

The California Lemon Law

The California lemon law, included within the Song-Beverly Consumer Warranty Act and supplemented by the Tanner Consumer Protection Act (California Civil Code, § 1793.2 et seq.), protects you when your vehicle is defective and cannot be repaired after a reasonable number of attempts. It applies during the duration of the manufacturer’s written warranty, which varies by manufacturer or seller.

What vehicles are covered?

The law covers motor vehicles sold or leased with a manufacturer’s new vehicle written warranty that:

- Are used or bought for use primarily for personal, family, or household purposes, or
- Are used or bought primarily for business purposes by any person or business to which at least one, but not more than five motor vehicles, are registered in California. In this case, the vehicle must have a gross vehicle weight under 10,000 pounds.

In addition, the motor vehicle must have been:

- Purchased or leased at retail in California (not a private sale), or
- Purchased or leased by a full-time active-duty member of the Armed Forces who was stationed or residing in California at the time of purchase or lease or at the time the claim is filed.

It does not cover any portion of a motor home designed, used, or maintained primarily for human habitation; a motorcycle; or a motor vehicle that is not registered under the Vehicle Code because it is to be operated or used exclusively off the highways.

Who is covered?

The California lemon law covers a “consumer” defined as:

- Any individual who buys or leases a new motor vehicle from a person engaged in the business of manufacturing, distributing, selling, or leasing new motor vehicles at retail.
- A lessee for a term exceeding four months.
- Any individual to whom the vehicle is transferred during the duration of a written warranty or who is entitled under applicable state law to enforce the obligations of the warranty.

How do I know if my vehicle is considered a lemon?

Under the California lemon law, the manufacturer, or its representative in California, may be required to repurchase or replace your vehicle if, after a “reasonable” number of repair attempts, it cannot fix a defect or malfunction that:

- Is covered by the manufacturer’s written new vehicle warranty,
- Substantially impairs the use, value, or safety of the vehicle to the consumer, and
- Is not caused by the unauthorized or unreasonable use of the vehicle after sale.

What is considered a “reasonable” number of repair attempts?

While the definition of “reasonable” is not conclusively established in the law, there is a presumption that a reasonable number of repair attempts has been made if, within 18 months of delivery, or 18,000 miles, whichever comes first, one or more of the following occurs:

- You have taken the vehicle in for repair by the manufacturer or its agents:
 - Four or more times for the same problem and it still is not fixed, or
 - Two or more times for the same problem, if that problem is big enough to cause death or serious injury, and it still is not fixed, or
- The vehicle has been out of service for repair for more than 30 days (the 30 days do not need to be in a row), and
- If required by the warranty or owner’s manual, you notified the manufacturer about the problem.

If your vehicle is a lemon, meaning the manufacturer cannot repair the defect, the manufacturer must repurchase or replace it. In this situation, the consumer has the right to choose a refund instead of a replacement vehicle.

How can BBB AUTO LINE help me?

If you have an unresolved dispute involving a defect that is covered by the manufacturer’s original warranty, BBB AUTO LINE may be able to assist you. BBB AUTO LINE is an out-of-court mediation and arbitration dispute resolution process in which many automobile manufacturers participate.

[Get started with a BBB AUTO LINE claim.](#)

Additional Resources

- [California Lemon Law Summary](#)
- [How BBB AUTO LINE Works](#)
- [Is my manufacturer eligible for AUTO LINE?](#)
- [Arbitration in California](#)

Questions?

[Contact the dispute resolution team](#)

File a Complaint

Resolve your warranty or lemon law dispute with your manufacturer for free with BBB AUTO LINE.

1. Is your manufacturer eligible? [Check here.](#)
2. Gather the following information:
 - Owner’s name and address
 - Vehicle identification number (VIN)
 - Make, model and year
 - Description of the problem
 - Current mileage
3. [File your complaint here.](#)

[Get Started](#)

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