

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2264 Session of
1990

INTRODUCED BY McNALLY, DEMPSEY, DISTLER, WOGAN, COY, HALUSKA,
HERSHEY, PRESSMANN, TIGUE, TANGRETTI, STISH, VAN HORNE,
LEVANSKY, BLAUM, MAINE, MICHLOVIC, BOWLEY, MORRIS, McHALE,
YANDRISSEVITS, J. L. WRIGHT, BORTNER, KUKOVICH, DeLUCA,
RAYMOND, PISTELLA, TRELLO, NAILOR, BILLOW, GEIST, TRICH,
E. Z. TAYLOR, FOX, LAUGHLIN, PRESTON, ITKIN, MOEHLMANN,
GIGLIOTTI, REBER, NOYE, BATTISTO, BROUJOS, VEON, BUNT,
COLAFELLA, ACOSTA, SAURMAN, PESCI, FARMER, NAHILL, LINTON,
HARPER, FREEMAN, McVERRY, ADOLPH, KASUNIC, CORNELL, CIVERA,
OLASZ, J. H. CLARK AND JOSEPHS, JANUARY 31, 1990

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, JANUARY 31, 1990

AN ACT

1 Amending the act of March 28, 1984 (P.L.150, No.28), entitled
2 "An act relating to the rights of purchasers of defective new
3 motor vehicles," extending the act to leases of automobiles.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. The title, the definitions of "dealer," "new
7 motor vehicle" and "purchaser" in section 2 and section 4(a) of
8 the act of March 28, 1984 (P.L.150, No.28), known as the
9 Automobile Lemon Law, are amended to read:

AN ACT

10
11 Relating to the rights of purchasers and lessees of defective
12 new motor vehicles.

13 Section 2. Definitions.

14 The following words and phrases when used in this act shall

1 have the meanings given to them in this section unless the
2 context clearly indicates otherwise:

3 "Dealer" or "motor vehicle dealer." A person in the business
4 of buying, selling, leasing or exchanging vehicles.

5 * * *

6 "New motor vehicle." Any new and unused self-propelled,
7 motorized conveyance driven upon public roads, streets or
8 highways which is designed to transport not more than 15
9 persons, which was purchased or leased and is registered in the
10 Commonwealth and is used, leased or bought for use primarily for
11 personal, family or household purposes, including a vehicle used
12 by a manufacturer or dealer as a demonstrator or dealer car
13 prior to its sale. The term does not include motorcycles, motor
14 homes or off-road vehicles.

15 * * *

16 "Purchaser." A person, or his successors or assigns, who has
17 obtained possession or ownership of a new motor vehicle by
18 lease, transfer or purchase or who has entered into an agreement
19 or contract for the lease or purchase of a new motor vehicle
20 which is used or bought for use primarily for personal, family
21 or household purposes.

22 Section 4. Repair obligations.

23 (a) Repairs required.--The manufacturer of a new motor
24 vehicle sold and registered or leased in the Commonwealth shall
25 repair or correct, at no cost to the purchaser, a nonconformity
26 which substantially impairs the use, value or safety of said
27 motor vehicle which may occur within a period of one year
28 following the actual delivery of the vehicle to the purchaser,
29 within the first 12,000 miles of use or during the term of the
30 warranty, whichever may first occur.

1 * * *

2 Section 2. This act shall apply to leases of automobiles
3 executed on and after the effective date hereof.

4 Section 3. This act shall take effect in 60 days.