

**The 194th General Court of the Commonwealth of Massachusetts
2025-2026
Bill Summary**

Bill No: H1293

Title: AN ACT RELATIVE TO PRESERVING CONSUMER CHOICE IN THE PURCHASE OF MOTOR VEHICLE SERVICE CONTRACTS

Sponsor: Representative Angelo J. Puppolo Jr.

Committee: Financial Services

Hearing Date: May 13, 2025

Reporting Date: July 12, 2025

Similar Matters:

Prior History:

H1183 (2021-2022) Study

H1121 (2023-2024) Study

Current Law:

MGL Chapter 175 Section 149M which lists the definitions for service contracts

Summary:

This bill explicitly adds motor vehicle service contracts to the definition of “service contracts.”

Specifically, the bill amends the definition of “service contract” by including:

- a) The repair or replacement of tires and/or wheels damaged as a result of road hazards;
- b) The removal of dents that can be repaired by using the process of paintless dent removal and without sanding or painting;
- c) The repair or replacement of small motor vehicle windshields; or
- d) The repair of damage to interior components caused by wear and tear.

The bill also adds a number of circumstances involving the marketing or sale of automobile “extended service contracts” that would be considered an “unfair or deceptive act” which would trigger c. 93A consumer protections.

Among these circumstances are statements by a car dealer that the failure to sell a particular extended service plan would adversely affect the dealer, a provision in a franchise agreement that the dealer must sell a particular extended service contract, an automobile manufacturer measuring a dealer’s performance based on the sale of a particular service contract, and a requirement that a dealer exclusively promoted the sale of extended service contracts sponsored by the manufacturer.

Additionally, the bill exempts specific instances from sections 149M to 149X including:

- a) Warranties, service contracts or maintenance agreements provided by public utilities that are regulated by Department of Telecommunications and Cable or the FCC;
- b) Mechanical breakdown insurance policies offered by insurers;
- c) Warranties, service contracts or other agreements regarding automobiles under which a licensed motor vehicle dealer is obligated to perform; and
- d) Warranties offered by builders as part of a conveyance of real estate.

Section 4 adds a “consumer choice” section, prohibiting auto manufacturers from forcing franchised dealers from solely carrying the manufacturers preferred service contract.