

Wisconsin Consumer Alert

EPA Issues Notices of Violation to Volkswagen Diesel Vehicles

December 1, 2015

Dear Consumer,

On September 18, 2015, the Environmental Protection Agency (EPA) notified Volkswagen Group of America of alleged violations of the Clean Air Act. The EPA alleges that a “defeat device” in the software developed and installed on its 2009-2015 model year 2.0-liter diesel vehicles is designed to circumvent EPA emissions testing standards for certain air pollutants.

On November 2, EPA issued a second Notice of Violation to Volkswagen AG, Audi AG and Volkswagen Group of America, Inc. This notice was also issued to Porsche AG and Porsche Cars North America. These five companies are collectively referred to as Volkswagen. The Notice of Violation alleges that Volkswagen developed and installed a defeat device in certain light duty diesel vehicles equipped with 3.0 liter engines for model years 2014 through 2016 that increases emissions of some air pollutants past EPA’s standards.

For more information about the EPA’s action, owners are urged to visit the EPA website at www3.epa.gov. For a complete list of affected vehicles, or to obtain details about Volkswagen’s offer to consumers, owners should visit the Volkswagen Group of America website at www.vwdieselinfo.com. (To find out if your vehicle is affected by the emissions issue and to see whether your vehicle is eligible for a “Goodwill Package” offer, have your VIN available to enter into the search tool on the website.)

In Wisconsin, if you own one of these vehicles and have any questions, please contact the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP). DATCP is the state’s primary consumer protection agency. Visit them at http://datcp.wi.gov/Consumer/Consumer_Protection/index.aspx, or go to the Wisconsin’s Consumer Information Hotline; contact the hotline staff by e-mail at DATCPHotline@Wisconsin.gov, or through the toll-free hotline at 1-800-422-7128.

In regards to the Wisconsin Lemon Law, if you bought one of these vehicles in Wisconsin, the law will only apply if the vehicle in question is a new vehicle. Also, it will only apply if the emissions issue can’t be remedied within four repair attempts, or the issue prevents you from using the vehicle for 30 days or more due to being out of service for repairs. Please note that either the four repair attempts, or the 30-days “out of service” have to occur before the expiration of the warranty, or before one year after the first delivery of the vehicle to the consumer, whichever is sooner. If you have any Lemon Law questions, please visit the Wisconsin Lemon Law website at wisconsin.gov/Pages/dmv/cons-protect/lemon-law/lemonlaw.aspx.

Thank you.