

FY2017

LEMON LAW ANNUAL REPORT

Texas Department of Motor Vehicles
Enforcement Division



Texas Department
of Motor Vehicles
HELPING TEXANS GO. HELPING TEXAS GROW.

Enforcement Division
Lemon Law Section

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INTRODUCTION TO THE PROGRAM AND FY 2017 SUMMARY



INTRODUCTION

The Texas Legislature passed the Texas Lemon Law in 1983 to assist consumers in obtaining repair, replacement, or repurchase of motor vehicles purchased or leased that show evidence of substantial defects. The program is administered by the Texas Department of Motor Vehicles' (TxDMV) Lemon Law Section. This Report provides information concerning the number of motor vehicles repurchased or replaced during the previous fiscal year and it details TxDMV efforts to ensure that motor vehicle manufacturers comply with state laws and remove defective vehicles from the road.

Since 1993, there have been approximately 17,900 complaints filed with the TxDMV, and the Lemon Law has generated just over \$119 million in repurchase or replacement value to Texas consumers.

In Fiscal Year 2017 (FY '17), the Lemon Law program's efforts resulted in:

- 473 Lemon Law complaints filed with the TxDMV, an increase of 9% since FY '15;
- 494 Lemon Law complaints closed by the TxDMV; and
- 205 complaints settled by the TxDMV before the issuance of a final decision by a TxDMV hearings examiner.¹
- 23 motor vehicles ordered repurchased or replaced by manufacturers pursuant to a hearing due to substantial defect with a total value of \$1,081,060.21;
- 59 motor vehicles reacquired by manufacturers as a result of settlement agreements after consumers filed a complaint with the TxDMV;
- 411 out-of-state defective motor vehicles reacquired by manufacturers that entered Texas after repair of alleged defects;

This 26th Annual Report contains the number of complaints filed and closed by make and model, complaint processing times, the number of settlements processed, and the number of vehicles ordered repurchased or replaced by a TxDMV hearings examiner.

¹ Complaints may be settled by a TxDMV Case Advisor via phone conference between the parties or via a mediation inspection. A mediation inspection is an in-person analysis of the motor vehicle that is the subject of a Lemon Law or warranty complaint. Inspections are conducted by a TxDMV Case Advisor at an agreed location, such as a vehicle dealership. The complainant and a manufacturer representative typically attend the mediation inspection with the TxDMV Case Advisor, who is a trained motor vehicle technician and certified mediator. The inspection is used by the TxDMV Case Advisor to assess the alleged defects and to facilitate settlement, where possible.

Chart A provides a summary of the program results for FY '17, along with the previous two years' results for comparison.

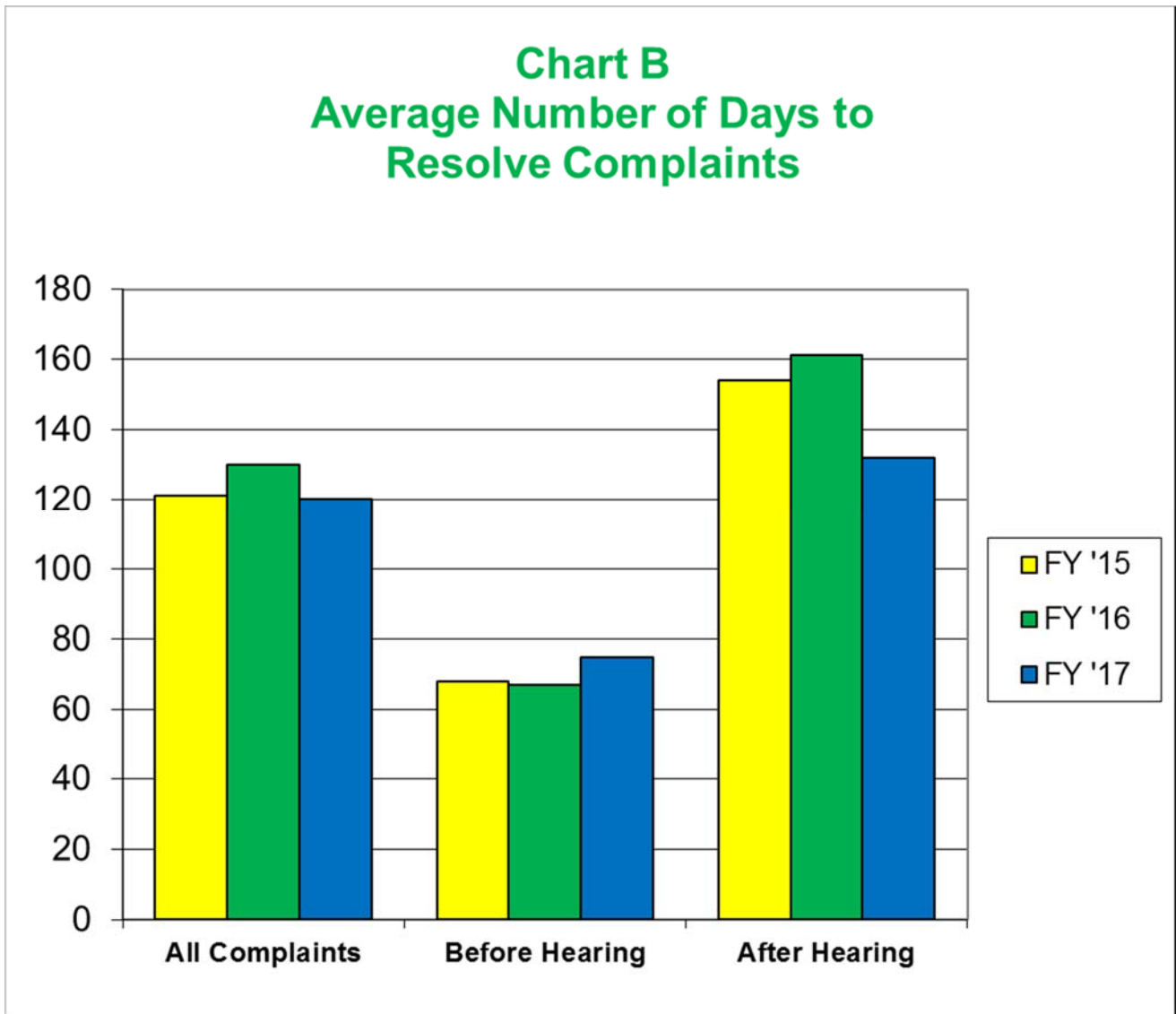
Chart A			
Summary of Program Results			
	FY '15	FY '16	FY '17
Complaints Filed	431	450	473
Closed Ineligible Complaints	63	53	107
Complaints Closed with Action	363	391	387
Closed by Order of Dismissal	68	64	71
Closed by Settlement Order	212	210	205
Closed by Final Order of Repurchase/Replacement	15	26	23
Closed by Final Order of Repairs	5	26	23
Closed by Final Order of Dismissal	63	65	65

