Unofficial Copy I3

2000 Regular Session 0lr0208

(PRE-FILED)

By: Delegates Pendergrass, Goldwater, Love, and Moe Moe, Barve, Brown,	
Busch, Gordon, Harrison, Hill, Kirk, Krysiak, and Walkup	

Requested: June 23, 1999

Introduced and read first time: January 12, 2000

Assigned to: Economic Matters

Committee Report: Favorable with amendments

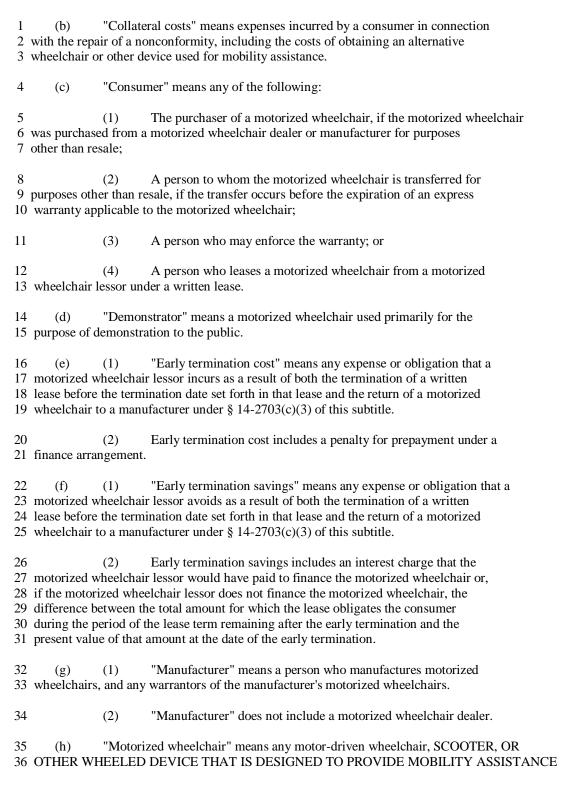
House action: Adopted

Read second time: February 8, 2000

CHAPTER____

1 AN ACT concerning

- 2 Motorized Wheelchair Warranty Enforcement Act Inclusion of Motorized Scooters
- 4 FOR the purpose of expanding the scope of the Motorized Wheelchair Warranty
- 5 Enforcement Act to include motorized scooters and other motorized wheeled
- 6 devices that are designed to provide mobility assistance for individuals with
- disabilities; defining a certain term; providing for the application of this Act; and
- 8 generally relating to the scope of the Motorized Wheelchair Warranty
- 9 Enforcement Act.
- 10 BY repealing and reenacting, with amendments,
- 11 Article Commercial Law
- 12 Section 14-2701
- 13 Annotated Code of Maryland
- 14 (1990 Replacement Volume and 1999 Supplement)
- 15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 16 MARYLAND, That the Laws of Maryland read as follows:
- 17 Article Commercial Law
- 18 14-2701.
- 19 (a) In this subtitle the following words have the meanings indicated.



HOUSE BILL 35

- 1 FOR AN INDIVIDUAL WITH A DISABILITY, including a demonstrator, that a consumer
- 2 purchases or accepts transfer of in the State.
- 3 (i) "Motorized wheelchair dealer" means a person who is in the business of 4 selling motorized wheelchairs.
- 5 (j) "Motorized wheelchair lessor" means a person who leases a motorized 6 wheelchair to a consumer, or who holds the lessor's rights, under a written lease.
- 7 (k) "Nonconformity" means a condition or defect that substantially impairs the
- 8 use, value, or safety of a motorized wheelchair or any of its component parts, and that
- 9 is covered by an express warranty applicable to the motorized wheelchair or to a
- 10 component of the motorized wheelchair, but does not include a condition or defect that
- 11 is the result of abuse, neglect, or unauthorized modification or alteration of the
- 12 motorized wheelchair by a consumer.
- 13 (l) "Reasonable attempt to repair" means any of the following occurring
- 14 within the term of an express warranty applicable to a new motorized wheelchair or
- 15 within 1 year after first delivery of the motorized wheelchair to a consumer,
- 16 whichever is sooner:
- 17 (1) The same nonconformity with the warranty is subject to repair at
- 18 least four times by the manufacturer, motorized wheelchair lessor, or any of the
- 19 manufacturer's authorized motorized wheelchair dealers and the nonconformity
- 20 continues; or
- 21 (2) The motorized wheelchair is out of service for an aggregate of at least
- 22 30 days because of warranty nonconformities.
- 23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
- 24 construed only prospectively and may not be applied or interpreted to have any effect
- 25 on or application to any sales or transfers of motorized scooters or other motorized
- 26 wheeled devices designed to provide mobility assistance for individuals with
- 27 disabilities before the effective date of this Act.
- 28 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
- 29 October 1, 2000.