

Notice of Complaint Procedure for New Vehicle Owners and Lessees

The Texas Legislature enacted the “lemon law” (Texas Occupations Code Subchapter M) to aid owners and lessees of new motor vehicles (including towable recreational 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 repurchase of the vehicle or a replacement vehicle if the following conditions are met:

1. the new motor vehicle 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;
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);
4. the owner or lessee gives the manufacturer, distributor or converter written notice of the defect and at least one opportunity to repair it;
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 a filing fee of \$35 is filed with the Texas Department of Motor Vehicles, Enforcement Division NOT LATER THAN SIX MONTHS AFTER the earliest of : (a) the expiration of the warranty term; or (b) 24 months after the delivery date of the vehicle; or (c) 24,000 miles after the delivery date of the vehicle. (In general, mileage limitations do not apply to towable recreational vehicles).

If you are unable to obtain the repair or correction of any defect in your new motor vehicle (including a towable recreational vehicle) which is covered by the vehicle warranty, the Texas Department of Motor Vehicles, Enforcement Division may be able to assist you.

The Texas Occupations Code, §2301.204 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 state the details of the complaint in writing. To file a complaint or obtain additional information visit our web site, call or write to:

Texas Department of Motor Vehicles
Enforcement Division
4000 Jackson Ave
Austin, TX 78731
(512) 465-3000 or (888) 368-4689
www.texaslemonlaw.us

TEXAS LEMON LAW