The majority of complaints involve passenger cars and light trucks. Complaints were also received on all-terrain vehicles, medium trucks, heavy trucks, motorcycles, motor homes and towable recreational vehicles. Purchase prices of the vehicles subject to complaint ranged from a few thousand dollars to over two hundred thousand dollars for a luxury motor home.

COMPLAINT PROCESS



Chart B details the average processing time for complaints closed for FY '15 through FY '17. Overall processing time has decreased by 1.5% over the past three years.



COMPLAINTS FILED



COMPLAINTS FILED

Chart C1 shows how many passenger car and truck complaints were filed by model (listed alphabetically by make) for FY '15 through FY '17. Of the 473 complaints filed in FY '17, 85.84% were for cars and light trucks.

Chart C1 (Passenger Cars and Trucks) Complaints by Make and Model					
Make	Model	FY '15	FY '16	FY '17	FY '16 Complaint Share
Acura	MDX	0	1	4	0.85%
	RDX	1	0	1	0.21%
	TLX	0	1	0	0.00%
	TL	0	0	1	0.21%
Total		1	2	6	1.27%
Alfa Romeo	Giulia Quadrifoglio	0	0	1	0.21%
Aston Martin	Vantage S	0	1	0	0.00%
Audi	A3	0	0	2	0.42%
	A4	0	1	1	0.21%
	A8	0	1	0	0.00%
	Q5	1	0	0	0.00%
	Q7	0	1	2	0.42%
	S5	1	0	0	0.00%
	TT	0	0	1	0.21%
Total		2	3	6	1.27%
Blue Bird	Activity Bus (MT)	0	1	0	0.00%
BMW	2 Series	1	0	0	0.00%
	3 Series	4	3	9	1.90%
	5 Series	3	2	2	0.42%
	7 Series	0	1	0	0.00%
	BMW i3	0	0	3	0.63%
	M3	0	0	1	0.21%
	M6	0	1	0	0.00%
	X1	0	1	0	0.00%
	X3	1	0	1	0.21%
	X5	1	1	4	0.85%
	X6	1	0	0	0.00%
Total		11	9	20	4.23%
Buick	Enclave	1	2	2	0.42%
	Encore	1	0	0	0.00%
	LaCrosse	2	0	1	0.21%
	Rainier	0	1	0	0.00%
	Regal	0	1	1	0.21%
	Verano	0	1	0	0.00%
Total		4	5	4	0.85%
Cadillac	ATS	1	2	1	0.21%
	CTS	1	1	2	0.42%
	CTS-V	0	0	1	0.21%
	Deville	0	0	1	0.21%
	Escalade	3	5	8	1.69%
	SRX	0	1	0	0.00%
	XTS	0	0	2	0.42%
Total		5	9	15	3.17%

