If You Buy a Used Car, How Do I Know Whether It Has been Maintained According to the Manufacturer's Schedule?
When you purchase a used vehicle, obtain the maintenance receipts or log book from the previous owner. You should also ask the seller for the owner's manual, warranty or maintenance booklet, and any other information that came with the vehicle when it was new. If the seller does not have these documents, you can obtain them from the manufacturer.

In order to guarantee future warranty protection for your vehicle, you should continue to conform to the maintenance schedule provided by the manufacturer.

Does the Warranty Cover Parts that Need Replacement under Scheduled Maintenance?
Parts with a scheduled replacement interval that is less than the length of the warranty, such as "replace at 15,000 miles or 12 months," are warranted up to the first replacement point only. Warranty maintenance instruction that requires them to be "checked and replaced if necessary," or any similar requirement, need not be performed during scheduled maintenance. Note, though, that in the event of a failure, any replacement part will not be covered because your maintenance caused the failure. The manufacturer may not require that these replacement parts be a specific brand. However, the manufacturer may deny your warranty claim if your I/M test failure was caused by the use of a part which was not of equal quality to the original equipment part.

What Do I Do if the Manufacturer Will not Honor a Performance Warranty Claim that I Believe is Valid?
First, use the information here to make your case to the dealer. Then, follow the appeal procedure outlined in your vehicle's warranty statement or owner's manual. Every manufacturer employs warranty representatives who handle such appeals. Remember that the manufacturer must either allow your claim or give you a written denial, including specific reasons for denying your claim and within 30 days if you are entitled to free repairs.

In addition, the Environmental Protection Agency is authorized to investigate the failure of manufacturers to comply with the terms of this warranty. If you have followed the manufacturer's procedures and remain dissatisfied with the reason for a denied claim, you are encouraged to contact EPA by writing:

Warranty Complaint
Field Operations and Support (Division EN-5977)
U.S. Environmental Protection Agency
Washington, D.C. 20460

You are also entitled to pursue any independent legal actions you consider appropriate to obtain coverage under the Performance Warranty.

If Your Car Just Failed An Emission Test...
You May Be Entitled To Free Repairs.
Does the Performance Warranty Apply to Used Cars?
Yes. It does not matter if you bought your car new or used, from a dealer or another owner. As long as your vehicle has not exceeded the warranty time or mileage limitations and has been properly maintained, this warranty applies.

What Repairs Are Covered?
There are two categories of coverage under the Performance Warranty, and they depend on the age of your vehicle:

1) Any repair or adjustment which is necessary to make your vehicle pass an approved locally required emission test is covered if your vehicle is less than 3 years old and has less than 24,000 miles.
2) Any repair or adjustment of a primary emission control part which is necessary to make your vehicle pass an approved locally required emission test is covered if your vehicle is less than 5 years old and has less than 50,000 miles. Although coverage is limited to 24,000 miles for primary emission control parts, repairs must be still covered even after 50,000 miles. If the company determines that a primary part requires that non-primary parts be repaired or adjusted, these repairs are also covered.

Primary emission control parts are listed below. Please note that some manufacturers may use different names for these parts.

Exhaust Gas Conversion Systems
- oxygen sensor
- catalytic converter
- thermal reactor
- dual walled exhaust pipe

Exhaust Gas Recirculation (EGR) Systems (including:
- EGR valve
- EGR solenoid
- EGR feedback sensor
- EGR backpressure sensor

Evaporative Emission Control System
- purge valve
- purge solenoid
- vapor storage canister and filter

Positive Crankcase Ventilation (PCV) System
- PCV valve
- PCV solenoid

Air Injection System
- divertor, bypass, or diap valve
- air pump
- anti-backfire or deceleration valve

Ignition Systems
- electronic spark advance
- high energy electronic ignition

Miscellaneous Parts
- hoses, gaskets, brackets, clamps, and other accessories used in the above systems

What if the Dealer Claims that my Vehicle Can Pass the/1 Test without Repair?
The law does not require that you fail every 1 test in order to trigger the warranty. If a valid test shows that you have an emissions problem, you should get it fixed, while your vehicle is still within the warranty period. Otherwise, you might fail a future test because of the same problem—and have to pay for the repair yourself. If you doubt your original test results or the dealer’s results, you can always get another opinion from your I/M program to support your claim.

What Reasons Can the Manufacturer Use to Deny Coverage?
If your car is within the age or mileage limits explained above, the manufacturer can deny Performance Warranty coverage if you have failed to properly maintain and use your car. Proper use and maintenance of your vehicle are your responsibilities. The manufacturer may deny your claim if the evidence shows that your I/M test failure resulted from:
- vehicle abuse such as off-road driving or racing,
- tampering with emission control parts, including removal or intentional damage,
- improper maintenance, including failure to follow maintenance schedules and instructions, or use of replacement parts which are not equivalent to the originally installed part, or
- manufacturing: the use of leaded fuel in a vehicle requiring unleaded fuel, or use of older water pumps.

Are Dealers the Only Facilities Allowed to Perform Scheduled Maintenance Recommended by the Manufacturer?
No. Dealership service may be performed by anyone who has the knowledge and ability to perform the repair. For your protection, you should use your owner’s manual to specify the necessary items for your mechanic. Obtain an itemized receipt or work order for your records.

Why is Maintenance Important to Emission Control?
Emission control has led to many changes in engine design. As a result, cars don’t run the tune-ups and other maintenance as often. But some of the maintenance that is required allows your emissions control to do its job. For example, failure to change your spark plugs during a 20,000-mile tune-up can lead to misfiring and eventual damage to your catalytic converter.

How Do I Make a Performance Warranty Claim?
Bring your vehicle to a dealer or any other facility authorized by the manufacturer to perform warranty repair to the vehicle or its emission control system. Notify them that you wish to obtain a repair under the Performance Warranty. You should have with you a copy of your original purchase contract and your emissions test results. Also, bring this pamphlet and your vehicle’s warranty statement for reference. The warranty statement can be found in your owner’s manual or in the separate booklet provided by the manufacturer with the vehicle.

How Will I Know if My Claim Has Been Accepted as Valid?
After you submit your vehicle for a Performance Warranty claim, the manufacturer has 50 days to either repair the vehicle or notify you that the claim has been denied. If your I/M program imposes a shorter period, the manufacturer must meet that short deadline. Because of the significance of these deadlines you should get written verification when you present your vehicle for a Performance Warranty claim.