

# Kansas Lemon Law does include leases

Dear Attorney General Kline:  
I just leased a brand new car, but it's been in the shop three times in three months! I don't think I should have to pay for a car that doesn't work and never has. Can I use the Kansas Lemon Law to return this car to the dealership?



phill  
kline

• attorney general

Dear Kansas Consumer:  
Most of us are dependent upon our automobiles for conducting our daily lives. Purchasing or leasing a new automobile is a major expense, and the need for constant repairs and attention is more than just a minor frustration.

Occasionally, some new cars do not provide what lessees have a legal right to expect. To address this problem, the Kansas Legislature passed the Lemon Law and expanded it in 1996 to include leased vehicles. So it's possible you may be able to claim protection under the law if your car meets the following criteria:

The vehicle you seek to return must be under the weight limit of 12,001 pounds, or six tons. Most cars and trucks are well below this limit.

You must be the original lessee, not a second or third owner. The Lemon Law can unwind the lease only if the vehicle was brand new.

The vehicle must reach "lemon" status within a year of the day you took delivery.

The vehicle must suffer from a series of problems that "substantially impair the use and value of the motor vehicle." Examples of problems that would cross this threshold include stalling in traffic, failing to stay in alignment, overheating, and anything that amounts to a safety concern or that renders the vehicle inoperable.

The law presumes that if, in the first year of ownership, the same substantial problem occurs more than four times, or the vehicle has been to the shop more than nine times to address substantial problems, or if your vehicle has been out of commission for a total of 30 days by reason of repair, then you likely have a certifiable lemon.

In the case of extreme problems where no amount of repair is likely to remedy the problem (for example, if the entire frame of the car shatters), the vehicle may qualify under the statute as a lemon, even if it has not been in the repair shop multiple times.

Once you believe your vehicle is a candidate for certifiable lemon status, you must contact the manufacturer of your vehicle. Most manufacturers attempt to resolve the issue through an informal dispute settlement board that, if it complies with certain requirements of federal law, you must use first. Your owner's manual may tell you if your manufacturer has such procedures in place.

If you have any problems getting your lemon replaced or returned, you should either contact a private attorney or consider filing a complaint through the Attorney General's Office. Complaint forms are available from our website at [www.ksag.com](http://www.ksag.com) or by calling (800) 432-2310.

Here is the bottom line: Kansas law mandates that once a vehicle is found to be a true lemon, then the vehicle's manufacturer must either replace the car with a comparable one under warranty or take the vehicle back, giving a refund minus a reasonable allowance for your use of the vehicle.

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e-mail: [star-news@nwkansas.com](mailto:star-news@nwkansas.com)

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N.T. Betz, Director of Internet Services  
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Evan Barnum, Systems Admin.([support@nwkansas.com](mailto:support@nwkansas.com))

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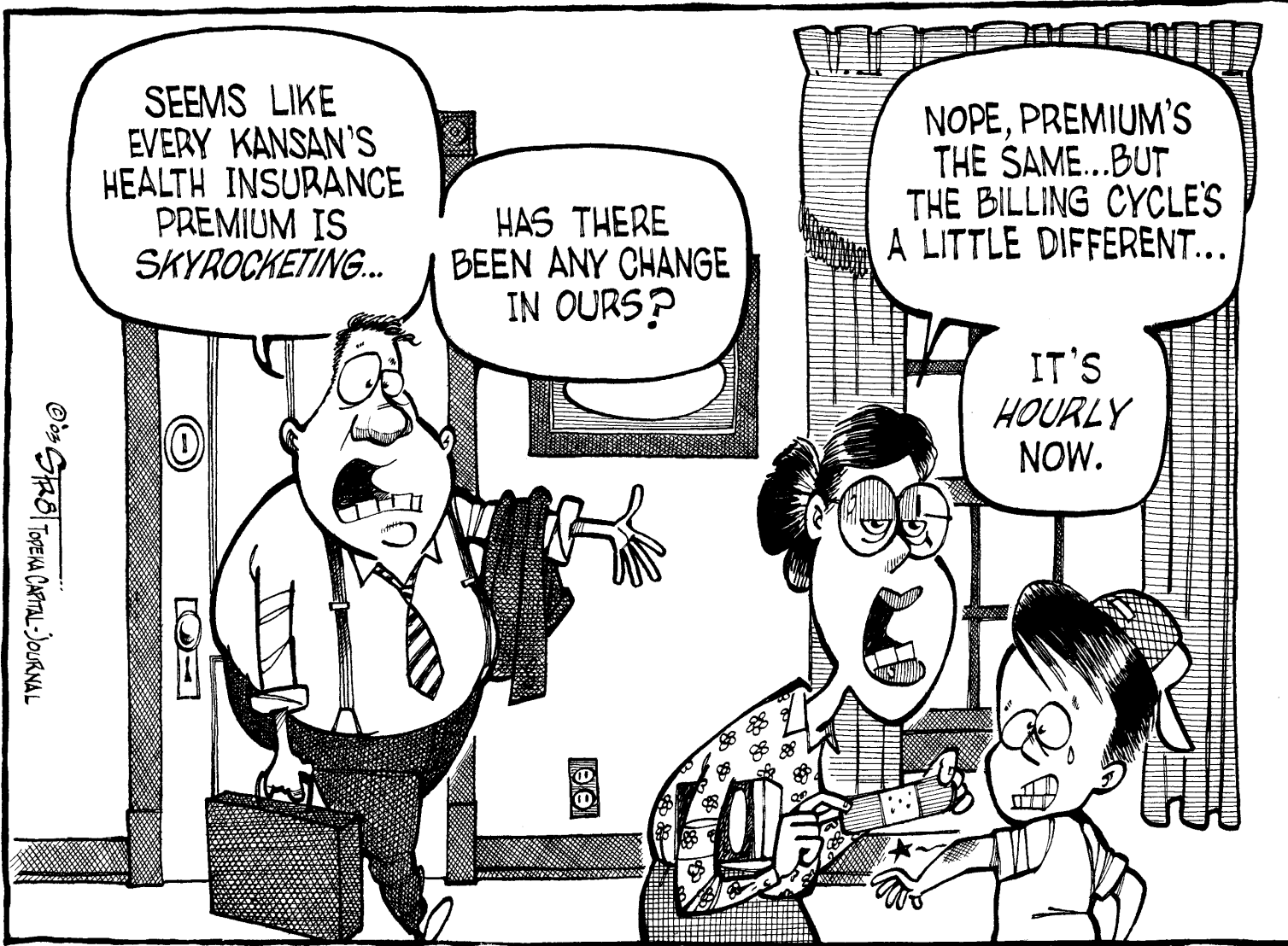
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## Feeling guilty? Are you?

