

STATE MOTORCYCLE LEMON LAW SUMMARIES

The federal “lemon law” (the Magnuson Moss Warranty Act) covers motorcycles and each state also has its own state Lemon Law.

In the chart below, “Motorcycles Covered” means whether or not a motorcycle is normally covered by the lemon law of a state. “Presumptions” means what it takes to be a “lemon” vehicle, and “Required First Step” means what you may have to do in order to be able to claim your vehicle is a “lemon” under the law.

These summaries prepared in 2004 by Attorney Ronald L. Burdge, www.MotorcycleLemonLaw.com. In every case, always check your local law for recent amendments.

Alabama Code § 8-20A-1 through § 8-20A-6	<i>Motorcycles Covered?</i> Yes	<i>Presumptions:</i> 3 unsuccessful repairs or 30 calendar days within shorter of 24 months or 24,000 miles, provided 1 repair attempt or 1 day out of service is within shorter of 1 year or 12,000 miles.	<i>Required First Step:</i> Certified mail notice to manufacturer plus opportunity for final repair attempt within 14 calendar days.
Alaska Title 45, Chapter 45, §§ 300-360	<i>Motorcycles Covered?</i> No	<i>Presumptions:</i>	<i>Required First Step:</i>
Arizona Revised Statutes §§ 44-1261 to 44-1265	<i>Motorcycles Covered?</i> Yes	<i>Presumptions:</i> 4 unsuccessful repairs or 30 calendar days within shorter of 2 years or 24,000 miles.	<i>Required First Step:</i> Written notice + opportunity to repair to manufacturer.
Arkansas Code, §4-90-401 to 417	<i>Motorcycles Covered?</i> No	<i>Presumptions:</i>	<i>Required First Step:</i>
California Civil Code Section 1793.22 , 1794	<i>Motorcycles Covered?</i> No	<i>Presumptions:</i>	<i>Required First Step:</i>

Colorado Revised Statutes §§42-10-101 to 107	<i>Motorcycles Covered?</i> No	<i>Presumptions:</i>	<i>Required First Step:</i>
Connecticut General Statutes Annotated § 42-179 to 180	<i>Motorcycles Covered?</i> Yes	<i>Presumptions:</i> 4 unsuccessful repairs or 30 calendar days out of service within shorter of 2 years or 24,000 miles, or 2 unsuccessful repairs of a problem likely to cause death or serious bodily injury within warranty length or 1 year.	<i>Required First Step:</i> Report to manufacturer or dealer. Written notice to manufacturer only if required in owner manual or warranty. State run arbitration may apply.
Delaware Code Annotated, Title 6, §§ 5001-5009	<i>Motorcycles Covered?</i> No	<i>Presumptions:</i>	<i>Required First Step:</i>
District of Columbia D.C. Code, 40-1301 to 40-1310	<i>Motorcycles Covered?</i> No	<i>Presumptions:</i>	<i>Required First Step:</i>
Florida Statutes Annotated, Chapter 681	<i>Motorcycles Covered?</i> No	<i>Presumptions:</i>	<i>Required First Step:</i>
Georgia Official Code of Georgia Annotated, §§10-1-780 to 792	<i>Motorcycles Covered?</i> No	<i>Presumptions:</i>	<i>Required First Step:</i>
Hawaii Revised	<i>Motorcycles Covered?</i>	<i>Presumptions:</i>	<i>Required First Step:</i>

Statutes No
§§481I-1 to
481I-4

Idaho *Motorcycles Presumptions:*
Covered?
Idaho Code, No
48-901 to 48-
913

Required First Step:

Illinois *Motorcycles Presumptions:*
Covered?
Compiled No
Statutes
Annotated,
Chapter 815
§§ 380.1 to
380.8

Required First Step:

Indiana *Motorcycles Presumptions:*
Covered?
Code § 24-5- No
13-1 to § 24-
5-13.5-14

Required First Step:

Iowa *Motorcycles Presumptions:*
Covered?
Code No
Annotated §
322G.1 to §
322G.15

Required First Step:

Kansas *Motorcycles Presumptions:*
Covered? 4 unsuccessful repairs or 30 calendar
Statutes Yes days out of service or 10 total repairs
Annotated within shorter of 1 year or warranty.
50-645 State has certified guidelines for
arbitration.

Required First Step:
Actual notice to
manufacturer.

