

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2991 Session of  
1996

INTRODUCED BY PETRARCA, ITKIN, BELARDI, COWELL, CORRIGAN, TIGUE,  
KENNEY, TRAVAGLIO, DERMODY, READSHAW, DONATUCCI, MELIO,  
TANGRETTI, WALKO, DALEY, MIHALICH, ROBERTS, STABACK,  
E. Z. TAYLOR, LUCYK, HENNESSEY, BELFANTI, CARN, MANDERINO,  
MUNDY, TRELLO AND KUKOVICH, OCTOBER 28, 1996

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, OCTOBER 28, 1996

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 include leased  
4 vehicles, motorcycles, motor homes, off-road vehicles and  
5 commercial vehicles; and further providing for definitions.

6 The General Assembly of the Commonwealth of Pennsylvania  
7 hereby enacts as follows:

8 Section 1. The title and sections 2 and 4(a) of the act of  
9 March 28, 1984 (P.L.150, No.28), known as the Automobile Lemon  
10 Law, are amended to read:

11 AN ACT

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

14 Section 2. Definitions.

15 The following words and phrases when used in this act shall  
16 have the meanings given to them in this section unless the  
17 context clearly indicates otherwise:

18 "Dealer" or "motor vehicle dealer." A person in the business

1 of buying, selling, leasing or exchanging vehicles.

2 "Manufacturer." Any person engaged in the business of  
3 constructing or assembling new and unused motor vehicles or  
4 engaged in the business of importing new and unused motor  
5 vehicles into the United States for the purpose of selling or  
6 distributing new and unused motor vehicles to motor vehicle  
7 dealers in this Commonwealth.

8 "Manufacturer's express warranty" or "warranty." The written  
9 warranty of the manufacturer of a new automobile of its  
10 condition and fitness for use, including any terms or conditions  
11 precedent to the enforcement of obligations under the warranty.

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

22 "Nonconformity." A defect or condition which substantially  
23 impairs the use, value or safety of a new motor vehicle and does  
24 not conform to the manufacturer's express warranty.

25 "Purchaser." A person, or his successors or assigns, who has  
26 obtained ownership of a new motor vehicle by transfer or  
27 purchase or who has entered into an agreement or contract for  
28 the purchase or lease of a new motor vehicle [which is used or  
29 bought for use primarily for personal, family or household  
30 purposes].

1 Section 4. Repair obligations.

2 (a) Repairs required.--The manufacturer of a new motor  
3 vehicle [sold and registered] which is sold or leased in the  
4 Commonwealth shall repair or correct, at no cost to the  
5 purchaser, a nonconformity which substantially impairs the use,  
6 value or safety of said motor vehicle which may occur within a  
7 period of one year following the actual delivery of the vehicle  
8 to the purchaser, within the first 12,000 miles of use or during  
9 the term of the warranty, whichever may first occur.

10 \* \* \*

11 Section 2. This act shall take effect in 60 days.