I don't know about you, but I've been thinking about guilt.

It can be such a debilitating emotion. I remember a friend of mine once talking about how her daughter and granddaughter had come back to live with her. "No matter what I do for them," she said, "it's never enough. They always make me feel like I'm the one who failed. I feel guilty all the time."

"Well, are you?" I asked.

She stared at me for a moment. "Am I what?"

"Are you guilty?" I said.

She had to think about it for a moment. "Well, sometimes, but not always," she admitted while at the same time defending herself.

My advice to her was that there is a big difference between feeling guilty and being guilty.

"You are either guilty or not guilty. If you're guilty of something, make whatever amends you can make, accept your guilt and go on with your life. If you're not guilty, say so and get on with your life.

"Feeling guilty doesn't help anyone, and just



lorna  
g t

• commentary

makes your life miserable.

"Besides," I concluded, "you are allowing your children to make you miserable. Either take charge of your life by accepting the guilt that is yours, apologize for it and try to do better in the future or tell them to accept their own part of the blame and get off your back."

Too many of us carry a terrible burden of feeling guilty for things that cannot be undone — or never were our doing at all. We moan and groan under "guilt trips" we should never have taken in the first place.

You're either guilty or not, but don't let someone else load you down with their ideas of who is responsible.

As I told one of my sons once, "I can't give

## Some hints for traveling with a spider

This is the last spider story, for now. I promise.

The tarantula we picked up in Colorado three weeks ago had been eating us out of house and crickets. It would have been OK if it was cricket season and you could find the silly things under every street lamp. Now, however, they hide in the basement and drive you crazy.

We were to hand off the spider to his new owner, youngest daughter, in Kansas City.

We were at the National Newspaper Convention and she and her brother were to drive over from Lawrence, have supper on Mom and Pop and take the hairy monster back with them.

But, the question remained, what to do with the spider between the time we arrived at the fancy downtown Kansas City hotel on Tuesday night and the time we handed it over to the children on Thursday?

I vetoed leaving it in the car. The forecast was for cool to cold and I didn't want a stiff spider after all the work I had gone to catch and feed it.



cynthia  
haynes

• open season

We settled on putting its plastic cage in a plastic grocery bag and hand carrying it while the rest of the luggage went on the hotel cart.

Once in the room, the spider came out of his plastic bag — but stayed in his plastic cage and took up residence on the dresser.

There was still the maid to think about.

We didn't want our towels slung out the door and a screaming woman fleeing down the hall. We also didn't want to get turned into hotel security. We weren't sure if they allowed pets in the rooms.

Each morning before leaving the room, we

you a guilt trip. Guilt trips have to be accepted."

Examine your own heart and take charge of your own life.

Are you guilty — or not?

And of course I can't think about guilt without thinking about forgiveness.

Whereas guilt seems to be in plenty supply in our world, forgiveness seems to be at a premium.

It takes a lot of physical energy to stay angry with someone, to carry a load of guilt. Yet so many times people choose to expend all that energy rather than forgiving or being forgiven.

Many times the load is so heavy we try to blame someone else for it, just to ease the pain. It seems to be more important to be right than to admit wrong.

That seems to be a flaw in our characters; we'd rather be angry than give it up. We'd rather feel justly wronged than to forgive. Too many of us never experience the joy and lightheartedness that forgiving can bring.

No wonder there is so much hate in our world. And it doesn't all come from terrorists!

would carefully place the small cage in the bottom drawer of the dresser. Just to be safe, I put my jewelry, such as it is, under the cage.

When we returned in the afternoon, we would put the cage back out because the whole thing was getting a little ripe.

We finally decided the cage had to be cleaned. The spider has a big appetite, and after he eats, well, you get the picture.

Where to put the arachnid while his cage was being cleaned? He sure wasn't getting the run of my room.

The ice bucket proved a good holding cell.

We cleaned up the spider doo and washed the sand, leaving it out for a couple of hours to dry, then returned it and the spider to the cage.

The children showed up on time and took the spider off to Lawrence, where even as I write, he should be making a big hit in the McLouth Junior High science room.

The things we do for our children.

### Letter Policy

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### garfield