Kentucky *Motorcycles Presumptions:*
Covered?
Revised No
Statutes, §
367.840 to
367.846

Required First Step:

Louisiana *Motorcycles Presumptions:*
Covered?
Revised

Required First Step:

Statutes
Annotated
51:1941 to
51:1948

Maine Revised Statutes Annotated, Tit. 10, §§1161-1169	<i>Motorcycles Covered?</i> Yes if use is noncommercial; Commercial use vehicle is covered if under 8,500 lbs	<i>Presumptions:</i> 3 unsuccessful repairs (when at least 2 times same agent attempted repair) or 15 business days out of service within shorter of warranty or 2 years or 18,000 miles. Applies to vehicles within the first 18,000 miles or 2 years regardless of whether the claimant is the original owner. State-run arbitration mechanism available. Law specifically applies to leased vehicles.	<i>Required First Step:</i> Written notice to manufacturer or dealer only if required in warranty or owner's manual. Manufacturer has 7 business days after receipt for final repair attempt.
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Maryland Commercial Law Code Annotated, § 14-501 to § 14-504	<i>Motorcycles Covered?</i> Yes	<i>Presumptions:</i> 4 unsuccessful repairs, 30 calendar days out of service or 1 unsuccessful repair of braking or steering system within shorter of 15 months or 15,000 miles.	<i>Required First Step:</i>
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Massachusetts Annotated Laws Ch. 90 § 7N	<i>Motorcycles Covered?</i> Yes	<i>Presumptions:</i>	<i>Required First Step:</i>
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Michigan Compiled Laws Annotated §§ 257.1401- 1410	<i>Motorcycles Covered?</i> No	<i>Presumptions:</i>	<i>Required First Step:</i>
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Minnesota Statutes Annotated, 325 F.665	<i>Motorcycles Covered?</i> No	<i>Presumptions:</i>	<i>Required First Step:</i>
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Mississippi Code	<i>Motorcycles Covered?</i>	<i>Presumptions:</i>	<i>Required First Step:</i>
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Annotated, No
63-17-151 to
63-17-165

Missouri *Motorcycles* *Presumptions:* *Required First Step:*
Revised *Covered?*
Statutes, No
407.560 –
407.583

Montana *Motorcycles* *Presumptions:* *Required First Step:*
Code *Covered?*
Annotated, No
61-4-501 to
61-4-526

Nebraska *Motorcycles* *Presumptions:* *Required First Step:*
Revised *Covered?* 4 unsuccessful repairs or 40 calendar Certified mail notice +
Statutes, Yes days out of service within shorter of 1 opportunity to repair to
60.2701 to year or warranty. State has certified manufacturer.
60.2709 guidelines for arbitration.

Nevada *Motorcycles* *Presumptions:* *Required First Step:*
Revised *Covered?* 4 unsuccessful repairs or 30 calendar Written notice to
Statutes, Yes, on road days out of service within shorter of 1 manufacturer. Arbitration
597.600 to only year or warranty length. may apply.
597.690

New Hampshire *Motorcycles* *Presumptions:* *Required First Step:*
RSA 357-D.1 *Covered?* 3 unsuccessful repairs by same dealer or Report to manufacturer,
to D.12 Yes 30 business days out of service within distributor, agent or dealer
warranty. State-run (on forms provided
arbitration mechanism available. Law by manufacturer) + final
specifically applies to leased opportunity to repair
vehicles. before arbitration.

New Jersey *Motorcycles* *Presumptions:* *Required First Step:*
Statutes *Covered?* 3 unsuccessful repairs or 20 calendar Certified mail notice,
Annotated, Yes days out of service within shorter of 2 return receipt requested to
56:12-29 to manufacturer who has 10
56:12-49 guidelines for arbitration. Law days to repair.
specifically applies to leased vehicles.

New Mexico *Motorcycles* *Presumptions:* *Required First Step:*

Statutes Annotated, 57-16A-1 to 57-16A-9	<i>Covered?</i> Yes	4 unsuccessful repairs or 30 business days out of service within shorter of 1 year or warranty.. State has certified guidelines for arbitration.	Written notice + opportunity to repair to manufacturer, agent or dealer
New York General Business Law §§ 198-A & B	<i>Motorcycles Covered?</i> No	<i>Presumptions:</i>	<i>Required First Step:</i>
North Carolina General Statutes, 20-351 to 20-351.10	<i>Motorcycles Covered?</i> Yes	<i>Presumptions:</i> 4 unsuccessful repairs within shorter of 24 months, 24,000 miles or warranty or 20 business days out of service during any 12 month period of warranty.Law specifically applies to leased vehicles.	<i>Required First Step:</i> Written notice to manufacturer + opportunity to repair within 15 calendar days of receipt only if required in warranty or owner's manual.
North Dakota Century Code, 51-07-16 to 51-07-22	<i>Motorcycles Covered?</i> No	<i>Presumptions:</i>	<i>Required First Step:</i>
Ohio Revised Code, 1345.71 to 1345.77	<i>Motorcycles Covered?</i> Yes	<i>Presumptions:</i> 3 unsuccessful repairs of same nonconformity, 30 calendar days out of service, 8 total repairs of any nonconformity, or 1 unsuccessful repair of problem likely to cause death or serious bodily injury within shorter of 1 year or 18,000 miles. Law specifically applies to leased vehicles.	<i>Required First Step:</i> Report to manufacturer, its agent or dealer.
Oklahoma Statutes Annotated, Title 15, § 901	<i>Motorcycles Covered?</i> No	<i>Presumptions:</i>	<i>Required First Step:</i>
Oregon Revised	<i>Motorcycles Covered?</i> Yes	<i>Presumptions:</i> 4 unsuccessful repairs or 30 business days within shorter of 1 year or 12,000	<i>Required First Step:</i> Direct Written notice to manufacturer plus final

Statutes, 646.315 to 646.375 miles. opportunity to repair. Arbitration may apply.

