# HOUSE . . . . . No. 4284

## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, July 23, 2025.

The committee on Consumer Protection and Professional Licensure, to whom was referred the petition (accompanied by bill, House, No. 474) of Thomas P. Walsh relative to vehicle recalls, reports recommending that the accompanying bill (House, No. 4284) ought to pass.

For the committee,

TACKEY CHAN.

FILED ON: 7/7/2025

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## The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court**
**(2025-2026)**

An Act relative to vehicle recalls.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. Chapter 90 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by inserting, after Section 7A, the following new section:-

Section 7A 1/2. (a) As used in this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:-

"Open safety recall", means a safety related recall for which notification by a manufacturer has been provided under Title 49 of the United States Code, section 30119, that necessitates repairs or modifications to the vehicle be performed by an authorized dealer; provided, however, shall not apply to: (i) recalls related to defects or failures to comply with requirements relating to labeling or notifications in an owner's manual; or (ii) recalls where the remedy is for the manufacturer to repurchase the vehicle or otherwise provide financial compensation to the vehicle owner.

"Registration", means the registration, renewal or transfer of registration of a motor vehicle.

14 (b) The registry of motor vehicles shall, prior to issuing a motor vehicle registration or
15 mailing a motor vehicle registration renewal notice, check information made available by the
16 National Highway Traffic Safety Administration to determine whether the motor vehicle is
17 subject to an open safety recall. For a vehicle that is subject to one or more open safety recalls,
18 the Registrar shall provide the owner of the motor vehicle written notice of all open safety recalls
19 applicable to the motor vehicle. The recall notice shall be provided at the time the vehicle is
20 registered, except that for registration renewals, the recall notice shall be included in the
21 registration renewal notice.

22 The recall notice shall include: (i) a description of each open safety recall; (ii) a statement
23 that each open safety recall may be repaired by a motor vehicle dealer approved by the
24 manufacturer of the motor vehicle at no cost to the owner of the motor vehicle, except as
25 provided in 49 U.S.C. section 30120; and (iii) a statement that, except as provided in subsection
26 (e), the Registrar shall not issue a registration certificate for a motor vehicle until each open
27 safety recall is repaired in compliance with the provisions of subsection (c).

28 (c) Notwithstanding any provision of law to the contrary, after an owner of a motor
29 vehicle receives notice that the motor vehicle is subject to one or more open safety recalls
30 pursuant to subsection (b), the owner shall obtain the necessary repairs before the motor
31 vehicle's next registration renewal. The Registrar shall deny an application for registration
32 renewal for any motor vehicle that has failed to receive repairs necessary to remedy an open
33 safety recall within the time period established by this section.

34 (d) The Registrar shall send a notice to consumers between 50 and 80 calendar days
35 before the expiration of their registration listing open safety recalls that need to be remedied in
36 order to reregister their vehicle.

37 (e) The Registrar shall not deny the registration of a motor vehicle subject to an open
38 safety recall if any of the following exemptions occurs:

39 (i) the vehicle manufacturer has not made a remedy available;

40 (ii) the necessary replacement parts are not readily available to the manufacturer's state
41 dealer network to remedy the recall;

42 (iii) the vehicle requires repairs that are not covered by a recall in order to enable the
43 application of the remedy;

44 (iv) the customer has installed aftermarket modifications that prevent the application of
45 the remedy; or

46 (v) the vehicle owner self-certifies that there were circumstances beyond the control of
47 the owner or undue hardship that prevented the consumer from having the recall remedied.

48 (f) Nothing in this section shall alter the liability of any manufacturer or motor vehicle
49 franchise dealer under common law.