Chart C1 (Continued)					
Chevrolet	Aveo	2	0	0	0.00%
	Camaro	6	6	2	0.42%
	Colorado	1	1	1	0.21%
	Corvette	1	1	3	0.63%
	Cruze	1	2	4	0.85%
	Equinox	1	2	1	0.21%
	Express	1	0	1	0.21%
	HHR	1	1	0	0.00%
	Impala	1	2	1	0.21%
	Malibu	2	2	6	1.27%
	Silverado	11	14	11	2.33%
	Sonic	0	0	2	0.42%
	Spark	1	0	1	0.21%
	Suburban	0	3	6	1.27%
	Tahoe	2	5	3	0.63%
	Traverse	2	3	5	1.06%
Total		33	42	47	9.94%
Chrysler	200	7	16	15	3.17%
	300	0	1	4	0.85%
	Crossfire	0	0	1	0.21%
	Pacifica	0	1	1	0.21%
	Sebring	1	0	0	0.00%
	Town & Country	3	0	3	0.63%
Total		11	18	24	5.07%
Dodge	Avenger	5	0	2	0.42%
	Challenger	5	0	2	0.42%
	Charger	6	6	2	0.42%
	Dart	15	6	0	0.00%
	Durango	10	2	2	0.42%
	Grand Caravan	0	3	0	0.00%
	Journey	6	5	3	0.63%
	Ram	37	30	29	6.13%
	Viper	2	0	0	0.00%
Total		86	52	40	8.46%
Fiat	500	0	1	4	0.85%
	Abarth	2	1	0	0.00%
Total		2	2	4	0.85%
Ford	C-Max	1	0	0	0.00%
	Crown Victoria	0	0	0	0.00%
	Edge	1	5	1	0.21%
	Escape	4	2	6	1.27%
	Expedition	1	1	2	0.42%
	Explorer	4	6	13	2.75%
	E-Series	0	0	1	0.21%
	F Series	20	17	22	4.65%
	F750 Pickup (MT)	1	0	0	0.00%
	Fiesta	4	4	2	0.42%
	Flex	0	0	1	0.21%
	Focus	10	23	12	2.54%
	Fusion	1	4	9	1.90%
	Mustang	1	1	4	0.85%
	Transit Passenger Wagon	0	0	1	0.21%
	Taurus	2	1	0	0.00%

Chart C1 (Continued)					
Total		50	64	74	15.64%
Freightliner	Cascadia (HT)	0	1	0	0.00%
	Century (HT)	0	1	0	0.00%
Total		0	2	0	0.00%
GMC	Acadia	3	4	3	0.63%
	Canyon	0	2	1	0.21%
	Sierra	6	9	14	2.96%
	Terrain	2	0	1	0.21%
	Yukon	2	6	4	0.85%
Total		13	21	23	4.86%
Honda	Accord	3	2	0	0.00%
	Civic	1	1	3	0.63%
	CR-V	1	1	2	0.42%
	Fit	0	0	1	0.21%
	Odyssey	6	0	3	0.63%
	Pilot	0	1	2	0.42%
	Ridgeline	0	0	1	0.21%
Total		11	5	12	2.54%
Hyundai	Elantra	0	1	1	0.21%
	Equus	0	0	1	0.21%
	Genesis	1	1	2	0.42%
	Santa Fe	2	0	2	0.42%
	Sonata	3	3	3	0.63%
	Tucson	0	3	3	0.63%
	Veloster	0	1	0	0.00%
	Veracruz	2	0	2	0.42%
Total		8	9	14	2.96%
Infiniti	Q50	1	1	0	0.00%
	QX30	0	0	1	0.21%
	QX60	0	1	1	0.21%
Total		1	2	2	0.42%
Jaguar	F-Pace	0	0	1	0.21%
	XF-Type	2	1	0	0.00%
	XJ-Type	0	1	0	0.00%
Total		2	2	1	0.21%
Jeep	Cherokee	12	13	6	1.27%
	Compass	1	0	0	0.00%
	Grand Cherokee	20	10	13	2.75%
	Liberty	1	0	1	0.21%
	Patriot	3	5	0	0.00%
	Renegade	0	3	6	1.27%
	Wrangler	9	7	8	1.69%
Total		46	38	34	7.19%
Kenworth	T-700	0	1	0	0.00%
	W900L	0	1	0	0.00%
Total		0	2	0	0.00%
Kia	Cadenza	1	0	0	0.00%
	Forte	0	0	2	0.42%
	K900	1	0	0	0.00%
	Optima	3	0	2	0.42%
	Rio	0	1	0	0.00%
	Sedona	1	1	1	0.21%
	Sorento	3	1	2	0.42%

Chart C1 (Continued)					
	Soul	1	2	0	0.00%
	Sportage	0	0	1	0.21%
Total		10	5	8	1.69%
Land Rover	Discovery	1	0	0	0.00%
	Discovery Sport	0	0	1	0.21%
	LR4	0	1	0	0.00%
	Range Rover	1	0	5	1.06%
	Range Rover Evoque	0	0	1	0.21%
	Range Rover Sport	0	5	1	0.21%
Total		2	6	8	1.69%
Lexus	ES	0	1	1	0.21%
	IS	1	0	0	0.00%
	GS	0	1	1	0.21%
	GX	1	0	0	0.00%
	NX	0	1	0	0.00%
	RX	1	1	2	0.42%
	Total		3	4	4
Lincoln	MKC	1	1	1	0.21%
	MKT	1	0	0	0.00%
	MKX	2	3	3	0.63%
	MKZ	1	1	0	0.00%
	Navigator	0	1	1	0.21%
	Total		5	6	5
Maseratti	Ghibli	1	0	0	0.00%
	Quattro Porte	0	1	1	0.21%
Total		1	1	1	0.21%
Mazda	CX-7	1	0	0	0.00%
	CX-9	0	1	0	0.00%
	Mazda3	2	1	1	0.21%
	Mazda5	0	0	1	0.21%
	Mazda6	2	1	0	0.00%
	Millenia	1	0	0	0.00%
	Total		6	3	2
Mercedes-Benz	C-Class	2	2	2	0.42%
	CL-Class	0	1	0	0.00%
	CLA-Class	2	0	1	0.21%
	E-Class	2	3	0	0.00%
	G-Class	0	1	1	0.21%
	GL-Class	0	1	1	0.21%
	M-Class	2	0	0	0.00%
	S-Class	0	1	0	0.00%
	Sprinter	2	0	0	0.00%
	Total		10	9	5
Mitsubishi	Diamante	1	0	0	0.00%
	Endeavor	0	1	0	0.00%
	Mirage	0	1	0	0.00%
Total		1	2	0	0.00%
Mini	Cooper	0	0	1	0.21%
Mitsubishi-Fuso	FE160 (MT)	0	0	1	0.21%
Nissan	Altima	6	2	4	0.85%
	Armada	2	1	0	0.00%
	Frontier	1	1	1	0.21%
	Maxima	1	0	0	0.00%

