

FACT SHEET

LEMON LAW PROTECTION



PURPOSE

The purpose of this fact sheet is to provide information on Pennsylvania's Automobile Lemon Law.

PROCEDURES

The Pennsylvania Automobile Lemon Law applies to any new vehicle purchased or leased and registered in Pennsylvania or purchased or leased elsewhere and registered for the first time in the Commonwealth for personal, family or household use including a vehicle used by a manufacturer or dealer as a demonstrator or dealer vehicle prior to its sale and designed to transport up to 15 persons. Motorcycles, motorhomes, and off-road vehicles are not included.

Under the law, the manufacturer must, at no cost to the purchaser, repair or correct any defect which substantially impairs the use, value or safety of the vehicle which occurs within one year after delivery, or 12,000 miles of use, or the term of the manufacturer's express warranty, whichever comes first.

If the defect cannot be repaired in a reasonable time, you may be eligible for a replacement vehicle or the refund of the purchase price, less a limited allowance for use.

First, contact the manufacturer's zone representative at the telephone number listed in your vehicle's owner manual. If the zone representative is not successful in having the defect corrected, you may request an arbitration of your case through the manufacturer's dispute settlement program if one exists.

The arbitration decision is binding on the manufacturer, but not on the customer, who may proceed further by bringing a private lawsuit.

If the manufacturer has not established an appropriate dispute resolution procedure, you may initiate a legal action at the outset.

SOME IMPORTANT REQUIREMENTS OF THE LAW ARE:

You are responsible for delivering the vehicle to the manufacturer's authorized repair facility unless it would be unreasonably difficult to do so. In that case, you must give written notice to the manufacturer so that arrangements can be made for transporting the vehicle, at no expense to you, to a repair site.

Each time your vehicle is repaired, the repair facility must give you a detailed statement itemizing all repairs made, and the cost of parts and labor.

Your rights under this law will not apply if the defect is the result of your abuse, neglect or alteration of the vehicle.

IF A VEHICLE HAS BEEN REPURCHASED BY THE MANUFACTURER FOR DEFECTS, IT MAY NOT BE RESOLD, TRANSFERRED OR LEASED AT RETAIL OR WHOLESALE IN PENNSYLVANIA UNLESS THE MANUFACTURER PROVIDES THE CONSUMER WITH:

- The same express warranty provided originally, except that it may last only for 12,000 miles or 12 months after the resale date transfer or lease whichever is earlier.

October 2006

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Bureau of Motor Vehicles - Research and Support Operations Section
P.O. Box 68031, Harrisburg, PA 17106-8031
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- A written statement that the vehicle was re-purchased by the manufacturer because it did not conform to the manufacturer's express warranty and the nonconformity was not cured within a reasonable time as provided by Pennsylvania Law.
- The motor vehicle dealer, lessor or transferor clearly and conspicuously discloses the manufacturer's written notification prior to the resale or lease of the repurchased motor vehicle.
- The motor vehicle dealer, lessor or transferor obtains a signed receipt certifying, in a conspicuous and understandable manner, that the written statement required under this subsection has been provided. Access to the receipt shall be maintained for four years. The attorney general shall approve this form and content of the disclosure statement supplied by the manufacturer.
- The manufacturer, dealer, lessor or transferor must apply for and receive a branded title from the Pennsylvania Department of Transportation. A letter from the manufacturer on their letterhead must be submitted along with the assigned Pennsylvania Certificate of Title or out-of-state certificate of title and the title fee of \$22.50.
- The Department shall update its records and issue a title with a designation indicating that the motor vehicle was repurchased under the provisions of the Pennsylvania Lemon Law Act. **NOTE:** The Lemon Law Brand will not be removed from the vehicle title record.
- Vehicles with defective braking or steering systems likely to cause death or serious bodily injury if driven may **not** be resold in Pennsylvania.

If you have any questions, you can call the Office of Attorney General Lemon Law Hotline at 1-800-441-2555, Monday through Friday from 10:00 am to 3:00 pm.