

SUBMISSION

'Lemon' Laws - An inquiry into consumer protections and remedies for buyers of new motor vehicles

Legal Affairs and Community Safety Committee
Parliament House
George Street
Brisbane Qld 4000

Dear Sir/Madam

The purchase of a new motor vehicle is typically the second most expensive purchase a consumer will make in their lifetime after the family home.

There are many reasons a consumer will decide to purchase a new vehicle, with reliability and safety being high on the list.

From a Government perspective at both State and Federal level, there is a definite push from a road safety perspective to see as many Australians as possible in new, safer vehicles.

When a consumer makes the choice to purchase a new vehicle, it is expected that they would be protected by Australian law if that vehicle was faulty.

Unfortunately, through both the Australian Motoring Enthusiast Party Office and through Senator Ricky Muir's Office, we have received complaints from consumers who have not received adequate protection when the new vehicle they purchased was problematic.

This is very concerning, and we therefore welcome the Queensland Inquiry into consumer protections for buyers of new motor vehicles.

Australia currently does not have lemon laws to protect new car buyers. Whilst the rights of new car buyers are currently protected by Australian Consumer Law (ACL), it would appear there is inadequate definition around what defines a problematic vehicle and when the vehicle manufacturer or supplier must repair, replace or refund a consumer's vehicle.

We believe this definition is required to protect all parties: the consumer, the dealership that sold the vehicle, and also the vehicle manufacturer.

It is important we have the right laws in place and that proper resource is available for consumers of new vehicles. It is also important that it is an easy process for the consumer to find a resolution.

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From a Road Safety perspective it is extremely concerning that many of these problematic vehicles are on-sold to unsuspecting buyers when the original owners, being unable to achieve a resolution, off-load the vehicle.

Others who have too high a conscience to off-load the vehicle are forced to continue to drive these vehicles, potentially putting themselves, their families, and other road users at risk every day. When you have a new vehicle that simply stops for no reasons, albeit intermittently, it is a serious safety concern. This is the harrowing situation for a Queensland Mother who made contact with our office; placed in a dangerous position of driving her children to school each day in a vehicle that has this problem.

The Australian motoring community believe it is the responsibility of the Government to ensure that adequate protection is provided to protect purchasers of new vehicles, and we commend the Queensland Government on their leadership in this area.

Yours sincerely

Sharyn Littler
Australian Motoring Enthusiast Party

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