Chart C1 (Continued)					
	Murano	2	0	1	0.21%
	Pathfinder	3	1	2	0.42%
	Rogue	0	2	2	0.42%
	Sentra	1	4	1	0.21%
	Titan	0	1	4	0.85%
	Versa	2	0	2	0.42%
Total		18	12	17	3.59%
Peterbilt	337 (HT)	0	1	0	0.00%
Pontiac	Firebird	1	0	0	0.00%
Porsche	911	2	0	0	0.00%
Schwarze	Gale Force Sweeper (MT)	0	1	0	0.00%
Subaru	Forester	0	2	3	0.63%
	Outback	0	2	0	0.00%
	XV Crosstrek	1	0	0	0.00%
	WRX	0	0	1	0.21%
Total	1	4	4	0.85%	
Suzuki	Verona	1	0	0	0.00%
Tesla	Model S	1	0	1	0.21%
Toyota	Avalon	0	0	2	0.42%
	Camry	1	3	2	0.42%
	Corolla	1	1	3	0.63%
	Highlander	0	2	2	0.42%
	Prius	1	0	1	0.21%
	Rav4	0	2	2	0.42%
	Sienna	1	0	0	0.00%
	Tacoma	0	3	2	0.42%
	Tundra	1	3	0	0.00%
	Yaris iA	0	0	1	0.21%
Total	5	14	15	3.17%	
Volkswagen	Beetle	0	1	1	0.21%
	Golf	0	1	1	0.21%
	GTI	1	1	0	0.00%
	Jetta	4	2	1	0.21%
	Jetta Sportwagen	0	1	0	0.00%
	Passat	3	7	0	0.00%
	Tiguan	1	0	0	0.00%
	Touareg	0	2	0	0.00%
Total	9	15	3	0.63%	
Volvo	VNL 780 (HT)	1	0	0	0.00%
	XC60	1	0	0	0.00%
	XC70	2	0	0	0.00%
	XC90	0	0	2	0.42%
Total	4	0	2	0.42%	
Miscellaneous Complaints	Unknown	15	4	2	0.42%
Total Complaints Filed		381	376	406	85.84%

Chart C2 shows how many motor home complaints were filed by model (listed alphabetically by make) for FY '15 through FY '17. Of the 473 complaints filed in FY '17, 3.58% of the total complaints filed were for motor homes.

Chart C2 (Motor Homes) Complaints by Make and Model					
Make	Model	FY '15	FY '16	FY '17	FY '17 Complaint Share
Coachmen	Concord	0	0	1	0.21%
	Encounter	0	0	1	0.21%
	Freelander	0	2	0	0.00%
	Leprachan	0	1	0	0.00%
	Mirada	1	1	0	0.00%
	Pursuit	0	1	0	0.00%
Total		1	5	2	0.42%
Fleetwood	Bounder	0	0	1	0.21%
	Revolution	0	1	0	0.00%
	Storm	0	1	0	0.00%
Total		0	2	1	0.21%
Forest River	FR3	0	1	0	0.00%
	Georgetown	0	0	1	0.21%
	Legacy	0	0	2	0.42%
Total		0	1	3	0.63%
Heartland	Prowler Linx	0	0	1	0.21%
Holiday Rambler	Vacationer	1	0	0	0.00%
Jayco	Greyhawk	1	0	0	0.00%
	Pinnacle	0	1	0	0.00%
Total	Quest	1	1	0	0.00%
Keystone	Bullet	0	0	1	0.21%
Newmar	Canyon Star	0	0	1	0.21%
	Dutch Star	0	0	1	0.21%
Total	Quest	0	0	2	0.42%
Thor	Axis	0	0	1	0.21%
	Chateau	0	1	0	0.00%
	Four Winds	2	0	2	0.42%
	Hurricane	0	1	0	0.00%
	Outlaw	1	0	0	0.00%
	Palazzo	0	1	0	0.00%
	Tuscany	0	0	2	0.42%
Total		3	3	5	1.06%
Winnebago	Ellipse	0	0	1	0.21%
	ERA	0	1	0	0.00%
	Forza	0	1	0	0.00%
	Itasca Navion	0	2	0	0.00%
	Itasca Reyo	1	0	0	0.00%
	Itasca Sunstar LX	2	0	0	0.00%
	Journey	0	1	1	0.21%
	Sonova	1	0	0	0.00%
Total		4	5	2	0.42%
Total Complaints Filed		10	17	17	3.58%

Chart C3 shows how many towable recreational vehicle complaints were filed by model (listed alphabetically by make) for FY '15 through FY '17. Of the 473 complaints filed in FY '17, 8.67% were for towable recreational vehicles.

