

H.422

Introduced by Representatives Milkey of Brattleboro, Bohi of Hartford,
Botzow of Pownal, Branagan of Georgia, Burke of Brattleboro,
Clerkin of Hartford, Edwards of Brattleboro, Gilbert of Fairfax,
Mook of Bennington, Morrissey of Bennington, Obuchowski of
Rockingham, Partridge of Windham, Shand of Weathersfield
and Wheeler of Derby

Referred to Committee on

Date:

Subject: Motor vehicles; contracts of sale; refund

Statement of purpose: This bill proposes to allow a purchaser of a motor
vehicle to void or cancel the contract of sale if the vehicle fails to pass
inspection within seven days from the date of sale and if the estimated costs of
repairs of emissions- or safety-related defects exceed 10 percent of the
purchase price.

An act relating to a Vermont lemon aid law

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 9 V.S.A. chapter 116 is added to read:

CHAPTER 116. VERMONT LEMON AID LAW

§ 4191. LEMON AID LAW

1 (a) Notwithstanding any disclaimer of warranty, a motor vehicle contract of
2 sale may be voided by the buyer if the motor vehicle fails to pass, within seven
3 days from the date of such sale, the periodic staggered inspection at a licensed
4 inspection station, provided that the defects which are the reasons for the
5 failure to issue a certificate of inspection were not caused by the abusive or
6 negligent operation of the motor vehicle or by damage resulting from an
7 accident or collision occurring after the date of the sale, and further provided
8 that the cost of repairs necessary to permit the issuance of a certificate of
9 inspection exceeds 10 percent of the purchase price of the motor vehicle.

10 (b) In order to void a motor vehicle sale under this section, the buyer shall,
11 within 14 days from the date of sale, notify the seller of his or her intention to
12 do so; deliver the motor vehicle to the seller; provide the seller with a written
13 statement signed by an authorized agent of such inspection station, stating the
14 reasons why the motor vehicle failed to pass the safety or combined safety and
15 emissions inspection; and provide an estimate of the cost of necessary repairs.
16 The buyer shall be entitled to a refund of his or her purchase price unless the
17 buyer and seller agree in writing that the seller may make the necessary repairs
18 at his or her own cost and expense within a reasonable period of time
19 thereafter. This section shall apply only to motor vehicles purchased for the
20 immediate personal or family use of the buyer.