

Get to Know the Magnuson-Moss Warranty Act aka The Federal Lemon Law

The Magnuson-Moss Warranty Act (MMWA) is a federal law that provides additional protections to consumers regarding consumer goods transactions valued at more than \$25 where warranty coverage is provided by the manufacturer or seller. For this blog post, we will focus on how MMWA relates to new or used, cars and trucks.

So, what is a warranty exactly?

A warranty is a promise from the manufacturer or dealership - limited to a specific amount of time or vehicle mileage accumulation - that they stand behind their product or that repairs and replacements will be made to correct specific defects or malfunctions free of charge during the warranty period.

Passed by Congress in 1975 and enforced by the [Federal Trade Commission \(FTC\)](#), MMWA was enacted to protect and empower consumers in the following ways:

First, it ensures that consumers have access to complete information about warranty terms and conditions by requiring manufacturers and car dealerships to clearly disclose any terms of the vehicle warranty to the consumer in clear language before the bargaining process begins, to avoid the appearance of deceptive practices.

Second, the mandate ensures that consumers have access to the resources necessary to compare warranty coverage before buying, thereby providing consumers with the freedom to select a product that best fits their needs which includes price, features, and warranty coverage.

Third, MMWA encourages sales promotion by assuring that consumers can comparison shop and it promotes healthy competition amongst manufacturers and dealerships which in turn strengthens incentives for dealerships to fulfill their warranty obligations in a timely manner to meet consumers' needs.

HOW DOES MMWA BENEFIT CONSUMERS?

Consumers have been misled to believe that they must return to the same dealership where they purchased their vehicle for routine maintenance (oil changes, tire rotations, belt replacements, fluid checks and flushes, new brake pads and inspections) and repairs or else the warranty will become null and void. According to the FTC, it is illegal for a dealer/manufacturer to deny your warranty coverage because you had routine maintenance or repairs performed by someone other than the dealer.

Also, MMWA makes it illegal for a dealer/manufacturer to void a warranty or deny coverage during the warranty period because aftermarket or recycled parts, which are oftentimes less expensive than original equipment manufacturer (OEM) parts, were used in the repairs.

The exception is that the dealer/manufacturer can require the consumer to use select parts if they are provided to the consumer free of charge as part of a warranty related repair. Moreover, if the aftermarket or recycled part used in the repair was defective or was not installed correctly, and that part caused the need for the warranty related repair, the dealer/manufacturer has the right to deny coverage for that part and charge the consumer for necessary repairs. However, the burden of proof falls on the dealer/manufacturer to demonstrate that the warranty related repair was caused by the aftermarket or recycled part before the warranty coverage can be denied.

MMWA also dictates that the dealer/manufacturer cannot deny a warranty claim or void a warranty if the consumer chose to either perform routine maintenance themselves or to visit an independent mechanic or chain shop.

And finally, MMWA prohibits tying consumers to any specific brand, thereby offering the consumer freedom of choice of where they take their vehicle for repairs and which parts they can select.

After you've made your vehicle purchase, you can empower yourself by reading your owner's manual thoroughly to ensure you understand the parameters of the warranty. The [California Bureau of Automotive Repair \(BAR\)](#) has helpful information such as a [list of links containing manufacturer-specific warranty information](#) and the [Top 5 Reasons to Read Your Owner's Manual](#) on their website.

Before having regular maintenance or repairs made to your vehicle, it is best to "check the shop before you stop." BAR can help you find a licensed professional repair facility near you, to help keep your vehicle running in tip-top condition. Visit www.bar.ca.gov.