

USED VEHICLE WARRANTY EXTENSION REFERENCE CHART

The Used Vehicle Warranty Law is a relatively simple law, except when it comes to tolling. Tolling refers to the stopping of time during the warranty period or to the adding of extra days to the warranty or return period because of a particular event. For example, under other laws one day of your warranty is used up for every day you own your vehicle. The Used Vehicle Warranty Law, however, says that each day your car is in the shop does not use up a day of your warranty.

To help you determine your eligibility for arbitration, the most common tolling and warranty extensions are outlined below. If you need additional help, please call Consumer Affairs toll free at 1-888-283-3757.

SITUATION

A consumer purchased and took delivery of the vehicle on January 2. The vehicle cost \$700. There were 90,000 miles on the car at the time of delivery. The consumer received a 30 day/1250 mile warranty at the time of sale. The warranty period will expire on January 31, 30 days after the warranty began.

Please note: The dates that are underlined in the calendar below are state or federal holidays and do not count as business days. Business days are defined as Monday - Friday, except for state and federal holidays. This calendar is a sample calendar used only for demonstration purposes.

January							February						
<u>S</u>	<u>M</u>	<u>T</u>	<u>W</u>	<u>Th</u>	<u>F</u>	<u>S</u>	<u>S</u>	<u>M</u>	<u>T</u>	<u>W</u>	<u>Th</u>	<u>F</u>	<u>S</u>
1	<u>2</u>	3	4	5	6	7				1	2	3	4
8	9	10	11	12	13	14	5	6	7	8	9	10	11
15	<u>16</u>	17	18	19	20	21	12	13	14	15	16	17	18
22	23	24	25	26	27	28	19	<u>20</u>	21	22	23	24	25
29	30	31					26	27	28				

The following tolling examples are outlined on the chart on the next page:

1. **Car in Shop For Repairs, Day for Day Extension**, [M.G.L. c.90, sec. 7N 1/4 (2) (C)]
2. **30 Day Defect Only Extension**, [M.G.L. c.90, sec. 7N 1/4 (2) (C)]
3. **5 Business Day Return Period**, [M.G.L. c.90, sec. 7N 1/4 (3) (A) (i)]
4. **5 Business Day Return Period Extension**, [M.G.L. c.90, sec. 7N 1/4 (3) (A) (i)]
5. **Dealer Refusing Repairs (in person)**, [M.G.L. c.90, sec. 7N 1/4 (3) (A) (i)]
6. **Dealer Refusing Repairs Within 3 Days (in writing/ by phone)**[M.G.L. c.90, sec.7N 1/4 (3) (A) i)]
7. **Dealer Ordering Parts Extension**, [M.G.L. c.90, sec. 7N 1/4 (3) (A) (ii)]
8. **Dealer Fails to Give Warranty Extension**, [M.G.L. c.90, sec. 7N 1/4 (4)]

What is the repair/warranty situation?	How many calendar days are added to the warranty?	How many business days out of service count toward 11 need for a refund?
1. Car in dealer's shop for dealer warranty repairs Example: Car in: 1/10 Car out: 1/19	Add the total # of calendar days the car is in the shop until the end of the warranty Add 10 days to warranty: $1/31 + 10 \text{ days} = 2/10$	Add total # of business days in shop Only 7 business days count toward 11 needed for refund (exclude 1/16 since it is noted as a holiday)
2. Car leaves dealer's shop with fewer than 30 days left in 30/60/90 day warranty Example: Car in: 1/10 Car out: 1/19	a) Warranty extended 30 days from date repair is completed <u>for that defect only</u> ; b) Add total # of calendar days car is in the shop to warranty for car as a whole. a) Add 30 days to 1/19 to extend warranty for that defect only = 2/18 b) Add 10 days to warranty = 2/10	Add total # of business days in shop Only 7 business days count toward 11 needed for refund (exclude 1/16 since it is noted as a holiday)
3. Notify dealer of problem and return vehicle to shop within 5 business days after warranty expired Example: Car in: 2/3 Car out: 2/8 5 day return period ends: 2/7	Warranty extended 30 days from date it is completed <u>for that defect only</u> Add 30 days to 2/8 to extend warranty for that defect only = 3/10	Add total # of business days in shop The 4 business days count toward 11 needed for refund
4. Vehicle cannot be reasonably returned to shop by consumer during the <u>5 business day return period</u>. Example: Engine dies: 1/31 Notifies dealer 2/3 5 business day return period ends: 2/7 Consumer returns car to dealer: 2/9 Car out on 2/10	Extend the return period by one day for each day until the car can be reasonably returned; (Also, warranty extended 30 days from date the repair is completed <u>for that defect only</u> - see #3 above) The 5 business day return period is extended 2 days: $2/7 + 2 \text{ days} = 2/9$	Add total # of business days in shop Two business days count toward the 11 needed for refund, (start counting business days on 2/9)
5. Dealer refuses to accept vehicle for repairs when presented in person (It is considered out of service beginning that day.) Example: Car presented: 1/9 Dealer accepts car: 1/23	Add total # of calendar days while waiting for car to be repaired to end of warranty period Add 14 days to warranty: $1/31 + 14 \text{ days} = 2/14$	Add total # of business days while waiting for car to be repaired Only 10 business days count toward 11 needed for refund (exclude 1/16 since it is noted as a holiday)

What is the repair/warranty situation?	How many calendar days are added to the warranty?	How many business days out of service count toward 11 need for a refund?
6. Dealer fails to take vehicle within 3 business days of a telephone or written request for repair. Example: Consumer contacts dealer in writing and/or by phone: 1/9 Dealer accepts car: 1/23	Add total # of calendar days while waiting for car to be repaired to end of warranty period Add 14 days to warranty: $1/31 + 14 \text{ days} = 2/14$	Add total # of business days while waiting for car to be repaired Only 10 business days count toward 11 needed for refund (exclude 1/16 since it is noted as a holiday)
7. Car is in shop while dealer waiting for parts to be delivered/received <i>NOTE: Only a maximum of 21 calendar days while waiting for parts can be excluded from the 11 business days needed for a refund.</i> Example: Car in: 1/4 Dealer ordered parts: 1/6 Dealer received parts: 1/19 Car out: 1/24	Add total # of calendar days while car is in shop to end of warranty Add 20 days to warranty: $1/31 + 20 \text{ days} = 2/20$	Add only the business days before a part is ordered, and the business days from the day the part is received. Or, if the other defects are being fixed while a part is on order, the total # of business days the car is in the shop count toward the 11 needed. Add 2 business days before parts ordered, and add 4 business days from day part received. <i>Total business days: 6 toward 11 needed for a refund</i>
8. Dealer fails to give consumer complete and accurate written warranty or warranty was not given at all Example: Consumer purchased and took delivery: 1/3 Received warranty: 1/18	Warranty period begins on the day the consumer receives a complete and accurate copy of the Used Vehicle warranty from the dealer Warranty period begins: 1/18 Warranty period expires: 2/17 $1/18 + 30 \text{ days} = 2/17$	Add any business days that the vehicle was out of service for warranty repairs before consumer received written warranty None, because there were no warranty repairs before 1/18

January						
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