

CHECKLIST FOR USED CAR BUYERS GUIDES

Dealers have been required to post a Used Car Buyers Guide on every used vehicle for sale for nearly forty years. While the Used Car Rule is only enforced by the Federal Trade Commission, a properly completed buyers guide is an important part of a deal file. When used incorrectly, the buyers guide can be the basis of liability for a dealer.

Do you use the proper form?

- In a state that allows sales of used vehicles “as is”, use the form with the “AS IS – NO DEALER WARRANTY” disclosure
- If you may not sell a used vehicle “as is” under state law, use the form with the “IMPLIED WARRANTIES ONLY” (“IWO”) disclosure.

Is the buyers guide on all covered vehicles?

- Used vehicles for sale
- New vehicle demonstrators
- New vehicles driven more than moving or road testing before delivery to a consumer (use as a rule of thumb 100 or more miles on the odometer)
- If a used vehicle on your lot does not have a buyers guide because it is not for sale, display a prominent message that it is not for retail sale, for example soaped on the windshield

Properly complete the form

- Front: identify the vehicle by make, model, year, and VIN
- Front: Mark whether it is sold “AS IS” (or IWO) or with a DEALER WARRANTY
 - Unless you sell the vehicle with a warranty for which the your dealership is obligated to provide repairs, you may not mark it is sold with a dealer limited warranty
 - If only the original factory warranty remains, check “AS IS” (or IWO), and mark the box for MANUFACTURER’S WARRANTY STILL APPLIES
 - If you are selling an OEM certified used vehicle and the accompanying warranty is all that applies, check “As Is” (or “IWO”), and you may mark the box for MANUFACTURER’S USED VEHICLE WARRANTY APPLIES
 - If you sell the vehicle only with a warranty for which a third party is obligated, check “AS IS” (or IWO), and you may mark the box for OTHER USED VEHICLE WARRANTY APPLIES
 - If there are multiple non-dealer warranties, you may check all boxes that apply
 - Even if there is no dealer warranty, you may use the “SYSTEMS COVERED –

DURATION” lines to disclose the terms of an applicable warranty, **if it is clear that the dealer is not the warrantor**

- Front: If you sell the vehicle with a warranty for which the dealership is obligated for repairs, mark the box for DEALER WARRANTY
 - DO NOT mark the box for full warranty. That never applies in the sale of a used vehicle
 - Mark the box for LIMITED WARRANTY
 - Complete the percentages of labor and parts for which the dealership is obligated, and complete the descriptive lines for systems covered and duration (It is not enough to list “powertrain; the individual components must be listed)
 - Even if selling with a dealer warranty, you may mark the box for any other warranty that may apply such as the remainder of the original OEM warranty
 - Front: Mark whether an extended service contract is available
 - Rear: Fill in dealership name, address, telephone number and email
 - Rear: Fill in a contact in the event of a complaint. The FTC wants you to list the name of a person. Also add the person’s title in the event of turnover
- ### Spanish Buyers Guide
- If the dealership conducts the sale in Spanish, post a buyers guide in Spanish on the vehicle
- ### Customer Signature
- It is a best practice, and the law in Virginia, for the customer to sign the buyers guide
 - Give the original buyers guide to the vehicle buyer at delivery
- ### Separate Warranty Document
- If you provide a dealer warranty, give the vehicle buyer a separate warranty document with the warranty terms