

Squeezed by a Lemon

## It's The 25th Anniversary Of Connecticut's Lemon Law

### The First In The Nation To Protect Consumers From Dud Cars

In spring 1982, Thomas F. Ziemba flew his Cessna over the state capitol trailing a banner that read "My '82 Chevy is one reason Conn. needs a lemon law."

It was one of the more colorful attempts to show support for state representative John J. Woodcock III, who was trying to enact a lemon law to protect consumers from bad cars. On June 4, 1982, Gov. William A. O'Neill signed the first lemon law in the country into effect.

Today, all 50 states and the District of Columbia have lemon laws on the books.

In the 25 years since Connecticut's law passed, more than \$53 million has been returned to lemon owners, providing relief to some 5,000 people, according to Claudette Carveth of the state Department of Consumer Protection.

Carveth said her department receives 150 to 200 lemon law applications each year, and that about 100 of those go to arbitration.

Connecticut's law applies to new cars, motorcycles and commercial vehicles and covers "substantial defects affecting the use, safety or value of the vehicle" that have not been repaired during the first two years from the original owner's delivery date, or the first 24,000 miles, whichever comes first.

To qualify as a lemon, the same problem has to remain unfixed after four repair attempts, or the vehicle must have been out of service for a cumula-

tive total of 30 days or more for "any number of unrelated problems."

If the problem is likely to kill or seriously injure you, the dealer only gets two tries to fix it.

The lemon law is designed to work without an attorney. Lemon owners can print out an arbitration form on DCP's Web site ([www.ct.gov/dcp](http://www.ct.gov/dcp)) and return it with a \$50 fee, telling their stories.

If you make it through an initial review, DCP will contact the car manufacturer, who must then file its statement, along with the fee.

Next you'll appear before a panel of three volunteer arbitrators trained in settling disputes, and DCP's master mechanic. If you win, the panel may award you a replacement vehicle, or a refund of the contract price.

Sounds simple enough, but Austin French of Orange decided to hire an attorney for his lemon. French bought a 2007 Jeep Wrangler Unlimited in September, only to have its removable top leak the day after he bought it.

After four visits to the dealer over the next month, the Wrangler still leaked water onto the dashboard and center console.

French filed the lemon law paperwork himself, but when he saw the reply from Chrysler, which owns Jeep, he hired Stamford-based attorney Sergei Lemberg, who specializes in lemon law cases, and is now before a judge in the civil court system.

"Everybody says you don't need an attorney; I think you do," French said. "After reading through all Chrysler's paperwork, it didn't match my paperwork. If I went in there alone I might get eaten alive by one of their attorneys."

Richard E. Maloney, director of trade practices for DCP, feels French's pain.

"What we have found over the last few years is these cases are being contested more and more by the manufacturers," Maloney said. "The price of vehicles is going up and the stakes are higher."

To boost consumer confidence in the arbitration process, DCP has a bill before the legislature this year that would replace the volunteer arbitration panel with a paid professional arbitrator.

Maloney says DCP already has the funding it needs to pay arbitrators from a \$3 surcharge on every new car sold in Connecticut. He said that while a similar bill failed last year, this year's bill has made it to the floor of the House.

"It looks like this bill may be a go,"