Pennsylvania *Motorcycles* *Presumptions:* *Required First Step:*
Statutes *Covered?*
Annotated, No
Title 73, §§
1951-1963

Rhode Island *Motorcycles* *Presumptions:* *Required First Step:*
General *Covered?* 4 unsuccessful repairs or 30 calendar days out of service within shorter of 1 year or 15,000 miles. Report to dealer or manufacturer who has 7 days for final repair opportunity.
Laws, 31-5.2-1 to 31-5.2-13 Yes
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Manufacturer's arbitration process required to obtain refund or replacement.

South Carolina *Motorcycles* *Presumptions:* *Required First Step:*
Code *Covered?*
Annotated, No
56-28-10 to 56-28-110

South Dakota *Motorcycles* *Presumptions:* *Required First Step:*
Codified *Covered?* 4 unsuccessful repairs, 1 of which occurred during the shorter of 1 year or 12,000 miles, or 30 calendar days out of service during shorter of 24 months or 24,000 miles. Certified mail notice to manufacturer and final opportunity to repair plus 7 calendar days to notify consumer of repair facility.
Laws, §§ 32-6D-1 to 11 Yes
24,000 miles.
Manufacturer's arbitration process required to obtain refund or replacement.

Tennessee *Motorcycles* *Presumptions:* *Required First Step:*
Code, 55-24-201 to 55-24-212 *Covered?* No

Texas *Motorcycles* *Presumptions:* *Required First Step:*
Revised Civil *Covered?* 4 unsuccessful repairs when 2 occurred within shorter of 1 year or 12,000 miles, Written notice to manufacturer.
Yes

Statutes, Art. 4413(36) §§ 3.08(i) (General Warranty Complaints), 6.07 (Warranty Performance Obligations), 7.01 (Judicial Review/Appelal)

+ other 2 occur within shorter of 1 year or 12,000 miles immediately following second repair attempt; or 2 unsuccessful repairs of a serious safety defect when 1 occurred within shorter of 1 year or 12,000 miles + other occurred within shorter of 1 year or 12,000 miles immediately following first repair; or 30 calendar days out of service within shorter of 2 years or 24,000 miles + at least 2 attempts were made within shorter of 1 year or 12,000 miles. State-run arbitration mechanism available.

Utah Code Annotated, § 13-20-1 to § 13-20-7

Motorcycles Covered? No

Presumptions:

Required First Step:

Vermont Statutes Annotated Title 9, § 4170 to § 4181

Motorcycles Covered? No

Presumptions:

Required First Step:

Virginia Code, § 59.1-207.9 to 207.16:1

Motorcycles Covered? Yes

Presumptions: 3 unsuccessful repairs, or 1 repair attempt of serious safety defect, or 30 calendar days out of service within 18 months. State has certified guidelines for arbitration. Law specifically applies to leased vehicles.

Required First Step: Written notice to manufacturer. If 3 unsuccessful repairs or 30 days already exhausted before notice, manufacturer has 1 more repair attempt not to exceed 15 days

Washington Revised Code, § 19.118.005 to § 19.118.904

Motorcycles Covered? Yes, over 750^{cc}

Presumptions: 4 unsuccessful repairs, 30 calendar days out of service (15 during warranty period), or 2 repairs of serious safety defects, first reported within shorter of warranty or 24 months or 24,000 miles. one repair attempt + 15 of the 30 days

Required First Step: Written notice to manufacturer.

must fall within manufacturer's express warranty of at least 1 year or 12,000 miles. State-run arbitration mechanism available. Law specifically applies to leased vehicles. Note: Consumer should receive replacement or refund within 40 calendar days of request.

<p>West Virginia Code, 46A-6A-1 to 46A-6A-9</p>	<p><i>Motorcycles Covered?</i> Yes</p>	<p><i>Presumptions:</i> 3 unsuccessful repairs or 30 calendar days out of service or 1 unsuccessful repair of problem likely to cause death or serious bodily injury within shorter of 1 year or warranty. Law specifically applies to leased vehicles.</p>	<p><i>Required First Step:</i> Written notice + opportunity to repair to manufacturer.</p>
<p>Wisconsin Statutes Annotated, 218.015</p>	<p><i>Motorcycles Covered?</i> Yes</p>	<p><i>Presumptions:</i> 4 unsuccessful repairs or 30 calendar days out of service within shorter of 1 year or warranty. Law specifically applies to leased vehicles. Note: Consumer should receive replacement or refund within 30 calendar days after offer to return title.</p>	<p><i>Required First Step:</i> Report to manufacturer or dealer.</p>
<p>Wyoming Statutes, 40-17-101</p>	<p><i>Motorcycles Covered?</i> Yes</p>	<p><i>Presumptions:</i> 3 unsuccessful repairs or 30 business days out of service within 1 year.</p>	<p><i>Required First Step:</i> Direct written notice + opportunity to repair to manufacturer. (Manufacturer's informal arbitrations process serves as prerequisite to consumer refund or replacement.)</p>