

## CONSUMER NEWS

### TIPS AND CAUTIONS ABOUT BUYING A VEHICLE ONLINE

**JONATHAN FAHEY:** Welcome to DMV Infocast, an audio production of the Connecticut Department of Motor Vehicles. This is Jonathan Fahey.

Today I am here with **Lt. Frank Baio**, Division Manager of the Dealers and Repairs Division at the DMV. We're going to be talking about buying a car online.

**JONATHAN:** Can any vehicle bought by a Connecticut resident over the internet be registered at the DMV, and what proper endorsements must it have to ensure the process?

**LT. BAIO:** Jon, certain vehicles bought online by Connecticut residents can be registered provided that there are certain documentations provided with the sale, those being a proper endorsement of the title, a bill of sale, certain emissions requirements, VIN clarifications, and other documentation relative to the amount of sales tax paid. All need to be produced at the time that the vehicle is placed in the registry process.

**JONATHAN:** Can anyone sell a car online, even without a license? And what is the difference between buying a car from someone who is licensed versus someone who isn't?

**LT. BAIO:** Connecticut residents can sell a vehicle online as well as Connecticut licensed dealers. The difference being if a customer purchases a vehicle from a private individual, they virtually waive all their rights to the Department's jurisdiction as far as intervening on their behalf. If they do buy a vehicle from a Connecticut licensed new or used car dealer that's advertised online, all the

provisions of the statutes and the jurisdiction of the Department of Motor Vehicles prevail.

**JONATHAN:** If a Connecticut resident bought a car online and realized it was damaged, what are some of the initial steps they should take to get the problem resolved?

**LT. BAIO:** First and foremost, Jon, they should contact the person or the entity in which they purchased the vehicle from. There are certain individuals who would buy a car and just accept it no matter what the damage is because they are afraid that there may be a potential legal problem. What we are trying to say is you should resolve this with the source where you bought the vehicle from, and in instances where you buy it from a Connecticut used car dealer, if you are at a stalemate, you can certainly come to the DMV and we will institute investigative action if it's within our jurisdiction.

**JONATHAN:** Should the online site you are buying a car from be licensed by the DMV? If not, can the buyer make a complaint to the DMV after the purchase?

**LT. BAIO:** There's no provisions in current Connecticut law that allows us to license online sources. Any dealer in Connecticut who is selling a vehicle must be licensed through the Department. Private individuals need only to register with the online source. And this is the same as true as far as online auction houses, as well as just advertising sites.

**JONATHAN:** So if someone wants to buy a car from an unlicensed Connecticut online site, and the car is damaged, there isn't anything the DMV could do if the buyer complains?

**LT. BAIO:** Only if the seller is a Connecticut licensed new or used cars dealer and the terms and condition of the sale are provided with the sale document. If

they're purchasing it from a private individual, it becomes a civil matter either through small claims or Superior Court.

**JONATHAN:** If a Connecticut resident were to buy a car online from a licensed dealer in another state and the car is damaged, does the Connecticut DMV have jurisdiction or does the state where the car was purchased from have jurisdiction?

**LT. BAIO:** There's no Connecticut jurisdiction in the matters with out-of-state dealers or out-of-state residents for that matter. You would need to go through the small claims process or the civil court process.

**JONATHAN:** So the state DMV where the dealer is licensed will always have jurisdiction?

**LT. BAIO:** For the most part. But you need to be mindful that certain states are very lenient as far as their casual sales of used cars and they are not heavily regulated.

**JONATHAN:** If someone were interested in buying a car online, what precautions should they take before making the final decision?

**LT. BAIO:** Certainly they would want to review publications like *Consumer Reports* for the reliability of the vehicle. They can check the local manufacturers for any technical service bulletins or recalls. And they also want to pay particular attention to the value of the vehicle as published through the used car buyer's guides.

**JONATHAN:** Is there some sort of way to check the history of a vehicle before you purchase it to see how many owners it's had or accidents it's been in?

**LT. BAIO:** Yes, there are certain online sources available that allow you to check a vehicle's history. And also, if the vehicle was a Connecticut car, they could

certainly ask for and request a title search, which could be requested through our Title Division for a certain fee.

**JONATHAN:** What is the Connecticut Lemon Law and does it apply to cars bought online?

**LT. BAIO:** Connecticut Lemon Law is actually a Department of Consumer Protection related statute that deals only with new cars and with defects in those new car sales that have to go back to the dealership for four or more times. These would not be applicable to an online sale or a casual sale through an individual or a used car dealer. If the vehicle was advertised online through a new car source and it was sold as a new car on a certificate of origin, then certain restrictions would apply and we would have jurisdiction over that.

**JONATHAN:** Do you have any additional comments to add about the topic?

**LT. BAIO:** Certainly you want to go into any sale with your eyes open. You want to know the type of vehicle you're looking at, you want to do your research, and you want to be wary of prices that are well below market value. And certainly make sure that there are terms and conditions in the sale that provide for your protection should the vehicle develop a problem after the sale.

**JONATHAN FAHEY:** I would like to thank Lt. Frank Baio for being with us today.

This has been an Infocast produced by the State of Connecticut Department of Motor Vehicles. Thank you for listening.