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Arizona Revised Statutes Title 28 Transportation

Chapter 10. VEHICLE DEALERS, AUTOMOTIVE RECYCLERS AND TRANSPORTERS

28-4412. Guaranty disclosure; used motor vehicles; definition

- A. Before the consummation of the sale of a used motor vehicle, a motor vehicle dealer shall:
1. Provide each purchaser with a written statement that:
 - (a) Indicates whether or not an express warranty or guaranty is associated with the used motor vehicle.
 - (b) Is distinguished from the body of the sales agreement through the use of either bold-faced type or bold-faced type of a color other than that used in the body of the agreement.
 - (c) States "as is -- not expressly warranted or guaranteed", if the used motor vehicle to be sold is not expressly warranted or guaranteed.
 - (d) Explicitly states the nature and extent of the express warranty or guaranty, if the used motor vehicle to be sold is expressly warranted or guaranteed.
 - (e) States "as is -- not guaranteed to pass vehicle emissions inspection. Vehicle not eligible for certificate of waiver and must be repaired to meet emissions standards", if the used motor vehicle is a disabled vehicle that is offered for sale at a wholesale public auction with an auctioneer who is a licensed used motor vehicle dealer and if the vehicle does not comply with the requirements prescribed in section 49-542.
 2. Direct the purchaser's attention to the written statement.
- B. This section does not negate any implied warranties otherwise applicable to the sale of a used motor vehicle, including the implied warranty of merchantability described in section 44-1267.
- C. Before the seller attempts to sell a motor vehicle the seller shall possess the title to the motor vehicle and the title shall be in the seller's name.
- D. For the purposes of this section, "disabled vehicle" means a motor vehicle that cannot operate on its own motive power.