

AUTOMOBILE INFORMATION DISCLOSURE ACT

The Automobile Information Disclosure Act (AIDA), 15 U.S.C. §§ 1231-1233, is more commonly known as the Monroney Act (Senator Mike Monroney was the chief sponsor of the Act) or Price Sticker Act. The Act requires the affixing of a retail price sticker to the windshield or side window of new automobiles indicating the Manufacturer's Suggested Retail Price (MSRP), that is, the "sticker price." Additional information, such as a list of any optional equipment offered or transportation charges, is also required.

The Federal Trade Commission publishes a fact sheet entitled Buying a New Car, that has additional information.

The AIDA was amended in 2005 in an effort to improve the dissemination of New Car Assessment Program ratings. The United States Department of Transportation (DOT) issued a Final Rule, 49 C.F.R. 375.301, that has a September 1, 2007, compliance date, that requires new car crash safety information, known as "Stars on Cars," to be on the Monroney label. Gold stars appear on the Monroney label, ranging from 1-5, with more stars being better, to help consumers evaluate a car's crash worthiness. See DOT's website for more information.

Automobiles, by definition, include passenger vehicles and station wagons, and by extension passenger vans and similar vehicles, such as Sport Utility Vehicles (SUVs). Not included, as explained in the legislative history, are pick-up trucks.

The Act prohibits the sticker from being removed or altered prior to sale to a consumer. Criminal prosecution is possible under 15 U.S.C. § 1233, for the willful removal of a label and is punishable as a Class A misdemeanor permitting a fine (\$100,000 per violation for an individual and \$200,000 per violation for an organization under 18 U.S.C. § 3571) as well as imprisonment for not more than one year, or both.

Under a related statute, 49 U.S.C. § 32908, manufacturers and importers of new automobiles, including each category of vehicle identified above and pick-up trucks, are required to affix a label to such vehicles with an EPA (Environmental Protection Agency) label containing fuel economy information. See DOT website with links to EPA. Normally, the price sticker label and EPA label are combined as one large label. Failure to maintain the EPA label on the vehicle is considered a violation of AIDA. There are no private remedies under either Act.

OCL enforces AIDA, most commonly, by sending warning letters to dealerships alleged to have violated the Act. OCL also advises consumers of alternative avenues of redress where allegations have been made that a price sticker or EPA label is missing or altered.

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