

VEHICLE-RELATED RESOURCES

- ✿ **Consumer Assistance Program**
146 University Place, Burlington, VT
05405
800-649-2424 (within Vermont) or
802-656-3183
Website: www.atg.state.vt.us
- ✿ **International Association of Lemon
Law Administrators (IALLA)**
Website: www.ialla.net
- ✿ **National Highway Traffic Safety
Administration (NHTSA) –
Auto Safety Hotline**
888-327-4236
Website: www.nhtsa.dot.gov
- ✿ **Vermont Automobile Dealers
Association (VADA)**
317 River Street, Suite 2
Montpelier, VT 05602
802-223-6635
Website: www.vermontada.org
- ✿ **State of Vermont Department of
Banking, Insurance, Securities &
Health Care Administration**
89 Main Street, Drawer 20
Montpelier, VT 05620-3101
802-828-3301
Website: www.bishca.state.vt.us



**New Motor Vehicle Arbitration
120 State Street
Montpelier, VT 05603-0001**

Lemon Law
9 V.S.A. §§ 4170 - 4181

You may be eligible to file a Demand for Arbitration if you have at least one unsuccessful repair attempt under the manufacturer's new vehicle warranty, which is often transferred to subsequent owner(s). Additional repair orders may occur outside the warranty, but the Demand must be filed within a year after warranty expiration.

Filing criteria and additional requirements may be accessed from:

Website: www.dmv.vermont.gov
E-mail: DMV-LemonLaw@state.vt.us
Phone: 802-828-2943
Fax: 802-828-2092
TTY: 711

Program provisions are subject to change.

The New Motor Vehicle Arbitration law provides consumers and manufacturers with a way to resolve warranty problem(s).

Coverage **EXCLUDES** tractors, motorized highway building equipment, road-making appliances, snowmobiles, motorcycles, motor-driven cycles, the living portion of recreation vehicles, and trucks with a gross vehicle weight rating over 12,000 pounds.

PRIMARY ELIGIBILITY CRITERIA

- ☼ The motor vehicle was purchased or leased in Vermont **OR** is registered in Vermont.
- ☼ The claimed defect(s) must be present as of the date of filing for a three-times-out claim.
- ☼ A business or commercial enterprise may have a maximum of two registered or leased motor vehicles.
- ☼ Motor vehicles within a governmental entity (as town, state, federal) are not covered.
- ☼ If a consumer elects to file a claim with the manufacturer's dispute settlement program, which is usually explained in the owner's manual, he/she is not eligible to proceed through Vermont arbitration.
- ☼ Vehicle financing or lease payments must not be discontinued.
- ☼ A Demand for Arbitration must be filed within one year after expiration of the manufacturer's express warranty for the claimed defect(s). [The express warranty is the manufacturer's written warranty

effective at vehicle's in-service date and as defined in the Uniform Commercial Code (Section 313 of Article 2 – Sales of Title 9A)].

FILING OPTIONS

A consumer may file a Demand for Arbitration to request a hearing after demonstration of reasonable repair, which is usually:

1. Three unsuccessful attempts with at least the first repair occurring within the manufacturer's express warranty, **OR**
2. Being out of service and in control of an authorized dealer for the major portion of a day (4 hours+) for thirty or more calendar days (cumulative or consecutive) within the manufacturer's express warranty.

There are circumstances under which a claim may be filed with fewer than 3 repairs or 30 days out of service.

A Demand for Arbitration may be obtained from the options on front of brochure or was provided to you when vehicle was newly purchased or leased.

FINAL REPAIR

The manufacturer is allowed a final repair opportunity for either filing option. The repair must be completed five days prior to hearing. The consumer may withdraw from arbitration if the repair is satisfactory, but may request a hearing if the condition returns while the vehicle is covered by the manufacturer's express warranty.

If dissatisfied with the vehicle after the final repair attempt, the consumer will continue to hearing. He/She has the burden of proof to demonstrate the defect(s) substantially impaired one or more of: the vehicle's use, market value, or safety as of the date of filing the Demand for Arbitration.

HEARING & OUTCOMES

Hearings are usually held monthly in Montpelier on Thursdays. Demands will not proceed to hearing if resolved by settlement, consumer's acceptance of the final repair attempt, administrative dismissal, or other disposition.

The Board has authority to order a:

1. Pro-rated refund calculated from a formula including reimbursement of fees, incidental and consequential damages and purchase and use tax,*
2. Comparable new replacement vehicle;
3. Judgment in favor of the manufacturer; or
4. Dismissal.

***If a refund award does not cover the lien payoff for a purchased vehicle, the consumer is responsible for obtaining a clear title.**

CONTACT US

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