



## NEW MEXICO ATTORNEY GENERAL'S USED CAR BUYERS GUIDE

### **Be A Smart Shopper:**

- **ALL** used motor vehicle dealers are required to provide at least a 15-day 500 mile warranty on **all** used motor vehicles sold to consumers. There are **no** "as-is" used car sales at licensed dealers.
  - The 15-day/500 mile warranty period ends after the 15<sup>th</sup> day, or after 500 miles, **whichever occurs first**.
  - If your car breaks down during the 15-day/500-mile warranty period, you have to return the vehicle to the dealership you bought it from **before** you make any attempts to repair the vehicle and give the dealership the opportunity to fix the problem.
- You may waive the 15-day/500-mile warranty, but **only for the problems the dealer tells you about both orally and in writing** before the sale is completed.
- Have a mechanic inspect the used car prior to agreeing to purchase it.
- Make sure you get a copy of the written sales contract and any amendments or additions.
- Private sales are not regulated by state law. If you buy a car from a private individual and have a problem with that car it becomes a private civil matter.

### **Used Car Buying Tips:**

- Look the vehicle over very carefully and insist on a test drive. Look at the car during daylight. Any damage, defects or other problems will be easier to spot.
- Make sure that the dealer puts in writing and makes part of your contract any promises to correct any conditions or to make certain repairs upon your purchase of the vehicle.
- Be wary of odometer tampering. An unscrupulous seller may roll back the odometer to trick a consumer into paying more for a used car than it is worth. Before buying a used car, check the vehicle history using the car's vehicle identification number (VIN).
- You can check the vehicle history online. For example, the Department of Justice's National Motor Vehicle Title Information System (NMVTIS) at [www.nmvtis.gov](http://www.nmvtis.gov) is an online system that offers accurate information about a vehicle's title, odometer data, and certain damage history. Expect to pay up to \$4 per report. The National Insurance Crime Bureau (NICB) at [www.nicb.org](http://www.nicb.org) also maintains a free database that includes flood damage and other information so consumers can investigate a car's history by its vehicle identification number (VIN).
  - Beware, however, just because something does not show upon one of these databases does not mean there are not problems with the car.

### **Buying Online?**

- Be wary of any seller who asks for money upfront or wants to use a wire transfer service.

- Be wary of any seller who changes the terms in the middle of negotiations. Pay close attention to any changes in the seller's story, the terms of the sale, or a request by the seller to move the transaction from one internet website to another.
- Be wary of sales where the seller and the car are not in the same place. A common scam is a claim by the seller that he/she is a military person stationed in a different location than that of the car for sale or has recently relocated and needs to sell a car in another location.

### **Resources:**

#### NATIONAL HIGHWAY SAFETY ADMINISTRATION ([www.nhtsa.gov](http://www.nhtsa.gov))

The National Highway Traffic Safety Administration (NHTSA), is an agency that operates under the [U.S. Department of Transportation](#). NHTSA provides consumer information on motor vehicle safety topics, e.g., vehicle recalls, investigations, complaints, service bulletins, etc. NHTSA has a toll-free Vehicle Safety Hotline to provide **recall** information, receive *SAFETY* complaints and provide consumers with a wide range of information on vehicle safety: 1-888-327-4236.

#### EDMUNDS TMV.COM

*True Market Value (TMV) is a handy appraisal tool for establishing the value of new or used cars. Before an individual purchases a new or used vehicle, the person can find the TMV price for his/her vehicle when the time comes to sell it, or use it as a trade-in.* If a person is buying a used car from a dealership, he/she also can look up its "dealer retail" TMV price using the appraisal tool.

#### CARFAX ([www.carfax.com](http://www.carfax.com))

CarFax is an on-line services whereby a person can find out about the title and accident history of a vehicle. For approximately \$35.00, an individual can do a search, using the V.I.N. of any vehicle. You may find out, for example, whether a vehicle was ever "totaled" and declared a "salvage" title vehicle, whether it is a "lemon law" repurchase vehicle (i.e., declared a "lemon" and repurchased by the manufacturer under a state's "Lemon law"), or in an accident which was reported to any state Department of Motor Vehicles (DMV). One catch though: CarFax is not perfect. CarFax relies on information reported by various sources. A car can be involved in an accident, but the accident may not be reported to the DMV. Nevertheless, it is a good place to start to find out about a used car's history.

#### AUTOCHECK ([www.autocheck.com](http://www.autocheck.com))

AutoCheck provides information about the vehicle's title, registration and usage history. Each report displays the results of their search for salvage or junk vehicles; damage from hail, flood or fire; mileage discrepancies or odometer rollback; Title brands that diminish vehicle value, theft, total loss, and gray market vehicles. AutoCheck also looks for lemon vehicles; vehicles designated as rentals, taxis or fleet usage; abandoned or forfeited vehicles; records of theft; and loan/liens that represent ownership interests or unpaid judgments. AutoCheck reports on accident damage when that information is provided to it. AutoCheck may not provide information on every accident in which a vehicle may have been involved. AutoCheck is not perfect. AutoCheck relies on information reported by various sources. The cost for an AutoCheck report is approximately \$24.99.

### **Contact the Attorney General's Consumer & Family Advocacy Services Division with questions:**

[www.nmag.gov](http://www.nmag.gov)

Santa Fe Office: (505) 827-6000

Albuquerque Office: (505) 222-9000

Toll Free Office: (866) 627-3249