Chart C3 (Towable Recreational Vehicles)					
Complaints by Make and Model					
Make	Model	FY '15	FY '16	FY '17	FY '17 Complaint Share
Bison	Premier	0	1	0	0.00%
	Trail Express	0	1	0	0.00%
Total		0	2	0	0.00%
Coachmen	Brookstone	0	0	1	0.21%
	Chaparral	0	0	1	0.21%
Total		0	0	2	0.42%
CrossRoads	Elevation	2	0	0	0.00%
	Hill Country	0	1	0	0.00%
	Redwood	0	0	1	0.21%
	Rushmore	2	0	0	0.00%
	Sunset Trail Reserve	1	0	0	0.00%
	Z1	0	0	1	0.21%
Total		5	1	2	0.42%
Cruiser	MPG	0	0	1	0.21%
	Shadow Cruiser	1	0	0	0.00%
Total		1	0	1	0.21%
DRV	Memphis	0	1	0	0.00%
	Mobile Suite	1	0	1	0.21%
	Tradition	0	1	0	0.00%
Total		1	2	1	0.21%
Dutchmen	Aerolite	2	0	0	0.00%
	Denali	0	1	1	0.21%
	Voltage	3	2	1	0.21%
Total		5	3	2	0.42%
Evergreen	I-GO Lite	0	0	1	0.21%
Forest River	Cardinal	1	0	2	0.42%
	Cedar Creek	1	0	1	0.21%
	Cherokee Wolf Pup	0	1	0	0.00%
	Crusader by Prime Time	0	0	1	0.21%
	Dynamax Trilogy	0	1	0	0.00%
	Hyperlite	0	0	1	0.21%
	Primetime Crusader	0	1	0	0.00%
	r-pod	0	1	0	0.00%
	Rockwood Roo	0	1	0	0.00%
	Rockwood Signature	0	0	1	0.21%
	Rockwood Ultra Lite	0	1	0	0.00%
	Rockwood Windjammer	0	1	0	0.00%
	Salem	1	0	0	0.00%
	Salem Hemisphere	0	0	1	0.21%
	Sandpiper	0	0	3	0.63%
	Sanibel	0	1	0	0.00%
	Shasta Phoenix	1	0	0	0.00%
	Sierra	1	0	0	0.00%
	Soliare	0	1	0	0.00%
	Stealth	0	0	1	0.21%
Vengeance	0	1	1	0.21%	

Chart C3 (Continued)					
	Wildcat	1	0	0	0.00%
	Wildwood X-Lite	0	0	1	0.21%
	Work and Play	0	1	0	0.00%
Total		6	11	13	2.75%
Grand Design	Imagine	0	0	1	0.21%
	Momentum	0	0	1	0.21%
	Reflection	0	0	1	0.21%
Total		0	0	3	0.63%
Gulf Stream	Kingsport	0	1	0	0.00%
Heartland	Bighorn	0	1	0	0.00%
	Cyclone	1	0	1	0.21%
	Gateway	1	0	0	0.00%
	North Trail	0	1	0	0.00%
	Oakmont	0	0	1	0.21%
	Pioneer	1	0	0	0.00%
	Road Warrior	2	0	0	0.00%
	Sundance	0	1	1	0.21%
	Torque	1	0	0	0.00%
	Trail Runner	1	0	1	0.21%
	Xtreme Light Elridge	0	0	1	0.21%
Total		7	3	5	1.06%
Highland Ridge	Light	0	1	0	0.00%
	Open Range 3X	0	1	2	0.42%
Total		0	2	2	0.42%
Jayco	Melbourne	0	0	1	0.21%
	White Hawk	0	1	0	0.00%
Total		0	1	1	0.21%
Keystone	Alpine	1	0	1	0.21%
	Big Sky Montana	0	1	0	0.00%
	Bullet	0	1	0	0.00%
	Carbon	0	1	0	0.00%
	Montana	0	2	0	0.00%
	Montana High Country	0	1	0	0.00%
	Passport	0	0	2	0.42%
	Premier Ultra Lite by Bullet	0	0	1	0.21%
	Raptor	0	1	0	0.00%
	Rubicon	0	1	0	0.00%
	Springdale	0	0	1	0.21%
	Sprinter	0	1	0	0.00%
	Summerland	0	0	1	0.21%
Total		1	9	6	1.27%
K-Z	Classic	0	1	0	0.00%
	Sportsmen	0	0	1	0.21%
Total		0	1	1	0.21%
Open Range	Light	1	0	0	0.00%
Starcraft	Autumn Ridge	0	0	1	0.21%
Total Complaints Filed		27	36	41	8.67%

Chart C4 shows how many all-terrain vehicle and motorcycle complaints were filed by model (listed alphabetically by make) FY '15 through FY '17. Of the 473 complaints filed in FY '17, 1.91 % were for all-terrain vehicles, motorcycles, or neighborhood electric vehicles.

