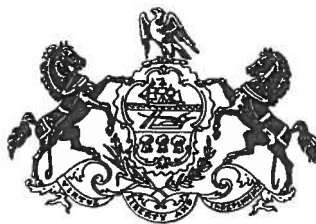


MEMO



DEC 13 2010

Senate of Pennsylvania

December 10, 2010

TO: ALL SENATORS  
FROM: Stewart J. Greenleaf *Stewart*  
SUBJECT: Cosponsorship -- **Lemon Law: boats**

I am reintroducing **Senate Bill 179**, amending the Automobile Lemon Law, to extend the provisions of the act to boats, including personal watercraft (i.e., jet skis).

Presently, the Automobile Lemon Law, 1984 Act 28, applies only to the purchase or lease of a defective new motor vehicle. The automobile manufacturer or agent (dealer) is given at least three attempts to repair or correct a nonconformity, which substantially impairs the use, value or safety of a motor vehicle, and which occurs within one year of delivery, 12,000 miles, or during the term of the warranty, whichever occurs first. If the manufacturer or dealer is unable to repair or correct the nonconformity, the manufacturer must, at the option of the purchaser, replace the motor vehicle with a comparable motor vehicle of equal value or accept return of the vehicle and refund the purchaser the full purchase price or lease price minus ten cents per mile driven or 10% of the purchase price, whichever is less.

This legislation changes the title of the act to the Motor Vehicle Lemon Law. The definition of the term "new motor vehicle" is amended to include boats, extending coverage of the lemon law provisions to these types of vehicles. "Boat" is defined as watercraft equipped with propelling machinery and personal watercraft constructed or sold for the primary purpose of being used as a means of transportation on the water. "Personal watercraft" is further defined as a boat less than 16 feet in length which uses an internal combustion motor powering a water jet pump and which is designed to be operated by a person sitting, standing or kneeling on the vessel rather than by a person sitting or standing in the vessel.

The purchase of a new boat involves a significant investment on the part of the consumer. The cost of a new boat could equal or exceed the purchase price of a new automobile. As a result, Pennsylvania consumers who purchase a boat should be afforded the same protections under the lemon law as is currently extended to consumers who purchase or lease a new car.

I have heard a number of complaints from dealers and boat owners about boats, including personal watercraft, not currently being included under the lemon law.

*If you would like to cosponsor this legislation, please contact Pat Snively of my office by e-mailing her at [psnively@pasen.gov](mailto:psnively@pasen.gov).*