



## MISSOURI LEMON LAW

Missouri New Vehicles Warranty Law (“Lemon Law”) is a state law that assists consumers who buy or lease new motor vehicles with express warranties and have repeated repair problems. The Lemon Law can help a consumer get the vehicle repaired, replaced, or a refund of the purchase price.

### What Does it Cover?

The Lemon Law only covers new vehicles that come with or develop problems covered by the manufacturer’s original warranty and **which substantially impairs the use, market value, or safety of the car**. The Lemon Law DOES NOT apply to used cars, commercial or off-road vehicles, mopeds, motorcycles, or the non-chassis portion of recreational vehicles.

### How Do I Know If it is a Lemon?

The Lemon Law applies when a consumer makes a written complaint to the manufacturer regarding a repair covered by the express warranty and the manufacturer cannot conform the vehicle after a “reasonable number of attempts.”

Nonconformity after a reasonable number of attempts is presumed if within the express warranty period or period of one year following the date of delivery if:

1. The **same** nonconformity has been the subject of repair four or more times and continues to exist, **or**
2. The new vehicle is out of service for repair for a cumulative total of thirty or more working days

### Lemon Law Disqualifiers

Nonconformity cannot be the result of abuse, neglect, or unauthorized modifications or alterations. Lemon Law claims must be made in good faith. Other affirmative defenses under the law may apply.

### How Long Do I Have to File a Lemon Law Complaint?

Consumers must initially report any nonconformity with express warranties to the manufacturer during the term of the warranty or within one year following the original date of delivery of the vehicle to the consumer, **whichever is earlier**. Any actions must be brought within six months of the expiration of the warranty or within eighteen months of the original date of delivery, whichever is earlier.

### What is the Process?



FORT LEONARD WOOD MANEUVER SUPPORT CENTER OF EXCELLENCE  
OFFICE OF THE STAFF JUDGE ADVOCATE  
Legal Assistance Office



Manufacturers have the duty to provide information for consumer complaint remedies with each new vehicle, typically found in the owner's manual. Typically the procedure under Missouri Law is as follows:

1. The consumer must give written notification to the manufacturer for the need of repair.
2. The manufacturer shall immediately notify the consumer of a reasonably accessible repair facility.
3. The manufacturer (via the repair facility) has 10 days from the drop-off date to conform the vehicle to the express warranty.
4. If the vehicle cannot be conformed, the manufacturer will notify the consumer if an informal dispute settlement will occur, If they agree it is a "lemon" they will **at their option** either take back title and offer a refund of the purchase price of the vehicle, deducting a reasonable allowance for the consumer's use, or replace the vehicle with one of comparable value that is acceptable to the customer.
5. If no informal dispute settlement occurs or if the consumer and manufacturer cannot reach a legal and agreeable settlement, the consumer can take the claim to court with a civilian attorney if within the applicable time frame. If successful, the consumer can recover all costs and expenses including attorney's fees.
6. Another course of action would be to file a consumer complaint with the Missouri Attorney General's Office. You can visit their website or call the Consumer Protection Hotline for more information: (800) 392-8222.