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# PAUL TITTL

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STATE REPRESENTATIVE • 25<sup>TH</sup> ASSEMBLY DISTRICT

Assembly Committee on Consumer Protection

Assembly Bill 14

May 18, 2023

First of all, thank you Chairman Callahan and members of the committee for allowing me to testify before you today concerning Assembly Bill 14 relating to the repair and replacement of implements of husbandry under warranty.

This bill allows defective implements of husbandry to be repaired and replaced when these implements can no longer do the job they were purchased to do. If a buyer's farm equipment under warranty remains defective, the authorized dealer or manufacturer must repair it. If the deflection has been subject to repair at least four times, and the deflection persists or if the equipment is out of service for a period of thirty days while under warranty, the consumer is entitled to a replacement or a full refund.

Wisconsin has already had a lemon law in place that covers cars, trucks, and SUV's since 1984. This bill is modeled after our current automotive lemon law. Ten other states already have agricultural equipment lemon laws, including our neighbors Illinois and Minnesota. Tennessee is the most recent to have done so in 2021.

This bill will provide much needed relief for farmers who would otherwise incur excessive repair costs for malfunctioning farm implements.

We live in a time when Wisconsin farmers are facing mounting pressure to turn a profit. Many fear they might soon lose their farm. They should not have to be saddled with new equipment that doesn't work.

I am pleased that two of my friends from Manitowoc are with us today to testify in favor of this legislation. One was involved with passage of the original lemon law in for cars in Wisconsin. The other will share his story dealing with his defective farm equipment. His story is the reason I introduced this much needed bill.

I look forward to hearing their testimonies, In the meantime, I want to thank you for your consideration of this bill and the opportunity to testify before you today. I am happy to take any questions you may have.

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# TREIG E. PRONSCHINSKE

STATE REPRESENTATIVE • 92<sup>nd</sup> ASSEMBLY DISTRICT  
MAJORITY SERGEANT AT ARMS

## Testimony on Assembly Bill 14

Hello Chairman Callahan, Vice-Chair Johnson, and members of the Committee on Consumer Protection. I want to thank you letting me testify on this important bill today. Assembly Bill 14 is a necessary bill that holds implement retailers accountable in their selling of an implement of husbandry.

The purpose of this bill is to make sure that if a buyer finds a nonconformity or a blemish in their implement of husbandry, all parties involved must amend the problems with the implement as long as it is within the expressed warranty. This applies to the manufacturer, the lessor, and the authorized dealer. Additionally, if the irregularity is still not corrected after four different times of being repaired, the consumer then becomes qualified to receive a full refund or a full replacement of that specific implement of husbandry.

This bill is extremely important in not only keeping the dealers culpable, but in making sure the buyers are not left out to dry. Sadly, too often this negatively affects the buyer more than the dealer. These buyers are often farmers, craftsmen, laborers and people who unfortunately don't have the ability to keep dishing out money to a problem they assumed they already fixed. The blue collar workers of our society who provide us with dairy products, vegetables, and sustenance deserve our best. The products you see in a grocery store don't just magically appear.

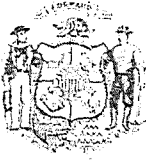


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MAJORITY SERGEANT AT ARMS

These products need to be attended to, cared for, and need the best service possible. This bill makes sure that the produce you and I so richly enjoy every day is cared for and it makes sure the hard-working people that put goods into our stores receive what is right and fair.

No one should have to deal with products that don't work: especially not our hardest working people and especially not after repairs have failed multiple times. Members: I would encourage you to take a long hard look at this bill and now I will take any questions you might have. Thank you for your time.



**ANDRÉ JACQUE**

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*Testimony before the Assembly Committee on Consumer Protection*

*Senator André Jacque*

*May 18, 2023*

Thank you Mr. Chairman and Members for holding this hearing on Assembly Bill 14, which creates a lemon law for the repair and replacement of faulty farm equipment.

A lemon law provides a remedy when certain products, such as cars and trucks, are found to be repeatedly defective while under warranty. If a buyer's farm equipment under warranty remains defective, the authorized dealer or manufacturer must repair it.

If the deflection has been subject to repair at least four times, and the deflection persists or if the equipment is out of service for a period of thirty days while under warranty, the consumer is entitled to a replacement or a full refund.

Farmers in Wisconsin sometimes spend a disproportionately high amount of money trying to repair faulty farm equipment. Even when the faulty equipment is under warranty, many farmers run into major problems as the equipment will continue to breakdown even after they get it back from the repair shop or manufacturer. Because of the technological advancements of farm equipment in recent years, farmers are more reliant on manufacturers for repair and service.

Wisconsin has had a lemon law pertaining to cars, trucks, and SUV's since 1984. This bill is comparable to our current auto lemon law, but focuses instead on farmers and their farm equipment.

States that already have lemon laws relating to farm equipment include Arkansas, Delaware, Georgia, Illinois, Minnesota, Missouri, New York, North Dakota, South Dakota, and Virginia.

Thank you for your consideration of Assembly Bill 14. I'd be happy to answer any questions.



DATE: May 18, 2023

TO: Members of the Assembly Committee on Consumer Protection

FROM: Wisconsin Farm Bureau Federation

RE: **Support for Assembly Bill 14: Lemon Law for Implements of Husbandry**

Good morning, Mr. Chairman and committee members, thank you for taking the time to hear AB 14 creating a “lemon law” in Wisconsin for farm implements.

This bill helps to protect farmers and the sizable investments they make in their equipment by creating a lemon law for the repair and replacement of faulty farm equipment. A lemon law provides a remedy for the consumer when a product is found to have a condition or defect that impairs the use, value or safety of that product. As you’re probably aware, Wisconsin already has a lemon law protecting purchasers of motor vehicles that turn out to be lemons. This bill is largely modeled on that current law.

This bill applies only to implements of husbandry, as defined in the statutes, which generally includes a self-propelled or towed vehicle that is designed to be used, and is exclusively used, in agricultural operations. If a piece of farm equipment is defective, and still under warranty, the manufacturer, lessor or dealer must attempt to repair the defect. If there have been at least four unsuccessful attempts made to repair the defect or if the implement of husbandry is out of use for at least 30 days the consumer is owed a refund or replacement.

Farm equipment is a major and necessary expense for farmers, and the cost to the farmer when that equipment is defective can be great – both in the price paid trying to repair the problem and in collateral costs like getting a crop into the ground too late in the year or being unable to harvest when a crop is ready. Additionally, because of the technological advancements of farm equipment in recent years, farmers are more reliant on manufacturers for repair and service. This bill is necessary to protect farmers against potentially devastating financial losses caused by a piece of equipment that turns out to be a lemon.

Thank you again for the opportunity to speak on this bill. I would be happy to answer any questions you may have.