

**13-20-8 Mediation concerning nonconformity in recreational vehicle trailer.**

- (1) An owner who purchases a new recreational vehicle trailer and the manufacturer of the recreational vehicle trailer shall engage in mediation concerning resolution of a nonconformity in the recreational vehicle trailer, as provided in this section, if:
  - (a) the owner notifies the manufacturer in writing of the nonconformity;
  - (b) the nonconformity is manifest in the structural or functional integrity of the roof, subfloor, or wall of the recreational vehicle trailer;
  - (c) following notification under Subsection (1)(a), the manufacturer makes at least four attempts to correct the nonconformity, but the nonconformity persists;
  - (d) following at least four attempts by the manufacturer to correct the nonconformity, the owner submits to the manufacturer a written request for mediation;
  - (e) the nonconformity substantially impairs the use, value, or safety of the recreational vehicle trailer; and
  - (f) the nonconformity does not include a defect or condition that occurs as a result of:
    - (i) the use of the recreational vehicle trailer for business or commercial purposes; or
    - (ii) abuse, neglect, modification, or alteration of the recreational vehicle trailer by a person other than the manufacturer or the manufacturer's authorized service agent.
- (2) Mediation under this section shall:
  - (a) take place in the county in which the owner purchased the recreational vehicle trailer; and
  - (b) be conducted by the Consumer Arbitration Program for Recreation Vehicles.
- (3) The manufacturer of the recreational vehicle trailer shall pay the cost of mediation.
- (4) The failure of mediation to resolve an owner's concerns about an alleged nonconformity in the owner's recreational vehicle trailer does not impair or affect any right or remedy the owner otherwise has under the law.

Amended by Chapter 124, 2013 General Session