

HOUSE BILL ANALYSIS

HB 1155

Brief Description: Adjusting coverage of the Lemon Law.

Sponsors: Cooper and Cairnes

Hearing: January 27, 1999

BACKGROUND:

The Motor Vehicle Warranty Act, also known as the state's Lemon Law, establishes the statutory rights and responsibilities of consumers, dealers, and manufacturers of new motor vehicles when vehicles are defective. The law was enacted in 1983 and covers the purchase or lease of a motor vehicle. In 1990, coverage was extended to motorcycles.

Under the Lemon Law, a new motor vehicle is a self-propelled vehicle primarily designed for transporting persons or property over the public highways. The law also covers the chassis and self-propelled portion of a motor home but not the portion designed for use as a dwelling or commercial space.

A defective vehicle must be repaired or the consumer may request replacement or repurchase of the vehicle by the manufacturer. A request for replacement must be made during the warranty period. The manufacturer must make a reasonable attempt to repair the vehicle. If the defect continues to exist, the consumer's remedy is either replacement of the vehicle or repurchase of the defective vehicle by the manufacturer.

Whether the defective vehicle is replaced or repurchased, a reasonable offset for use is charged against the consumer. Reasonable offset is calculated by a formula that includes the number of miles that the vehicle traveled while in use by the consumer.

SUMMARY OF BILL:

Coverage of the Lemon Law is extended to the dwelling space of a motor home and to a non self-propelled travel trailer.

RULES AUTHORITY: The bill does not contain provisions addressing the rule making powers of an agency.

FISCAL NOTE: Not requested.

EFFECTIVE DATE: Ninety days after adjournment of a session in which bill is passed.