

190A.090 Warrantor's prohibited actions.

- (1) As used in this section and KRS 190A.080:
 - (a) "Products" means new recreational vehicles or parts, accessories, or components of new recreational vehicles; and
 - (b) "Warranted products" means products subject to a written warranty to the consumer from a specific warrantor.
- (2) A warrantor shall not do any of the following:
 - (a) Fail to perform all of its warranty obligations with respect to a warranted product;
 - (b) In any written notice of a factory campaign to recreational vehicle owners and dealers, fail to include the expected date by which necessary parts and equipment, including tires and chassis or chassis parts, if required, will be available to the dealer to perform the factory campaign work. The warrantor shall provide sufficient parts to the dealer to perform the factory campaign work. If the number of parts provided to the dealer pursuant to this paragraph exceeds the requirements of the dealer to perform the factory campaign work, the dealer may return unused, undamaged parts to the warrantor for credit after completion of the factory campaign;
 - (c) Subject to the provisions of KRS 190A.080, fail to compensate a dealer for authorized repairs of warranted products damaged during the manufacturing process or damaged while in transit to the dealer if the warrantor selected the carrier;
 - (d) Fail to compensate a dealer for authorized warranty service under this section in accordance with the applicable schedule of compensation provided to the dealer pursuant to KRS 190A.080 if the warranty service is performed in a timely and competent manner;
 - (e) Intentionally misrepresent in any way to a purchaser of a warranted product that any warranty concerning the manufacture, performance, or design of the warranted product is made by the dealer either as a warrantor or co-warrantor; or
 - (f) Require a dealer to make warranties to customers in any manner related to the manufacture of a warranted product.

Effective: January 1, 2015

History: Created 2014 Ky. Acts ch. 27, sec. 9, effective January 1, 2015.