

What Else Should I Know?

If the vehicle is not repaired, TxDOT may send a technical expert to meet with the consumer and the manufacturer to help settle the dispute. If the complaint is still not settled, a hearing will be scheduled at a nearby TxDOT office. At the hearing, the consumer will have to prove to an administrative law judge that the vehicle is a lemon. TxDOT's goal is to hold the hearing and issue the decision within 150 days after the complaint is filed and the filing fee is paid. If the ruling is in favor of the consumer, the manufacturer may be required to repurchase or replace the vehicle, less a reasonable allowance for use (RAFU). (See Web site for an explanation of the RAFU calculation and incidental expenses.)



To obtain a Lemon Law Complaint Form and handbook visit our Web site:

<http://www.dot.state.tx.us>

or at:

1-800-622-8682

or write to:

TxDOT Motor Vehicle Division
P.O. Box 2293
Austin, Texas 78768-2293



Who Can I Call for Help?

TxDOT's Motor Vehicle Division, Consumer Affairs Section, for **Lemon Law information** at: **1-800-622-8682**

TxDOT's Motor Vehicle Division, **Enforcement Section, to file a non-Lemon Law complaint** (fraud, ad violation, brokering, odometer rollback, etc.) against a dealer or manufacturer at: **1-800-687-7846**



Motor Vehicle Division

P.O. Box 2293

Austin, Texas 78768-2293

Phone: 512-416-4800

1-800-622-8682

<http://www.dot.state.tx.us>

e-mail: lemonlaw@dot.state.tx.us

TEXAS DEPARTMENT OF TRANSPORTATION

TEXAS LEMON LAW

Motor Vehicle Division

For cars, trucks, motor homes, towable recreational vehicles, all-terrain vehicles, motorcycles, and neighborhood electric vehicles



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How the Lemon Law Works

The Texas “Lemon Law”* is a state law administered by the Texas Department of Transportation (TxDOT) that helps consumers who buy or lease **new**** motor vehicles **from licensed Texas dealers or lease companies** and have repeated problems getting their vehicles properly repaired. The Lemon Law can help a consumer get the vehicle repurchased, replaced or repaired. It can be less complicated and less expensive than going to court.

What Does It Cover?

- New vehicles that develop problems covered by a **manufacturer’s written warranty**
- Demonstrator vehicles are considered new vehicles

*Texas Occupations Code, Chapter 2301.

**The relief available to used motor vehicle buyers is limited to repairs only, if the repairs were originally covered under the manufacturer’s warranty. TRVs must be titled and registered in Texas.



How Do I Know if I Own or Lease a Lemon?

The consumer must prove the following conditions:

1. The vehicle has a serious defect or abnormal condition.
2. The defect or condition is covered by a manufacturer’s written warranty.
3. The consumer reports the defect or condition to the dealer or manufacturer within the warranty term.
4. The consumer gives the dealer a reasonable number of attempts to repair the defect or condition.
5. The consumer gives the manufacturer (preferably by certified mail) written notice of the defect and at least one opportunity for repair.
6. The defect or condition persists and substantially impairs the vehicle’s use or market value, or creates a serious safety hazard.
7. The consumer files a timely Lemon Law complaint and pays the filing fee.
8. The vehicle was purchased from a Texas dealer or lease company.
9. For TRVs only, the vehicle is registered and titled in Texas.

How Long Do I Have to File a Lemon Law Complaint?

A Lemon Law complaint **must** be filed within six months following the **earlier** of:

1. **Expiration** of the express warranty term.
2. **24 months** after the purchase.
3. **24,000 miles** following the date of delivery of the vehicle (except TRVs).

Since the filing period is determined by which of the above events comes first, the complaint should be filed as soon as the consumer realizes the dealer is having problems repairing the vehicle.

What Should a Lemon “Owner” Do?

1. Send written notice by certified mail to the manufacturer offering an opportunity to repair the vehicle.
2. Obtain a repair order from the dealer each time the vehicle is taken in for repairs, even if the problem can’t be diagnosed or fixed.
3. Ask TxDOT’s Motor Vehicle Division (MVD) for a copy of the Lemon Law Handbook (including complaint form and warranty repair log) or visit the Web site to view the handbook and to download the forms.
4. Begin gathering documents (buyer’s order, repair orders, etc.).
5. File a written complaint with the MVD and pay the \$35.00 filing fee. Upon receipt, a complimentary video will be sent, entitled “Consumers’ Guide to the Texas Lemon Law.”