



# JERRY PETROWSKI

WISCONSIN STATE SENATOR

***SB 274: Reporting of a Nonconformity***  
**Senate Committee on Transportation and Veterans Affairs**  
**October, 28 2015**

Good morning, and thank you for the opportunity to speak today on Senate Bill 274. This bill is a simple fix to Wisconsin's Lemon Law which was overhauled last session, passing with wide bipartisan support. One unintended consequence of the legislation from last session was a requirement that each time a consumer has their car serviced or repaired under warranty they are required to bring in a new form specified by DOT to put manufacturers on notice of the repair.

In discussions with DOT, car dealers, car manufacturers and attorneys who practice in this area, we determined that this form is unnecessary. Every time a consumer has their vehicle serviced under warranty the manufacturers have record of this repair and because of this, are already on notice of a potential Lemon Law claim. Also, it is very possible that the potential of a Lemon Law issue might not even cross the consumer's mind at this initial point in time. This bill is very simple and lessens the burden on and confusion to the consumer by eliminating that form requirement from the Lemon Law process.

The amendment to this bill makes the change in this legislation apply retroactively to March 1, 2014, the effective date of 2013 Wisconsin Act 101, which created the DOT form requirement for the owner's report of nonconformity. This way, anyone who was confused by the form requirement and failed to submit it will still be able to utilize the lemon law.

Thank you again for the opportunity to speak on this bill. I would be happy to answer any questions you may have.

29TH SENATE DISTRICT

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STATE CAPITOL: P.O. BOX 7882 • MADISON, WISCONSIN 53707-7882  
SEN.PETROWSKI@LEGIS.WISCONSIN.GOV • TELEPHONE: (608) 266-2502 • FAX: (608) 282-3569