

Lemon Laws Protect The Consumer

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Lemon laws are United States' Laws designed to protect the rights of consumers. They are usually used for vehicles but apply to all commercial articles. In this article we will concentrate on Lemon Laws as applicable to vehicles. A lemon is a term used to describe a new vehicle that needs excessive repair even though it is new. It has to meet the following criteria:

Age. Usually for vehicles less than a year old.

Warranty. Usually within the warranty period. In some states the warranty period is not recognized and the cases may be entertained even if the vehicle is out of warranty period depending upon the discretion of the court. The rights of consumers by virtue of Lemon laws may exceed the warranties given by the manufacturer.

Repairs. The vehicle needs frequent identical repair, usually at least 4 times. The repairs should be major repairs that affect the operation, safety and value of the vehicle.

Down Time of the Vehicle. If the vehicle is down for more than 30 days in a year due to defect then it comes under the ambit of lemon laws. The 30 days need not be consecutive days.

The lemon laws cover only new vehicles and not used vehicles. The vehicle owners should note few points that help in proving the case in court.

Repair Order. A repair order should be obtained for every repair visit. The repair order should detail date, problem or diagnosis and attempted repair on the vehicle.

Purchase documents. Purchase documents like contracts, warranties, bills etc should be preserved.

Lemon Law Notice. A lemon law notice should be served to the manufacturer for a refund or a replacement vehicle. The manufacturer should respond within 30 days. For normal wear and tear in the lemon vehicle there should be no deduction from the manufacturer.

Manufacturer's Arbitration Program. Some states make it mandatory to use the manufacturer's arbitration program if available before suing them in court.

Attorney. Utilize the services of an attorney as they are aware of the details of the laws. Many lawyers work on contingency basis, which means that you pay the lawyer if you win the case. Usually the courts award double the cost of the vehicle plus the cost of litigation if you win. Most such litigations are settled outside the court, so it is wise to hire a competent lawyer who can negotiate to your benefit.

As with most laws, Lemon laws vary from state to state, however the principle remains the same, which is protection of the consumer's interest. Keith George always writes about valuable news & reviews. A related resource is Lemon Laws Further information can be found at Questions & Answers