

# DAMAGE DISCLOSURE LAW & NOTICE

## IC 9-32-14

### Chapter 14. Damage to New Motor Vehicles

#### IC 9-32-14-1 Liability of dealer

Sec. 1. Notwithstanding the terms, provisions, or conditions of an agreement or franchise, a motor vehicle dealer is solely liable for damage to a new motor vehicle:

- (1) after acceptance from the carrier or transporter; and
- (2) before delivery to the ultimate purchaser.

*(As added by P.L.2-1991, SEC.11. Amended by SEA537-2013, eff. 7/1/2013.)*

#### IC 9-32-14-2 Liability of manufacturer, converter manufacturer, or automotive mobility dealer

Sec. 2. Notwithstanding the terms, provisions, or conditions of any agreement or franchise, a manufacturer, converter manufacturer, or automotive mobility dealer is liable for all damage to a new motor vehicle before delivery of the motor vehicle to a carrier or transporter.

*(As added by P.L.2-1991, SEC.11. Amended by P.L.174-2009, §14; SEA537-2013, eff. 7/1/2013.)*

#### IC 9-32-14-3 Carrier related damage

Sec. 3. A motor vehicle dealer is liable for damage to a new motor vehicle after the motor vehicle is delivered to the carrier or transporter only if the dealer selects the method of transportation, mode of transportation, and the carrier or transporter. In all other instances, the manufacturer is liable for carrier related damage to a new motor vehicle.

*(As added by P.L.2-1991, SEC.11. Amended by SEA537-2013, eff. 7/1/2013.)*

#### IC 9-32-14-4 Disclosure of damage exceeding 4% of MSRP; exceptions

Sec. 4. (a) This section does not apply to damage to:

- (1) glass;
- (2) radios;
- (3) tires;
- (4) air bags;
- (5) navigation systems;
- (6) DVD players;
- (7) voice command devices;
- (8) hands free technology; and
- (9) bumpers;

when replaced by identical manufacturer's original equipment.

(b) Any uncorrected damage or any corrected damage to a new motor vehicle that exceeds four percent (4%) of the manufacturer's suggested retail price (as defined in 26 U.S.C. 4216), as measured by retail repair costs, must be disclosed by the dealer in writing before delivery of the motor vehicle to the ultimate purchaser.

*(As added by P.L.2-1991, SEC.11. Amended by SEA537-2013, eff. 7/1/2013.)*

#### IC 9-23-4-5 Repaired damage; nondisclosure

Sec. 5. Repaired damage to a new motor vehicle ordered by a customer not exceeding four percent (4%) of the manufacturer's suggested retail price (as defined in 26 U.S.C. 4216) does not need to be disclosed at the time of sale.

*(As added by P.L.2-1991, SEC.11. Amended by SEA537-2013, eff. 7/1/2013.)*



## VEHICLE DAMAGE DISCLOSURE

(ADAI -7/13)

STATE OF INDIANA )  
 ) SS:  
COUNTY OF \_\_\_\_\_ )

Dealer Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

The new motor vehicle described below was damaged and repaired to manufacturer specifications by this dealership. Indiana law I.C. 9-32-14-4 requires you (the customer) be notified of any uncorrected damage or any corrected damage repair (excluding damage to glass, radios, tires, air bags, navigation systems, DVD players, voice command devices, hands free technology and bumpers when replaced by identical manufacturer's original equipment) if the cost of repair exceeds 4% of the manufacturer's suggested retail price value of the vehicle.

### Vehicle Description

Year: \_\_\_\_\_ Make: \_\_\_\_\_ Model: \_\_\_\_\_

VIN # \_\_\_\_\_

**By your signature below, you acknowledge receipt of this notice.**

Signature	Date (mm/dd/yyyy)
Signature	Date (mm/dd/yyyy)