Chart C4 (All Terrain Vehicles, Motorcycles and Neighborhood Electric Vehicles)					
Complaints by Make and Model					
Make	Model	FY '15	FY '16	FY '17	FY '17 Complaint Share
Arctic Cat	425 (ATV)	1	0	0	0.00%
	Alterra (ATV)	0	0	1	0.21%
Total		1	0	1	0.21%
Bennche	Spire (ATV)	1	0	0	0.00%
BMW	G650GS (MC)	0	1	0	0.00%
	K 1600 GTL (MC)	1	2	0	0.00%
	R1200GSADV (MC)	0	1	0	0.00%
Total		1	4	0	0.00%
Can-Am	Commander Max (ATV)	1	0	0	0.00%
	Spyrts (MC)	0	0	1	0.21%
Total		1	0	1	0.21%
Cazador	UTV (ATV)	0	1	0	0.00%
Ducati	Multistrada (MC)	0	1	0	0.00%
Harley-Davidson	Fatboy FLSTF (MC)	0	0	1	0.21%
	Flhtcusse8 (MC)	1	0	0	0.00%
	FLSTC103	0	0	1	0.21%
	Sand Camo Demin (MC)	0	1	0	0.00%
Total		1	1	2	0.42%
Honda	CBR30R (MC)	0	1	0	0.00%
	Gold Wing (MC)	1	0	0	0.00%
Total		1	1	0	0.00%
Hyosung	GTR250 (MC)	0	1	0	0.00%
Kawasaki	VN900DGF	0	0	1	0.22%
Mahindra	XTV750C	0	0	1	0.21%
Massimo	Alligator (ATV)	0	1	0	0.00%
	Gunner 250 (ATV)	0	1	0	0.00%
	LSV (ATV)	0	1	0	0.00%
	MSU-600 (ATV)	1	0	0	0.00%
	MSU-700 (ATV)	0	0	1	0.21%
Total		1	3	1	0.21%
Maxtrade	Black Spider Quad (ATV)	0	1	0	0.00%
	Coolster Speedmax (MC)	0	1	0	0.00%
Total		0	2	0	0.00%
Oreion	Reeper (ATV)	1	0	0	0.00%
Polaris	Outlaw (ATV)	0	1	0	0.00%
	Ranger (ATV)	0	1	0	0.00%
	Ranger Crew (ATV)	1	0	0	0.00%
	Ranger RZR (MC)	0	1	0	0.00%
	RSR 170 (ATV)	0	1	0	0.00%
Total		1	4	0	0.00%
Roketa	MC 100 (MC)	1	0	0	0.00%
Star	Diablo	0	0	1	0.21%
TAOTAO	ATM50 (MC)	1	0	0	0.00%
	ATA110 (ATV)	0	1	0	0.00%
Total		1	1	0	0.00%

Chart C4 (Continued)

Thoroughbred	Stallion (MC)	1	0	0	0.00%
Triumph	Explorer (MC)	0	1	0	0.00%
	Tiger Explorer (MC)	0	0	1	0.21%
Total		0	1	1	0.21%
Victory	Cross Country (MC)	1	0	0	0.00%
Yamaha	R1M (MC)	0	1	0	0.00%
Total Complaints Filed		13	21	9	1.91%

