In practice, most consumer warranty law deals with the sale of cars and manufactured homes. State and federal laws have been enacted to provide consumers of such products special warranty rights, examined in more detail in Chapters 14, 15, and 17, infras.

An important example is new car lemon laws, which are analyzed in § 14.2, infra, and summarized, state-by-state, in Appendix F, infra. Every state has enacted a new car lemon law giving consumers the right to a refund or replacement vehicle if the manufacturer cannot repair the car after a specified number of repair attempts. Many states have also enacted laws covering undisclosed damage to new cars before they reach the consumer.

The Federal Trade Commission’s Used Car Rule creates no substantive warranty rights, but does require disclosure of used car warranties. A few states have also enacted minimum warranty protections for used car sales, and other states have enacted disclosure, safety inspection, or other laws that provide warranty-type protections to used car buyers.

Most states have special laws regarding warranties for wheelchairs and other assistive devices. A significant number of states have also enacted manufactured-home warranty statutes, and federal statutes concerning manufactured homes also affects consumers’ warranty rights. Relevant sections of this federal law are reprinted in Appendix C, infra, and both the statute and the regulations are available online as companion material to this treatise. Federal and state manufactured home legislation is analyzed in Chapter 17, infra.

A substantial minority of states have statutes that create or require a warranty for new homes. These statutes must be viewed against the backdrop of common law implied warranties for newly constructed homes. A number of states also have special warranty laws applicable to condominiums. Statutes applicable to new homes and condominiums are summarized in Appendix H, infra, and discussed in Chapter 18, infra.

Footnotes


The Rule is reprinted in Appendix D, infra.

10 [6] See §§ 15.5.2, 15.5.4, 15.5.5, infra.


12 [8] See § 17.4.2, infra.


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Links

[1] https://library.nclc.org/nclc/link/CWL.14
1.2.5 Lemon Laws, Used Car Warranty Laws, Manufactured Home Statutes, New Home Warranty Statutes

[10] https://library.nclc.org/nclc/link/CWL.18
[12] https://library.nclc.org/nclc/link/CWL.15.06
[14] https://library.nclc.org/nclc/link/CWL.15.05.02
[15] https://library.nclc.org/nclc/link/CWL.15.05.04
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