

Massachusetts Lemon Law, Lemon Aid Law and Used Vehicle Warranty Law

simple tool to determine your vehicle eligibility:

If:

- 1) Car was purchased in Massachusetts.
- 2) The vehicle is a used car.
- 3) The vehicle was inspected within 7 days from the date of sale.
- 4) The vehicle failed inspection due to safety or combined safety and emissions tests.

Then:

Lemon Aid Law may apply if you complete the following 4 steps within 14 days from the date of sale:

- 1) Get a written statement from authorized agent of inspection station on why vehicle failed.
- 2) Obtain written estimate of cost to repair that exceed 10% of purchase price
- 3) Notify seller of your intention to void sales contract under the statute (M.H.L. c. 90, s7N). Send by certified mail, return receipt requested. Enclose a copy of the documents listed in steps 1 and 2.
- 4) Deliver car to seller even if delivery requires towing services. Take a witness with you and copies of documents listed in steps 1, 2, & 3. If the seller refuses the car, prepare a statement indicating that you and a witness delivered the car to the seller on that date, but that the seller refused to accept the car. Be sure the statement is signed by both you and your witness in the presence of a notary public. If the seller refuses to refund the purchase price of the vehicle, seek legal counsel.

City of Worcester



Consumer Rights Program

Working in cooperation with Massachusetts Attorney General's Office

Worcester Consumer Rights Program

*Proudly serving the residents of Worcester and neighboring towns of:
Auburn, Berlin, Boylston, Clinton, Grafton, Holden, Leicester, Millbury, Northborough, Paxton, Shrewsbury, West Boylston, and Westborough.*

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BUYING a USED CAR



**WHAT YOU
SHOULD
KNOW
BEFORE
YOU BUY**

The Informed Consumer

While many of us have the desire to drive a new car, the reality is that not everyone can afford the cost of a new vehicle.....and buying a used car does not have to be a scary or regrettable experience. However, there are certain



do's and don'ts that may determine your aftermath experience from buying a

used car.

The Worcester Consumer Rights Program (WCRP) receives a remarkable number of consumer complaints that relate to used car purchase.

The objective of this pamphlet is to offer a few insights into the process of buying a used car from either a franchise dealership, used car lot or private seller.

Rule # 1: Do the Math—Buying a car should not take an emotional turmoil. Know what you can afford and set a budget for it. If you intend to finance the purchase, research on interest rates and talk to a few banks before you submit a loan application. If you decide to use dealership financing, do not be pressured or rushed to signing the financial disclosures before you read and understand them. Ask to take it with you and have someone close to you thoroughly review the disclosures with you.



Rule # 2: Do your Research—Used cars may not have all the qualities of a new vehicle. Before you go shopping, go online and review what is out there. Determine the year of the vehicle you want to buy, the mileage, condition, maintenance history and what it's worth. Use websites that will not charge you (www.kbb.com or www.consumerreports.org) and do not subscribe or give out your information if you don't want junk emails.

Rule # 3: Determine where or from whom you want to buy. Remember.....a franchise dealership may sell certified pre-owned vehicles that still carry some of the original warranties. A local "used car lot" may sell only "as is" vehicles and a private seller may not offer any warranty. Visit www.mass.gov/ago/consumer-resources/consumer-information/auto-and-vehicle-insurance/buyingleasing-a-vehicle.html for a guide and insights on your rights in Massachusetts before you buy.

Rule # 1: Don't Assume—Many consumers in MA believe there is a 3 day right to cancel after the purchase of a used vehicle. Except there is a specific language (to that effect) in the purchase agreement, the contract is binding as soon as you sign the paperwork. Visit www.mass.gov/ago/consumer-resources/consumer-information/auto-and-vehicle-insurance/buyingleasing-a-vehicle.html for more information.

Rule # 2: Don't pass on inspection, test drive, VIN & diagnostic check—....and don't allow the seller to secure your safety & emissions inspection sticker — You should go every detail before handing over your money. If the seller won't allow you, then it is shady. Move on and find another seller with integrity. Don't look desperate or don't allow other to take advantage of you. Use the checklist in this link as a buyer's guide: <https://www.consumer.ftc.gov/articles/pdf-0083-buyers-guide.pdf>

Rule # 3: Don't be a victim—If you find yourself in a position that puts you against the wall, seek **HELP!!!** Explore both local and state-wide resources available to you. www.mass.gov/ocabr/docs/lemon-law/used-vehicle-warranty-law-arbitration-application.pdf

<http://www.mass.gov/ocabr/docs/lemon-law/lemon-law-arbitration-manual.pdf>

