

RESOLUTION 11-02-2014

DIGEST

Vehicle Code: Additional Entry Devices for Vehicle

Adds Vehicle Code section 27314 to require a dealer selling a used vehicle to provide additional ignition or entry mechanisms if the vehicle initially had such equipment.

RESOLUTIONS COMMITTEE RECOMMENDATION

APPROVE IN PRINCIPLE

History:

No similar resolutions found.

Reasons:

This resolution adds Vehicle Code section 27314.6 to require a dealer selling a used vehicle to provide additional ignition or entry mechanisms if the vehicle initially had such equipment. This resolution should be approved in principle because keys and remote devices are often lost or stolen during the life of the vehicle.

This resolution would require licensed vehicle dealers selling a used vehicle to provide the buyer with two ignition keys and an electronic entry remote device, provided that the vehicle had such equipment when originally sold.

Vehicles are commonly traded in on a replacement vehicle when a consumer purchases a new vehicle. After resale, the loss of a single ignition key or entry device can result in an immobile vehicle until the ignition and door locks are replaced, often at considerable expense and loss of use of the vehicle. The loss of a key costs the consumer as much as \$400.00 to replace. The dealer pays much less. Providing an extra key on resale is a low-cost way to prevent unnecessary anguish.

TEXT OF RESOLUTION

RESOLVED, that the Conference of California Bar Associations recommends that legislation be sponsored to add Vehicle Code section 27314.6 to read as follows:

§ 27314.6

- 1 (a) No dealer shall sell or offer for sale any used passenger vehicle unless it is equipped
- 2 with two ignition keys and an electronic entry remote device, or a combination ignition key and
- 3 remote entry device, provide the vehicle when new was equipped with such electronic remote
- 4 entry device.
- 5 (b)The requirements of this section shall not apply to sales to dealers, automobile
- 6 dismantlers, or junk dealers.

(Proposed new language underlined; language to be deleted stricken.)

PROPONENT: Bar Association of San Francisco

STATEMENT OF REASONS

The Problem: For several years passenger vehicles have been equipped with electronically programmed ignition keys and remote entry devices. In some cases the ignition key and remote device are combined into one unit, such as in hybrid vehicles. In general only a dealer can duplicate and program such keys and devices. The duplicating and programming cost can be as much as \$400.00. If the owner loses the only key to the vehicle, the cost will be even greater.

New vehicles are equipped with two sets of keys and devices; however, when dealers purchase used cars as trade-ins or otherwise, they often do not require the seller to provide both keys and devices. They will then re-sell the vehicle with only one key and device. What owner wants to risk losing his or her only key? However, duplicating that key by the buyer adds a significant undisclosed cost to the price of the vehicle.

The Solution: Dealers undoubtedly can duplicate the keys and devices at much lower cost, because they will incur no mark-up on the parts or labor required to duplicate the keys and devices. Thus, any additional cost added to the price of the vehicle, if at all, would be nominal, as compared to an owner's cost after purchasing the vehicle.

LEGISLATIVE HISTORY

Not known.

IMPACT STATEMENT

The proposed resolution does not affect any other law, statute or rule.

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