

Department of Legislative Services
Maryland General Assembly
2000 Session

FISCAL NOTE

House Bill 35 (Delegate Pendergrass. *et al.*)

Economic Matters

Motorized Wheelchair Warranty Enforcement Act -
Inclusion of Motorized Scooters

This bill includes motorized scooters and other motorized wheeled devices designed to provide mobility assistance for individuals with disabilities within the protections of the Motorized Wheelchair Warranty Enforcement Act.

The bill applies to motorized scooters and other motorized wheeled devices designed to provide mobility assistance for individuals with disabilities sold or transferred on or after October 1, 2000.

Fiscal Summary

State Effect: Assuming that the Consumer Protection Division receives fewer than 50 complaints as a result of this bill, any additional workload would be handled with existing budgeted resources. Any cost recovery by the Attorney General resulting from actions brought under the unfair and deceptive trade practices provision cannot be quantified beforehand.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: The Motorized Wheelchair Warranty Enforcement Act applies only to a motor-driven wheelchair, including a demonstrator, that a consumer purchases or accepts transfer of in the State.

Background: The Motorized Wheelchair Warranty Enforcement Act requires a

manufacturer who sells a new motorized wheelchair to a consumer to furnish the consumer with an express, one-year warranty. If a motorized wheelchair does not conform to the warranty, the defect is to be repaired at the manufacturer's expense. If the nonconformity is not repaired after a reasonable attempt, the manufacturer must either: (1) replace the motorized wheelchair or any of its component parts; or (2) grant the consumer a refund of the purchase price plus finance charge, amount paid by the consumer at the point of sale, and collateral costs, less a reasonable allowance for use.

A violation of the Motorized Wheelchair Warranty Enforcement Act is an unfair or deceptive trade practice under the Maryland Consumer Protection Act.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Office of the Attorney General (Consumer Protection Division),
Department of Legislative Services

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