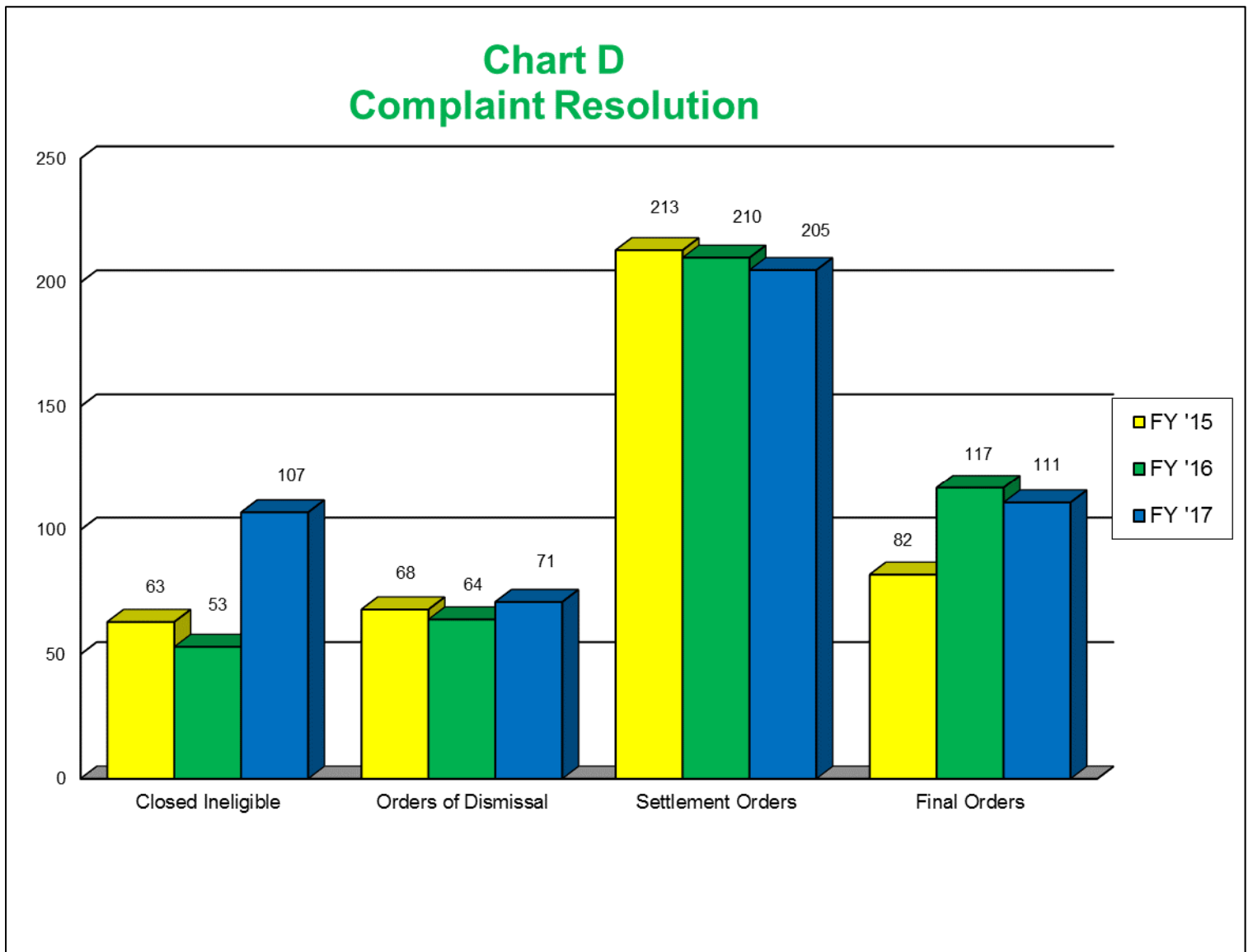
COMPLAINTS CLOSED



COMPLAINTS CLOSED

Chart D is a comparison of complaint resolution statistics for FY '15 through FY '17. All docketed cases, are resolved by issuance of an order by a TxDMV hearings examiner.² The orders issued reflect settlement between the parties, dismissal of the complaint³, or issuance of a decision and final order after an administrative hearing. Orders issued by a TxDMV hearings examiner are final orders.⁴

Ineligible cases are those that were never docketed. These cases are closed administratively by staff.



² Lemon Law complaints filed on or after January 1, 2014 are heard by a TxDMV hearings examiner from OAH. The cases included in this Annual Report were heard by TxDMV hearings examiners.

³ A dismissal order is issued in the event of non-participation or ineligibility of the complainant after docketing a complaint.

⁴ See Occupations Code §2301.704(c).

Chart E provides the breakdown of the types of settlements reached between the parties that resulted in the issuance of an order providing relief to close out the complaint. The chart indicates the specific remedy reached. The settlement results are listed alphabetically by manufacturer.

The “Other” settlement category is used when the terms of the settlement between the parties are not disclosed to the TxDMV.

Chart E Settlements by Vehicle Make								
Vehicle Make	Repurchase	Replacement	Trade Assist	Repair	Extended Service Contract	Cash Settlement	Other	Total Settlements
Acura	0	0	0	0	0	0	1	1
Arctic Cat	0	0	0	1	0	0	0	1
BMW	0	1	0	0	1	0	0	2
Buick	0	1	0	0	0	0	1	2
Cadillac	0	0	0	1	0	0	0	1
Can Am	0	0	0	0	0	0	1	1
Cazador	0	1	0	0	0	0	0	1
Chevrolet	0	1	0	10	1	3	2	17
Chrysler	1	0	0	0	0	12	3	16
Dodge	3	2	0	3	0	15	4	27
Fiat	0	0	0	0	0	2	0	2
Ford	11	3	0	8	0	0	2	24
Forest River	1	0	0	3	0	1	3	8
GMC	0	0	1	6	2	1	2	12
Grand Design	0	0	0	1	0	0	0	1
Harley Davidson	0	1	0	1	0	0	0	2
Heartland	0	0	0	0	0	0	1	1
Highland Ridge	0	2	0	0	0	0	1	3
Honda	0	0	1	2	0	1	2	6
Hyundai	3	0	0	0	0	1	0	4
Infiniti	1	0	0	0	0	0	0	1
Jeep	4	4	0	2	0	8	6	24
Keystone	0	0	0	2	0	2	0	4
Kia	0	1	0	0	0	1	4	6
K-Z	0	0	0	1	0	1	0	2
Land Rover	1	0	0	2	0	0	1	4
Lincoln	2	0	0	1	0	0	0	3
Massimo	0	1	0	1	0	0	1	3
Mercedes-Benz	1	0	0	0	0	1	1	3
Newmar	0	0	0	1	0	0	0	1
Nissan	5	2	0	1	1	0	0	9
Star	0	1	0	0	0	0	0	1
Subaru	2	0	0	2	0	0	0	4
Thor	0	0	0	0	1	1	1	3
Toyota	2	0	0	0	0	0	0	2
Volkswagen	1	0	0	0	0	0	0	1
Volvo	0	0	0	1	0	0	1	2
Total	38	21	2	50	6	50	38	205

Chart F shows the comparison of the 111 post hearing final orders issued after an administrative hearing on the complaint was conducted.

