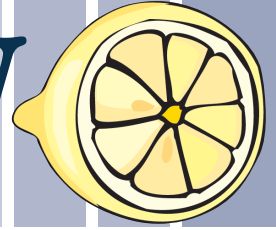


Motorized Wheelchair Lemon Law



consumer *brief*

Motorized wheelchairs and scooters can cost up to \$2,000 to as high as \$20,000, almost as much as a new car.

The Wheelchair Lemon Law provides protection to owners and lessees of motorized wheelchairs and scooters.

HERE'S HOW THE LAW WORKS:

The Wheelchair Lemon Law requires manufacturers to warranty against defects which substantially impair the use, value or safety of the chair or scooter. The warranty also covers power accessories used to operate the wheelchair or scooter, as well as the wheelchair itself. The warranty must last at least one year.

The law applies to all new and “demonstrator” wheelchairs, motorized scooters designed primarily for indoor use, and retrofit power units that motorize wheelchairs. The wheelchair or scooter must be used for medical reasons and have been purchased or leased in New Jersey.

If you believe your wheelchair or scooter does not function properly:

- notify the manufacturer or dealer of the problem by mail each time the problem occurs; and
- bring the wheelchair or scooter in for repair three times within the one-year warranty period.

After three unsuccessful attempts at repairing the same problem, or if the wheelchair or motorized scooter is out of service for twenty (20) cumulative days, you may be entitled to a replacement, refund, or early lease termination, minus a reasonable allowance for use.

Consumers who abuse, neglect or make unauthorized modifications to the wheelchair or scooter are not protected under the law.

Consumers may:

- Refer the matter to the manufacturer for resolution
- Refer the matter to the Wheelchair Lemon Law Unit at the Division of Consumer Affairs for dispute resolution, or
- File an action in the Superior Court of New Jersey and mail a copy of the initial complaint or response pleading containing the claim, counterclaim or defense to the Attorney General within 10 days of filing papers with the court.

To file a Lemon Law claim, consumers must submit an application to the Wheelchair Lemon Law Unit. Applications are available from the unit. The address is: **Lemon Law Unit, New Jersey Division of Consumer Affairs, P.O. Box 45026, Newark, N.J. 07102.** If an application is accepted, the consumer must pay a nonrefundable \$50 filing fee to the Division. Cases are referred to the Office of Administrative Law for a hearing.

For more information, contact the Lemon Law Unit at **973-504-6226.**



800-242-5846 ▶ **New Jersey Division of Consumer Affairs**
www.NJConsumerAffairs.gov

