July 13, 1984. -- Created 1982 Ky. Acts ch. 373, sec. 14, effective July 15, 1982.