Complaints not settled at the beginning of the case proceed to an administrative hearing where the parties present evidence to support their positions on whether a substantial defect exists within the subject motor vehicle that would warrant the replacement, repurchase, or repair by the manufacturer. After the hearing has concluded, a TxDMV hearings examiner issues a decision and final order. If not timely appealed, that order represents a final decision of the TxDMV. The final orders are grouped by manufacturer.

Chart F Post Hearing Orders by Vehicle Make					
Vehicle Make	Repurchase	Replacement	Repair	Dismissal	Total Orders
Acura	0	0	2	0	2
Aston Martin	0	0	1	0	1
Audi	0	0	0	1	1
BMW	1	0	1	4	6
Buick	0	0	0	1	1
Cadillac	1	0	0	3	4
Chevrolet	2	0	1	8	11
Chrysler	1	0	0	2	3
Coachmen	0	0	3	0	3
Dodge	2	1	0	6	9
DRV	1	0	0	0	1
Dutchmen	0	0	1	0	1
Fiat	0	0	0	1	1
Ford	8	0	3	9	20
Forest River	3	0	3	1	7
GMC	0	0	0	3	3
Heartland	0	0	0	1	1
Honda	0	0	1	4	5
Hyundai	0	1	0	1	2
Infiniti	0	0	0	1	1
Jaguar	0	0	0	1	1
Jayco	0	0	2	1	3
Jeep	0	0	0	1	1
Keystone	0	0	1	3	4
Kia	0	0	1	0	1
Land Rover	0	0	2	2	4
Lexus	0	0	1	3	4
Lincoln	1	0	0	0	1
Massimo	0	0	0	1	1
Nissan	0	0	0	2	2
Subaru	0	0	0	2	2
Toyota	0	0	0	1	1
Volkswagen	0	0	0	1	1
Volvo	1	0	0	0	1
Winnebago	0	0	0	1	1
Total	21	2	23	65	111

Chart G expands on the 23 vehicles from Chart F that were the subject of a post-hearing final order issued by the TxDMV for repurchase or replacement by the vehicle manufacturer as required by Texas Occupations Code §2301.611. The vehicles are listed alphabetically by make and model with the replacement/repurchase value noted. The defect noted was the basis for ordering repurchase or replacement of the vehicle.

These vehicles met the statutory requirements for repurchase or replacement found in Texas Occupations Code §2301.604.

CHART G VEHICLES ORDERED REPURCHASED OR REPLACED - BY MAKE AND MODEL						
	YEAR	MAKE	MODEL	VEHICLE TYPE	DEFECT	PRICE
1	2014	Dodge	Ram	Light Truck	Engine Performance/Emissions	\$42,133.18
2	2015	Cadillac	Escalade	Light Truck	Automatic Transmission	\$67,717.35
3	2014	Ford	Focus	Passenger Car	Automatic Transmission	\$14,118.49
4	2015	DRV	Tradition	Towable Recreational Vehicle	Water Leaks	\$74,777.22
5	2015	Chevrolet	Suburban	Light Truck	Electrical	\$65,160.19
6	2014	Dodge	Ram	Light Truck	Suspension and Steering	\$55,507.01
7	2016	Forest River	Cardinal	Towable Recreational Vehicle	Water Leaks	\$69,495.00
8	2014	Hyundai	Equus	Passenger Car	Electrical	\$45,800.27
9	2016	Dodge	Ram	Light Truck	Suspension and Steering	\$50,900.47
10	2015	Ford	F Series	Light Truck	Engine Performance/Emissions	\$51,741.14
11	2015	Forest River	Rockwood Roo	Towable Recreational Vehicle	Water Leaks	\$19,934.31
12	2015	Lincoln	MKX	Light Truck	Safety Devices	\$37,457.56
13	2015	Ford	F Series	Light Truck	Engine Performance/Emissions	\$49,542.86
14	2015	BMW	3 Series	Passenger Car	Engine Performance/Emissions	\$32,843.14
15	2015	Ford	F Series	Light Truck	Electrical	\$51,898.75
16	2015	Volvo	VNL 780	Heavy Truck >26K GVW	Body and Trim	\$158,252.08
17	2016	Ford	Edge	Light Truck	Automatic Transmission	\$39,301.29
18	2016	Chevrolet	Traverse	Light Truck	Body and Trim	\$32,992.69
19	2015	Chrysler	200	Passenger Car	Engine Performance/Emissions	\$24,181.73
20	2014	Ford	F Series	Light Truck	Engine Performance/Emissions	\$28,003.73
21	2014	Ford	Focus	Passenger Car	Automatic Transmission	\$10,079.18
22	2016	Forest River	r-pod	Towable Recreational Vehicle	Water Leaks	\$16,955.49
23	2015	Ford	Expedition	Light Truck	Automatic Transmission	\$42,267.08
Total						\$1,081,060.21

Chart H shows the number of vehicles reacquired by manufacturers per 43 Texas Administrative Code Rule §215.210 which details requirements to be followed in connection with orders granting relief.

Chart H			
Manufacturer Reacquired Vehicles			
	FY '15	FY '16	FY '17
Reacquired Vehicles Ordered Pursuant to a Hearing	14	25	23
Reacquired Vehicle Settlements	96	66	59
Reacquired Vehicles Transferred to Texas	754	521	411
Total	864	612	493

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