

REFERENCE TITLE: **duty of care; leased vehicles**

State of Arizona
House of Representatives
Fifty-sixth Legislature
Second Regular Session
2024

HB 2461

Introduced by
Representative Cook

AN ACT

**AMENDING TITLE 12, CHAPTER 6, ARTICLE 9, ARIZONA REVISED STATUTES, BY
ADDING SECTION 12-690; RELATING TO PRODUCT LIABILITY.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 12, chapter 6, article 9, Arizona Revised
3 Statutes, is amended by adding section 12-690, to read:

4 12-690. Duty of care; admissibility of evidence in certain
5 motor vehicle accidents; definition

6 A. IN ANY CIVIL ACTION WHERE A COVERED MOTOR VEHICLE IS INVOLVED IN
7 AN ACCIDENT, THERE IS NO OBLIGATION OR DUTY OF CARE FOR AN OWNER, LESSOR
8 OR OPERATOR OF THE COVERED MOTOR VEHICLE, OR FOR A PERSON RENTING OR
9 LEASING THE COVERED MOTOR VEHICLE TO ANOTHER PERSON, TO RETROFIT THE
10 COVERED MOTOR VEHICLE WITH COMPONENT PARTS OR OPTIONAL EQUIPMENT, OR TO
11 HAVE SELECTED COMPONENT PARTS OR OPTIONAL EQUIPMENT TO BE INCLUDED ON THE
12 COVERED MOTOR VEHICLE, IF SUCH PARTS OR EQUIPMENT WERE NOT REQUIRED BY THE
13 FEDERAL MOTOR VEHICLE SAFETY STANDARDS UNDER 49 CODE OF FEDERAL
14 REGULATIONS PART 571 APPLICABLE WHEN THE COVERED MOTOR VEHICLE WAS
15 MANUFACTURED OR SOLD. EVIDENCE RELATED TO SUCH AN ALLEGED OBLIGATION OR
16 DUTY IS INADMISSIBLE.

17 B. THIS SECTION DOES NOT APPLY IF THE OWNER, LESSOR OR OPERATOR OF
18 THE COVERED MOTOR VEHICLE, OR THE PERSON RENTING OR LEASING THE COVERED
19 MOTOR VEHICLE TO ANOTHER PERSON, FAILS TO COMPLY WITH A LAW OR REGULATION
20 ISSUED AFTER THE COVERED MOTOR VEHICLE WAS MANUFACTURED OR SOLD REQUIRING
21 A MANDATORY RECALL OR RETROFIT OF THE COVERED MOTOR VEHICLE.

22 C. FOR PURPOSES OF THIS SECTION, "COVERED MOTOR VEHICLE" MEANS A
23 MOTOR VEHICLE FOR WHICH THE OWNER'S LIABILITY FOR AN ACCIDENT IS GOVERNED
24 BY 49 UNITED STATES CODE SECTION 30106.