

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 94 Session of
2017

INTRODUCED BY GREENLEAF, TARTAGLIONE, COSTA, HAYWOOD AND
RAFFERTY, JANUARY 13, 2017

REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,
JANUARY 13, 2017

AN ACT

1 Amending the act of March 28, 1984 (P.L.150, No.28), entitled,
2 as amended, "An act relating to the rights of purchasers and
3 lessees of defective new motor vehicles," further providing
4 for presumption of a reasonable number of attempts.

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

7 Section 1. Section 6(a) of the act of March 28, 1984
8 (P.L.150, No.28), known as the Automobile Lemon Law, is amended
9 to read:

10 Section 6. Presumption of a reasonable number of attempts.

11 (a) General rule.--It shall be presumed that a reasonable
12 number of attempts have been undertaken to repair or correct a
13 nonconformity if:

14 (1) the same nonconformity has been subject to repair
15 three times by the manufacturer, its agents or authorized
16 dealers and the nonconformity still exists[; or], other than
17 a nonconformity subject to examination or repair pursuant to
18 paragraph (3) because it is likely to cause death or serious

1 bodily injury if the vehicle is driven and the nonconformity
2 still exists;

3 (2) the vehicle is out-of-service by reason of any
4 nonconformity for a cumulative total of 30 or more calendar
5 days[.]; or

6 (3) the nonconformity is likely to cause death or
7 serious bodily injury if the vehicle is driven, the
8 nonconformity has been subject to examination or repair at
9 least once by the manufacturer, its agents or authorized
10 dealers and the nonconformity still exists.

11 * * *

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