

March 8, 2019

Dear Chair Barker and other committee members,

We write to show our support for House Bill 2885. I represent Oregon consumers who have been defrauded by car dealers. In my practice I have had opportunities to work with the current lemon law, and I find it to be lacking in many areas.

HB 2885 fixes many of the current problems, but the largest benefit the bill offers to consumers is Section 3(3)(a), where it recalculates the mileage offset. The current statute provides the manufacturer in a buyback setting to offset the amount payable to the consumer by the miles driven by the consumer up until the buyback. This bill reduces the offset to the miles at which the first attempt to repair the problem that results in the buyback.

The current statute gives incentives to the manufacturer to drag their feet, delay resolution, and ultimately increase the offset, paying consumers less for their vehicles. This bill would allow quicker settlements and a more reasonable recovery for consumers. As you can imagine, a consumer purchasing a new vehicle has an expectation that it is going to function like a new vehicle, and not have mechanical defects or safety issues. They are usually shocked to find out when they have purchased a lemon, that the process is so time consuming and stressful. I believe HB 2885 would provide a more painless process for such consumers who have unwittingly purchased lemons.

Respectfully,

  
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Young Walgenkim