

## **Competent Auto Maintenance and Repair Performed by an Independent Shop or Person Does Not Void a Vehicle Warranty**

The U.S. Federal Trade Commission (FTC) in December (2010) issued an alert titled “Auto Warranties, Routine Maintenance & Repairs: Is Using the Dealer a Must?” reminding consumers that a dealer can’t refuse to honor the warranty that came with a new car if someone else does the routine maintenance or repair work. The FTC emphasizes that it’s illegal for a dealer to deny warranty coverage in this instance and makes it clear that an independent mechanic, a retail chain shop, and even a DIYer (do-it-yourselfer) can perform the maintenance and repairs on a vehicle.

“The Magnuson-Moss Warranty Act, which is enforced by the FTC, makes it illegal for manufacturers or dealers to claim that your warranty is void or to deny coverage under your warranty simply because someone other than the dealer did the work,” the consumer alert reads. “That said, there may be certain situations where a repair may not be covered. For example, if you or your mechanic replaced a belt improperly and your engine is damaged as a result, your manufacturer or dealer may deny responsibility for fixing the engine under the warranty.” However, according to the FTC, the manufacturer or dealer must be able to demonstrate that it was the improper belt replacement — rather than some other defect — that caused the damage to the vehicle’s engine. And, the warranty would still be in effect for other parts of the car.

The FTC also points out that the Magnuson-Moss Warranty Act makes it illegal for companies to void a warranty or deny coverage under warranty simply because a consumer used an aftermarket part. Like the belt example noted above, if it turns out that the aftermarket part was defective or wasn’t installed correctly and it causes damage to another part that is covered under the warranty, the manufacturer or dealer has the right to deny coverage for that part and charge the consumer for any repairs. The FTC says the manufacturer or dealer must show that the aftermarket equipment caused the need for repairs before denying warranty coverage. (This news item is reprinted from the Greensheet, 1/7/2011)