



TO: VADA Dealer Members

We are often asked whether it is illegal to sell a used car with an unremedied ("open") recall.

It is not a violation of the National Highway Transportation Safety Act to deliver a used car with an open recall. However, for several reasons - among them customer satisfaction, protection of reputation and defense against product suits under state law - we have advised dealers it is a best practice to repair open recalls on used vehicles of the line make they sell before retailing them to consumers. A dealer who delivers a used vehicle with an open recall because of the unavailability of parts or because it is a line make for which the dealer is not franchised should notify the buyer in writing of the need to follow up.

Some dealers have requested a form to notify used car buyers of open recalls. We have developed a form (see reverse side) to be used by a dealer who follows the best practice of completing recall repairs on used vehicles of the line-makes they sell when those repairs are possible.

The form has three choices.

- The used vehicle is of a line make for which the dealer has a franchise and repairs cannot presently be made.
- It is a line make vehicle for which the dealer has no franchise where a remedy for the open recall appears available.
- It is a line make vehicle for which the dealer has no franchise where the remedy does not appear to be available.

In each case, the form notifies the customer to either contact the selling dealer to follow up to obtain a remedy when available or to contact a dealer franchised to do the work for a remedy.

This form should only be used to notify customers of the delivery of a used vehicle with an open recall by a dealer that follows the best practice of completing recall repairs on used vehicles of the line make they sell before delivery to the customer.

Open recalls can be determined from [www.safercar.gov](http://www.safercar.gov) using a VIN input. The information may also be available from a vendor who services your dealership that pulls the information from [www.safercar.gov](http://www.safercar.gov) or from each manufacturer's required website for recall information.

# USED VEHICLE RECALL STATUS DISCLOSURE

Identification of Parties					
Buyer(s)/Lessee(s) Name ("you")					
Address:	Street	City	State	ZIP	Date
Dealership ("dealer")			Franchisor-Manufacturer ("franchise")		
Identification of Used Vehicle ("Vehicle")					
Year	Make	Model	VIN		


The undersigned buyer(s)/lessee(s) of the Vehicle acknowledge the following disclosure that the Vehicle is subject to a safety recall that has not been remedied ("Open Safety Recall") according to the National Highway Traffic Safety Administration ("NHTSA")'s recall search portal.. **THIS FORM SUPERSEDES ALL VERBAL COMMENTS REGARDING THE VEHICLE'S RECALL STATUS.**


- 1. Franchise Vehicle Subject to Open Safety Recall: Remedy Not Available** Vehicle is subject to an open NHTSA safety recall, but a remedy for this recall is not presently available. Periodically contact dealer or check the NHTSA recall search portal at [vinrcl.safercar.gov/vin/](http://vinrcl.safercar.gov/vin/) to determine whether a remedy for the recall is available. As soon as a remedy is available, contact dealer to arrange to have the recall remedied.
- 2. Non-Franchise Vehicle Subject to Open Safety Recall: Remedy Appears to be Available** Vehicle is subject to an open NHTSA safety recall. Dealer is not franchised to perform the recall repair. Contact a dealer franchised for the vehicle brand to arrange to have the recall remedied.
- 3. Non-Franchise Vehicle Subject to Open Safety Recall: Remedy Not Available** Vehicle is subject to an open NHTSA safety recall, but a remedy for this recall does not appear to be available. Dealer is not franchised to perform the recall repair. Periodically contact the manufacturer or check the NHTSA recall search portal at [vinrcl.safercar.gov/vin/](http://vinrcl.safercar.gov/vin/) to determine whether a remedy for the recall is available. As soon as a remedy is available, arrange to have the recall service performed by a dealer franchised for the vehicle brand.

By signing below, you acknowledge that:

- Dealer disclosed this recall status information prior to execution of the Vehicle sale or lease agreement;
- The Vehicle is being delivered to you with an Open Safety Recall, and you accept it in that condition with an understanding of the vehicle's recall status; and
- You took this recall status information into account in agreeing to purchase or lease the Vehicle and in agreeing upon the Vehicle's value.

