

TEXAS “LEMON LAW”

TEXAS DEPARTMENT OF TRANSPORTATION MOTOR VEHICLE DIVISION, CONSUMER AFFAIRS SECTION

P.O. BOX 2293, AUSTIN, TEXAS 78768

NOTICE TO NEW MOTOR VEHICLE OWNERS TEXAS “LEMON LAW”, ARTICLE 4413(36), SECTION 6.07

The Texas “LEMON LAW” provides simple and inexpensive help for consumers who own defective new vehicles. Owners or lessees of new vehicles who have repeated warranty repairs on their vehicles may file a complaint with the Motor Vehicle Division if the vehicle is less than 30 months old and is within certain time and mileage limits. To qualify for relief, the vehicle must be presented for repairs, in most cases, at least 2 times during the first 12 months or 12,000 miles, whichever occurs first. If the defects cannot be corrected, owners or lessees of “LEMONS” are entitled to have their vehicles repurchased or replaced by the manufacturer.

In general, a “LEMON” is a vehicle that continues to have uncorrected defects after having been subject to repair a reasonable number of times, and the defects seriously affect the use, value, or safety of the vehicle.

Complaints under the lemon law must be filed with the Motor Vehicle Division within certain time limits. A filing fee is required, but will be reimbursed if the vehicle is found to be a “LEMON”.

Because the filing deadline and other requirements of the “Lemon Law” are very specific, call the Motor Vehicle Division for more information or for assistance concerning warranty repair problems at **(512) 505-5172** or **1-800-622-8682**.

(Article 4413(36), Section 4.07(b) requires this notice to be conspicuously posted in the cashier area of the franchised dealer’s service department.)

TEXAS LEMON LAW
NOTICE TO NEW MOTOR VEHICLE OWNERS & LESSEES

The Texas Legislature enacted the “lemon law” (Section 6.07, Art. 4413(36)) to aid owners and lessees of new motor vehicles regarding a manufacturer’s, distributor’s or converter’s warranty obligations. Under the law, vehicle manufacturers, converters, and distributors are required to repair any defects that are covered by warranty. If the defects cannot be repaired, an owner or lessee may be entitled to a repurchase of the vehicle or a replacement vehicle if the following conditions are met:

If a new motor vehicle

- 1) develops a defect or abnormal condition, which is covered by a manufacturer’s, distributor’s or converter’s written warranty;
- 2) the owner or lessee reports the defect or condition within the warranty term, and
- 3) the owner or lessee gives the dealer, manufacturer, distributor or converter a “REASONABLE NUMBER OF ATTEMPTS” to repair the defect or condition; the number of repair attempts required depends on the nature of the defect, and
- 4) the owner or lessee gives the manufacturer, distributor or converter written notice of the defect and at least one opportunity to repair it, and
- 5) the defect or condition continues and it substantially impairs the vehicle’s use or value or creates a serious safety hazard; and
- 6) a written complaint with filing fee of \$35.00 is filed with the Texas Department of Transportation, Motor Vehicle Division NOT LATER THAN SIX MONTHS AFTER the earliest of: (i) the expiration of the warranty term; or (ii) 24 months after the delivery date of the vehicle; or (iii) 24,000 miles after the delivery date of the vehicle.

To file a complaint or obtain additional information, call or write to:

Texas Department of Transportation
Motor Vehicle Division
P.O. Box 2293
Austin, Texas 78768-2293
(512) 505-5172
1-800-622-8682

NOTICE TO
NEW MOTOR VEHICLE OWNERS & LESSEES

If you are unable to obtain the repair or correction of any defect in your new motor vehicle which is covered by the vehicle warranty, the Texas Department of Transportation, Motor Vehicle Division may be able to assist you.

Section 3.08(I) of the Texas Motor Vehicle Commission Code(Article 4413(36), Vernon's Texas Civil Statutes), provides as follows: "The owner of a motor vehicle or the owner's designated agent may make a complaint concerning defects in a motor vehicle which are covered by the manufacturer's, converter's or distributor's warranty agreement applicable to the vehicle. Any such complaint must be made in writing to the applicable dealer, manufacturer, converter, or distributor and must specify the defects in the vehicle which are covered by the warranty. The owner may also invoke the Division's jurisdiction by sending the Division a copy of the complaint. A hearing may be scheduled on all complaints arising under this subsection which are not privately resolved between the owner and the dealer, manufacturer, converter, or distributor."

Complaints involving new motor vehicle warranty repair problems should be in writing, stating the details of the complaint and sent to:

Texas Department of Transportation
Motor Vehicle Division
Consumer Affairs Section
Post Office Box 2293
Austin, Texas 78768-2293