



## USED CAR LEMON LAWS

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### ISSUE

Which states have used car lemon laws?

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Ten states have used car “lemon laws,” which are laws that provide legal remedies for consumers who buy or lease a used car that does not meet certain standards of quality or performance (i.e., a lemon). The 10 states are Arizona, Connecticut, Hawaii, Illinois, Massachusetts, Minnesota, New Jersey, New Mexico, New York, and Rhode Island.

Used car lemon laws generally require dealers to give consumers a warranty to repair, free of charge or at a reduced rate, certain defects to covered parts (e.g., engine or transmission). In half of the states (Hawaii, New Jersey, New York, Massachusetts, and Rhode Island), a dealer who is unable to repair the used car after a reasonable number of attempts must give the consumer a right to a refund. These states give the dealer additional time to repair a vehicle under extraordinary circumstances.

All of the states, except Hawaii, allow for arbitration to settle disputes if an arbitration mechanism is available that complies with federal law on informal dispute resolution mechanisms. Hawaii establishes a private right of action.

Typically, eligibility for the warranty is based on the number of miles on the used car’s odometer at the time of purchase, with cars with lower mileage having a longer warranty. But in Connecticut, eligibility is based on the car’s purchase price, with more expensive cars having a longer warranty.

All of the states, except Illinois, base the warranty period length on number of days the car is owned or miles the car is driven, whichever is less. These warranty periods range from 15 days or 500 miles in Arizona and New Mexico to 90 days or 5,000 miles in Hawaii.



Half of the states, including Connecticut, exempt older cars from the used car lemon law. The range for these exemptions is between four and eight years.

Table 1 lists the eligibility for a warranty, warranty period, and exemptions based on year for the states with used car lemon laws.

**TABLE 1: USED CAR WARRANTIES**

<b>State</b>	<b>Eligibility for Warranty</b>	<b>Warranty Period (whichever occurs first)</b>	<b>Exemption based on vehicle age</b>
Arizona <a href="#">Ariz. Rev. Stat. Ann. § 44-1267</a>	All used cars	15 days or 500 miles	None
Connecticut <a href="#">CGS § 42-221</a>	Between \$3,000 and \$5,000 \$5,000 and up	30 days or 1,500 miles 60 days or 3,000 miles	Seven years or older
Hawaii <a href="#">Haw. Rev. Stat. § 481J-1</a>	Less than 25,000 miles Between 25,000 and 50,000 miles Between 50,000 and 75,000 miles	90 days or 5,000 miles 60 days or 3,000 miles 30 days or 1,000 miles	Five years or older
Illinois <a href="#">815 Ill. Comp. Stat. 505/2L</a>	Dealer must pay, for 30 days following the sale, the following portion of the repair cost for power train parts: <ul style="list-style-type: none"> <li>• 50% (less than 2 years)</li> <li>• 25% (between 2 and 3 years)</li> <li>• 10% (between 3 and 4 years)</li> </ul>	None	Four years or older
Massachusetts <a href="#">Mass. Gen. Laws ch. 90, § 7N1/4</a>	Less than 40,000 miles (or if mileage not known, three years or less) Between 40,000 and 80,000 miles (or three to six years) Between 80,000 and 125,000 miles (or six years or more)	90 days or 3,750 miles 60 days or 2,500 miles 30 days or 1,250 miles	None
Minnesota <a href="#">Minn. Stat. § 325F. 662</a>	Less than 36,000 miles Between 36,000 and 75,000 miles	60 days or 2,500 miles 30 days or 1,000 miles	Eight years or older

Table 1 (continued)

<b>State</b>	<b>Eligibility for Warranty</b>	<b>Warranty Period (whichever occurs first)</b>	<b>Exemption based on vehicle age</b>
New Jersey <a href="#">N.J. Stat. Ann. § 56:8-69</a>	Less than 24,000 miles	90 days or 3,000 miles	Seven years or older
	Between 24,000 and 60,000 miles	60 days or 2,000 miles	
	Between 60,000 and 100,000 miles	30 days or 1,000 miles	
New Mexico <a href="#">N.M. Stat. § 57-16A-3.1</a>	All used cars	15 days or 500 miles	None
New York <a href="#">N.Y. Gen. Bus. Law § 198-b</a>	Between 18,000 and 36,000 miles	90 days or 4,000 miles	None
	Between 36,000 and 80,000 miles	60 days or 3,000 miles	
	Between 80,000 and 100,000 miles	30 days or 1,000 miles	
Rhode Island <a href="#">R.I. Gen. Laws § 31-5.4-2</a>	Less than 36,000 miles	60 days or 3,000 miles	None
	Between 36,000 and 100,000 miles	30 days or 1,000 miles	

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