

JERRY PETROWSKI

WISCONSIN STATE SENATOR

Senate Bill 573

January 8, 2020

Good afternoon, members of the committee, and thank you for the opportunity to speak today on Senate Bill 573.

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, and we tried to mirror this bill after current law in that regard, except where doing so wouldn't have made sense.

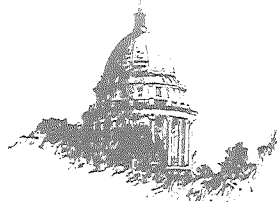
This bill applies only to implements of husbandry, as defined under current law, which generally includes a self-propelled or towed vehicle that is designed to be used, and is exclusively used, in agricultural operations. If a piece of farm equipment is defective, and still under warranty, the manufacturer, 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 lost crops, etc. 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.

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Senate Committee on Transportation, Veterans and Military Affairs
Senate Bill 573
January 8, 2020

First of all, I would like to thank you, Chairman Petrowski and committee members, for allowing me to testify before you concerning Senate Bill 573 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.

Nine other states already have lemon laws similar to this bill, including our neighbors Illinois and Minnesota. Arkansas, South Dakota, and Virginia enacted their agricultural lemon laws just last year.

The amendment replaces the word *vehicle* with *implement of husbandry*, clarifies the definition of *unsuccessful repair*, and protects dealers from the sale of certain already owned implements repaired by the manufacturer.

We live in a time when Wisconsin farmers are facing mounting pressure to turn a profit. Many fear they might soon lose their farm.

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

Good bills do not come from a group of elected officials in Madison, but from people outside of this building with lived experiences. You will later hear from my friend Tom, who will share his story dealing with his defective farm implements.

I appreciate your consideration of this bill. Thank you for this opportunity to testify before you today. I'd be happy to take any questions you may have.