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## **Best practices – Spanish translation**

*by Gil Van Over*

This year's columns have been dedicated to describing this whole thing called compliance. We are now in the process of describing best practices that, if implemented, are designed to help reduce exposure to litigation and regulatory inquiries. Today's topic is Spanish translation forms.

### **Federal Requirement**

The only federally required Spanish translation form is the FTC Used Car Buyer's Guide. The Used Car Rule requires that an English and a Spanish version of the Buyer's Guide be prominently displayed if the transaction is negotiated in Spanish.



This means that if you advertise in the Spanish daily newspaper that you *Se habla Espanol*, you'd better have both guides in every used vehicle and demo offered for sale. Likewise, if you can occasionally hear your switchboard operator page a Spanish speaking sales person on line one, you'd better have both guides prominently displayed on every used vehicle and demo.

### **State Requirements**

Some states may require you to provide Spanish translation documents if you negotiate in Spanish. California, for example, requires that a Spanish translation Retail Installment Sales Contract be provided to any customer who negotiates in Spanish (along with requirements for five other languages).

Illinois requires that the customer sign a form that is in Spanish acknowledging that the negotiation took place in Spanish, but that the customer understands the transaction.

Other states have optional Spanish-translation Retail Installment Sales Contracts that a dealer can provide to its Spanish speaking customers.

### **A Word of Caution**

I've had an opportunity to chat with some dealer attorneys about the idea of providing Spanish translation forms. Most of them caution me that if a dealer does not translate all of the forms used in closing a deal into Spanish, the dealer is left open to questions as to why the menu, for example, was not in Spanish.

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