



Georgia Lemon Law Fact Sheet



What is it?

The Georgia Lemon Law is a self-help statute whose primary goal is to have the manufacturer of your motor vehicle fix any defects. If your vehicle cannot be repaired in a reasonable number of attempts and is found to be a "lemon," the law requires the manufacturer to replace or buy back (*repurchase*) the vehicle. It also alerts manufacturers to possible defects and quality issues in the vehicles they produce.

Who is covered?

Only **new** motor vehicles are covered by the Georgia Lemon Law. This means new, self-propelled vehicles that are primarily designed to transport people or property over public highways and were purchased, leased or registered in Georgia on or after January 1, 2009. The title of the vehicle must still be in the name of the person who originally purchased or leased it and cannot have been previously issued to anyone other than the new motor vehicle dealer.

How long do I have?

The Lemon Law rights period is the period ending two years from the date you took delivery of the vehicle *or* after the first 24,000 miles of your use, whichever occurs first. To determine the exact date your Lemon Law rights period expires, be mindful of the mileage you put on the vehicle **and** the amount of time that has elapsed since you acquired the vehicle.

- For example, if you acquire the vehicle on June 1, 2010, and put fewer than 24,000 miles on your vehicle before two years from the date you acquired it has elapsed, then your Lemon Law rights period expires on June 1, 2012.
- Conversely, if you acquire the vehicle on June 1, 2010, and put 24,000 miles on your vehicle **before** June 1, 2012, then your Lemon Law rights period expires on the day you reach the 24,000-mile threshold. So if you put 24,000 miles on the vehicle as of August 1, 2011, your Lemon Law rights period would expire on that date.

What do I do?

If you think your vehicle is a lemon, you must allow the dealer or manufacturer's authorized agent a reasonable number of attempts to repair the vehicle's problem within

the Lemon Law rights period. Reasonable attempts under Georgia law means typically three attempts to fix the same problem.

If the defect is still present after you have made a reasonable number of repair attempts, you must give the manufacturer a final opportunity to correct it. The number of repair attempts considered "reasonable" is determined by the type of defect (*or by days out of service, which does not require a final repair attempt*).

What happens if the manufacturer doesn't comply?

If the manufacturer is unable to correct the defect on the final attempt and fails to buy back or replace the vehicle on request, you may qualify for a vehicle repurchase or replacement award through a *certified informal dispute settlement program, state-operated arbitration*, or both. If you meet the eligibility requirements, you have the right to request that the manufacturer either repurchase or replace your vehicle. If the manufacturer is unwilling to provide either of these remedies, the law gives you the right to an arbitration process.

What paperwork do I need?

Always keep copies of any correspondence to or from the manufacturer or dealer, and always make a note of the date and substance of any phone conversations you have with them. You are required to submit various written notices throughout the process, and you must send these notices by either overnight mail delivery or certified mail. You will need to request a return receipt each time, which should be kept with your records as proof of delivery. Be sure to obtain an itemized repair order or statement from the authorized dealer each time the vehicle is submitted for diagnosis or repair because it is a way to prove the attempts at repair.

Will it cost me anything?

No. This state-operated program is funded by the \$3.00 fee you previously paid when you bought or leased your new motor vehicle.

FOR MORE INFORMATION:

If you seek additional information regarding Georgia's Lemon Law, you should visit <http://consumer.georgia.gov/consumer-services/lemon-law-complaint-process>. If you still have questions, please contact the Fort Benning Legal Assistance Office and make an appointment with one of our attorneys.



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