



FORT SILL LEGAL ASSISTANCE

Your Automobile and the Law



Lemon law

Lemon law is a set of rules from the state that safeguard against defective cars. Oklahoma's Lemon Law provides that a manufacturer should try to repair a new car within the warranty period or within one year of the purchase. 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. The State Motor Vehicle Commission at (405) 521-2375 or your Legal Assistance Office can answer questions about this law.

What protections do you have when buying a used car?

Used cars may also come with warranties. They usually are for 30 to 60 days from the date you bought the car. The seller must tell you if the number of miles on the odometer are correct. The seller must inform you in writing of the year, make and identification number of the car.

*If you buy a car from someone who is not a regular dealer (i.e. the lemon lot on post), there may not be an implied warranty that is working properly.

Can a repair shop charge more than the estimate?

Yes, because the amount quoted is just a guess as to how much the repair will actually cost you.

Can the repair shop charge before doing an estimate?

Yes, however, if you tell the repair shop not to fix anything without telling you the cost first, then they must call you before making any repairs.

Can you get your car back even if you disagree with the bill?

Maybe, but you must first pay the bill under protest because the repair shop will probably put a mechanic's lien on your car. A mechanic's lien lets the repair shop keep your car as collateral until they are paid. You will likely have to file suit in small claims court to contest any charges on the bill. Before pursuing this route contact your Legal Assistance Office.

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If you have questions concerning the information in this fact sheet, please call the Legal Assistance Office (580) 442-5058 or (580) 442-5059. Our hours of operation are Monday, Tuesday, Wednesday and Friday, 0900 – 1600, and Thursdays 1300-1600. The Fort Sill Legal Assistance Office is located on the 4th floor of Building 4700, Hartell Hall on Mow-Way Road.