\_\_\_\_\_   
 Date

 \_\_\_\_\_   
 Customer's Signature

 \_\_\_\_\_   
 Customer's (co-buyer/co-lessee) Signature

# USED VEHICLE RECALL STATUS DISCLOSURE

Identification of Parties					
Buyer(s)/Lessee(s) Name ("you")					
Address:	Street	City	State	ZIP	Contract Date
Dealership ("dealer")			Franchisor-Manufacturer ("franchise")		
Identification of Vehicle ("Vehicle")					
Year	Make	Model	VIN		

The undersigned buyer(s)/lessee(s) of the Vehicle acknowledge the following disclosure of the Vehicle's National Highway Traffic Safety Administration ("NHTSA") safety recall status as known by dealer prior to delivery. **THIS FORM SUPERSEDES ALL VERBAL COMMENTS REGARDING THE VEHICLE'S RECALL STATUS.**

*(Customer(s) initials)*

- 1. Franchise Vehicle Subject to Open Safety Recall: Remedy Available** Vehicle is subject to an open NHTSA safety recall. Contact dealer at the earliest opportunity to arrange to have the recall status remedied as soon as possible.
- 2. Franchise Vehicle Subject to Open Safety Recall: Remedy Not Available** Vehicle is subject to an open NHTSA safety recall, but a remedy for this recall does not appear to be available. Periodically contact dealer or check the NHTSA recall search portal at [vinrl.safercar.gov/vin/](http://vinrl.safercar.gov/vin/) to determine whether a remedy for the recall is available. As soon as a remedy is available, contact dealer to arrange to have the recall remedied as soon as possible.
- 3. Non-Franchise Vehicle Subject to Open Safety Recall: Remedy Available** Vehicle is subject to an open NHTSA safety recall. Dealer is not franchised to perform the recall repair. Contact a franchise dealer at the earliest opportunity to arrange to have the recall status remedied as soon as possible.
- 4. Non-Franchise Vehicle Subject to Open Safety Recall: Remedy Not Available** Vehicle is subject to an open NHTSA safety recall, but a remedy for this recall does not appear to be available. Dealer is not franchised to perform the recall repair. Periodically contact the manufacturer or check the VIN on the NHTSA recall search portal at [vinrl.safercar.gov/vin/](http://vinrl.safercar.gov/vin/) to determine whether a remedy for the recall is available. As soon as a remedy is available, arrange to have the recall remedied as soon as possible.
- 5. Vehicle Not Subject to Open Safety Recall** Vehicle is not subject to an open NHTSA safety recall.
- 6. Safety Recall Status Unavailable** Dealer was unable to determine whether Vehicle is subject to an open NHTSA safety recall. Contact the manufacturer to learn about the NHTSA safety recall status, and have the recall remedied as soon as possible, if applicable.

If a **recall notification** ("report") obtained from the automaker, NHTSA, or a third party recall information provider was provided to you, you understand that the report was obtained from an unaffiliated third-party provider. Dealer is not responsible for any errors or omissions in the report. This report is provided as a courtesy and is for your information only.

By signing below, you acknowledge that:

- Dealer disclosed this recall status information prior to execution of the Vehicle sale or lease agreement; and
- You took this recall status information into account in agreeing to purchase or lease the Vehicle and in agreeing upon the Vehicle's value.

Date	Customer's Signature	Customer's (co-buyer/co-lessee) Signature	
Date	Dealer Representative's Signature		

# USED VEHICLE STATUS DISCLOSURE

## Identification of Parties

Buyer(s)/Lessee(s) Name ("you")					
Address:	Street	City	State	ZIP	Date
Dealership ("dealer")			Franchisor-Manufacturer ("franchise")		

## Identification of Used Vehicle ("Vehicle")

Year	Make	Model	VIN
------	------	-------	-----

The undersigned buyer(s)/lessee(s) of the Vehicle acknowledge(s) the following disclosure that the Vehicle is of the type that is subject to an investigation by the United States government with respect to its emissions compliance. **THIS FORM SUPERSEDES ALL VERBAL COMMENTS REGARDING THE VEHICLE'S EMISSIONS STATUS.**

A remedy for the condition that led to the investigation is not presently available. Periodically contact dealer to determine whether a remedy for the recall is available. As soon as a remedy is available, contact dealer to arrange to have the Vehicle condition remedied.

By signing below, you acknowledge that:

- Dealer disclosed this Vehicle status information prior to execution of the Vehicle sale or lease agreement;
- The Vehicle is being delivered to you with the condition described, and you accept it in that condition with an understanding of the Vehicle's status; and
- You took this status information into account in agreeing to purchase or lease the Vehicle and in agreeing upon the Vehicle's value..

\_\_\_\_\_  
Date



\_\_\_\_\_  
Customer's Signature



\_\_\_\_\_  
Customer's (co-buyer/co-lessee) Signature