



Regulated Industries Complaints Office

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cca.hawaii.gov/rico

Hawaii's Used Car Sales & Warranty Law

Here are some things to keep in mind about Hawaii's used car sales and warranty law.

WHAT IS THE RESPONSIBILITY OF THE DEALERSHIP?

The dealer must provide the following:

- 1) A written disclosure of all material mechanical defects known to the dealer and whether any inspections have been conducted to determine if there are any; and
- 2) A written warranty on covered major mechanical parts of the vehicle if they fail during the specified warranty period.

(A material mechanical defect is one which affects the vehicle's safety and use)

DOES MY CAR REQUIRE A WARRANTY?

Generally, if your car:

- is less than 5 years old;
- costs more than \$1,500;
- has between 12,000 and 75,000 miles;
- is not custom built or modified for show purposes or racing; and
- is not inoperable or deemed a "total loss"

it must be sold with a written warranty.

WHAT HAPPENS IF THE DEALERSHIP IS UNABLE TO REPAIR MY CAR?

If the dealer fails to correct a defect or malfunction as required by the warranty after a reasonable period of time, the dealer must either refund your money or replace the car.

WHAT ARE THE WARRANTY PERIODS?

Cars with:

Less than 25,000 miles – 90 days or 5,000 miles

Between 25,000 and 49,000 – 60 days or 3,000 miles

Between 50,000 and 74,999 – 30 days or 1,000 miles.

WHAT PARTS ARE COVERED BY THE WARRANTY?

Only specified major mechanical parts are covered by this warranty. Parts that are of a cosmetic nature are not included.

Covered parts are:

- Engine, including all lubricated parts, water pump, fuel pump, manifolds, engine block, cylinder head, rotary engine housings, flywheel gaskets, and seals;
- Transmission, including the transmission case, internal parts, torque converter, gaskets, and seals, except four-wheel drive vehicles are excluded from coverage as provided for in this paragraph;
- Drive axle, including front and rear drive axle housings and internal parts, axle shafts, propeller shafts, and universal joints, except four-wheel drive vehicles are excluded from coverage as provided in this paragraph;
- Brakes, including master cylinder, vacuum assist booster, wheel cylinders, hydraulic lines and fittings, and disc brake calipers;
- Radiator;
- Steering, including the steering gear housing and all internal parts, power steering pump, valve body, piston, and rack; and
- Alternator, generator, starter, and ignition system, excluding the battery.

WHAT DO I HAVE TO DO TO GET MY CAR REPAIRED UNDER THE WARRANTY?

You must take the car back to the dealer before the warranty expires and provide written notice of the defect to the dealer.

RESOURCES

The Department of Commerce and Consumer Affairs (DCCA), and its Regulated Industries Complaints Office (RICO), offer tools, tips, and services you can use to check out an individual or business. Information is available by calling **(808) 587-4272** or online at cca.hawaii.gov/businesscheck.

For information about filing a complaint or to report unlicensed activity, call RICO's Consumer Resource Center at **(808) 587-4272** or visit us online at cca.hawaii.gov/rico.

To call Oahu-RICO, dial the following toll free numbers: Kauai 274-3141, extension 74272; Maui 984-2400, extension 74272; Big Island 974-4000, extension 74272; Molokai and Lanai 1-800-468-4644, extension 74272, followed by the # sign.

RICO is the enforcement arm for over 45 professional boards, commissions, and programs that are administratively attached to the Department of Commerce and Consumer Affairs. RICO receives complaints, conducts investigations, and prosecutes licensing law violations. RICO also prosecutes unlicensed activity through the issuance of citations and by filing civil lawsuits in the Circuit Courts. RICO works to resolve consumer complaints where appropriate and provides consumer education about various issues relating to licensing and consumer protection. RICO also administers the **State Certified Arbitration Program (SCAP)** for "lemon" motor vehicle claims.

This brochure is for informational purposes only and not intended for the purposes of providing legal advice. Information provided is subject to change. Printed material can be made available for individuals with special needs in Braille, large print or audio tape. Submit requests to the RICO Complaints and Enforcement Officer at 586-2666.