

Is it illegal for California car dealers to sell unrepaired recalled used cars to consumers?

Yes.

What do auto dealers in other states say?

“Used car dealers have a responsibility to make sure they are selling safe vehicles, which includes identifying open recalls and working to get them repaired,” said Steve Jordan, chief executive officer of the National Independent Automobile Dealers in Arlington, Texas.”

Source: “Fatal Houston Fender Bender Shows Shortcomings of Recalls” – *Washington Post / Bloomberg*, Feb. 2, 2015.

Read entire article: <http://washpost.bloomberg.com/Story?docId=1376-NJ0A6F6K50Z401-59E375CVPS8NI2ITBNEAFKJNJC>

“Potamkin, a General Motors dealer in New York, has a written policy requiring its employees to fix recalled vehicles before selling them to the public, according to John Bruno Jr., a general sales manager at one Potamkin location.

‘If there are any open recalls, we get them taken care of as fast as possible,’ Mr. Bruno said, adding that it was **‘illegal and irresponsible’** to do otherwise.”

Source: “New York Imposes a Used Car Repair Rule,” *New York Times*, July 29, 2015:

Read entire report: <http://www.nytimes.com/2014/07/30/business/new-york-city-imposes-a-used-car-repair-rule.html>

From the attorney for Carlos Solis, who was killed by an unrepaired recall when the air bag in his car exploded, spewing shrapnel into his neck, and he bled to death:

“Even while there’s no [specific, federal] regulatory requirement for dealerships to conduct repairs on recalled vehicles or parts, it doesn’t get them off the hook for lawsuits over injuries or deaths,” said Robert Ammons, the Solis family attorney. **‘They have a common law duty to exercise ordinary care for the safety of consumers,’** Ammons said in an interview.”

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