

# LEMON LAW CHECKLIST



## IS YOUR VEHICLE A “LEMON”?



- Vehicle is a private passenger car, van, truck or motorcycle.
- Vehicle is “new” – no previous owners, aside from the new motor vehicle dealer.
- Vehicle was purchased and registered in South Carolina.
- Issue(s) substantially affect the value of the vehicle (issue must not be caused by the consumer’s abuse, neglect or alteration of the vehicle).

## HAVE YOU MET THE REQUISITE NUMBER OF REPAIR ATTEMPTS? (SELECT ONE)



- At least 3 repair attempts for the same issue; or
- Any number of repair attempts where the vehicle is out of service for 30 days or more (*does NOT have to be consecutive days*).

## HAVE YOU SENT THE FINAL REPAIR ATTEMPT NOTICE TO THE MANUFACTURER?



- Final Repair Notice Sample.
- Notice sent within first 12 months of ownership or 12,000 miles (*whichever occurs first*).

## WHAT’S NEXT?

- The manufacturer has 10 business days to notify you of a reasonably accessible repair facility where you should take your vehicle for the final repair attempt, free of charge.
- Once you drop your vehicle off, the manufacturer has up to 10 business days to repair the vehicle.
- If the manufacturer is unable to properly repair the vehicle, you should notify the manufacturer that the substantial issue persists. The manufacturer will then inform you of its informal dispute settlement procedure (if any), unless it has already done so.
- If the manufacturer does not have an informal dispute settlement procedure, you may file an action in court.
- If the manufacturer does have an informal dispute settlement procedure, you must pursue that avenue before filing an action in court. If you prevail in the informal dispute settlement, the manufacturer must either (1) replace the vehicle with an identical reasonably equivalent vehicle; or (2) refund the purchase price, less a reasonable allowance for the consumer’s use.
- If you remain unsatisfied after the informal dispute settlement, you may file an action in court.