



GUARANTEED ASSET
PROTECTION ALLIANCE

Potential 2023 GAPA Initiatives
= Confidential for GAPA Members Only =

State	Potential Initiative
AL	Failure to perform CLP. While AL is one of three states with the Revised Model Act, there is an opportunity to pursue a “failure to perform CLP”
CA	Fix/Mitigate SB 1311; EWU as Waiver. SB 1311 bans sales of GAP to active duty military concurrent with extending financing. Fixing SB 1311 would address the tactical loss of sales and importantly remove this as a strategic beachhead that could spread to other states. As a high-volume vehicle finance state, there is also an opportunity to implement EWU in waiver form.
CO	Codify Rule 8+. The UCCC Administrator’s recent memorandum sunsets at the end of the 2023 legislative session. Pursue legislation to codify areas of agreement, plus secure a higher maximum fee and LTV limit.
CT	Revised Model Act. Pursue the Revised Model Act to provide regulatory certainty for vehicle financial protection products (w/ MVPPA).
DE	Revised Model Act. With MVPPA, pursue the Revised Model Act to provide regulatory certainty for the full suite of vehicle financial protection products (passed in 2022: EWU as waiver, GAP as service contract, GAP waiver insurance exemption).
FL	Revised Model Act. Based on the high volume of financed vehicle transactions, pursue the Revised Model Act to provide regulatory certainty for vehicle financial protection products.
KS	Original Model Act. The Revised Model Act was met with regulator concerns and started too late in the session. An alternative is to pursue the Original Model Act or a pared down strategy as in DE in 2022.
MA	Cancel Fee. The Department of Banking’s (DOB) interpretation of state law does not allow for cancel fees. The DOB suggested industry pursue legislation as a remedy.
MD	Original Model Act. The Revised Model Act was met with AG concerns despite DOI being willing to accept and manage it. An alternative is to pursue the Original Model Act or a pared down strategy as in DE in 2022.
TX	Revised Model Act. Based on the high volume of financed vehicle transactions, pursue the Revised Model Act to provide regulatory certainty for vehicle financial protection products.
WY	Revised Model Act. Pursue the Revised Model Act to provide regulatory certainty for vehicle financial protection products. At the very least, address the cancel fee issue.