



BULLETIN

Bulletin #1501 – August 4, 2015

VEHICLE RECALL DISCLOSURE & VEHICLE HISTORY REPORT DISCLAIMER

Vehicle Recall Disclosure

At the quarterly meeting of your ADAI Board of Directors held on July 21st, a question arose as to potential utilization of a form to advise customers in the instance of a used car recall. Ron Smith and Joel Nagle of our retained law firm of Bose McKinney & Evans LLP stated that they had prepared one recently for a dealer. A copy of that form is attached.

You should take great care in the use of this form – DON'T USE IT WITHOUT REVIEW – your situation may be a bit different or you may wish to have the terminology varied. You should check with your local counsel or other automotive lawyer before using this form. Neither ADAI nor Bose McKinney & Evans LLP make any representations or warranties as to the content or your use of this form. Potential dealer liability in recall cases is in a state of flux but we believe that this form should assist dealers in situations where recalls exist on vehicles. You should have someone in your organization check recalls on every used vehicle acquired by your store.

Vehicle History Report Disclaimer

Also enclosed is a form that was distributed at the 2015 ADAI Workshops disclaiming any liability or responsibility of a dealer for third party vehicle history reports. Some consumer lawyers are asserting claims against dealerships for errors in these reports. You should utilize this form to help ward off these sorts of specious claims.

For further information, please feel free to contact Joel Nagle at (317) 684-5203, jnagle@boselaw.com or Ron Smith at (317) 684-5179, rsmith@boselaw.com.