



February 1, 2019

The Honorable Patrick Morrissey  
Attorney General of West Virginia  
State Capitol  
1900 Kanawha Blvd. , E.  
Charleston, WV 25305

Dear Attorney General Morrissey:

We are writing today on behalf of the thousands of members of the Center for Auto Safety across the country, including those in West Virginia. The Center for Auto Safety is America's premier, non-profit, independent, member-driven advocacy organization, fighting for auto safety, quality, and fuel economy for all drivers, passengers, and pedestrians. Since our founding in 1970, the legal rights of consumers when it comes to defective cars and trucks has been a priority.

The Center has recently completed an analysis of all 51 state Lemon Laws in the United States (including the District of Columbia) and has ranked and graded each state based on the results. West Virginia finished **14** out of 51, with a total score of 53 and received a grade of **B**. Every year the Center sees reports of thousands of lemons being sold to consumers, which only reinforces necessity of regularly refreshing state lemon laws. Experience demonstrates that states with strong lemon laws force the auto companies to take back their lemons, while states with weak lemon laws create bitter consumers.

Our rankings are based on 10 different categories corresponding to fundamental elements of a strong lemon law, with each category being considered separately. A maximum of 10 points is awarded in each category. Also where applicable, points were deducted for provisions which negated major consumer rights including whether a consumer was liable for a manufacturer's attorney fees, lost rights under other laws, or if the law uses an unreasonably short period of time in which to file legal action. Additional points were awarded in other circumstances, such as for states which require the manufacturer to conform the vehicle to its warranty, disclose the results of arbitration, and in instances where the state's lemon law applies to used cars.

Attached to this letter is your state's individual Report Card, detailing the scores received in each category, an explanation of each category, and examples of state lemon law provisions that the Center for Auto Safety believes are exemplars of consumer rights when it comes to defective cars.

We thank you for taking time to use the power of your office to improve this important consumer protection. Please let us know if we can be of any assistance in improving your state's lemon law.

Yours,

A handwritten signature in black ink, appearing to read "Jason Levine".

Jason Levine  
Executive Director