

AN ACT

ENTITLED, An Act to require a motor vehicle manufacturer to reimburse a consumer for excise tax and license and registration fees if a vehicle is replaced under lemon law provisions.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 32-6D-3 be amended to read as follows:

32-6D-3. If, after reasonable attempts, the manufacturer or its authorized dealer is unable to conform the motor vehicle to any express warranty by repairing or correcting a nonconforming condition of the motor vehicle which first occurred during the lemon law rights period, the manufacturer shall, through its authorized dealer, at the option of the consumer, replace the motor vehicle with a comparable new motor vehicle and shall refund the customer all collateral charges, including excise tax, license, and registration fees and similar government charges or shall accept return of the vehicle from the consumer and refund to the consumer the following:

- (1) The full contract price including charges for undercoating, dealer preparation, and transportation charges, and installed options, plus the nonrefundable portions of extended warranties and service contracts;
- (2) All collateral charges, including excise tax, license, and registration fees and similar government charges;
- (3) All finance charges incurred by the consumer after he first reported the nonconformity to the manufacturer or its authorized dealer; and
- (4) Any incidental damages which shall include the reasonable cost of alternative transportation during the period that the consumer is without the use of the motor vehicle because of the nonconforming condition.

An Act to require a motor vehicle manufacturer to reimburse a consumer for excise tax and license and registration fees if a vehicle is replaced under lemon law provisions.

I certify that the attached Act
originated in the

SENATE as Bill No. 94

Secretary of the Senate

President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 94
File No. _____
Chapter No. _____

Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor

STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State