



General Assembly

**Substitute Bill No. 99**

January Session, 2015



**AN ACT CONCERNING NEW CAR DEALERS AND INFORMATION REGARDING THE MAGNUSON-MOSS WARRANTY ACT, THE UNAUTHORIZED ACCESS OF COMPUTER DATA, WRITTEN NOTICE FOR HOMEMAKER OR COMPANION SERVICE REGISTRIES AND BUSINESSES THAT MAKE CERTAIN UNSOLICITED AND INTENTIONALLY MISLEADING TELEPHONE CALLS TO CONSUMERS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2015*) Each new car dealer, as  
2 defined in section 14-51 of the general statutes, at the time the sale of a  
3 new motor vehicle, as defined in section 14-1 of the general statutes, is  
4 executed, shall deliver to the purchaser of such new motor vehicle a  
5 written statement, printed in not less than ten-point boldface type, as  
6 follows: "The Magnuson-Moss Warranty Act, 15 USC 2301 et seq.,  
7 makes it illegal for motor vehicle manufacturers or dealers to void a  
8 motor vehicle warranty or deny coverage under the motor vehicle  
9 warranty simply because aftermarket or recycled parts were installed  
10 or used on the vehicle or simply because someone other than the  
11 dealer performed service on the vehicle."

12 Sec. 2. (NEW) (*Effective from passage*) (a) As used in this section, (1)  
13 "encrypt" means to transform electronic data into a form in which  
14 meaning cannot be assigned without the use of a confidential process  
15 or key, and (2) "personal information" means an individual's first name

16 or first initial and last name in combination with any one or more of  
17 the following data: (A) A Social Security number; (B) a driver's license  
18 number or a state identification number; (C) a home address; or (D)  
19 individually identifiable health information. "Personal information"  
20 does not include publicly available information that is lawfully made  
21 available to the general public from federal, state or local government  
22 records or widely distributed media.

23 (b) Not later than July 1, 2016, each insurer, health care center,  
24 banking or financial organization, data broker that collects personal  
25 information or other entity licensed to do health insurance business in  
26 this state shall implement security technology that encrypts the  
27 personal information of consumers, insureds and enrollees that is  
28 compiled or maintained by such insurer, health care center, banking or  
29 financial organization, data broker or other entity. Any such security  
30 technology shall be updated as is necessary and practicable.

31 (c) Not later than seven days after receiving notice of unauthorized  
32 access to personal information by a third party, an entity listed in  
33 subsection (b) of this section shall notify each individual who has had  
34 his or her personal information accessed by such third party, in  
35 writing, of such unauthorized access of his or her personal  
36 information.

37 (d) Each entity required to notify an individual of unauthorized  
38 access of his or her personal information pursuant to subsection (c) of  
39 this section shall provide such individual with not less than two years  
40 of commercially available identity theft monitoring and protection at  
41 no charge to the individual.

42 (e) The Insurance Commissioner, after consultation with the  
43 Commissioner of Consumer Protection, shall adopt regulations, in  
44 accordance with the provisions of chapter 54 of the general statutes, to  
45 implement the provisions of this section and to establish minimum  
46 standards for security technology required to be implemented  
47 pursuant to subsection (b) of this section.

48 Sec. 3. Subsection (a) of section 20-679a of the general statutes is  
49 repealed and the following is substituted in lieu thereof (*Effective*  
50 *October 1, 2015*):

51 (a) Not later than [seven] four calendar days after the date on which  
52 a registry supplies, refers or places an individual with a consumer, the  
53 registry shall provide the consumer with a written notice, to be signed  
54 by the consumer, specifying the legal liabilities of such registry to the  
55 individual supplied or referred to or placed with the consumer. If the  
56 registry maintains an Internet web site, a sample of the notice shall be  
57 posted on such Internet web site.

58 Sec. 4. (NEW) (*Effective October 1, 2015*) (a) No person, as defined in  
59 section 1-1 of the general statutes, shall (1) knowingly make an  
60 unsolicited business telephone call to a consumer using a caller  
61 identification service or device that transmits misleading or inaccurate  
62 caller identification information to the recipient of the telephone call  
63 with the intent to defraud or cause harm to such recipient, or (2)  
64 having made such unsolicited business telephone call to a consumer,  
65 fail to maintain an active consumer response telephone line for  
66 consumer questions and complaints.

67 (b) Any person who violates the provisions of subsection (a) of this  
68 section shall have engaged in an unfair or deceptive act or practice in  
69 the conduct of trade or commerce under chapter 735a of the general  
70 statutes.

71 (c) Any person having knowledge of a violation of subsection (a) of  
72 this section may report all facts and information in such person's  
73 possession concerning such violation to the Attorney General. The  
74 Attorney General may review such facts and information and  
75 investigate as he or she deems proper regarding such facts and  
76 information and any other information that may be reasonably derived  
77 from such report. If the Attorney General takes action against any  
78 person for violating the provisions of subsection (a) of this section, the  
79 person who reported such violation shall be awarded one-half of any

80 monetary fines or settlement recovered by the Attorney General from  
81 the violator.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2015</i>	New section
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>October 1, 2015</i>	20-679a(a)
Sec. 4	<i>October 1, 2015</i>	New section

**GL**      *Joint Favorable Subst.*