

114TH CONGRESS
1ST SESSION

S. 1359

IN THE HOUSE OF REPRESENTATIVES

JULY 13, 2015

Referred to the Committee on Energy and Commerce

AN ACT

To allow manufacturers to meet warranty and labeling requirements for consumer products by displaying the terms of warranties on Internet websites, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “E-Warranty Act of
3 2015”.

4 **SEC. 2. FINDINGS.**

5 Congress makes the following findings:

6 (1) Many manufacturers and consumers prefer
7 to have the option to provide or receive warranty in-
8 formation online.

9 (2) Modernizing warranty notification rules is
10 necessary to allow the United States to continue to
11 compete globally in manufacturing, trade, and the
12 development of consumer products connected to the
13 Internet.

14 (3) Allowing an electronic warranty option
15 would expand consumer access to relevant consumer
16 information in an environmentally friendly way, and
17 would provide additional flexibility to manufacturers
18 to meet their labeling and warranty requirements.

19 **SEC. 3. ELECTRONIC DISPLAY OF TERMS OF WRITTEN WAR-**
20 **RANTY FOR CONSUMER PRODUCTS.**

21 (a) IN GENERAL.—Section 102(b) of the Magnuson-
22 Moss Warranty—Federal Trade Commission Improve-
23 ment Act (15 U.S.C. 2302(b)) is amended by adding at
24 the end the following:

25 “(4)(A) Except as provided in subparagraph (B), the
26 rules prescribed under this subsection shall allow for the

1 satisfaction of all requirements concerning the availability
2 of terms of a written warranty on a consumer product
3 under this subsection by—

4 “(i) making available such terms in an acces-
5 sible digital format on the Internet website of the
6 manufacturer of the consumer product in a clear
7 and conspicuous manner; and

8 “(ii) providing to the consumer (or prospective
9 consumer) information with respect to how to obtain
10 and review such terms by indicating on the product
11 or product packaging or in the product manual—

12 “(I) the Internet website of the manufac-
13 turer where such terms can be obtained and re-
14 viewed; and

15 “(II) the phone number of the manufac-
16 turer, the postal mailing address of the manu-
17 facturer, or another reasonable non-Internet
18 based means of contacting the manufacturer to
19 obtain and review such terms.

20 “(B) With respect to any requirement that the terms
21 of any written warranty for a consumer product be made
22 available to the consumer (or prospective consumer) prior
23 to sale of the product, in a case in which a consumer prod-
24 uct is offered for sale in a retail location, by catalog, or
25 through door-to-door sales, subparagraph (A) shall only

1 apply if the seller makes available, through electronic or
2 other means, at the location of the sale to the consumer
3 purchasing the consumer product the terms of the war-
4 ranty for the consumer product before the purchase.”.

5 (b) REVISION OF RULES.—

6 (1) IN GENERAL.—Not later than 1 year after
7 the date of the enactment of this Act, the Federal
8 Trade Commission shall revise the rules prescribed
9 under such section to comply with the requirements
10 of paragraph (4) of such section, as added by sub-
11 section (a) of this section.

12 (2) AUTHORITY TO WAIVE REQUIREMENT FOR
13 ORAL PRESENTATION.—In revising rules under para-
14 graph (1), the Federal Trade Commission may waive
15 the requirement of section 109(a) of such Act (15
16 U.S.C. 2309(a)) to give interested persons an oppor-
17 tunity for oral presentation if the Commission deter-
18 mines that giving interested persons such oppor-
19 tunity would interfere with the ability of the

- 1 Commission to revise rules under paragraph (1) in
- 2 a timely manner.

Passed the Senate July 9, 2015.

Attest: JULIE E. ADAMS,
Secretary.