



FORT SILL LEGAL ASSISTANCE

Oklahoma Lemon Law



What is a Lemon? Laws protecting individuals who purchase defective vehicles are typically called “Lemon laws.” If your new vehicle has a defect that is covered by a warranty, and this defect substantially impairs both the use and value of the vehicle, your vehicle is considered defective. This defect, however, cannot have been caused by abuse, neglect (e.g., failing to put oil in the vehicle), or after-market modifications or alterations.

Oklahoma’s Lemon Law. Oklahoma’s Lemon Law protects purchasers of defective new vehicles, except vehicles over 10,000 pounds and the living facilities of motor homes. 15 Okla. St. § 901.

What can you do if you have a Lemon? If you think your new vehicle is defective, you have to notify, in writing, either the vehicle’s manufacturer or dealer, during the term of the warranty or within one year of delivery of the vehicle, whichever is earlier. 15 Okla. St. § 901(B).

What is a reasonable number of attempts to repair? Oklahoma’s Lemon Law requires a manufacturer to repair a new car to conform to all express warranties within the warranty period or within one year of the purchase. You also have to provide the dealer or manufacturer a “reasonable number of attempts” to fix the vehicle. Oklahoma law presumes that if a manufacturer or dealer has had four attempts to fix a vehicle within a year, that is a “reasonable number of attempts” to repair the vehicle. 15 Okla. St. § 901(D)(1).

If my car is a Lemon, can I get a new vehicle? If the manufacturer’s efforts and repairs fail after four attempts, you may be entitled to have the car replaced or get your money back. Also, if you cannot use the car for a total of 30 business days during that same period because of the problem, you may be able to get your money back or have the car replaced.

What if the manufacturer or dealer is not complying with the Oklahoma Lemon Law? It may be that after consulting with an Oklahoma attorney about your defective new vehicle, you be able to sue the manufacturer or dealer under the Oklahoma Lemon Law. If you do, it is possible to recover your attorney’s fees under this type of claim.

Questions? If you have any questions about whether Oklahoma’s Lemon Law applies to your situation, please contact us at the Fort Sill Legal Assistance Office or contact Oklahoma’s State Motor Vehicle Commission at (405) 607- 8227.

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This Information Paper only provides basic information and is not intended to serve as a substitute for personal consultations with a Legal Assistance Attorney. To schedule an appointment with a Legal Assistance Attorney, please contact the Legal Assistance Office at (580) 442-5058 or (580) 442-5059. The Fort Sill Legal Assistance Office is located on the 4th floor of Building 4700, Hartell Hall (Welcome Center) at 4700 Mow-Way Road.